

THE STATES assembled on Wednesday 10th February 2021, at 9.30 a.m. under the Presidency of the Bailiff, Timothy John Le Cocq, Esquire.

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

Senator Sarah Craig Ferguson – excused attendance (joined at 10.04 a.m.) Deputy Montfort Tadier of St. Brelade – excused attendance (joined at 9.49 a.m.)

Prayers

Standing Order 55A – meeting held remotely

THE STATES assembled remotely, in accordance with Standing Order 55A, as the Bailiff considered that it was not possible to convene or maintain a quorate meeting in view of a substantial risk to the health of both States Members and the public.

Documents presented

Scrutiny Review of the Government Plan: 2021-2024 – Environment, Housing and Infrastructure Scrutiny Panel (S.R.12/2020): Joint Ministerial Response Res. Presented: 10th February 2021, *Minister for the Environment*.

Notification of lodged propositions

Draft Income Tax (Payment of 2019 Liability) (Jersey) Regulations 202-. P.9/2021. Lodged: 10th February 2021, *Minister for Treasury and Resources*.

Privileges and Procedures Committee - appointment of Chair

THE STATES, in accordance with Standing Order 118, appointed the Chair of the Privileges and Procedures Committee as follows –

Deputy Carina Soares Alves of St. Helier was nominated by Deputy Russell Labey of St. Helier The Connétable of St. Brelade was nominated by Senator Ian Joseph Gorst

In accordance with Standing Order 118(2), each candidate made a speech and was questioned prior to a recorded vote being taken.

THE STATES, having proceeded to a recorded vote, were informed of the following results by the Bailiff –

DEPUTY C.S. ALVES OF CONNETABLE OF ABSTAIN: 2 ST. HELIER: 32 ST. BRELADE: 13

Senator T.A. Vallois Senator I.J. Gorst Senator J.A.N. Le Fondré Senator K.L. Moore Senator L.J. Farnham Connétable of St. Brelade

Senator S.W. Pallett
Senator S.Y. Mézec
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Ouen
Connétable of St. Martin
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy K.C. Lewis (S)
Deputy M. Tadier (B)
Deputy M.R. Higgins (H)
Deputy J.M. Maçon (S)
Deputy S.J. Pinel (C)
Deputy of St. Martin

Senator S.C Ferguson
Connétable of St. Clement
Connétable of St. Lawrence
Connétable of St. Saviour
Connétable of Grouville
Connétable of St. John
Connétable of St. Peter
Deputy of Grouville
Deputy G.J. Truscott (B)
Deputy G.C.U. Guida (L)
Deputy of St. Peter

Deputy L.M.C. Doublet (S) Deputy R. Labey (H)

Deputy of St. Mary

Deputy of St. Ouen

Deputy J.H. Young (B)

Deputy L.B.E. Ash (C)

Deputy K.F. Morel (L)

Deputy of Trinity

Deputy of St. John

Deputy M.R. Le Hegarat (H)

Deputy S.M. Ahier (H)

Deputy J.H. Perchard (S)

Deputy R.J. Ward (H)

Deputy C.S. Alves (H)

Deputy K.G. Pamplin (S)

Deputy I. Gardiner (H)

The Bailiff accordingly declared that Deputy Carina Soares Alves of St. Helier had been duly elected as Chair of the Privileges and Procedures Committee.

Planning Committee – appointment of Chair

THE STATES, in accordance with Standing Order 120AA, appointed the Chair of the Planning Committee as follows –

The Connétable of Trinity was nominated by Deputy Graham John Truscott of St. Brelade

In accordance with Standing Order 120AA(2) the candidate made a speech and was questioned. Once the period of questions had concluded, there being no other nominations, the Bailiff declared that the Connétable of Trinity had been duly elected as Chair of the Planning Committee.

Arrangement of public business for the present meeting

THE STATES rejected a proposition of Deputy Montfort Tadier of St. Brelade that the appointment of members to the Privileges and Procedures Committee and to the Planning Committee should take place on the following day, whether that were a continuation day at the present meeting or at the next meeting day.

Members present voted as follows -

CONTRE: 40 POUR: 3 ABSTAIN: 0

Deputy of Grouville Deputy M. Tadier (B) Deputy J.H. Perchard (S) Senator I.J. Gorst Senator L.J. Farnham Senator J.A.N. Le Fondré Senator T.A. Vallois Senator K.L. Moore Senator S.W. Pallett

Senator S.Y. Mézec Connétable of St. Clement Connétable of St. Saviour Connétable of St. Brelade Connétable of Grouville Connétable of St. John Connétable of Trinity Connétable of St. Peter Connétable of St. Ouen Connétable of St. Martin Deputy J.A. Martin (H) Deputy G.P. Southern (H) Deputy K.C. Lewis (S) Deputy M.R. Higgins (H) Deputy J.M. Maçon (S) Deputy S.J. Pinel (C) Deputy of St. Martin Deputy of St. Ouen Deputy L.M.C. Doublet (S) Deputy of St. Mary

Deputy G.J. Truscott (B)

Deputy J.H. Young (B)

Deputy L.B.E. Ash (C)

Deputy K.F. Morel (L)

Deputy G.C.U. Guida (L)

Deputy of St. Peter

Deputy of Trinity

Deputy of St. John

Deputy M.R. Le Hegarat (H)

Deputy S.M. Ahier (H)

Deputy R.J. Ward (H)

Deputy C.S. Alves (H)

Deputy K.G. Pamplin (S)

Deputy I. Gardiner (H)

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(c), the Deputy of St. Peter declared an interest that was not financial and remained in the Chamber for consideration of the proposition of Deputy Montfort Tadier of St. Brelade.

Residential Properties in the Waterfront Development P.165/2020

THE STATES commenced consideration of a proposition of Senator Samuel Yves Mézec entitled 'Residential Properties in the Waterfront Development' (P.165/2020) and, adopting an amendment of the Council of Ministers (P.165/2020 Amd.), agreed that –

in the introductory paragraph, after the word "Waterfront" there should be inserted the words "(defined as Key Opportunities Sites 1,2 and 3 in the Southwest St. Helier Development Framework)";

for paragraph (b) there should be substituted the following paragraph –

"(b) to request the Council of Ministers to present a report to the States Assembly by 30th April 2021 which provides guidance to be used by SoJDC with the aim of maximising the proportion of affordable units allocated through the Housing Gateway, together with a range of other residential accommodation of varying prices, types and tenure, to help meet the housing aspirations of other Islanders within the Waterfront development, while maintaining the overall viability of the scheme including all public realm improvements and other community and leisure uses; and"; and

paragraph (c) should be deleted and, in paragraph (d) (re-designated as paragraph (c)), the words "and bring the necessary proposition under (c) above before the Assembly for consideration" should be deleted.

THE STATES, adopting the proposition of Senator Samuel Yves Mézec, as amended, in the proposed development of the Waterfront (defined as Key Opportunities Sites 1,2 and 3 in the Southwest St. Helier Development Framework) by the States of Jersey Development Company (SoJDC) –

- (a) agreed that no residential properties should be sold by the SoJDC to foreign buy-to-let investors;
- (b) requested the Council of Ministers to present a report to the States Assembly by 30th April 2021 which provided guidance to be used by the SoJDC with the aim of maximising the proportion of affordable units allocated through the Housing Gateway, together with a range of other residential accommodation of varying prices, types and tenure, to help meet the housing aspirations of other Islanders within the Waterfront development, while maintaining the overall viability of the scheme including all public realm improvements and other community and leisure uses: and
- (c) requested the Minister for Treasury and Resources, as shareholder representative, to instruct the SoJDC accordingly.

Members present voted as follows -

POUR: 40 CONTRE: 1 ABSTAIN: 0

Deputy G.C.U. Guida (L)

Senator L.J. Farnham

Senator J.A.N. Le Fondré

Senator T.A. Vallois

Senator K.L. Moore

Senator S.W. Pallett

Senator S.Y. Mézec

Connétable of St. Helier

Connétable of St. Clement

Connétable of St. Saviour

Connétable of St. Brelade Connétable of Grouville

Connétable of Trinity

Connétable of St. Peter

Connétable of St. Ouen

Connétable of St. Martin

Deputy J.A. Martin (H)

Deputy G.P. Southern (H)

Deputy of Grouville

Deputy K.C. Lewis (S)

Deputy M. Tadier (B)

Deputy M.R. Higgins (H)

Deputy J.M. Maçon (S)

Deputy S.J. Pinel (C)

Deputy of St. Martin

Deputy L.M.C. Doublet (S)

Deputy R. Labey (H)

Deputy G.J. Truscott (B)

Deputy J.H. Young (B)

Deputy L.B.E. Ash (C)

Deputy K.F. Morel (L)

Deputy of St. Peter

Deputy of Trinity

Deputy of St. John

Deputy M.R. Le Hegarat (H)

Deputy S.M. Ahier (H)

Deputy J.H. Perchard (S)

Deputy R.J. Ward (H)

Deputy C.S. Alves (H)

Deputy K.G. Pamplin (S)

Deputy I. Gardiner (H)

Draft Covid-19 (Island Plan) (Jersey) Regulations 202- P.168/2020

THE STATES commenced consideration of the Draft Covid-19 (Island Plan) (Jersey) Regulations 202-and adopted the principles.

Members present voted as follows –

POUR: 43 CONTRE: 1 ABSTAIN: 0

Deputy M. Tadier (B)

Senator I.J. Gorst

Senator L.J. Farnham

Senator J.A.N. Le Fondré

Senator T.A. Vallois

Senator K.L. Moore

Senator S.W. Pallett

Senator S.Y. Mézec

Connétable of St. Helier

Connétable of St. Clement

Connétable of St. Lawrence

Connétable of St. Saviour

Connétable of St. Brelade

Connétable of Grouville

Connétable of St. John

Connétable of Trinity

Connétable of St. Peter

Connétable of St. Ouen

Deputy J.A. Martin (H)

Deputy of Grouville

Deputy K.C. Lewis (S)

Deputy M.R. Higgins (H)

Deputy J.M. Maçon (S)

Deputy S.J. Pinel (C)

Deputy of St. Martin

Deputy of St. Ouen

Deputy L.M.C. Doublet (S)

Deputy R. Labey (H)

Deputy of St. Mary

Deputy G.J. Truscott (B)

Deputy J.H. Young (B)

Deputy L.B.E. Ash (C)

Deputy K.F. Morel (L)

Deputy G.C.U. Guida (L)

Deputy of St. Peter

Deputy of Trinity

Deputy of St. John

Deputy M.R. Le Hegarat (H)

Deputy S.M. Ahier (H)

Deputy J.H. Perchard (S)

Deputy R.J. Ward (H)

Deputy C.S. Alves (H)

Deputy K.G. Pamplin (S)

Deputy I. Gardiner (H)

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, commenced consideration of Regulations 1 to 3 and, adopting an amendment of the Minister for the Environment (P.168/2020 Amd.), agreed that, in Regulation 2(3), in the text to be inserted as new Article 4A(4) of the Planning and Building (Jersey) Law 2002, after the word "amendment" there should be inserted the words "lodged by the Minister".

THE STATES adopted Regulations 1 to 3, as amended.

Members present voted as follows –

POUR: 44 CONTRE: 0 ABSTAIN: 0

Senator L.J. Farnham

Senator J.A.N. Le Fondré

Senator T.A. Vallois

Senator K.L. Moore

Senator S.W. Pallett

Senator S.Y. Mézec

Connétable of St. Helier

Connétable of St. Clement

Connétable of St. Lawrence

Connétable of St. Saviour

Connétable of St. Brelade

Connétable of Grouville

Connétable of St. John

Connétable of Trinity

Connétable of St. Peter

Connétable of St. Ouen

Connétable of St. Martin

Deputy J.A. Martin (H)

Deputy of Grouville

Deputy K.C. Lewis (S)

Deputy M. Tadier (B)

Deputy M.R. Higgins (H)

Deputy J.M. Maçon (S)

Deputy S.J. Pinel (C)

Deputy of St. Martin

Deputy of St. Ouen

Deputy L.M.C. Doublet (S)

Deputy R. Labey (H)

Deputy of St. Mary

Deputy G.J. Truscott (B)

Deputy J.H. Young (B)

Deputy L.B.E. Ash (C)

Deputy K.F. Morel (L)

Deputy G.C.U. Guida (L)

Deputy of St. Peter

Deputy of Trinity

Deputy of St. John

Deputy M.R. Le Hegarat (H)

THE STATES made Regulations entitled the Covid-19 (Island Plan) (Jersey) Regulations 2021 under Article 2 of the Covid-19 (Enabling Provisions) (Jersey) Law 2020.

Members present voted as follows –

POUR: 45 CONTRE: 0 ABSTAIN: 0

Senator L.J. Farnham

Senator J.A.N. Le Fondré

Senator T.A. Vallois

Senator K.L. Moore

Senator S.W. Pallett

Senator S.Y. Mézec

Connétable of St. Helier

Connétable of St. Clement

Connétable of St. Lawrence

Connétable of St. Saviour

Connétable of St. Brelade Connétable of Grouville

Connétable of St. John

Connétable of Trinity

Connétable of St. Peter

Connétable of St. Mary

Connétable of St. Ouen

Connétable of St. Martin

Deputy J.A. Martin (H)

Deputy of Grouville

Deputy K.C. Lewis (S)

Deputy M. Tadier (B)

Deputy M.R. Higgins (H)

Deputy J.M. Maçon (S)

Deputy S.J. Pinel (C)

Deputy of St. Martin

Deputy of St. Ouen

Deputy L.M.C. Doublet (S)

Deputy R. Labey (H)

Deputy of St. Mary

Deputy G.J. Truscott (B)

Deputy J.H. Young (B)

Deputy L.B.E. Ash (C)

Deputy K.F. Morel (L)

Deputy G.C.U. Guida (L)

Deputy of St. Peter

Deputy of Trinity

Deputy of St. John

Deputy M.R. Le Hegarat (H)

Deputy S.M. Ahier (H)

Deputy J.H. Perchard (S)

Deputy R.J. Ward (H)

Deputy C.S. Alves (H)

Deputy K.G. Pamplin (S)

Deputy I. Gardiner (H)

Privileges and Procedures Committee – appointment of members

In accordance with Standing Order 122(1), the following nominations were made by Deputy Carina Soares Alves of St. Helier, Chair of the Privileges and Procedures Committee, for members of the Privileges and Procedures Committee who were not Ministers or Assistant Ministers –

Senator Tracey Anne Vallois The Connétable of St. Helier The Connétable of St. Martin

The Connétable of St. John was nominated by Deputy Scott Michael Wickenden of St. Helier Senator Stephen William Pallett was nominated by the Deputy of St. Martin

THE STATES, having proceeded to a secret ballot, were informed of the following results by the Bailiff –

Senator Tracey Anne Vallois	32
The Connétable of St. Helier	23
The Connétable of St. Martin	35
The Connétable of St. John	17
Senator Stephen William Pallett	10

The Bailiff accordingly declared that the following had been duly appointed as members of the Privileges and Procedures Committee –

Senator Tracey Anne Vallois The Connétable of St. Helier The Connétable of St. Martin

In accordance with Standing Order 122(5), the following nominations were made by the Chair of the Privileges and Procedures Committee for members who were Ministers or Assistant Ministers –

Deputy Russell Labey of St. Helier Deputy Gregory Charles Umberto Guida of St. Lawrence

There being no other nominations, the Bailiff declared that Deputy Russell Labey of St. Helier and Deputy Gregory Charles Umberto Guida of St. Lawrence had been duly appointed as members of the Privileges and Procedures Committee.

In accordance with Standing Order 122(9), the following nomination was made by the Chair of the Privileges and Procedures Committee for a member who was a member of the Scrutiny Liaison Committee –

Deputy Mary Rose Le Hegarat of St. Helier.

There being no other nominations, the Bailiff declared that Deputy Mary Rose Le Hegarat of St. Helier had been duly elected as a member of the Privileges and Procedures Committee.

Planning Committee – appointment of members

In accordance with Standing Order 125A, the Chair of the Planning Committee indicated that he wished to have a Committee of 9 members, including the Chair, and nominated the following as members of the Committee –

The Connétable of St. Lawrence

The Deputy of St. Martin

Deputy Scott Michael Wickenden of St. Helier

Deputy Graham John Truscott of St. Brelade

Deputy Lindsay Barry Edward Ash of St. Clement

Deputy Kirsten Francis Morel of St. Lawrence

The Deputy of St. Peter

Deputy Mary Rose Le Hegarat of St. Helier

There being no other nominations, the Bailiff declared that the Connétable of St. Lawrence, the Deputy of St. Martin, Deputy Scott Michael Wickenden of St. Helier, Deputy Graham John Truscott of St. Brelade, Deputy Lindsay Barry Edward Ash of St. Clement, Deputy Kirsten Francis Morel of St. Lawrence, the Deputy of St. Peter and Deputy Mary Rose Le Hegarat of St. Helier had been duly appointed as members of the Planning Committee.

Draft Taxation (Companies – Economic Substance) (Amendment No. 2) (Jersey) Law 202-P.172/2020

THE STATES commenced consideration of the Draft Taxation (Companies – Economic Substance) (Amendment No. 2) (Jersey) Law 202- and adopted the principles.

Members present voted as follows –

POUR: 40 CONTRE: 0 ABSTAIN: 0

Senator I.J. Gorst

Senator L.J. Farnham

Senator T.A. Vallois

Senator K.L. Moore

Senator S.W. Pallett

Senator S.Y. Mézec

Connétable of St. Clement

Connétable of St. Lawrence

Connétable of St. Saviour

Connétable of St. Brelade

Connétable of Grouville

Connétable of St. John

Connétable of St. Peter

Connétable of St. Mary

Connétable of St. Ouen

Connétable of St. Martin

Deputy J.A. Martin (H)

Deputy G.P. Southern (H)

Deputy of Grouville

Deputy K.C. Lewis (S)

Deputy M.R. Higgins (H)

Deputy J.M. Macon (S)

Deputy of St. Martin

Deputy of St. Ouen

Deputy L.M.C. Doublet (S)

Deputy S.M. Wickenden (H)

Deputy of St. Mary

Deputy G.J. Truscott (B)

Deputy J.H. Young (B)

Deputy L.B.E. Ash (C)

Deputy K.F. Morel (L)

Deputy G.C.U. Guida (L)

Deputy of St. Peter

Deputy of Trinity

Deputy M.R. Le Hegarat (H)

Deputy S.M. Ahier (H)

Deputy R.J. Ward (H)

Deputy C.S. Alves (H)

Deputy K.G. Pamplin (S)

Deputy I. Gardiner (H)

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Articles 1 to 4.

Members present voted as follows –

POUR: 41 CONTRE: 0 ABSTAIN: 0

Senator I.J. Gorst

Senator L.J. Farnham

Senator J.A.N. Le Fondré

Senator T.A. Vallois

Senator K.L. Moore

Senator S.Y. Mézec

Connétable of St. Clement

Connétable of St. Lawrence

Connétable of St. Saviour

Connétable of St. Brelade

Connétable of Grouville

Connétable of St. John

Connétable of St. Peter

Connétable of St. Mary

Connétable of St. Ouen

Connétable of St. Martin

Deputy J.A. Martin (H)

Deputy of Grouville

Deputy K.C. Lewis (S)

Deputy M.R. Higgins (H)

Deputy J.M. Maçon (S)

Deputy of St. Martin

Deputy of St. Ouen

Deputy L.M.C. Doublet (S)

Deputy S.M. Wickenden (H)

Deputy of St. Mary

Deputy G.J. Truscott (B)

Deputy J.H. Young (B)

Deputy L.B.E. Ash (C)

Deputy K.F. Morel (L)

Deputy G.C.U. Guida (L)

Deputy of St. Peter

Deputy of Trinity

Deputy of St. John

Deputy M.R. Le Hegarat (H)

Deputy S.M. Ahier (H)

Deputy J.H. Perchard (S)

Deputy R.J. Ward (H)

Deputy C.S. Alves (H)

Deputy K.G. Pamplin (S)

Deputy I. Gardiner (H)

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Taxation (Companies – Economic Substance) (Amendment No. 2) (Jersey) Law 202-.

Members present voted as follows –

POUR: 42 CONTRE: 0 ABSTAIN: 0

Senator I.J. Gorst

Senator L.J. Farnham

Senator J.A.N. Le Fondré

Senator T.A. Vallois

Senator K.L. Moore

Senator S.W. Pallett

Senator S.Y. Mézec

Connétable of St. Clement

Connétable of St. Lawrence

Connétable of St. Saviour

Connétable of St. Brelade

Connétable of Grouville

Connétable of St. John

Connétable of St. Mary

Connétable of St. Ouen

Connétable of St. Martin

Deputy J.A. Martin (H)

Deputy of Grouville

Deputy K.C. Lewis (S)

Deputy M.R. Higgins (H)

Deputy J.M. Maçon (S)

Deputy of St. Martin

Deputy of St. Ouen

Deputy L.M.C. Doublet (S)

Deputy R. Labey (H)

Deputy S.M. Wickenden (H)

Deputy of St. Mary

Deputy G.J. Truscott (B)

Deputy J.H. Young (B)

Deputy L.B.E. Ash (C)

Deputy K.F. Morel (L)

Deputy G.C.U. Guida (L)

Deputy of St. Peter

Deputy of Trinity

Deputy of St. John

Deputy M.R. Le Hegarat (H)

Deputy S.M. Ahier (H)

Deputy J.H. Perchard (S)

Deputy R.J. Ward (H)

Deputy C.S. Alves (H)

Deputy K.G. Pamplin (S)

Deputy I. Gardiner (H)

Skatepark at Les Quennevais Sports Centre P.1/2021

THE STATES, commencing consideration of a proposition of Senator Stephen William Pallett entitled 'Skatepark at Les Quennevais Sports Centre' (P.1/2021), commenced consideration of an amendment of the Minister for Economic Development, Tourism, Sport and Culture (P.1/2021 Amd.).

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(c), Deputy John Hilary Young of St. Brelade declared an interest that was not financial and withdrew from the Chamber for consideration of the proposition of Senator Stephen William Pallett.

Adjournment

THE STATES, adopting a proposition of the Connétable of St. Brelade, adjourned, having agreed to reconvene on Thursday 11th February 2021 to continue consideration of the proposition of Senator Stephen William Pallett entitled 'Skatepark at Les Quennevais Sports Centre' (P.1/2021) and the other outstanding items of public business listed for the meeting.

THE STATES rose at 5.03 p.m.

L.-M. HART

Deputy Greffier of the States