



THE STATES assembled on Tuesday,
15th May, 1984 at 10.15 a.m. under
the Presidency of the Bailiff, Sir Frank
Ereaut.

All members were present with the exception of –

Leonard James Norman, Connétable of St. Saviour – ill.

Prayers.

Subordinate legislation tabled.

The following enactments were laid before the States,
namely –

1. Social Security (Determination of Claims and Questions) (Amendment) (Jersey) Order, 1984. R & O 7280.
2. Road Traffic (Saint Martin) (Jersey) Order, 1984. R & O 7281.
3. Road Traffic (Saint Peter) (Amendment No. 3) (Jersey) Order, 1984. R & O 7282.

Matters noted – land transactions.

THE STATES noted an Act of the Finance and Economics Committee dated 2nd May, 1984, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved –

- (a) as recommended by the Public Health Committee, in pursuance of an Act of the States dated 28th November, 1978, accepting the devise of the late Mrs. Eunice Jane Bailhache, née Hubert, of specified properties, the assignment from Mr. Michael John Sinel to La Topaz d'Or Limited of the unexpired portion of the lease of No. 41 New Street, St. Helier, which lease was due to expire on 25th December, 1987, at an annual rent of £2,864.64;

- (b) as recommended by the Housing Committee, with the support of the Island Development Committee, the purchase from Vallambrosa Limited of the property No. 22 Le Geyt Street, St. Helier, for a consideration of £82,500 on the basis of each party paying its own legal fees;
- (c) as recommended by the Housing Committee, with the support of the Island Development Committee, the purchase from Ipsingo Investments Limited of two new houses on Field 1513, Bellozanne Valley, St. Helier, for use as States' rental accommodation, for a consideration of £42,500 for each property on the basis of each party paying its own legal fees.

Matters noted – financial transactions.

THE STATES noted Acts of the Finance and Economics Committee dated 3rd April, 1984 and 2nd May, 1984, showing that in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules, 1967, as amended, the Committee had noted that -

- (a) the Harbours and Airport Committee has accepted the lowest of seven tenders, namely that submitted by B. & C. Construction Co. Ltd. in the sum of £279,910.29 in a contract period of 32 weeks for the construction of the new Airport Fire Station;
- (b) the Education Committee has accepted the lowest of seven tenders, namely that submitted by Thatcher Limited in the sum of £88,510.00 with a fixed contract period concluding on 24th August, 1984, for improvements to La Moye School.

Matters lodged.

The following subject was lodged "au Greffe" –

Wye College Report on the Agricultural Industry in Jersey (R.C.26/83): debate. P.60/84.

Presented by Deputy Hendricus Adolphus Vandervliet of St. Lawrence. The States decided to take this subject into consideration on 5th June, 1984.

The following subjects were lodged on –

8th May, 1984

1. **Draft Dangerous Buildings and Structures (Jersey) Law, 198 . P.55/84.**
Presented by the Island Development Committee.
The States decided to take this subject into consideration on 5th June, 1984.
2. **St. Mary's House, Roussel Street, St. Helier: approval of plans. P.56/84.**
Presented by the Housing Committee. The States decided to take this subject into consideration on 22nd May, 1984.
3. **Laws on Wills and Successions: proposed reform. P.57/84.**
Presented by the Legislation Committee. The States decided to take this subject into consideration on 12th June, 1984.
4. **Draft Safeguarding of Workers (Liquefied Petroleum Gas) (Jersey) Regulations, 198 . P.58/84.**
Presented by the Social Security Committee. The States decided to take this subject into consideration on 22nd May, 1984.
5. **Draft Family Allowances (Amendment No. 3) (Jersey) Law, 198 . P.59/84.**
Presented by the Social Security Committee. The States decided to take this subject into consideration on 22nd May, 1984.

St. Brelade's Garages Limited: lease of land. P.52/84.

THE STATES acceded to the request of the President of the Harbours and Airport Committee that the Proposition relating to the lease of land to St. Brelade's Garages Limited (P.52/84 – lodged on 1st May, 1984) be considered at the present Sitting.

**Fort Regent: lease of Bistro Carronade and Skating Rink.
P.54/84.**

THE STATES acceded to the request of the President of the Fort Regent Development Committee that the Proposition relating to the leases of Bistro Carronade and Skating Rink at Fort Regent (P.54/84 – lodged on 1st May, 1984) be considered at the present Sitting.

**Draft Social Security (Amendment No. 5) (Jersey) Law, 198 .
P.49/84.**

THE STATES acceded to the request of the President of the Social Security Committee that the Proposition relating to the draft Social Security (Amendment No. 5) (Jersey) Law, 198 (P.49/84 – lodged on 1st May, 1984) be considered on 22nd May, 1984.

Wye College Report: Question and answer.

Deputy Sir Martin Le Quesne of St. Saviour asked Senator Richard Joseph Shenton, President of the Agriculture and Fisheries Committee, the following question –

“Will the President inform the House when he proposes to bring to the States a report giving his Committee’s comments on the Wye College survey (R.C.26/1983)?”

The President of the Agriculture and Fisheries Committee replied as follows –

“My Committee presented the Wye College Survey to the States on 13th December, 1983. In an introduction to that Survey it was stated that a working party under the Chairmanship of Deputy Buesnel had met on 10 occasions to examine the various findings.

Many of the suggestions in the Survey have been implemented while some were not acceptable to either my Committee or the industry. The Survey stimulated considerable thought and constructive criticism within the industry itself.

It is not however my Committee's intent to submit a Report on the Survey as to do so would only waste time of members. It is the Committee's policy to act on the Survey rather than produce paperwork."

Jury Service: Questions.

Deputy Michael Adam Wavell of St. Helier asked Deputy Edgar John Becquet, President of the Legislation Committee, the following questions –

"Having regard to the duration of sittings of the Assize Court in recent years, e.g. nine weeks in one instance –

1. Will the President inform the States whether it is intended to introduce legislation to reduce the number of persons at present required to constitute a jury?
2. Can he explain the existing arrangements for selecting a jury and the provisions made under which certain persons are exempt from jury service?
3. What are the arrangements, if any, for the payment of compensation, for example, in respect of loss of earnings, to persons selected to serve on a jury?"

The President of the Legislation Committee informed the House that the questions would be answered on 22nd May, 1984.

Constitution of an Inquest Jury: Question.

Deputy Michael Adam Wavell of St. Helier asked Senator John Le Marquand, President of the Public Health Committee, the following question –

"Will the President inform the States whether his Committee is prepared to consider submitting legislation to reduce the number of persons required to constitute a jury for the purpose of inquests?"

The President of the Public Health Committee informed the House that this matter had been referred to the Legislation Committee for reply.

Deputy Edgar John Becquet, President of the Legislation Committee, informed the House that the question would be answered on 22nd May, 1984.

Philatelic sales and postal charges: Questions and answers.

Senator Richard Joseph Shenton asked Deputy Jean Amy Le Maistre of St. Helier, President of the Committee for Postal Administration, the following questions –

- “1. Will the President inform the House as to what steps the Committee is taking to arrest the decline in philatelic sales and consequently profits?
2. Would the President inform the House whether or not this decline in philatelic sales has also affected the Isle of Man or Guernsey and, if so, to what effect?
3. In view of the large Post Office and Mails net trading surplus, is it the Committee’s intention to hold any increases in postal charges for the foreseeable future?”

The President of the Committee for Postal Administration replied as follows –

- “1. In response to the policy of the Finance and Economics Committee that surpluses be sustained as far as prudently possible, and on the premise that the level of philatelic sales had not previously shown significant decline, the Postal Committee agreed upon a rise in annual face value of its stamp issues in each of the past two years. Helped by this, 1982 produced a record surplus from philatelic activities. Despite it, 1983 did not.

Recovery in the economy, particularly in Great Britain, which is Jersey's largest philatelic market, having been slower than forecast, the Committee reviewed earlier planning for 1984 and onwards and has already publicly announced a modification of its philatelic programme to a level and content adjudged to be the most prudent in the circumstances for optimising available revenue and reflecting as far as possible the most valid of opinions expressed by advisers and customers. The Committee has also already changed, in one case, an overseas agent, and in general the current emphasis of its policy, to concentrate more upon sales to individual collectors, with somewhat less reliance on the dealer market which is known to have its cashflow problems. Attention is being directed especially at overseas sales, in areas where the value of sterling and the speed of economic recovery may favour an upturn more readily than currently seems likely in the United Kingdom.

2. The answer to the first part of the Question is YES; the decline in numbers of stamps sold philatelically during the past two years of economic constraint has also affected both the Isle of Man and Guernsey, and indeed many other postal administrations. In regard to the second part of the Question, detailed information is regularly exchanged between the three Island administrations on a confidential basis; I do not believe it would be proper for me to quote figures which may not yet have been made public in the other islands, but I can however assure the House that the extent of the decline has been at least as great for the other two administrations, and that a comparison of those figures available for profit earned philatelically during the period concerned substantially favours Jersey.
3. Members will have noted that the total surplus for the year 1983, despite the decline in philatelic return, was only marginally less than the record year 1982. This was due to a record postal profit, and this in turn to energetic and responsive marketing of

postal services, helped by substantial postings and the response of the public in using to the full letter and packet services locally and to the United Kingdom, for both of which current tariffs are the lowest in the British Isles. To what extent these can be sustained and for how long depends upon the degree to which the favourable circumstances continue or can be repeated and it would be unwise to forecast that Post Office and Mails profit this year can be a further record. The Committee and its Officers are as always determined to defer any increase in postal tariffs under their control as long as is justified by the economics of the Jersey Post Office operation and the interests of the Island, and this policy is being rigorously and energetically maintained.”

Manual Workers Dispute at the Hospitals: Statement.

The President of the Establishment Committee made a Statement in the following terms –

- “1. The House will be aware that the dedication of successive Public Health Committees, Hospital Management and medical nursing and support staff has given Jersey a first-class hospital service. In the past 10 years the Public Health Committee’s gross expenditure has risen from £4.27 million per annum to £21.33 million per annum, representing today 21.85% of the total States’ gross expenditure on the non-trading Committees. £12.38 million has been spent on capital improvements and a further £10.8 million voted for future works. The next part of this programme, which includes new laboratories, kitchens, clinics and a pharmacy, is almost ready.
2. All these new developments have been ‘blacked’ by the manual workers employees who have demanded a higher bonus without measurement and more staff. By agreement with the President of the Public Health Committee, I should like to explain why these demands are unacceptable.

3. The Union claims that there has been a major reduction in manual worker manning levels. This is wrong. In July 1980 there were 620 manual workers. In February 1983, when the number employed was the highest ever, there were 627. Now there are 615, only 5 fewer than in 1980 and only 12 fewer than the highest figure ever recorded. The Catering Department, in anticipation of the far less labour-intensive Cook/Chill system, accounts for 11 of this 12. These reductions have occurred through natural wastage: there have been no redundancies.
4. Although there will be new buildings to service, some of the old ones have been and will be demolished. The new units are much easier to clean and maintain because of modern design and finish. Moreover, the work of support services has been reviewed in the last year or two and some tasks have been found unnecessary and dropped.
5. The Union has been given details of manning figures. More important, management has shown by its actions that it is ready to take on extra staff where necessary – 4 have been added in the past couple of weeks to meet proven needs. It has reaffirmed its willingness to look at any problems raised by the shop stewards. The Public Health Committee and the Establishment Committee cannot abandon their responsibility for controlling manning levels; nor need the Public Health Committee apologise for running its service with the greatest possible cost-effectiveness.
6. The Union's second claim, for the payment of a higher performance bonus without being justified by measurement, is equally unreasonable. Manual workers are well paid, and the Committee's current manual worker wage bill is £5.8 million a year. £920,000 is paid in the form of bonuses. The claim for higher bonus would add another £200,000 to the wage bill and give each employee a further £6 – £8 a week. The Manual Workers' Pay and Productivity Agreement between the States and the Transport and General Workers' Union provides for all bonus payments to be based on measurement. The Public Health Committee has offered measurement when

the three new units are opened. It has offered to put any change into effect from April, 1984.

7. The 'blacking' is totally contrary to the Disputes Procedure agreed between the States and the Transport and General Workers' Union, which states that the employees have agreed that there 'shall be no industrial action, either before or at any stage of the procedure' and that 'they shall use their best endeavours to prevent such action or to bring it to an end if it occurs'. the Hospital manual workers and the Union are still in breach of the Agreement.
8. The move into the new premises will shortly have to begin, and management will have to issue instructions for the work to be carried out. All staff are employed to carry out a job. If they refuse, they are in breach of their contracts of employment and would be frustrating an improvement in patient services. This cannot be tolerated, and management will be forced to exercise its right to take disciplinary action against them. As a first step, anyone refusing to carry out proper instructions must expect to be suspended without pay.
9. The Public Health Committee and the Establishment Committee recognise the important contribution made by the manual workers to the success of the Health Service. The Committees also know that changes in the working environment can cause anxiety to the staff affected and will do their best to reassure them. There are proper channels by which the staff can discuss their problems without breaking their agreements. The Committees believe that the House and the public of the Island will support their refusal to agree to unreasonable demands backed by threats of improper industrial action."

Attendance Allowance Board: appointment.

THE STATES, adopting a Proposition of the Social Security Committee re-appointed the undermentioned as members of the Attendance Allowance Board, in pursuance of Article 4 of the Attendance Allowances (Jersey) Law, 1973, for a further period of three years commencing from 14th March, 1982 –

Dr. J.E. Lewis (Chairman)

Dr. B. Myles

Mr. St. John Birt, O.B.E.

Dr. J. Newell

Dr. W.M. Diggle

Dr. F.M. Braines

and appointed as a Member of the Board for the remainder of its term of office –

Mrs. J.M. Norman.

Sunday Trading.

THE STATES commenced consideration of a Proposition of the Tourism Committee regarding Sunday trading. The States accepted an amendment of that Committee that in paragraph (d)(h) for the word 'postcards' there should be substituted the word 'cards', and having adopted a Proposition of Senator Ralph Vibert that sub-paragraph (d)(d) be referred back to the Committee, and having rejected a Proposition of Deputy Enid Clare Quenault of St. Brelade that sub-paragraph (d)(e) be referred back to the Committee, consequently relettered sub-paragraphs (e), (f), (g), (h), (i), (j) and (k). The States accordingly agreed that –

- (a) the fee for a Sunday trading permit should be increased from £1 to £15;
- (b) the maximum fine for any contravention of the Law be raised from £50 to £500;

- (c) paragraph 2 of the First Schedule to the Law should be amended so as to except from the provisions of the Law transactions of any business carried on in Fort Regent;
- (d) the Second Schedule to the Law should be amended so as to allow under permit the sale of –
 - (a) foodstuffs and non-alcoholic beverages for consumption elsewhere than at the shop at which they are sold;
 - (b) Jersey Postage stamps;
 - (c) smokers' requisites;
 - (d) beachwear, beach goods and souvenirs;
 - (e) sun-lotions, sun-glasses, toilet requisites (including perfumery and cosmetics) and medicines;
 - (f) newspapers, books, periodicals and magazines;
 - (g) writing materials including pens, pencils, paper, envelopes and cards;
 - (h) toys;
 - (i) petrol, diesel oil, lubrication oil, paraffin and liquid petroleum gas; subject to the appropriate permit being held under the Law governing the storage of such items;
 - (j) supplies or accessories for aircraft, boats or any other description of vessel used in navigation, motor vehicles and pedal cycles.

General Hospital Redevelopment: Phase II.

THE STATES, adopting a Proposition of the Public Health Committee –

- (a) approved Drawings Nos. JH-2-100-E1C, JH-2-100-E2C, JH-2-100-E3C, JH-2-100-E4C, JH-2-100-S1F, JH-2-100-SK.17.1.84 and JH-2-100-G3A showing the construction of Phase II of the General Hospital Redevelopment to provide –

Entrance Hall/Reception facilities

Completion of Kitchens/Dining Room/Stores

Pharmacy (completion)

Maternity Department (31 beds)

Operation Theatre Suites (2)

Chapel

4 Standard Wards (112 beds)

2 Private Wards (34 beds);

- (b) approved the appointment of Higgs and Hill Building Limited as Management Contractors for Phase II of the General Hospital Redevelopment;
- (c) requested the Finance and Economics Committee to amend Rule 5 of the Public Finances (General) (Jersey) Rules, 1967, as amended, to permit the appointment of a Management Contractor;
- (d) authorised the Greffier of the States to sign the said Drawings and to sign a Professional Services Contract with Higgs and Hill Building Limited.

**Public Health Committee – General Hospital Redevelopment
Phase II: fees and building.
Deferred Supply.**

THE STATES, adopting a Proposition of the Finance and Economics Committee, acceded to its request for the following supplementary vote of credit to be voted out of the General Reserve –

Public Health Committee

General Hospital
Phase II – fees

(C0644) £378,000

General Hospital
Phase II – building (C0660) £275,000

Social Security (Amendment No. 4) (Jersey) Law, 1984.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Social Security (Amendment No. 4) (Jersey) Law, 1984.

Disposal of industrial sites at La Collette.

THE STATES, adopting a Proposition of the Island Development Committee –

- (a) authorised the Island Development Committee, in consultation with the Finance and Economics Committee, to allocate sites at La Collette at prices based on the market value of industrial land;
- (b) agreed that such allocations should be on a leasehold basis;
- (c) authorised the Attorney General and the Greffier of the States to pass such contracts as might be necessary.

Members present voted for paragraph (b) as follows –

“Pour” (36)

Senators

Le Marquand, Averty, Binnington, Sandeman,
de Carteret, Ellis, Baal, Rothwell.

Connétables

St. Ouen, St. Mary, Grouville, St. Brelade,
St. Martin, St. Peter, St. Clement.

Deputies

Mourant(H), Morel(S), Le Maistre(H), Quenault(B),
Perkins(C), Le Gallais(S), Roche(S), Le Brocq(H),

Trinity, St. Martin, Vandervliet(L), Farley(H),
Le Fondré(L), Grouville, St. Mary, Beadle(B),
Thorne(B), Blampied(H), Billot(S), Norman(C),
St. John.

“Contre” (5)

Connétables

St. John, St. Lawrence, St. Helier.

Deputies

St. Ouen, Filleul(H).

St. John’s Village Development: sale of field 595.

THE STATES, adopting a Proposition of the Island Development Committee –

- (a) approved the sale of an area of land, being the northern part of Field 595, Route de Mont Mado, St. John, measuring approximately 29,600 square feet and required in connexion with the St. John’s Village Development Phase II, by the Public of the Island to the Parish of St. John in consideration of the following payments by the Parish to the Public –
 - (i) the sum of £14,334.00 on the passing of the Contract between the Public and the Parish, which sum had already been paid by the Public to the previous owner of the land, Mrs. A de Wolff;
 - (ii) the balance of the amount awarded by the Board of Arbitrators amounting to £15,778;
 - (iii) the amount of the interest on that balance paid by the States to the vendor;
 - (iv) legal and other costs and disbursements incurred by the Public in connexion with the acquisition and sale of the said land;

- (b) authorised the Attorney General and the Greffier of the States to pass the necessary contract in the matter.

La Collette – lease of areas to the Jersey Electricity Company Limited.

THE STATES commenced consideration of a Proposition of the Harbours and Airport Committee regarding the lease of areas to the Jersey Electricity Company Limited at La Collette and rejected a Proposition of Senator Jane Patricia Sandeman that for paragraphs 1.(a), (b) and sub-paragraph (i) there should be substituted the following –

to approve the lease, with effect from 1st January, 1984, to the Jersey Electricity Company Limited of areas at La Collette as follows –

- (a) for a period of 21 years with an option for the Company to renew the lease for a further period of 21 years, of an area of 7,265 sq.ft. shown coloured red on Drawing No. S.C.L.-1-78A to cover the Company's immediate requirements for development at the rent of £3,995.75 representing a rate of 55p a square foot a year;
- (b) for a period of 5 years initially, of an area of 4,610 sq.ft. shown coloured blue on Drawing No. S.C.L.-1-78A to cover the Company's possible future expansion requirements at the rent of £253.55 being 10 per cent of the full rent of 55p a square foot a year, to be adjusted to the full rent of £2,535.50 a year if the area is developed during that period of 5 years, on the following conditions –
 - (i) the rent for the area specified in (a) to be reviewed every five years on the basis of current market values, with the first review taking place on 1st January, 1989;

The States accordingly –

1. approved the lease, with effect from 1st January, 1984, to the Jersey Electricity Company Limited for a period of 21 years with an option for the Company

to renew the lease for a further period of 21 years, of areas at La Collette as follows –

- (a) an area of 7,265 sq.ft. shown coloured red on Drawing No. S.C.L.-1-78A to cover the Company's immediate requirements for development at the rent of £3,995.75 representing a rate of 55p a square foot a year;
 - (b) an area of 4,610 sq.ft. shown coloured blue on Drawing No. S.C.L.-1-78A to cover the Company's future expansion requirements at the rent of £253.55 being 10 per cent of the full rent of 55p a square foot a year until such time as the area is developed and thereafter at the full rent of £2,535.50 representing a rate of 55p a square foot a year; on the following conditions –
 - (i) the rent for the two areas to be reviewed every five years on the basis of current market values, with the first review taking place on 1st January, 1989;
 - (ii) the lessee to maintain in force with insurers approved by the Harbours and Airport Committee a policy, or policies, extended to include the insurable interest of the public, indemnifying the lessee (and if so required the Committee) against liability arising out of the lessee's operations in connexion with the use or occupancy of the demised premises, in the sum of not less than £20 million in respect of any one occurrence or such other sum as the Committee may from time to time reasonably require;
2. authorised the Attorney General and the Greffier of the States to pass the necessary contract in the matter;
 3. authorised the Treasurer of the States to receive the payments as they became due.

Fort Regent Shell Museum.

THE STATES, adopting a Proposition of the Fort Regent Development Committee –

- (a) agreed to purchase from Mrs. Sigrun Sprake, née Straube the business known as the Shell Museum at Fort Regent for the sum of £30,000 plus the cost of the stock at valuation remaining at 30th September, 1984;
- (b) authorised the annulment of the lease of Room No. S.1 at Fort Regent to Mrs. Sprake as from that date;
- (c) authorised the Greffier of the States to sign the necessary agreement of sale;
- (d) authorised the Attorney General and the Greffier of the States to pass the necessary contract of “annulation” with Mrs. Sprake on or before 30th September, 1984.

St. Brelade’s Garages Limited: lease of land.

THE STATES, adopting a Proposition of the Harbours and Airport Committee –

- (a) approved the lease to St. Brelade’s Garages Limited of 2,500 square yards of land adjacent to the Quennevais Road, St. Brelade (being Letting Nos. L.53 and L.53A) for a period of 9 years with effect from 25th March, 1984 at a rent of £10,625 a year representing a rate of £4.25 a square yard a year subject to rent review clauses at third and sixth years of the lease;
- (b) authorised the Greffier of the States to sign the necessary contract;
- (c) authorised the Treasurer of the States to receive the requisite sums as they became due.

Fort Regent: leases of Bistro Carronade and Skating Rink.

THE STATES, adopting a Proposition of the Fort Regent Development Committee –

- (a) approving the granting of an 8 years 8 months lease of the Bistro Carronade, Fort Regent, to Modern Hotels (Entertainments) Ltd., at a commencing rent of £4,500 a year with rent reviews at the end of the third and sixth years, based on the Jersey Cost of Living Index;
- (b) authorised the annulment of the existing lease of the Skating Rink to Modern Hotels (Entertainments) Ltd. with effect from 1st May, 1984;
- (c) authorised the Greffier of the States to sign the necessary lease in the case of the transaction described in (a) above; and
- (d) authorised the Attorney General and the Greffier of the States to pass the necessary contract of “annulation” with Modern Hotels (Entertainments) Ltd.

Senator John Clark Averty, having declared an interest in the matter, withdrew from the Chamber.

THE STATES rose at 5.55 p.m.

E.J.M. POTTER,

Greffier of the States.