

**THE STATES assembled on Tuesday,
4th December 2001 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

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

All members were present with the exception of -

Senator Wendy Kinnard - out of the Island
Senator Paul Vincent Francis Le Claire - ill

Prayers

Subordinate legislation tabled

The following enactment was laid before the States, namely -

Merchant Shipping (Small Ships Register) (Amendment No. 5) (Jersey) Order 2001. P.173/2001.

Matters presented

The following matters were presented to the States -

Jersey Council for Safety and Health at Work: report for the period 1st July 2000 to 30th June 2001 - R.C.37/2001.

Presented by the Employment and Social Security Committee.

The Working Party on Parish Assemblies: report - R.C.38/2001.

Presented by the Legislation Committee.

Draft Act annulling the Regulation of Undertakings and Development (Return of Employers) (Jersey) Order 2001 (P.186/2001): comments. P.186/2001 Com.

Presented by the Industries Committee.

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

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 21st November 2001 recording the following decisions of the Treasurer of the States under delegated powers, in pursuance of Standing Orders relating to certain transactions in land -

- (a) as recommended by the Planning and Environment Committee, the assignment of lease from Ashley and Company Limited to Anglo Beef Processors (Jersey) Limited in respect of Unit 1, La Rue Gosset, La Collette, St. Helier (measuring 5,634.66 square feet) at an annual rent of £8,437.63 (to be reviewed on

5th July 2002), under the same terms and conditions as the existing lease. The beneficial owners of Ashley and Company Limited had agreed to meet the Committee's reasonable legal costs in relation to this transaction;

- (b) as recommended by the Home Affairs Committee, the lease from Dubras Holdings Limited of first floor accommodation (measuring 385 square feet) at Nos. 5/7 Great Union Road, St. Helier, for a period of three years from 15th October 2001 on a renewable basis, at an annual rent of £9,000 subject to annual review in accordance with the Jersey Retail Price Index, exclusive of Parish rates but including cleaning and heating, for the purpose of accommodating the Police Complaints Authority (PCA). It had been agreed that in the event of the premises being vacated by the PCA, they could be utilised by the Committee for an alternative purpose with the prior agreement of the lessor;
- (c) as recommended by the Education Committee, the lease to the Jersey Electricity Company Limited of electricity sub-station No. 607, situated at Haute Vallée School, St. Helier, for a period of 99 years under the usual terms and conditions, with the sum of £99 to be paid to the Committee upon the commencement of the agreement, on the basis that all wayleaves associated with the sub-station would be granted free of charge, with each party to be responsible for its own legal costs arising from this transaction;
- (d) as recommended by the Public Services Committee, the lease to Ms. Julia Helen Roff, née Crewdson, of the new kiosk facility at St. Aubin's Harbour, St. Brelade, for a period of five years from 1st January 2002 at an annual rent of £6,000, subject to review on 1st January 2005 in line with the Jersey Retail Price Index. The lessor would be responsible for maintaining the property in a wind and watertight condition, while the lessee would be responsible for the maintenance and repair of the interior of the facility. Each party was to be responsible for its own legal costs arising from this transaction.

Matter lodged

The following matter was lodged "au Greffe" -

Rent Control Tribunal: appointment of member - P.195/2001.
Presented by the Housing Committee.

Arrangement of public business for the next meeting on 11th December 2001

THE STATES confirmed that the following matters lodged "au Greffe" would be considered at the next meeting on 11th December 2001 -

Investing in Tourism's future - P.170/2001.
Lodged: 13th November 2001.
Tourism Committee.

Investing in Tourism's future (P.170/2001): amendment - P.170/2001 Amd.
Lodged: 27th November 2001.
Deputy of Trinity.

Investing in Tourism's future (P.170/2001): second amendments - P.170/2001 Amd. (2).
Lodged: 27th November 2001.
Deputy A. Breckon of St. Saviour.

Draft Jersey Potato Marketing Scheme 200- (Approval) (Jersey) Act 200- P.182/2001 and Corrigendum.
Lodged: 20th November 2001.
Agriculture and Fisheries Committee.

Draft Act amending further the Act of the States dated the 27th day of April 1999 establishing a scheme to make child care more available for low income families - P.183/2001.

Lodged: 27th November 2001.

Employment and Social Security Committee.

Draft Health Insurance (Medical Benefit) (Amendment No. 55) (Jersey) Regulations 200 P.184/2001.

Lodged: 27th November 2001.

Employment and Social Security Committee.

Draft Family Allowances (Jersey) Regulations 200-P.185/2001.

Lodged: 27th November 2001.

Employment and Social Security Committee.

Draft Act annulling the Regulation of Undertakings and Development (Return of Employers) (Jersey) Order 2001 - P.186/2001.

Lodged: 27th November 2001.

Deputy A. Breckon of St. Saviour.

Draft Act annulling the Regulation of Undertakings and Development (Return of Employers) (Jersey) Order 2001 (P.186/2001): comments. P.186/2001 Com.

Presented: 4th December 2001.

Industries Committee.

Draft Standard Chartered Bank (CI) Limited (Jersey) Law 2001 (Appointed Day) Act 200- P.189/2001.

Lodged: 27th November 2001.

Finance and Economics Committee.

Draft Royal Bank of Scotland International Limited (Jersey) Law 2001 (Appointed Day) Act 200- P.190/2001.

Lodged: 27th November 2001.

Finance and Economics Committee.

Draft Sea Fisheries (Minimum Size Limits) (Jersey) Regulations 200- P.191/2001.

Lodged: 27th November 2001.

Agriculture and Fisheries Committee.

Draft Sea Fisheries (Trawling, Netting and Dredging) (Jersey) Regulations 200- P.192/2001.

Lodged: 27th November 2001.

Agriculture and Fisheries Committee.

Draft Sea Fisheries (Inshore Trawling, Netting and Dredging) (Jersey) Regulations 200- P.193/2001.

Lodged: 27th November 2001.

Agriculture and Fisheries Committee.

Draft Sea Fisheries (Log Books and Landing Declarations) (Jersey) Regulations 200- P.194/2001.

Lodged: 27th November 2001.

Agriculture and Fisheries Committee.

The States acceded to the request of the President of the Harbours and Airport Committee and agreed that consideration of the proposition regarding La Collette Fuel Farm, St. Helier: lease to Shell (UK) Limited and Essc Petroleum Company Limited (P.180/2001 - lodged "au Greffe" on 20th November 2001) be deferred from 11th December 2001 to a later date.

Information Systems Strategy - questions and answers (Tape No. 699)

Deputy Roy George Le Hérisier of St. Saviour asked Senator Leonard Norman, President of the Education Committee, the following questions -

“On 20th November, the President answered my earlier question on the objectives and success of the Education Committee’s Information Systems Strategy ‘Putting Jersey’s Future First’. Would the President advise the Assembly -

- (a) how much money, as a monetary sum and as a per cent of dedicated budget, has been spent to date on the Information Systems Strategy?
- (b) what the quantifiable measures used in measuring the success or otherwise of this strategy are?
- (c) to what measurable extent have each of the key objectives been met?”

The President of the Education Committee replied as follows -

“(a) To date almost £6.3 million has been spent on the Information Systems Strategy which is equal to 69 per cent of the amount allocated to the Strategy by the Jersey Information Society Commission.

(b) The quantifiable measures relate to four overall objectives -

- (i) the delivery of the infrastructure;
- (ii) level of engagement with the infrastructure;
- (iii) impact on learning;
- (iv) development of skills for application in the workplace.

The published strategy, ‘Putting Jersey’s Future First’ sets out clear objectives in respect of these and further detailed measures are clearly set out in the project documentation for each of the 32 systems identified in the Strategy.

(c) Turning to each objective in turn, the following is indicative of the detailed data which is available for scrutiny -

(i) the delivery of infrastructure -

all measurable objectives identified in Phase 1 of the Strategy have been met, as confirmed by the States Internal Auditor;

the only significant variation has been an extension of the scope of the implementation plan to include the Church Schools, as agreed by the Jersey Information Society Commission;

in all, 32 systems in 52 locations have been installed providing 1,280 fully networked personal computers with access to the internet through the Education Service Wide Area Network;

952 teaching staff have been issued with laptops and have received training in applications and strategies for teaching and learning.

(ii) level of engagement with the infrastructure -

all pupils from Key Stage 2 onwards, in excess of 10,500 in number, have been provided with e-mail addresses. Since the implementation of the Wide Area Network in September no fewer than 3,985 pupils have accessed the internet from schools and colleges;

all schools and colleges have created ICT Development Plans which set out the utilisation of ICT as a key part of pupils' learning experiences;

these ICT Development Plans include provision for community access, either through programmes delivered directly by schools or in partnership with Highlands College Adult Education provision. Public access facilities have also been provided at the Public Libraries and eight Youth clubs;

(iii) impact on learning -

recent VSSE reports indicate significant developments in the application of ICT to learning and in teacher and pupil confidence and competence in the medium;

a full audit of learning outcomes is scheduled to be completed at the conclusion of Phase II of the strategy which will take account of benchmark indicators presently being developed by the United Kingdom Department for Education and Skills;

increasingly ICT is being integrated into the overall curriculum experience through a range of applications but the take-up of formal qualification programmes has increased significantly with Year 11 GCSE/GNVQ entries in IT increasing from 81 in 1999 to 296 in 2000. At advanced level, Hautlieu School reported an increase from no students in 1999 to 80 students in 2001. At present Highlands College has 143 students enrolled on ICT related programmes at various levels.

(iv) development of skills for application in the workplace -

In addition to the enhancement of the skills of school leavers, provision has been developed by the Committee as follows -

adult education provision included 80 programmes engaging 746 students during 2000;

specialist technical provision at Highlands College offered 198 programmes for 1,450 Jersey Computer Training clients;

the European Computer Driving Licence, for which Highlands College is the managing agent, is offered through eight centres. 1,040 individuals are presently enrolled for the ECDL, of whom 339 registered in 2001. During 2001 94 completed their assessments, making a total of 268 with the full ECDL."

Public relations consultants - questions and answers (Tape No. 699)

The Deputy of St. John asked Deputy Jeremy Laurence Dorey of St. Helier, President of the Human Resource Committee, the following questions -

"During question time on 20th November the President put a supplementary question to the President of Public Services and I quote "would the President not concede that within any Committee area, the job of ensuring the message gets across to the media and public is the President's?" Given this statement will the President confirm that the Committee also uses public relation firms? If the answer is in the affirmative, will he provide the following details -

- (a) the name of the public relations company?
- (b) how long public relations companies have been employed by the Human Resources Committee?
- (c) the cost of employing public relations firms over the last three years?"

The President of the Human Resources Committee replied as follows -

“It would appear that the Deputy’s question has been prompted by the publication of ‘Changing States’, the first in a series of newsletters commissioned by the States Human Resources Department.

The purpose of the newsletter is to keep States’ staff informed of developments in the reform of the machinery of government - an issue which is bound to be of concern to them - and to provide a platform for staff representatives and other interested parties to express a view on the process as it unfolds.

Provision of such a newsletter is an example of best practice in Human Resources terms, even though the developments arising from Clothier have implications which extend far beyond the narrow sphere of just the Human Resources Department. Though praiseworthy in itself, this initiative is a perfectly normal departmental activity, in which I would not consider interfering, any more than I would expect to become directly involved in booking training providers.

It would not be a good use of my officers’ time to become heavily involved in desktop publishing, an area in which they are, understandably, not expert. In addition, it should be borne in mind that the information which will be published in the newsletter will come from a number of areas, not just from the States Human Resources Department.

For these reasons, a departmental decision - which I wholly endorse - was taken to contract out the production of the newsletter. The agency selected in this instance was P.J. News & Publishing, which is already involved in work for the Policy and Resources Department relating to the reform of the machinery of government.

The cost of what are expected to be about nine of these newsletters, over the next year to 18 months, is expected to be £7,000 inclusive of printing costs.

I can only stress that this is a Human Resources Department initiative, in pursuit of the Department’s core rôle of maintaining good relationships and effective communication with the people who work for the States.

The Committee does not employ a public relations firm, having no need of such services to communicate with the wider community. I stand by my previously-expressed belief that the job of communication between a Committee and the Island community is the President’s.”

Planning application procedures - questions and answers (Tape No. 699)

Deputy Gerard Clifford Lemmens Baudains of St. Clement asked Senator Nigel Lewis Quérée, President of the Planning and Environment Committee, the following questions -

“1. The statement made by the President on Tuesday 27th November contained the following phrases in relation to planning applications -

“The system generates letters to applicants, objectors and others automatically as the application moves through the cycle of processing” and “In the case of approval, the permit would not be issued until these detail formalities are completed, usually within seven days of the Committee’s decision being made. This would then automatically trigger letters to objectors advising of the decision”.

In light of the above, would the President give the reasons why, as of 27th November, I have still not received notification of the Committee’s decision to allow development of Field 126 in St. Clement (My most recent communication on this matter was dated 18th October, in which I was notified that the application had, in fact, been refused.)

2. The President's statement of 27th November further states - "*The full Committee considers letters of appeal from applicants*" and *Frequently States members attend these appeal meetings*"

Would the President explain how States members are supposed to attend these appeal meetings if they are not in fact informed that an appeal has been made or is being determined, as in the case of myself and others regarding Field 126?"

The President of the Planning and Environment Committee replied as follows -

- “1. The reason for the delay in notification is that the permit was not issued until 28th November 2001. The Deputy should have received his letter by now - I would add that having been in the department yesterday the letters were then being issued and should be in the Deputy's mail today.
2. States members generally attend appeals meetings to represent the appellant. It is open to any States member representing objectors to request attendance at the Committee once the application is advertised.”

Outcome of the British-Irish Council summit meeting held in Dublin on 30th November 2001 - statement

The President of the Policy and Resources Committee made a statement in the following terms -

“I should like to report briefly to the States on the outcome of the British-Irish Council Summit meeting held in Dublin last Friday, 30th November 2001.

As the Assembly will be aware, the British-Irish Council is provided for in Strand Three of the ‘Good Friday Agreement’ of April 1998 concerning the peace process in Northern Ireland, and is formally established under an agreement between the British and Irish Governments. Its purpose is to promote the harmonious and mutually beneficial development of the totality of relationships among peoples of the British Islands, through exchanges of information, discussion and co-operation on matters of mutual interest. Apart from the two sovereign governments, membership comprises the United Kingdom devolved administrations in Northern Ireland, Scotland and Wales, and the three Crown Dependencies.

Friday's meeting was the second at Summit level. It had been delayed for a year or more owing to the Northern Ireland situation, the first having been held two years ago in London. But I sincerely hope - and this view was shared by everyone present - that the main difficulties are now past and that the work of the Council can now begin to grow and develop in earnest. It is very important for the peace process in Northern Ireland that it does.

There was a wide-ranging discussion on Friday on a range of matters, with the main focus being on the problems of drug misuse and the need to target the assets of criminals engaged in drug trafficking - an area where, it is worth emphasising, Jersey has strong laws which have yielded good results. Several important areas for future co-operation in this area were identified.

I was able to inform the Council about the work which Jersey has been leading to develop a British-Irish Council website, and I was gratified that everyone around the table agreed with the point I sought to make forcibly, that getting a good website up and running soon was an essential building-block if the Council was to function efficiently and effectively. The point behind this comment, I should add, is that getting agreement on complex matters from eight governments is a complex matter in itself! But we are making good progress towards a launch of the public website next year.

I also informed the Council of the plans we have laid for a major conference next April, under British-Irish Council auspices, on how to bridge the so-called ‘Digital Divide’, the gap between those with, and those without, IT skills, and between those readily able to access the acquisition of such skills and those who cannot. This will be a key focus next year of work on the knowledge economy, on which we have the lead within the Council. I am pleased that Highlands College is taking the lead in organising the conference, with

input from the Policy and Resources Department and other quarters. I am confident that we shall secure a very high level of representation.

I have arranged for copies of the Summit communiqué to be distributed with this statement so that members can see for themselves the main matters discussed.

The main point on which I want to report is that it was agreed that the next Summit would be held here in Jersey, in April next year. Jersey will thus be the first summit host apart from the two sovereign governments. We laid this seed at the first summit in 1999, fully expecting Jersey to come down the list after Scotland, Wales and Northern Ireland. However, indications have been that a spring meeting in 2002 in Jersey was favoured and I was pleased in Dublin that my invitation to the heads of government to come to Jersey in April was accepted unanimously and with enthusiasm. The Prime Minister told me that he was looking forward to being the first serving holder of that office to visit Jersey and of course we shall be honoured by the visit of the Taoiseach too. I was able to assure both of them, and the various First Ministers and other Council colleagues too, that they would receive a very warm welcome indeed.

This is a first for Jersey, and I believe an important first. Membership of the British-Irish Council gives us, in one particular sphere, an international personality of our own, in our right and not in right of the United Kingdom. This is why the Policy and Resources Committee, supported by a decision of the States, took the view from the outset that we should seek for Jersey to play its best possible part in the work of the Council. The gradual development of a separate international personality for the Island is potentially of huge importance to the Island as we face up to new international pressures and endeavour to defend and promote our interests abroad.

The Summit next April will also be an opportunity for us to show those at the very top just what kind of place our Island is. We know that we must work hard to overturn the many misconceptions that there are, in London and elsewhere, about Jersey. There is no better way of doing this than to demonstrate actively that we are prepared to act co-operatively and forcefully in a body like the British-Irish Council and show that we are prepared to take a lead. It means that when other difficulties arise - on matters such as international tax policy - we have developed a reputation that could make all the difference in difficult political debate.

We must therefore ensure that next April's Summit is hosted in a way that does Jersey credit. I am sure that we will."

Health and Social Services strategy - statement

The President of the Health and Social Services Committee made a statement in the following terms -

"On 14th May 2001, the Health and Social Services Committee published a consultation document on its strategy for the period 2001 - 2005. The document was circulated to States members and departments, relevant voluntary organisations, health care practitioners and social service professionals. The draft strategy received Island-wide media coverage and the full text was published on the States intranet and the Health and Social Services internet site. In July 2001 all States members were invited to a presentation and discussion on the strategy.

Prior to the Committee lodging the strategy for debate by the States, in July 2001 the Policy and Resources Committee lodged its Resource Plan 2001, which proposed revenue funding for Health and Social Services substantially less than that required to proceed with the strategy in 2002. The Resource Plan proposal had a significant bearing on the Committee's ability to implement the strategy. Therefore, it was necessary to await the outcome of the Resource Plan debate before lodging, or significantly amending, the Health and Social Services Committee report.

On 11th September 2001, the States supported an amendment to increase the revenue funding for Health and Social Services in 2002 to a level consistent with five per cent real growth. This level of funding will enable the Committee to make progress towards the objectives of the strategy in 2002.

The Health and Social Services Committee, in collaboration with the Policy and Resources, Finance and Economics and Employment and Social Security Committees, has commissioned an independent review of the future funding requirements for primary, secondary and tertiary health care in Jersey. This review is to be completed by Easter 2002 to help inform the States funding decisions for 2003 onwards. Given the importance of this funding review and its implications for the future of the Island's health care provision, it is considered that the States and the wider community should be informed of the outcome of the review before formally considering the long-term strategic direction for health and social care in the Island.

In the interim, the Committee will be happy to make available to all States members a copy of the final strategy proposals and the terms of reference for the funding review, which will be distributed in the next day or two. The Committee will continue to welcome any comments on its strategy prior to it being lodged next year.”

Budget 2002

THE STATES allowed the Treasurer of the States to be present in the Chamber during the debate.

THE STATES commenced consideration of the Budget for the financial year commencing 1st January 2002, which in accordance with Article 16 of the Public Finances (Administration) (Jersey) Law 1967, as amended, has been presented to the Assembly on 6th November 2001, by the Finance and Economics Committee and comprised

- (i) the estimate of the revenue income and of the expenditure of the States;
- (ii) the estimate of the transactions of the capital fund;
- (iii) the estimate of the transactions of the trading funds; and
- (iv) the Report of the Finance and Economics Committee thereon.

Adjournment

THE STATES adjourned, having agreed that outstanding matters in the budget and other items of public business should stand over until Wednesday 5th December 2001.

THE STATES rose at 6.02 p.m.

C.M. NEWCOMBE

Greffier of the States.