



**THE STATES assembled on Thursday
23rd June 2011, at 09.30 a.m. under
the Presidency of the Bailiff,
Michael Cameron St. John Birt Esquire.**

All members were present at roll call with the exception of –

Senator Philip Francis Cyril Ozouf – en défaut (défaut raised at 9.44 a.m.)
Connétable John Le Sueur Gallichan of Trinity – en défaut
Deputy Judith Ann Martin of St. Helier – en défaut (défaut raised at 9.44 a.m.)
Deputy James Gordon Reed of St. Ouen – en défaut (défaut raised at 9.44 a.m.)
Deputy Anne Enid Pryke of Trinity – en défaut (défaut raised at 9.44 a.m.)

Prayers

Filming in the Chamber

THE STATES agreed that the media should be permitted to film the proceedings on Thursday 30th June 2011, on the occasion of the departure of His Excellency the Lieutenant Governor, Lieutenant-General Sir Andrew Ridgway, K.B.E., C.B.

Notification of lodged propositions

Island Plan 2011: approval (P.48/2011): fifty-fourth amendment (P.48/2011 Amd.(54)) – P.48/2011.
amendment. Amd.(54)
Lodged: 23rd June 2011. Amd.
Minister for Planning and Environment.

Withdrawal of lodged propositions

THE STATES noted that, in accordance with Standing Order 34(1), the proposer of the following proposition lodged “au Greffe” had informed the Greffier of the States that it had been withdrawn –

Island Plan 2011: approval (P.48/2011): thirty-seventh amendment (paragraph 5). P.48/2011.
Lodged: 26th April 2011. Amd.(37)
Deputy J.A.N. Le Fondré of St. Lawrence.

Island Plan 2011: approval P.48/2011

THE STATES resumed consideration of a proposition of the Minister for Planning and Environment concerning the approval of the Island Plan 2011 (P.48/2011).

THE STATES rejected an amendment of Senator James Leslie Perchard (Amendment (10)) that after the words “the revised draft Island Plan 2011” there should be inserted the words –

“except that –

- (a) in Chapter 5: Economy, after paragraph 5.119 (on page 200) there should be inserted the following paragraphs, and the later paragraphs renumbered accordingly –

‘Extension to Thistlegrove

- 5.120 Land adjacent to the existing Thistlegrove industrial site is considered suitable to provide additional land for light industrial/warehouse use resulting in an extended site of approximately 5.4 acres (12.5 vergées) in total.
- 5.121 The current uses on the site identified for extension include a mix of industrial, commercial or quasi-industrial activities which have been developed, over time, in a piecemeal and uncoordinated manner. The site includes North End Vineries, The Fencing Centre and Bienvenue Farm, together with 2 dwellings and some workers’ accommodation related to existing operations. These uses are accommodated in a range of buildings which are generally sub-standard, in terms of the requirements of modern commercial floor-space.
- 5.122 There are 6 access points to/from the current complex of buildings comprising the existing Thistlegrove industrial estate and the buildings and uses sited on the land proposed for the extension of the industrial park. Three of these connect to La Grande Route de St. Laurent and three to La Rue de la Scellerie, the latter being a small country lane with very limited visibility at its junction with La Grande Route de St. Laurent.
- 5.123 The extension of the designation of land for light industrial/warehouse use at Thistlegrove provides an opportunity to comprehensively address and improve the quality of buildings, floor-space and access arrangements that currently exist on this land. This could be achieved without adverse impact upon the countryside given the existing landscape features which surround the land, and indeed there is potential to improve the visual quality of the area through the replacement of some of the poor buildings which presently exist.
- 5.124 The comprehensive development of the site would be managed within the context of a development brief, which would address issues such as boundary treatment, layout, landscaping, access and traffic. Any development brief for this site, which would be reviewed and adopted by the Minister as supplementary planning guidance, would need to be prepared in advance of planning applications for the proposed extension of the light industrial/warehouse land.’

- (b) there should be inserted a new Policy EIW1, (on page 202), immediately after paragraph numbers 5.120–5.124, as follows, and the later EIW policies, with relevant consequential amendments, renumbered accordingly –

‘Policy EIW1: Provision of light industrial and warehouse land

Land to the north and east of the existing industrial site known as ‘Thistlegrove’, as shown on the Proposals Map, is zoned for light industrial and warehouse use.

Proposals for other commercial uses, including retailing, will not be permitted on the site unless related and ancillary to the primary industrial, storage or warehousing use and provided they are in accordance with other principles and policies of the Plan.

A development brief will be prepared, for approval and adoption by the Minister as supplementary planning guidance, prior to the submission of any planning applications for the site to ensure that development takes place in a co-ordinated manner and that proposals are satisfactory in terms of design, layout, landscaping, service infrastructure, access and parking.’; and

- (c) ‘the Proposals Map should be amended accordingly’.”.

Members present voted as follows –

POUR: 13

Senator T.J. Le Main
 Senator B.E. Shenton
 Senator J.L. Perchard
 Senator A. Breckon
 Senator F. du H. Le Gresley
 Deputy J.B. Fox (H)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy P.V.F. Le Claire (H)
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (H)
 Deputy T.M. Pitman (H)
 Deputy M.R. Higgins (H)

CONTRE: 37

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator F.E. Cohen
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of St. Helier
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. John
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérisier (S)
 Deputy of Grouville
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy of St. John
 Deputy M. Tadier (B)
 Deputy A.E. Jeune (B)
 Deputy A.T. Dupré (C)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy D.J. De Sousa (H)
 Deputy J.M. Maçon (S)

ABSTAIN: 1

Deputy of St. Ouen

THE STATES, adopting an amendment of the Minister for Planning and Environment (Amendment (53)) agreed that after the words “the revised draft Island Plan 2011” there should be inserted the words –

“except that in the section Enabling development, in paragraph 5.148 (page 210) after the words ‘the business case for the proposals.’ there should be inserted the following words –

‘The Minister is also concerned to ensure that applications for enabling development are advertised in a way that ensures that the nature of the proposal is brought to the attention of the public of the Island and will review the Planning and Building (Application Publication) (Jersey) Order 2006 to give effect to this.’ ”.

After the words “the revised draft Island Plan 2011” there should be inserted the words –

“except that after Policy ERE3 (page 211) there should be inserted the following proposal –

‘Proposal 17: Advertising enabling development proposals

The Minister for Planning and Environment will review the Planning and Building (Application Publication) (Jersey) Order 2006 to ensure that applications for enabling development are advertised in a way that ensures that the nature of the proposal is brought to the attention of the public of the Island.’, and renumber subsequent proposals accordingly.”.

Following the adoption of the amendment of the Minister for Planning and Environment (Amendment (53)) the Bailiff informed the Assembly that an amendment of the Deputy of St. Mary (Amendment (20)) was deemed to have been withdrawn.

THE STATES, adopting an amendment of the Connétable of St. Helier (Amendment (38), Paragraph 15) agreed that after the words “the revised draft Island Plan 2011” there should be inserted the words –

“except that in Policy EVE2 – Tourist Destination Areas (page 220) at the end of the third bullet point, after the words ‘public transport users’ there should be inserted the words ‘and associated signage’ ”.

Members present voted as follows –

POUR: 32

CONTRE: 0

ABSTAIN: 0

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator F.E. Cohen
 Senator J.L. Perchard
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley

Connétable of St. Ouen
 Connétable of St. Helier
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérisssier (S)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy of St. Peter
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy A.E. Jeune (B)
 Deputy A.T. Dupré (C)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy D.J. De Sousa (H)
 Deputy J.M. Maçon (S)

THE STATES, adopting an amendment of the Minister for Planning and Environment (Amendment (43)) agreed that after the words “the revised draft Island Plan 2011” there should be inserted the words –

“except that –

- (a) in paragraph 6.11 (page 226) for the words ‘Jersey Homebuy’ there should be substituted the words ‘a form of intermediate housing, be that “Jersey Homebuy” or another alternative form of shared equity housing⁽¹⁾’ and for the associated footnote, there should be substituted the following words –

‘⁽¹⁾ The Jersey Homebuy scheme is the subject of review. Whatever the form of intermediate housing ultimately adopted following that review it must be soundly based, robust and have clear operating guidelines, which will be approved by the States.’;

- (b) the revised draft Island Plan 2011 should be further amended in such respects as might be necessary to amend all references to ‘Jersey Homebuy’ consequent upon the adoption of (a), in particular, in Policy H2 – Other Category housing sites and Policy 3 – Affordable housing;”.

Members present voted as follows –

POUR: 38

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator F.E. Cohen
 Senator J.L. Perchard
 Senator S.C. Ferguson
 Senator A.J.H. Maclean

CONTRE: 5

Deputy G.P. Southern (H)
 Deputy T.M. Pitman (H)
 Deputy M.R. Higgins (H)
 Deputy D.J. De Sousa (H)
 Deputy J.M. Maçon (S)

ABSTAIN: 2

Senator B.E. Shenton
 Senator A. Breckon

Senator B.I. Le Marquand
Senator F. du H. Le Gresley
Connétable of St. Ouen
Connétable of St. Helier
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. John
Connétable of St. Saviour
Connétable of St. Clement
Connétable of St. Peter
Connétable of St. Mary
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy R.G. Le Hérisssier (S)
Deputy J.B. Fox (H)
Deputy of St. Ouen
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy A.E. Jeune (B)
Deputy A.T. Dupré (C)
Deputy E.J. Noel (L)
Deputy T.A. Vallois (S)
Deputy A.K.F. Green (H)

Following the adoption of the amendment of the Minister for Planning and Environment (Amendment (43)), the Bailiff informed the Assembly that an amendment of Senator Alan Breckon (Amendment (24), Paragraph 1) was deemed to have been withdrawn.

THE STATES rejected an amendment of Senator Alan Breckon (Amendment (24), Paragraph 2) that after the words “the revised draft Island Plan 2011” there should be inserted the words

“except that –

- (a) in paragraph 6.11 (page 226) for the words ‘lifelong homes (for people over 55)’ there should be substituted the words ‘lifelong homes (for people over 65)’;
- (b) the revised draft Island Plan 2011 be further amended in such respects as may be necessary to amend all references to lifelong homes (for people over 55) consequent upon the adoption of (a), in particular in Policy H3 – Affordable housing;”.

Members present voted as follows –

POUR: 13

Senator J.L. Perchard
 Senator A. Breckon
 Senator F. du H. Le Gresley
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. John
 Deputy of Grouville
 Deputy S. Pitman (H)
 Deputy M. Tadier (B)
 Deputy A.E. Jeune (B)
 Deputy T.M. Pitman (H)
 Deputy A.T. Dupré (C)
 Deputy D.J. De Sousa (H)

CONTRE: 33

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Senator F.E. Cohen
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Connétable of St. Helier
 Connétable of Grouville
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérisier (S)
 Deputy J.B. Fox (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy of St. John
 Deputy E.J. Noel (L)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

ABSTAIN: 1

Deputy T.A. Vallois (S)

THE STATES commenced consideration of an amendment of Senator James Leslie Perchard (Amendment (4)) that after the words “the revised draft Island Plan 2011” there should be inserted the words –

“except that –

- (a) there be added to the list of sites to be zoned for Category A housing at Policy H1: Category A housing sites (on page 246):

‘4. Longueville Nurseries, New York Lane, St. Saviour (2.1 acres/4.75 vergées).’;

- (b) the revised draft Island Plan 2011 be further amended in such respects as may be necessary consequent upon the adoption of (a);

- (c) the Proposals Map be amended to reflect the adoption of (a).”.

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(a), Senator Philip Francis Cyril Ozouf and Deputy John Alexander Nicholas Le Fondré of St. Lawrence declared an interest and withdrew from the Chamber for the duration of the debate on the above amendment of Senator James Leslie Perchard (Amendment (4)).

Changes in Presidency

The Bailiff briefly retired from the Chamber during consideration of the amendment of Senator James Leslie Perchard (Amendment (4)) and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, Greffier of the States until his return.

Arrangement of public business for the present meeting

THE STATES, adopting a proposition of the Chairman of the Privileges and Procedures Committee, agreed that it would add Monday 27th June 2011 as a continuation day and commence proceedings on that date at 2.30 p.m.

Members present voted as follows –

POUR: 35

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator T.J. Le Main
 Senator F.E. Cohen
 Senator J.L. Perchard
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Connétable of St. Ouen
 Connétable of St. Helier
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Peter
 Deputy of St. Martin
 Deputy J.B. Fox (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy A.E. Jeune (B)

CONTRE: 9

Senator B.E. Shenton
 Connétable of St. Lawrence
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisier (S)
 Deputy J.A.N. Le Fondré (L)
 Deputy of St. John
 Deputy M. Tadier (B)
 Deputy of St. Mary
 Deputy A.K.F. Green (H)

ABSTAIN: 4

Connétable of St. Mary
 Deputy of Grouville
 Deputy I.J. Gorst (C)
 Deputy A.T. Dupré (C)

Deputy T.M. Pitman (H)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy D.J. De Sousa (H)
 Deputy J.M. Maçon (S)

THE STATES rejected a proposition of the Connétable of St. Clement that the Assembly should add Saturday 25th June 2011 as an additional continuation day.

Members present voted as follows –

POUR: 14

Senator P.F. Routier
 Senator A. Breckon
 Connétable of St. Brelade
 Connétable of St. Saviour
 Connétable of St. Clement
 Deputy J.B. Fox (H)
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy M. Tadier (B)
 Deputy A.E. Jeune (B)
 Deputy A.K.F. Green (H)
 Deputy D.J. De Sousa (H)

CONTRE: 31

Senator T.A. Le Sueur
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator J.L. Perchard
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Connétable of St. Ouen
 Connétable of St. Helier
 Connétable of Grouville
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérisier (S)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of St. John
 Deputy of St. Mary
 Deputy T.M. Pitman (H)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)

ABSTAIN: 2

Senator F.E. Cohen
 Deputy A.T. Dupré (C)

THE STATES, adopting a proposition of the Deputy of St. John, agreed that the duration of the remainder of the continuation days should be extended to commence at 9.00 a.m. and end at 6 p.m.

Members present voted as follows –

POUR: 34

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator T.J. Le Main
 Senator F.E. Cohen
 Senator J.L. Perchard
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Connétable of St. Helier
 Connétable of Grouville
 Connétable of St. Saviour
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Deputy R.C. Duhamel (S)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy S. Pitman (H)
 Deputy I.J. Gorst (C)
 Deputy of St. John
 Deputy A.E. Jeune (B)
 Deputy T.M. Pitman (H)
 Deputy A.T. Dupré (C)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy D.J. De Sousa (H)
 Deputy J.M. Maçon (S)

CONTRE: 13

Senator B.E. Shenton
 Connétable of St. Ouen
 Connétable of St. Brelade
 Deputy of St. Martin
 Deputy R.G. Le Hérisier (S)
 Deputy J.B. Fox (H)
 Deputy of St. Peter
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy of St. Mary
 Deputy M.R. Higgins (H)

ABSTAIN: 1

Connétable of St. Mary

Adjournment

THE STATES adjourned, having agreed to reconvene on Friday 24th June 2011 to continue consideration of the Island Plan 2011: approval (P.48/2011) and the outstanding items of public business.

THE STATES rose at 5.46 p.m.

M.N. DE LA HAYE

Greffier of the States