

**THE STATES assembled on Thursday
10th July 2008, at 09.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

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

Senator Stuart Syvret – en défaut (défaut raised at 12.03 p.m.)
Senator Philip Francis Cyril Ozouf – excused (arrived in the Chamber at 11.15 a.m.)
Connétable Geoffrey William Fisher of St. Lawrence– en défaut
Connétable Graeme Frank Butcher of St. John– en défaut
Deputy John Benjamin Fox of St. Helier– excused (arrived in the Chamber at 4.34 p.m.)
Deputy John Alexander Nicholas Le Fondré of St. Lawrence– en défaut

Prayers

Jersey Homebuy Housing: amendment to Island Plan Policy H1 P.74/2008

THE STATES commenced consideration of a proposition of the Minister for Planning and Environment concerning an amendment to the Island Plan Policy H1 to include a provision for ‘Jersey Homebuy Housing’, and rejected a proposition of Deputy Geoffrey Peter Southern that, in accordance with Standing Order 83(1)(a) the matter should be referred back to the Minister for Planning and Environment in order that further information relating to the proposition could be provided to the States.

Members present voted as follows –

POUR: 9

Senator S. Syvret
Senator L. Norman
Deputy A. Breckon (S)
Deputy G.C.L. Baudains (C)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
Deputy D.W. Mezbourian
(L)
Deputy S. Pitman (H)

CONTRE: 36

Senator F.H. Walker
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator B.E. Shenton
Senator F.E. Cohen

Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour
Deputy of St. Martin
Deputy C.J. Scott Warren
(S)
Deputy R.G. Le Hérisssier
(S)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy of St. Peter

ABSTAIN: 1

Deputy R.C. Duhamel (S)

Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

THE STATES, adopting a proposition of the Minister for Planning and Environment, agreed –

to refer to their Act dated 11th July 2002 in which they approved the Island Plan 2002 and, inter alia, Policy H1 and to amend that policy to include provision for “Jersey Homebuy housing” within the definition of Category A housing for the remaining H2 housing sites, and agreed that–

On Page 8.3 of the Jersey Island Plan 2002

- (a) after paragraph 8.18, the following new paragraph should be inserted

“8.18a

There is also a need for housing which addresses the need of those with incomes too great to be eligible for social rented housing, but who are unable to afford to buy the cheapest first time buyer home even with the assistance of a loan. In order to meet this need a category of housing will be introduced which will enable first time buyers who fall within this range to buy first time buyer properties without paying the full first time buyer price. There will be appropriate arrangements for the repayment in due course to the vendor of the balance of the purchase price”; and

On Page 8.4 of the Jersey Island Plan 2002

- (b) after the bullet point “States, Parish and Housing Trust Rental Housing (including sheltered housing)” a new bullet point as follows should be inserted – “Jersey Homebuy Housing”;

On Page 8.13 of the Jersey Island Plan 2002

- (c) In the third paragraph of “Policy H1 – Provision of Homes” after the words “first time buyer homes” the words “and” should be deleted; and after the words “social rented homes” there should be inserted the words “and/or Jersey Homebuy housing, in such proportions as the Minister shall determine, having regard to the most recent available evidence on housing need and housing supply,”.

Members present voted as follows –

POUR: 38

Senator F.H. Walker
Senator W. Kinnard

Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Peter

CONTRE: 5

Senator S. Syvret
Deputy J.A. Martin (H)

Deputy G.P. Southern (H)
Deputy of St. Ouen
Deputy S. Pitman (H)

ABSTAIN: 2

Deputy A. Breckon (S)
Deputy G.C.L. Baudains
(C)

Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy C.J. Scott Warren
(S)
Deputy R.G. Le Hérissier
(S)
Deputy S.C. Ferguson (B)
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy G.W.J. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy D.W. Mezbourian
(L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

Strategy for Inclusive Vocational Day services and employment P.102/2008

THE STATES, adopting a proposition of Deputy Ian Joseph Gorst of St. Clement, agreed to receive the Strategy for Inclusive Vocational Day services and Employment for people with a learning disability and people on the autistic spectrum as set out in the Appendix and –

- (a) requested the Ministers for Social Security, Education, Sport and Culture, and Health and Social Services to review and consider this Strategy and take all necessary steps to support its implementation in order to find solutions to reduce pressures on existing services in providing appropriate work and vocational day service opportunities for people with learning disabilities and people on the autistic spectrum; and
- (b) requested the Chief Minister to incorporate funding arrangements within the 2009 Annual Business Plan to enable any solutions that were identified to be implemented.

Members present voted as follows –

POUR: 42

CONTRE: 0

ABSTAIN: 0

Senator S. Syvret
Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary

Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Brelade
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren
(S)
Deputy R.G. Le Hérisssier
(S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy P.V.F. Le Claire (H)
Deputy D.W. Mezbourian
(L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

Change of Presidency

The Bailiff retired from the Chamber during consideration of the proposition of Deputy Ian Joseph Gorst of St. Clement ('Strategy for Inclusive Vocational Day services and employment' P.102/2008) and the meeting continued under the Presidency of Mr. Michael Nelson de la Haye, Greffier of the States.

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 –

Goods and Services Tax: receipts.
Lodged: 13th May 2008.
Deputy G.P. Southern of St. Helier.

P.70/2008.

Arrangement of public business for future meetings

THE STATES, adopting a proposition of Senator Terence Augustine Le Sueur, agreed to commence the first meeting of the Second Session on Monday 8th September 2008.

THE STATES, adopting a proposition of the Deputy of St. Martin, agreed to suspend Standing Order 47 in respect of the meetings scheduled to take place on 15th to 18th July 2008 inclusive, and adjourn those meetings at 6.30 p.m. if the business of the States was not concluded.

Members present voted as follows –

POUR: 41

Senator S. Syvret

Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard
Senator T.A. Le Sueur
Senator P.F. Routier
Senator M.E. Vibert
Senator F.E. Cohen
Senator J.L. Perchard
Connétable of St. Ouen
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Brelade
Connétable of St. John
Connétable of St. Saviour
Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy of St. Martin
Deputy P.N. Troy (B)
Deputy C.J. Scott Warren
(S)
Deputy R.G. Le Hérisssier
(S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of St. Peter
Deputy P.V.F. Le Claire (H)
Deputy D.W. Mezbourian
(L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy A.J.D. Maclean (H)
Deputy K.C. Lewis (S)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

CONTRE: 2

Deputy of Grouville

Deputy J.A. Hilton (H)

ABSTAIN: 1

Deputy G.C.L. Baudains
(C)

THE STATES agreed the following arrangement of public business for future meetings proposed, as amended, by the Chairman of the Privileges and Procedures Committee in accordance with the provisions of Standing Order 88(3) –

15th July 2008

- Vote of No Confidence: the Bailiff of Jersey.
Lodged: 25th June 2008.
Deputy S. Pitman of St. Helier.

P.107/2008.

<p>Social Security Tribunal: appointment of members. Lodged: 26th June 2008. <i>Minister for Social Security.</i></p>	P.108/2008.
<p>Draft Marriage and Civil Status (Amendment No. 2) (Jersey) Law 200. Lodged: 21st April 2008. <i>Minister for Home Affairs.</i></p>	P.61/2008.
<p>Draft Marriage and Civil Status (Amendment No. 2) (Jersey) Law 200 (P.61/2008): comments. Presented: 2nd June 2008. <i>Education and Home Affairs Scrutiny Panel.</i></p>	P.61/2008. Com.
<p>Draft Marriage and Civil Status (Amendment No. 2) (Jersey) Law 200 (P.61/2008): amendments. Lodged: 19th May 2008. <i>Deputy of St. Martin.</i></p>	P.61/2008. Amd.
<p>Draft Marriage and Civil Status (Amendment No. 2) (Jersey) Law 200 (P.61/2008): amendments (P.61/2008 Amd.)– comments. Presented: 30th June 2008. <i>Minister for Home Affairs.</i></p>	P.61/2008. Amd.Com.
<p>Draft Customs and Excise (Amendment No. 6) (Jersey) Law 200 Lodged: 7th April 2008. <i>Minister for Home Affairs.</i></p>	P.54/2008.
<p>Draft Customs and Excise (Amendment No. 6) (Jersey) Law 200 (P.54/2008): amendments. Lodged: 1st July 2008. <i>Minister for Home Affairs.</i></p>	P.54/2008. Amd.
<p>Provision of land for lifelong dwellings (for people over 55) and first-time buyers: amendment to Island Plan (2002). Lodged: 22nd May 2008. <i>Minister for Planning and Environment.</i></p>	P.75/2008.
<p>Provision of land for lifelong dwellings (for people over 55) and first-time buyers: amendment to Island Plan (2002) (P.75/2008) – amendment. Lodged: 20th June 2008. <i>Minister for Planning and Environment.</i></p>	P.75/2008. Amd.
<p>Draft Proceeds of Crime (Enforcement of Confiscation Orders) (Jersey) Regulations 200- . Lodged: 29th May 2008. <i>Minister for Treasury and Resources.</i></p>	P.79/2008.
<p>Draft Criminal Justice (International Co-operation) (Jersey) Regulations 200- Lodged: 29th May 2008. <i>Minister for Treasury and Resources.</i></p>	P.80/2008.
<p>Draft Drug Trafficking Offences (Enforcement of Confiscation Orders) (Jersey) Regulations 200- Lodged: 29th May 2008. <i>Minister for Treasury and Resources.</i></p>	P.81/2008.
<p>Draft Public Elections (Expenditure and Donations) (Jersey) Regulations 200. Lodged: 30th May 2008. <i>Privileges and Procedures Committee.</i></p>	P.82/2008.

Draft Public Elections (Expenditure and Donations) (Jersey) Regulations 200 (P.82/2008): amendments. Lodged: 1st July 2008. <i>Deputy R.G. Le Hérisssier of St. Saviour.</i>	P.82/2008. Amd.
Draft Public Elections (Expenditure and Donations) (Jersey) Regulations 200 (P.82/2008): second amendments. Lodged: 2nd July 2008. <i>Senator L. Norman.</i>	P.82/2008. Amd.(2)
Draft Terrorism (Enforcement of External Orders) (Jersey) Regulations 200-. Lodged: 2nd June 2008. <i>Minister for Home Affairs.</i>	P.84/2008.
Draft Shipping (Amendment No. 2) (Jersey) Law 200. Lodged: 3rd June 2008. <i>Minister for Economic Development.</i>	P.85/2008.
Draft Companies (Takeovers and Mergers Panel) (Jersey) Law 200-. Lodged: 3rd June 2008. <i>Minister for Economic Development.</i>	P.86/2008.
Draft Limited Partnerships (Amendment) (Jersey) Law 200-. Lodged: 3rd June 2008. <i>Minister for Economic Development.</i>	P.87/2008.
Draft Income Support (Amendment of Law) (Jersey) Regulations 200-. Lodged: 3rd June 2008. <i>Minister for Social Security.</i>	P.88/2008.
Draft Income Support (Amendment No. 2) (Jersey) Regulations 200. Lodged: 3rd June 2008. <i>Minister for Social Security.</i>	P.89/2008.
Draft Food Costs (Offset of Average GST) Bonus (Jersey) Regulations 200-. Lodged: 3rd June 2008. <i>Minister for Treasury and Resources.</i>	P.90/2008.
Brompton Villa, Belize House and Belize Cottage/Store, Great Union Road, St. Helier: proposed Deed of Arrangement. Lodged: 3rd June 2008. <i>Minister for Treasury and Resources.</i>	P.92/2008.
Tevielka, La Rue de la Haye du Puits, Grouville: proposed Deed of Arrangement for southwest boundary. Lodged: 3rd June 2008. <i>Minister for Treasury and Resources.</i>	P.93/2008.
Draft Howard Davis Farm (Abrogation of Covenant) (Jersey) Law 200-. Lodged: 5th June 2008. <i>Minister for Treasury and Resources.</i>	P.95/2008.
Draft Howard Davis Farm (Abrogation of Covenant) (Jersey) Law 200- (P.95/2008): amendment. Lodged: 12th June 2008. <i>Deputy I.J. Gorst of St. Clement.</i>	P.95/2008. Amd.

NOTE: Because of the requirement for a 6 week lodging period the Draft Howard Davis Farm (Abrogation of Covenant) (Jersey) Law 200- (P.95/2008) cannot be debated before Thursday 17th July 2008. If other business on 15th July 2008 is completed before 17th July, the Minister for Treasury and Resources has indicated that he will seek the

agreement of the Assembly, under Standing Order 26(7), to reduce the lodging period in order that this matter can be debated at that meeting.

Draft Companies (Amendment No. 9) (Jersey) Law 2008 (Appointed Day) Act 200. P.109/2008.
Lodged: 1st July 2008.
Minister for Economic Development.

Draft Referendum (Adoption of Central European Time) (Jersey) Act 200-. P.110/2008.
Lodged: 1st July 2008.
Chief Minister.

Draft European Communities Legislation (Implementation) (Bovine Semen) (Jersey) P.43/2008.
Regulations 200.
Lodged: 14th March 2008.
Chief Minister.

Monday 8th September 2008

Draft Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment) (Jersey) P.36/2008.
Regulations 200- second reading.
Lodged: 6th March 2008.
Minister for Economic Development.
(principles adopted on 29th April 2008)

Draft Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment) (Jersey) P.36/2008.
Regulations 200- (P.36/2008): comments. Com.
Presented: 1st July 2008.
Environment Scrutiny Panel.

Draft Sea Fisheries (Inshore Trawling, Netting and Dredging) (Amendment) (Jersey) P.36/2008.
Regulations 200- (P.36/2008): comments (P.36/2008 Com.)– response of the Minister Com.Res.
for Economic Development.
Presented: 8th July 2008.
Minister for Economic Development.

Flu pandemic funding. P.67/2008.
Lodged: 13th May 2008.
Minister for Treasury and Resources.

Flu pandemic funding (P.67/2008): comments. P.67/2008.
Presented: 1st July 2008. Com.
Health, Social Security and Housing Scrutiny Panel.

Draft Water (Amendment No. 3) (Jersey) Law 200. P.58/2008.
Lodged: 11th April 2008.
Minister for Planning and Environment.

Draft European Communities Legislation (Bluetongue) (Jersey) Regulations 200. P.71/2008.
Lodged: 20th May 2008.
Minister for Planning and Environment.

Integrated Coastal Zone Management Strategy. P.76/2008.
Lodged: 23rd May 2008.
Minister for Planning and Environment.

Draft Supply of Goods and Services (Jersey) Law 200-. P.77/2008.
Lodged: 23rd May 2008.
Minister for Economic Development.

Human Rights Committee and Statements of Compatibility. P.78/2008.
Lodged: 29th May 2008.

Deputy of St. Martin.

Human Rights Committee and Statements of Compatibility (P.78/2008): comments.
Presented: 30th June 2008. P.78/2008.
Privileges and Procedures Committee. Com.

Human Rights Committee and Statements of Compatibility (P.78/2008): comments.
Presented: 1st July 2008. P.78/2008.
Council of Ministers. Com.(2)

Human Rights Committee and Statements of Compatibility (P.78/2008): amendment.
Lodged: 24th June 2008. P.78/2008.
Chairmen's Committee. Amd.

Draft Mental Health (Amendment No. 2) (Jersey) Law 200.
Lodged: 2nd June 2008. P.83/2008.
Minister for Health and Social Services.

Historic Child Abuse Enquiry: Funding. P.91/2008.
Lodged: 3rd June 2008.
Minister for Treasury and Resources.

Committee of Inquiry: Toxic Incinerator Ash Dumping in the St. Helier Waterfront Land
Reclamation Schemes. P.96/2008.
Lodged: 10th June 2008.
Senator S. Syvret.

Committee of Inquiry: Toxic Incinerator Ash Dumping in the St. Helier Waterfront Land
Reclamation Schemes (P.96/2008) – comments. P.96/2008.
Presented: 7th July 2008. Com.
Council of Ministers.

Goods and Services Tax: exemption or zero-rating for foodstuffs and domestic energy. P.103/2008.
Lodged: 17th June 2008.
Deputy of Grouville.

Goods and Services Tax: exemption for fruit, vegetables and milk. P.104/2008.
Lodged: 17th June 2008.
Deputy S. Pitman of St. Helier.

Draft Water Resources (Jersey) Law 2007 (Appointed Day) Act 200-. P.105/2008.
Lodged: 20th June 2008.
Minister for Planning and Environment.

Rent Control Tribunal: appointment of Chairman and Members. P.106/2008.
Lodged: 23rd June 2008.
Minister for Housing.

Esplanade Quarter Masterplan, St. Helier: development agreement– approval by the
States. P.111/2008.
Lodged: 3rd July 2008.
Senator J.L. Perchard.

Bailiff of Jersey: cessation of dual rôle. P.112/2008.
Lodged: 9th July 2008.
Deputy S. Pitman of St. Helier.

THE STATES rose at 5.34 p.m.

A.H. HARRIS

Deputy Greffier of the States