

**THE STATES assembled on Tuesday,
28th June 2005 at 9.30 a.m. under
the Presidency of the Deputy Bailiff,
Michael St. John Cameron Birt.**

**His Excellency the Lieutenant Governor,
Air Chief Marshal Sir John Cheshire, K.B.E., C.B.,
was present.**

All members were present with the exception of –

Senator Frank Harrison Walker – out of the Island
Senator Paul Francis Routier – out of the Island
Senator Michael Edward Vibert– ill
Maxwell Robert de la Haye, Connétable of St. Brelade- ill
Alan Simon Crowcroft, Connétable of St. Helier– out of the Island
Alan Breckon, Deputy of St. Saviour– ill
Jennifer-Anne Bridge, Deputy of St. Helier– out of the Island.

Prayers read by the Greffier of the States.

Subordinate legislation tabled

The following enactments were laid before the States, namely –

Road Traffic (Saint Lawrence) (Amendment No. 18) (Jersey) Order 2005. <i>Environment and Public Services Committee.</i>	R&O 58/2005.
Employment (Awards) (Jersey) Order 2005. <i>Employment and Social Security Committee.</i>	R&O 60/2005.
Plant Health (Jersey) Order 2005. <i>Environment and Public Services Committee.</i>	R&O 61/2005.

Matters presented

The following matters were presented to the States –

Jersey Appointments Commission: Annual Report for 2004. <i>Presented by the Policy and Resources Committee.</i>	
Privileges and Procedures Committee Sub-Committee on Standards: complaint against Senator E.P. Vibert. <i>Presented by the Privileges and Procedures Committee.</i>	R.C.53/2005.
Solid Waste Strategy (P.95/2005): amendment (P.95/2005 Amd.)– comments. <i>Presented by the Environment and Public Services Committee.</i>	P.95/2005. Amd.Com.
Solid Waste Strategy (P.95/2005): second amendments (P.95/2005 Amd.(2))– comments. <i>Presented by the Environment and Public Services Committee.</i>	P.95/2005. Amd. (2)Com.
Solid Waste Strategy (P.95/2005): third amendments (P.95/2005 Amd.(3))– comments.	P.95/2005. Amd. (3)Com.

Presented by the Environment and Public Services Committee.

Environment and Public Services: establishment of Ministers and Departments (P.120/2005) – comments. P.120.Com.
Presented by the Environment and Public Services Committee.

Development of a Cultural Strategy for the Island (P.172/2004): comments. P.172.
Presented by the Environment and Public Services Committee. Com.(2)

THE STATES ordered that the said reports be printed and distributed.

Matters lodged

The following matters were lodged “au Greffe” –

Draft Restriction on Smoking (Amendment) (Jersey) Law 200- (P.111/2005): amendments. P.111/2005.
Presented by Deputy J.L. Dorey of St. Helier. Amd.

Environment and Public Services: establishment of Ministers and Departments (P.120/2005) – amendment P.120/2005.
Presented by the Environment and Public Services Committee. Amd.

Draft Matrimonial Causes (Amendment No. 11) (Jersey) Law 2003 (Appointed Day) Act 200-. P.129/2005.
Presented by the Legislation Committee.

Draft Criminal Justice (Evidence of Children) (Jersey) Law 2002 (Appointed Day) Act 200-. P.130/2005.
Presented by the Legislation Committee.

Draft States of Jersey (Period for Ordinary Election) (Jersey) Regulations 200-. P.131/2005.
Presented by the Privileges and Procedures Committee.

Draft States of Jersey Law 2005 (Appointed Day) (No. 1) Act 200. P.132/2005.
Presented by the Privileges and Procedures Committee.

Draft Public Finances (Amendment) (Jersey) Law 200-. P.133/2005.
Presented by the Finance and Economics Committee.

Draft Plant Health (Jersey) Law 2003 (Appointed Day) Act 200-. P.134/2005.
Presented by the Environment and Public Services Committee.

Draft Social Security (Amendment No. 18) (Jersey) Law 200. P.135/2005.
Presented by the Employment and Social Security Committee.

Scrutiny Panels: rescindment of decisions. P.136/2005.
Presented by Deputy G.C.L. Baudains of St. Clement, and referred to the Policy and Resources and the Privileges and Procedures Committees.

The Jersey Opera House –statement

The President of the Education, Sport and Culture Committee made a statement in the following terms –

“I am pleased to confirm that, following extensive and detailed negotiations, the Education, Sport and Culture Committee, Jersey Arts Trust and Jersey Opera House Limited have concluded an agreement

which secures the future of the Jersey Opera House.

This has been achieved by the Committee agreeing to bring forward £150,000 from the future funding stream for the Jersey Arts Trust which will enable it to increase the operating grant for the Jersey Opera House Limited by that amount for 2005. This money will be recovered over a five year period, commencing in 2006 by reducing the grant to the Jersey Arts Trust by £30,000 per annum. While the management of this reduced grant is a matter for the Arts Trust, I can confirm that it has agreed that the funds will be recovered through a reduction in the Opera House operating grant of £20,000 per annum with the remaining £10,000 being met by the Arts Trust through enhanced efficiency and fund raising. The Chairman of the Arts Trust has made a commitment that this repayment will not be achieved through reducing the grants to other organisations or individuals who benefit from their support.

The Committee is pleased, not only that this long standing issue has been brought to a conclusion which meets the needs of all parties, but also that it provides stability for the Jersey Opera House Limited's Board of Directors, the staff of the Opera House and the local groups who depend on the venue to stage their productions."

Island Plan 2002: changes to Built-Up Area boundary – P.77/2005 – paragraph (a)(i)– withdrawn

THE STATES granted leave to the President of the Environment and Public Services Committee to withdraw paragraph (a)(i) of the proposition of the Environment and Public Services Committee concerning the Island Plan 2002: changes to built-up area, (P.77/2005 lodged "au Greffe" on 19th April 2005).

Island Plan 2002: changes to Built-Up Area boundary – P.77/2005 Amendments

THE STATES commenced consideration of a proposition of the Environment and Public Services Committee concerning the Island Plan 2002: changes to Built-Up Area boundary, and adopted an amendment of Deputy Jacqueline Ann Hilton of St. Helier that subparagraph (a)(x) be deleted, and that after subparagraph (b)(ii) there be inserted the following new sub-paragraph –

“(iii) an area of land situated in the Parish of St. Lawrence, bounded to the south by Tesson Mews, to the west by La Rue du Moulin de Tesson and to the north and east by La Vallée de St. Pierre, shown hatched on the attached drawing dated 9th February 2005”.

Members present voted as follows –

POUR: 30

Senator J.A. Le Maistre
Senator S. Syvret
Senator W. Kinnard
Senator P.V.F. Le Claire
Senator R.J. Shenton
Connétable of St. Martin
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy T.J. Le Main (H)
Deputy M.F. Dubras (L)
Deputy G.C.L. Baudains (C)

CONTRE: 6

Senator P.F.C. Ozouf
Connétable of St. John
Deputy J.J. Huet (H)
Deputy J.L. Dorey (H)
Deputy of St. Mary
Deputy G.W.J. de Faye (H)

ABSTAIN: 1

Deputy M.A. Taylor (C)

Deputy P.N. Troy (B)
Deputy F.G. Voisin (L)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisier (S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)

Senator Leonard Norman declared an interest and withdrew from the Chamber during consideration of the amendment of Deputy Jacqueline Ann Hilton of St. Helier, (P.77/2005.Amd.(3) lodged “au Greffe” on 10th May 2005).

THE STATES commenced consideration of an amendment of Senator Leonard Norman that in paragraph (a) after sub-paragraph (xx) there be inserted the following new sub-paragraph –

“(xxi) Field 91, Grande Route de la Côte, St. Clement;”,

and, following consideration, adopted a proposition of the President of the Environment and Public Services Committee that, in accordance with Standing Order 46(1), strangers do withdraw in order that conclusion of the consideration of the amendment of Senator Leonard Norman concerning the Island Plan 2002: changes to built-up area boundary – second amendments, (P.77/2005. Amd.(2) lodged “au Greffe” on 3rd May 2005), be conducted in camera.

THE STATES, having concluded consideration of the amendment in camera, proceeded to vote in public assembly, and rejected the amendment of Senator Leonard Norman.

Members present voted as follows –

POUR: 17

Senator J.A. Le Maistre
Senator S. Syvret
Senator L. Norman
Senator P.V.F. Le Claire
Senator R.J. Shenton
Connétable of St. Martin
Connétable of St. Saviour
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Deputy R.C. Duhamel (S)
Deputy G.C.L. Baudains (C)

Deputy L.J. Farnham (S)
Deputy J.A. Martin (H)
Deputy J.A. Bernstein (B)
Deputy of Grouville
Deputy J.A. Hilton (H)

CONTRE: 18

Senator T.A. Le Sueur
Senator P.F.C. Ozouf
Connétable of St. Ouen
Connétable of Trinity
Connétable of St. Lawrence
Connétable of St. John
Deputy of Trinity
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy T.J. Le Main (H)
Deputy M.F. Dubras (L)
Deputy J.L. Dorey (H)
Deputy C.J. Scott Warren
(S)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy M.A. Taylor (C)
Deputy G.W.J. de Faye (H)

ABSTAIN: 1

Connétable of Grouville

THE STATES, following consideration, rejected an amendment of the Environment and Public Services Committee that after paragraph (a)(xx) there be added–

“(b) to remove the designation of “Important Open Space” from the northern part of Field 263a Grouville, within the Built-up Area (as shown on Map 33, dated 31st May 2005);”,

and that the remaining paragraphs be re-lettered accordingly.

Members present voted as follows –

POUR: 15

Senator L. Norman
Senator T.A. Le Sueur
Senator M.E. Vibert
Senator P.F.C. Ozouf
Connétable of St. Ouen
Connétable of St. Saviour
Deputy J.J. Huet (H)
Deputy T.J. Le Main (H)
Deputy J.L. Dorey (H)
Deputy R.G. Le Hérisier (S)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy P.J.D. Ryan (H)
Deputy M.A. Taylor (C)
Deputy G.W.J. de Faye (H)

CONTRE: 26

Senator J.A. Le Maistre
Senator S. Syvret
Senator W. Kinnard
Senator P.V.F. Le Claire
Senator R.J. Shenton
Connétable of St. Martin
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Deputy of Trinity
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy C.J. Scott Warren
(S)
Deputy L.J. Farnham (S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy J.A. Bernstein (B)
Deputy of St. Mary
Deputy of St. Ouen
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)

ABSTAIN: 2

Connétable of St. John
Deputy P.N. Troy (B)

THE STATES commenced consideration of an amendment of Deputy Jacqueline Ann Hilton of St. Helier that after new sub-paragraph (b)(iii) there be inserted the following new sub-paragraph –

“(iv) Field 621, La Route de Noirmont, St. Brelade, as shown hatched on the attached drawing dat 17th February 2005.”,

and, following consideration, adopted a proposition of Deputy Jacqueline Jeannette Huet of St. Helier that, in accordance with Standing Order 46(1), strangers do withdraw in order that conclusion of the consideration of the amendment of Deputy Jacqueline Ann Hilton of St. Helier concerning the Island Plan 2002: changes to built-up area boundary – third amendments, (P.77/2005. Amd.(3) lodged “au Greffe” on 10th May 2005), be conducted in camera.

THE STATES, having concluded consideration of the amendment in camera, proceeded to adopt, in public assembly, a proposition of Deputy Lyndon John Farnham of St. Saviour that, in accordance with Standing Order 26A(1), the question be now put.

Members present voted as follows –

POUR: 20

Senator T.A. Le Sueur
Connétable of St. Saviour

Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement

CONTRE: 15

Senator S. Syvret

Senator W. Kinnard
Senator M.E. Vibert
Senator P.F.C. Ozouf
Deputy J.J. Huet (H)

ABSTAIN: 2

Senator P.V.F. Le Claire
Deputy G.C.L. Baudains
(C)

Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. John
Deputy of Trinity
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy T.J. Le Main (H)
Deputy M.F. Dubras (L)
Deputy L.J. Farnham (S)
Deputy J.A. Bernstein (B)
Deputy of St. Mary
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy M.A. Taylor (C)

Deputy J.L. Dorey (H)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren (S)
Deputy R.G. Le Hérisssier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)

THE STATES adopted the amendment of Deputy Jacqueline Ann Hilton of St. Helier concerning Field 621 La Route de Noirmont, St. Brelade

Members present voted as follows –

POUR: 23

Senator S. Syvret
Senator W. Kinnard
Senator P.V.F. Le Claire
Connétable of St. Saviour
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Deputy R.C. Duhamel (S)
Deputy T.J. Le Main (H)
Deputy M.F. Dubras (L)
Deputy G.C.L. Baudains (C)
Deputy C.J. Scott Warren (S)
Deputy L.J. Farnham (S)
Deputy R.G. Le Hérisssier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy J.A. Bernstein (B)
Deputy S.C. Ferguson (B)
Deputy of St. Peter
Deputy J.A. Hilton (H)

CONTRE: 12

Senator T.A. Le Sueur
Senator M.E. Vibert
Senator P.F.C. Ozouf
Connétable of St. John
Deputy of Trinity
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy J.L. Dorey (H)
Deputy of St. Mary
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy G.W.J. de Faye (H)

ABSTAIN: 2

Deputy P.N. Troy (B)
Deputy M.A. Taylor (C)

Change in Presidency

The Deputy Bailiff retired from the Chair prior to the consideration of the amendment of Deputy Jacqueline Ann Hilton of St. Helier concerning the Island Plan 2002: changes to built-up area boundary – third amendments, (P.77/2005. Amd.(3) lodged “au Greffe” on 10th May 2005), relating to Field 621, La Rout de Noirmont, St. Brelade, and the meeting continued under the Presidency of Mr. Michael Nelson de la Hay Greffier of the States.

Adjournment

THE STATES then adjourned, having agreed to resume consideration of the proposition of the Environment

and Public Services Committee concerning the Island Plan 2002: changes to built-up area, (P.77/2005 lodged “au Greffe” on 19th April 2005), together with an outstanding amendment of Deputy Gerard Clifford Lemmens Baudains of St. Clement, (P.77/2005. Amd. lodged “au Greffe” on 3rd May 2005), as the first items of public business at its next meeting on 5th July 2005.

THE STATES rose at 6.55 p.m.

M.N. DE LA HAYE

Greffier of the States.