



**THE STATES assembled on Tuesday,  
12th April, 1988 at 10.15 a.m. under  
the Presidency of the Deputy Bailiff,  
Vernon Amy Tomes, Esquire.**

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His Excellency The Lieutenant Governor,  
Admiral Sir William Pillar, G.B.E., K.C.B.,  
was present.

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All members were present with the exception of –

Senator Pierre François Horsfall – out of the Island.

Senator Peter Geoffrey Kevitt Manton – out of the  
Island.

Senator Dereck André Carter – out of the Island.

John Pepin Le Sueur, Connétable of St. John – out of  
the Island.

Francis Hedley Morel, Deputy of St. Saviour – ill.

John Le Gallais, Deputy of St. Saviour – out of the  
Island.

Cynthia Miriam Horne, Deputy of St. Helier – out of  
the Island.

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Prayers

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**Subordinate legislation tabled.**

The following enactments were laid before the States, namely –

- 1. Telecommunications (Telegrams) (Amendment No. 5)  
(Jersey) Order, 1988. R & O 7732.**

2. **Health Insurance (Pharmaceutical Benefit) (General Provisions) (Amendment No. 26) (Jersey) Order, 1988. R & O 7733.**
3. **Public Rank Taxis (Fares and Charges) (Jersey) Order, 1988. R & O 7734.**
4. **Road Traffic (Saint Saviour) (Amendment No. 3) (Jersey) Order, 1988. R & O 7735.**

**Education Committee: resignation of President.**

THE STATES accepted the resignation of Deputy Robin Ernest Richard Rumboll of St. Helier as President of the Education Committee.

**Education Committee: vacancy in Presidency.**

In accordance with Article 28(3) of the States of Jersey Law, 1966, the Bailiff gave notice that there was a vacancy in the office of President of the Education Committee.

**Education Committee: appointment of President.**

THE STATES, having rejected the proposal of Deputy Maurice Clement Buesnel of St. Helier that the States move to the consideration of the next item on the Order Paper, adopted the proposition of Deputy Sir Martin Le Quesne of St. Saviour and appointed Iris Medora Le Feuvre, Connétable of St. Lawrence, as President of the Education Committee.

**Highlands College lecturers: Committee of Inquiry report. P.46/88.**

The Committee of Inquiry into allegations of misuse of public resources, and other malpractices, by Highlands College lecturers, by Act dated 22nd March, 1988, presented a Report to the States.

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

**Prison Board Report for 1987. R.C.6.**

The Prison Board by Act dated 7th March, 1988, presented to the States the Report of the Board for 1987.

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

**Agricultural Statistics for 1987.**

The Agriculture and Fisheries Committee by Act dated 10th March, 1988, presented to the States a Report on the Agricultural Statistics for 1987.

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

**Matters noted – land transactions.**

THE STATES noted Acts of the Finance and Economics Committee dated 21st March and 5th April, 1988, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved –

- (a) as recommended by the Public Works Committee, the purchase from Mrs. Mary Marguerite Norman, née

Hamon, of La Sergenté, La Rue de la Sergenté, La Moye, St. Brelade, of an area of land measuring 2,813 square feet of land situated along Mont de la Pulente, St. Brelade, required for the provision of a footpath and minor road improvement works, for the sum of £2,813 with the Committee's being responsible for the accommodation works and all legal fees;

- (b) as recommended by the Public Works Committee, the passing of a Deed of Arrangement between the public of the Island and Mr. Ian Robin Blythe Forbes and Mrs. Pamela Faxon Forbes, née Bunbury, in order to agree the boundary line between their property, Beauport Battery House and land owned by the public of the Island at Beauport, St. Brelade;
- (c) as recommended by the Public Works Committee, the purchase from Mr. Philip Sturgess of Villa Pont Marquet, St. Brelade, of an area of land measuring 768 square feet, for a consideration of £1,536, required for the provision of a footpath, with the Committee's being responsible for the accommodation works and for all legal fees;
- (d) as recommended by the Housing Committee, the purchase from Miss Margaret Falmond Anderson of the property No. 5, Waverley Place, St. Helier, for a consideration of £40,000, required in connexion with the Devonshire Mews Development, with the Committee's being responsible for the payment of all legal fees;
- (e) as recommended by the Housing Committee, and in pursuance of an Act of the States dated 26th January, 1988 in connexion with the Devonshire Mews Development, with the Committee's being responsible for the payment of all legal fees –

- (i) the purchase from L'Oiseau Limited of Bird's Yard, Le Geyt Street, St. Helier, for the sum of £150,000; and
  - (ii) the purchase from Mr. Alfred Nicolle Dupré of Nos. 2 and 4 Devonia Yard, and the commercial premises occupied by the Jersey Refrigeration Company Limited, together with the supplementary stores and the common area of Devonia Yard, Devonshire Place, St. Helier, for the sum of £82,500;
- (f) as recommended by the Housing Committee, the purchase from Mr. Michael Moores and Mrs. Tracy Anne Moores, née Cauvain, of the property No. 20, Dorset Street, St. Helier, required for development purposes, for the sum of £65,000 for the realty, £1,700 for the contents and £9,000 compensation, with the Committee's being responsible for the payment of all scale legal fees involved in the transaction;
- (g) as recommended by the Housing Committee, the granting to Arningdon (C.I.) Limited of a servitude to enable the company to connect surface water and sewer services to its new bungalow situated behind Chestnut House, St. Peter, with its services at La Grande Pièce, St. Peter, for a consideration of £1,000 with the company's being responsible for the payment of all legal fees;
- (h) as recommended by the Housing Committee, with the support of the Island Development Committee, the purchase from Mr. Harry Reginald Huish of the property 6, Plaisance Terrace, St. Saviour, required for emergency housing purposes, for a consideration of £240,000 for the realty with each side being responsible for the payment of its own legal fees;

- (i) as recommended by the Harbours and Airport Committee, the leasing to Mr. James Wilfred Kent and Mrs. Ann Kent, née Le Bleaus, the Sailors Rest Café, New North Quay, Port of St. Helier, for a period of three years, with effect from 1st April, 1988, at an annual rent of £2,500;
- (j) as recommended by the Resources Recovery Board, the purchase from the Parish of St. Helier of two areas of land forming part of Bellozanne Valley Road, St. Helier, measuring in total 2,385 square feet, required in connexion with the extension to the existing Sewage Treatment Plant, for a nominal consideration of £10, with the Board's being responsible for the payment of all legal fees;
- (k) as recommended by the Defence Committee, the leasing from Mr. John Baxter Marrett of 'Mont St. Michel', New St. John's Road, St. Helier, a three-bedroomed house, for a period of one year with effect from 1st April, 1988, at an annual rent of £6,240, for occupation by an employee of that Committee.

### **Matters lodged.**

The following subjects were lodged "au Greffe" –

1. **Draft Dwelling-Houses (Rent Control) (Amendment No. 4) (Jersey) Law, 198 . P.42/88.**  
Presented by the Housing Committee. The States decided to take this subject into consideration on 26th April, 1988.
2. **Income Tax: legislation. P.43/88.**  
Presented by Deputy Maurice Clement Buesnel of St. Helier and referred to the Finance and Economics Committee.

3. **Jersey Consumer Watchdog Group: financial assistance. P.44/88.**  
Presented by Senator John Stephen Rothwell.
4. **Draft Company Securities (Insider Dealing) (Amendment) (Jersey) Law, 198 . P.45/88.**  
Presented by the Finance and Economics Committee.  
The States decided to take this subject into consideration on 26th April, 1988.

The following subjects were lodged on 29th March, 1988 –

1. **Clos du Roncier, St. Clement – infill scheme: drawings. P.31/88.**  
Presented by the Housing Committee.
2. **Dorset Street/Colombus Street corner redevelopment: drawings. P.32/88.**  
Presented by the Housing Committee.
3. **Grainville School – swimming pool enclosure: drawings. P.33/88.**  
Presented by the Education Committee.
4. **Horticulture and Agriculture Training Centre: drawings. P.34/88.**  
Presented by the Education Committee.
5. **Grants to United Kingdom hospitals. P.35/88.**  
Presented by the Public Health Committee.
6. **The Limes – sheltered housing and staff accommodation: drawings. P.36/88.**  
Presented by the Public Health Committee.

The States decided to take the abovementioned subjects into consideration at the present Sitting.

7. **Weighbridge area and Albert Pier reclamation site: first phase. P.37/88.**  
Presented by the Island Development Committee. The States decided to take this subject into consideration on 19th April, 1988.
8. **Sewage treatment works: extension. P.38/88.**  
Presented by the Resources Recovery Board. The States decided to take this subject into consideration on 19th April, 1988.
9. **Draft Public Employees (Contributory Retirement Scheme) (New Entrants) (Jersey) Regulations, 198 . P.39/88.**  
Presented by the Establishment Committee.
10. **Refuge for battered wives: 6 Plaisance Terrace. P.40/88.**  
Presented by Deputy Corrie Stein of Grouville. The States decided to take this subject into consideration immediately before the matters already set down for debate on 19th April, 1988.

The following subject was lodged on 5th April, 1988 –

**Liberation Day. P.41/88.**

Presented by Senator Richard Joseph Shenton.

**Civil Service – proposals for salary adjustments: Finance and Economics Committee. Question and answer.**

Senator John Stephen Rothwell asked Senator Reginald Robert Jeune, President of the Finance and Economics Committee, the following question –

“As the Finance and Economics Committee is responsible for regulating, controlling and supervising the public finances of the Island, could the President inform the House why his Committee did not intervene or comment on the



Establishment Committee's proposals for salary adjustments involving over £2m. of extra revenue expenditure before they were announced publicly?"

The President of the Finance and Economics Committee replied as follows –

“I would remind the House, that, by virtue of the Public Services (Jersey) Law, 1973, the Establishment Committee is empowered to determine the salaries and other conditions of service of principal officers and members of the Civil Service.

The Finance and Economics Committee's rôle in exercising its responsibility for regulating, controlling and supervising the public finances of the Island is not to take the place of the negotiator of individual pay settlements. It is to set clear guidelines in terms of the economic and budgetary constraints prevailing at the time, to which the negotiator should have proper regard.

This I and my Committee have sought to do on many occasions. I have constantly expressed to the President of the Establishment Committee my deep anxiety at the increasing cost of the public sector salaries, wages and pensions, and the increasing burden being placed on the taxpayer which now amounts to over 50 per cent of the States' total revenue expenditure. I have further indicated my concern as to the impact these spiralling figures would have upon the economy of the Island in more difficult economic times. In this connexion, I would remind Members of what I said in my budget speech last December –

‘It is not only numbers which are important, but also the level of pay settlements and their wider impact on the economy of the Island. During the last few years, settlements in the public sector have invariably been in excess of the rate of inflation and, in addition, cost

increases have occurred due to reductions in the working week.’

The cost of the pay increase recently announced, and those increases in the public sector still to be settled this year, will amount to several million pounds. If sensible budgetary provision is to be made for the future, as the current conditions of economic uncertainty worldwide require, due concern must be had for limiting the level of public expenditure, and this was a theme of my budget speech last year. With acceptance of this view, it should be clear to all members of the House that the more money that is spent on pay settlements the less is available for improving public services generally. This is a point that I have made to the President of the Establishment Committee on many occasions. It was with this in mind that representatives of the Finance and Economics Committee, on being advised of the Establishment Committee’s pay proposals, also suggested that the increases should be phased over a period of time, as is provided for in the agreement with the Staff Side, but this was not accepted by that Committee.

I appreciate that the ‘median’ policy the Establishment Committee is pursuing is one that has been presented to this House on several occasions in recent years, although I would suggest the basis of pay comparison used between the public and private sectors is open to some debate. However, I am of the view that the Establishment Committee as a negotiating body should work to clear policy guidelines and in this respect it is important that those guidelines are fully and regularly considered, to reflect the changing economic and budgetary conditions. While I and my Committee on many occasions have referred to such guidelines, I would suggest a more general commitment is called for and that we have here a good example of where stronger central co-ordination of policies is much required.”

**Civil Service – proposals for salary adjustments: Establishment Committee. Question and answer.**

Senator John Stephen Rothwell asked Deputy Sir Martin le Quesne, President of the Establishment Committee, the following question –

“As there is concern that the salary adjustments for higher grade civil servants proposed by the Establishment Committee are ‘excessive’ and not in the best long term interests of the Island, would the President agree to suspend all negotiations relating to the recent comparability survey until the States have had an opportunity to debate the matter fully?”

The President of the Establishment Committee replied as follows –

“I and my Committee understand the interest of members in the details of the offer recently put to the Staff Side of the Civil Service Joint Council and I shall be happy to give members all the information which they need.

A public debate however would not be an appropriate way of doing this. The offer recently put to the Staff Side is only the first of what is likely to be a series of exchanges before a final agreement is reached. I am sure that those Members of the House with experience of salary negotiations will agree that public disclosure of one’s hand at the outset is a sure way of diminishing one’s chance of arriving eventually at a satisfactory conclusion. Nor is it easy to envisage the sort of proposition on which a debate could take place.

These difficulties would be avoided if a private meeting of States Members were arranged, at which my Committee and our officers would feel free to answer all the questions that Members wish to put.

I therefore invite all Members to attend such a meeting of my Committee at 11 a.m. on Wednesday, 20th April, in the States’ Chamber.”

**Public order offences. Question and answer.**

Senator John Stephen Rothwell asked Senator Richard Joseph Shenton, President of the Defence Committee, the following question –

“In view of the current spate of public order offences, including fighting and being drunk and disorderly on our streets, is the President satisfied that the Courts have adequate powers to deal appropriately with these offences?”

The President of the Defence Committee replied as follows –

“The public disorder offences referred to in a general way in the question usually fall into one or more of the following categories –

- Drunk and disorderly
- Breach of the peace
- Conduct likely to cause a breach of the peace
- Refusing to obey the instructions of a Police Officer
- Obstructing a Police Officer in the execution of his duty
- Assaulting a Police Officer
- Violently resisting arrest
- Assault – less serious
- Assault – grave and criminal

All these offences are dealt with under the Common Law which provides powers of punishment as follows –

**Magistrates (Police Court)** – Maximum 6 months imprisonment or £500 fine, or both.

If sent for trial and/or sentence to –

**Royal Court** – Unlimited powers (although normally the Court tends to follow United Kingdom sentencing practices and principles).

It can be said, therefore, that the Courts have more than adequate powers available to them should they see fit to use them.”

**Hue Street/Dumaresq Street site – redevelopment. Question and answer.**

Deputy Maurice Clement Buesnel of St. Helier asked Deputy Harry Hallewell Baudains of St. Clement, Vice-President of the Island Development Committee, the following question –

“Will the President inform the House of the plans for the redevelopment of the Hue Street/Dumaresq Street site and if development is to be further delayed will he say who is to be responsible for making the area safe and less of an eyesore than it is at present?”

The Vice-President of the Island Development Committee replied as follows –

“The Committee’s proposals for this area are best shown on the drawings you have before you. Members will note that it is intended to widen Dumaresq Street on the southern side to improve access for vehicles servicing retailers in the area. We propose that the vacant site adjoining Morgan Grenfell’s premises be developed, possibly although not necessarily for States’ office purposes, and the temporary public car park opposite the Post Horn public house will be developed by the Housing Committee for States’ rental housing. Plans for this site are currently on the drawing board.

It is also intended to close the southern end of Hue Street permanently to form a small public square, which will be fronted on the west by a redevelopment scheme comprising small shops, offices and flats. Similarly we anticipate a redevelopment scheme to the south of Dumaresq Street after the road has been widened.

The Committee has been in negotiation with the owners of the properties to the west of Hue Street and the south of Dumaresq Street for many years. Unfortunately, we have been unable, thus far, to reach a voluntary agreement, and it is becoming increasingly apparent that the only way to solve this problem may be for the Committee to seek compulsory purchase powers to bring about the much-needed improvements in the appearance of this area.

It is the failure to reach agreement that has delayed any action in making the buildings fronting Hue Street safe. This has necessitated the closure of part of this street to vehicles and pedestrians. Although the Committee administers some of these buildings on behalf of the public, it is not possible to take remedial action, which involves demolition, until agreement has been reached, because of the structural inter-dependence of the buildings.

We are currently in consultation with the Parish of St. Helier with a view to using its ‘dangerous structures’ legislation as a means of achieving an early remedy to the problem.”

**Senator D.A. Carter and Deputy C.M. Horne of St. Helier – attendance.**

Senator Dereck André Carter and Deputy Cynthia Miriam Horne of St. Helier, having returned to the Island, were present at the remainder of the Sitting.

**Grant of housing consent. Questions and answers.**

Senator Richard Joseph Shenton asked Deputy Hendricus Adolphus Vandervliet of St. Lawrence, President of the Housing Committee, the following questions –

- “1. Will the President inform the House of the conditions attached to the appointment of a General Manager for

the Pickwick chain of shops, insofar as the granting of a Housing consent is concerned?

2. Will the President explain how this consent is justified, bearing in mind the difficulties which local families face in returning to the Island?"

The President of the Housing Committee replied as follows –

- “1. The conditions attached to the actual appointment of the General Manager for the Pickwick chain of shops is an employment matter and not of concern to the Committee. However, the granting of a Housing consent to the Guiton Group is a matter of concern to my Committee. The Guiton Group first approached the Committee in late 1987 for permission to lease a (j) category property for the Managing Director of Channel Islands Newsagents Limited for a period of five years. My Committee has agreed to grant consent for a period of three years only (with no possible extension) on the clear understanding that the Company has now recruited a local resident, with housing qualifications, who is to be trained to take over from that person at the end of the period in question.
2. I consider it best to reply to this question in general terms, given that it would not be appropriate for me to reveal confidential information.

My Committee is always very reluctant to grant (j) category consents, given the housing shortage in the Island. In deciding whether a particular application is justified, the Committee has regard to the following –

- (i) the service provided to the community by the company in question;

- (ii) the contribution being made to Jersey tax revenues;
- (iii) the contribution being made to the recruitment and training of local residents;
- (iv) the efforts made to identify a local resident for the post in question;
- (v) the company's plans to recruit and train a local resident to fill that post in the future.

When my Committee applied these criteria to this particular application, it decided to grant the three year consent in question. In particular, it was satisfied that, given the number of stores and turnover involved in Channel Island Newsagents Limited; the company's recruitment and training of local residents; and its plans to fill this post with a local resident, already recruited, justified the consent.

It is because of the current housing shortage that time limited consents of this nature are imposed by my Committee."

### **Local breweries – recent price increases. Questions and answers.**

Senator Richard Joseph Shenton asked Senator John Stephen Rothwell, President of the Tourism Committee, the following questions –

- “1. Will the President advise the House as to his Committee's views on the recent price increase by local breweries?
2. Will the President confirm that these same breweries complained bitterly at the slight increase in duty in the



last budget yet, within a matter of months, feel justified in raising their prices by more than twelve times that amount?"

The President of the Tourism Committee replied as follows –

- “1. The Tourism Committee has no authority under the Licensing (Jersey) Law, 1974, as amended, to control the price of alcohol but, naturally, it regrets any increase in prices which will affect tourists.

Members will know that the price of alcohol locally is not used by Tourism in its marketing.

A study into local prices was carried out by the Economic Adviser's Office in 1987, following questions addressed to the Finance and Economics Committee by Senator Shenton. At my request, the Economic Adviser has agreed to investigate the increase in prices announced recently by the local breweries, which amounts to approximately five pence on the cost of a pint of beer and lager and on a measure of spirits. A fuller reply will be submitted when this study has been completed.

Initial enquiries suggest that the current comparisons are as follows –

	JERSEY (Public bars of one large local brewery)	GUERNSEY (Guernsey Licensed Victuallers Association)	U.K. (Dept. of Employment research of middle 80 per cent of 180 estab- lishments)
Best Bitter	59p	73p	Average 85p Range 77–98p

Lager	79p	80p	Average 96p Range 88–106p
Whisky	65p	56p	Average 69p Range 64–77p
	(one fifth of a gill)	(one fifth of a gill)	(one sixth of a gill)

However, prices can vary from pub to pub.

The duty on a bottle of Teachers Whisky is –

JERSEY	GUERNSEY	U.K.
£2.31	£2.21	£4.73.

2. The Tourism Committee is only aware, through the media, of the breweries reaction to the last increase in duty.

The Tourism Committee will make a fuller reply to the House when the results of the Economic Adviser's study are available."

### **Machinery of Government: review. P.27/88.**

THE STATES, adopting a Proposition of the Finance and Economics Committee, agreed to establish a Special Committee and to request that Committee to bring forward at the earliest possible date proposals for establishing more effective machinery for central co-ordination of policies, priorities and resource allocation, and for ensuring a more efficient functioning of the States.

**Clos du Roncier, St. Clement – infill scheme: drawings. P.31/88.**

THE STATES, adopting a Proposition of the Housing Committee –

- (a) approved Drawings Nos. 2845/1, 2 and 3, in respect of the construction of four one-bedroomed flats on a small area of land situated at the entrance of Clos du Roncier, St. Clement;
- (b) authorised the Greffier of the States to sign the said Drawings on behalf of the States.

**Dorset Street/Colombus Street corner redevelopment: drawings. P.32/88.**

THE STATES, adopting a Proposition of the Housing Committee –

- (a) approved Drawings Nos. 86-200-08 /09/ 10/ 11/ 12/ 13-A and 14 showing the proposed construction of 16 x one-bedroomed flats and two x two-bedroomed flats at 17, 19 and 21 and part of 23 Dorset Street, and 1½, 2 and 4 Columbus Street, St. Helier;
- (b) authorised the Greffier of the States to sign the said Drawings on behalf of the States.

**Grainville School Swimming Pool enclosure: drawings. P.33/88.**

THE STATES, adopting a Proposition of the Education Committee –

- (a) approved Drawings Nos. GR/SPE/1, GR/SPE/2 and E.108-1 showing the site for, and design of, an enclosure for the Grainville School swimming pool;

- (b) authorised the Education Committee to purchase the manufactured modular designed, polycarbonate/aluminium swimming pool enclosure from Ardep Limited, a United Kingdom company at a cost of £70,000;
- (c) authorised the Greffier of the States to sign the said Drawings on behalf of the States.

**Horticulture and Agriculture Training Centre: drawings. P.34/88.**

THE STATES, adopting a Proposition of the Education Committee, approved Drawings Nos. 2859/1C and 2859/5 showing the teaching accommodation and associated industrial workshop buildings at the proposed new Horticulture and Agriculture Training Centre at Howard Davis Farm.

**Grants to United Kingdom hospitals. P.35/88.**

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

- (a) approved in principle the payment of a grant of £100,000 to the New Bournemouth Hospital Appeal towards the cost of providing a Vascular Digital Imaging Unit;
- (b) approved in principle the payment of a grant of £200,000 to the Wessex Medical School Trust towards the cost of approved research projects agreed by the Trustees.

**The Limes – sheltered housing and staff accommodation: drawings. P.36/88.**

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

- (a) approved Drawings Nos. 6D, 7B, 8C, 9, 34A, 11B, 12C, 13B, 14B and 15B showing the construction of twelve units of sheltered flats and six units of staff accommodation;
- (b) authorised the Greffier of the States to sign the said Drawings on behalf of the States.

THE STATES rose at 3.15 p.m.

**E.J.M. POTTER,**

*Greffier of the States.*