

THE STATES assembled on Tuesday,
29th August, 1989 at 10.15 a.m. under
the Presidency of the Bailiff,
Sir Peter Crill, C.B.E.

His Excellency the Lieutenant Governor,
Admiral Sir William Pillar, G.B.E., K.C.B.

,
was present.

All Members were present with the exception
of -

Senator Richard Joseph Shenton -
absent.

Senator Reginald Robert Jeune - out of
the Island.

Fred Philip Webber Clarke, Connétable
of St. Helier - absent.

Snowdon George Robins, Connétable of
Saviour - ill.

Sir Martin Le Quesne, Deputy of St.
Saviour - out of the Island.

Margaret Sylvia Rose Beadle, Deputy of
St. Brelade - out of the Island.

Carlyle John Le Herissier Hinault,
Deputy of St. John - out of the
Island.

Graham Huelin, Deputy of St. Brelade -
out of the Island.

Prayers

Mr. Philip Laundry, Canada -
welcome.

The Bailiff welcomed to the House

Mr. Philip Laundy, the Clerk Assistant, of the House of Commons, Ottawa, Canada.

Deputy Greffier of the States, Mr. R.S. Gray.

The Bailiff, on behalf of the States, welcomed the Deputy Greffier of the States on his return after a recent operation.

Matters noted - land transactions.

THE STATES noted an Act of the Finance and Economics Committee dated 21st August, 1989, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved, as recommended by the Public Health Committee, the leasing from John Baxter Investments Limited of 54, Marina Court, St. Helier, for a period of one year with effect from 1st September, 1989, at a monthly rent of #230, with the option to renew.

Matter lodged.

The following subject was lodged
"au Greffe" -

Health and Safety at Work Appeal
Tribunal: appointment of members.
P.124/89.
Presented by the Social Security
Committee.

Rezoning of land for Category A
housing. P.57/89.

THE STATES rejected the proposition of Deputy John Le Gallais of St. Saviour that sub-paragraphs (i), (ii), (iii), (iv) and (v) of paragraph (a), and paragraphs (b) to (g) of the Proposition regarding Rezoning of land for Category A housing be considered at this Sitting, the remainder of the sub-paragraphs in paragraph (a) being deferred to a later date.

Registration and restrictions on use of wells and bore holes. Statement.

The President of the Public Works Committee made a statement in the following terms -

``In my statement to the States on 17th August, I said the Island's objective was to reduce the weekly loss of water stored in the Jersey New Waterworks Company's reservoirs from the average of 10 million gallons per week before the declaration of the State of Emergency to 4 million gallons per week.

In the first six days the loss fell by 5 million gallons, however, in the past week, despite a continued small decline in consumption of Company water, the loss was 7.1 million gallons.

A factor in this unsatisfactory situation is the diminution in stream flows which can in part be attributed to the scale of abstraction from wells and boreholes.

The Public Works Committee has for some time been aware of the potential consequences of unrestricted abstraction from those sources and a preliminary survey by the British Geological Survey was undertaken earlier this year. An amount has already been inscribed in next year's budget in order to undertake a more thorough investigation.

Recent estimates made by the Jersey New Waterworks Company at the request of Public Works suggest that, in the present circumstances, abstraction significantly exceeds the rate of replenishment of underground water in a year of average rainfall.

Accordingly, the Public Works Committee will, subject to the resolution today of any outstanding problems, give notice that all wells and boreholes are to be registered and that abstraction from them will, in the case of supplies to domestic

households, be subject to the same restrictions as are supplies of Company water to domestic consumers.

Abstraction for any commercial purpose will require a water meter (supplied at the expense of the States) to be fitted to the source, and commercial consumers will be restricted in the same categories and to the same extent as though they were supplied by the Jersey New Waterworks Company.

It is the opinion of the Public Works Committee that these measures are essential to conserve the Island's water resources to withstand the present period of dry weather which shows no indication at present of when it will end. They are necessary also to safeguard future supplies and reduce the risk of polluting underground fresh water resources with sea water.

The administration of these restrictions will impose a demand beyond the capacity of the Public Works Department and I take this opportunity to ask for the co-operation of other committees when assistance is sought."

Senator R.R. Jeune, O.B.E. - attendance.

Senator Reginald Robert Jeune, having returned to the Island, was present at the remainder of the Sitting.

Rezoning of land for Category A housing. P.57/89 and P.113/89.

THE STATES continued discussion of the Proposition of the Island Development Committee on the rezoning of land for Category A housing.

After discussion the Committee withdrew paragraph (d).

Paragraph (a)(i) was adopted.

Members present voted as follows -

``Pour" (33)

Senators

Jeune, Binnington, Horsfall, Ellis,
Baal, Rothwell, Le Main, Stein.

Connétables

St. John, St. Peter, St. Helier, St.
Lawrence, St. Mary, St. Martin,
Grouville.

Deputies

de la Haye(H), Morel(S), Le
Gallais(S), Vandervliet(L), R.
Rumboll(H), Blampied(H), Billot(S),
St. Martin, Baudains(C), Buesnel(H),
C. Rumboll(H), Le Sueur(H),
Coutanche(L), Jordan(B), St. Mary,
Bailhache(H), Rabet(H), Baudains(H).

``Contre" (10)

Senators

Le Maistre, Carter.

Connétables

St. Ouen, St. Brelade, Trinity.

Deputies

Roche(S), Trinity, Norman(C), St.
Peter, St. Ouen.

Paragraph (a)(ii) was rejected.

Members present voted as follows -

``Pour"(21)

Senators

Baal, Rothwell.

Connétables

St. John, St. Peter, St. Helier, St.
Mary, St. Ouen, Grouville.

Deputies

de la Haye(H), Le Gallais(S),
Vandervliet(L), R. Rumboll(H),
Blampied(H), St. Peter, Baudains(C),
Buesnel(H), C. Rumboll(H), Le
Sueur(H), Jordan(B), St. Mary,
Baudains(H).

``Contre"(22)

Senators

Jeune, Binnington, Horsfall, Ellis, Le
Main, Brooke, Le Maistre, Carter,
Stein.

Connétables

St. Lawrence, St. Brelade, Trinity,
St. Martin.

Deputies

Morel(S), Trinity, Billot(S),
Norman(C), St. Martin, St. Ouen,
Coutanche(L), Bailhache(H), Rabet(H).

Paragraph (a)(iii) was adopted.

The States, having accepted an amendment of the Agriculture and Fisheries Committee, deleted paragraph (a)(iv), renumbered the subsequent sub-paragraphs accordingly and after paragraph (f) inserted the following paragraph and agreed -

- ``(g) (i) to rezone to use for
Category A residential
development about 8.6
vergées of land at Field
1367, La Route du Petit
Clos, St. Helier,
including existing
farmstead buildings,
together with a strip of
land to the south of
Field 1371 required for
access purposes, as shown
on Map No. 01-219-5, from
``Sensitive Landscape
Area of the Agricultural
Priority Zone" and
``Agricultural Priority
Zone";
- (ii) to authorise the Housing
Committee to negotiate
with the owners for the
purchase of the land and
buildings at a fair and
proper price to be agreed
with the Finance and
Economics Committee, it
being accepted that part
of the land will have an
enhanced value due to its

present intensive use as
a commercial dairy unit
and its occupation by
large agricultural
buildings and equipment;

- (iii) to authorise the payment
or discharge of the
expenses to be incurred
in connexion with the
acquisition of the said
land and buildings and
all interest therein and
of the payment of all
legal expenses from the
Island Development
Committee Major Reserve
Vote CO904 or the Housing
Committee Land Purchase
Vote C1104;"

Paragraph (g) was re-lettered (h).

The re-numbered paragraph (a)(iv) was
rejected.

Members present voted as follows -

``Pour"(21)

Senators

Baal, Rothwell, Le Main.

Connétables

St. John, St. Peter, St. Helier, St.
Mary, St. Ouen, St. Martin, Grouville.

Deputies

de la Haye(H), Vandervliet(L), R.
Rumboll(H), Blampied(H), St. Peter,
Baudains(C), Buesnel(H), Le Sueur(H),
Coutanche(L), Jordan(B), Baudains(H).

``Contre"(23)

Senators

Jeune, Binnington, Horsfall, Ellis,
Brooke, Le Maistre, Carter, Stein.

Connétables

St. Lawrence, St. Brelade, Trinity.

Deputies

Morel(S), Le Gallais(S), Roche(S),
Trinity, Billot(S), Norman(C), St.

Martin, C. Rumboll(H), St. Ouen, St.
Mary, Bailhache(H), Rabet(H).

THE STATES, on the proposition of the
President of the Island Development
Committee, decided to defer further
consideration of the Proposition to a later
date.

Arrangement of Public Business.

THE STATES agreed that
consideration of the following Papers be
deferred to a later date -

Tenants in private sector:
security of tenure. P.100/89
Lodged: 27th June, 1989.
Senator J.S. Rothwell.

Draft Health and Safety at
Work (Appeal Tribunal) (Jersey)
Regulations, 198 . P.108/89
Lodged: 25th July, 1989.
Social Security Committee.

Amendment to the draft Health
and Safety at Work (Appeal Tribunal)
(Jersey) Regulations, 198 .
Social Security Committee.

Draft Health and Safety at
Work (Improvement and Prohibition
Notices Appeals) (Jersey) Regulations,
198 . P.109/89
Lodged: 25th July, 1989.
Social Security Committee.

Draft Health and Safety at
Work (Jersey) Law 1989 (Appointed Day)
Act, 198 . P.114/89.
Lodged: 8th August, 1989.
Social Security Committee.

Draft Harbours (Vehicle
Ramps) (Jersey) Regulations, 198 .
P.119/89
Lodged: 8th August, 1989.
Harbours and Airport
Committee.

THE STATES acceded to the requests of the
Presidents concerned that the following

Papers be considered at the present
Sitting -

Drunk and incapable in public:
alternative to the penal
system. P.111/89
Lodged: 1st August, 1989.
Public Health Committee.

Draft Summer Time (Jersey)
Act, 198 . P.115/89
Lodged: 8th August, 1989.
Legislation Committee.

Le Pré de Mal Assis, Grands
Vaux, St. Saviour, rezoning and
purchase of land. P.117/89
Lodged: 8th August, 1989.
Island Development Committee.

Matter lodged.

The following subject was lodged
``au Greffe" -

Draft Health and Safety at Work
(Appeal Tribunal) (Jersey)
Regulations, 198 . (P.108/89):
amendment. P.125/89.
Social Security Committee.

Public Employees (Contributory
Retirement Scheme) (Existing Members)
(Jersey) Regulations, 1989. P.110/89.

THE STATES, in pursuance of
Article 2 of the Public Employees
(Retirement) (Jersey) Law, 1967, as
amended, made Regulations entitled the
Public Employees (Contributory Retirement
Scheme) (Existing Members) (Jersey)
Regulations, 1989.

Public Employees (Contributory
Retirement Scheme) (New Members) (Jersey)
Regulations, 1989. P.110/89.

THE STATES, in pursuance of
Article 2 of the Public Employees
(Retirement) (Jersey) Law, 1967, as
amended, made Regulations entitled the

Public Employees (Contributory Retirement Scheme) (New Members) (Jersey) Regulations, 1989.

Public Employees (Contributory Retirement Scheme) (General) (Jersey) Regulations, 1989. P.110/89.

THE STATES, in pursuance of Articles 2 and 4 of the Public Employees (Retirement) (Jersey) Law, 1967, as amended, made Regulations entitled the Public Employees (Contributory Retirement Scheme) (General) (Jersey) Regulations, 1989.

Public Employees (Contributory Retirement Scheme) (Amendment No. 11) (Jersey) Regulations, 1989. P.110/89.

THE STATES, in pursuance of Article 2 of the Public Employees (Retirement) (Jersey) Law, 1967, as amended, made Regulations entitled the Public Employees (Contributory Retirement Scheme) (Amendment No. 11) (Jersey) Regulations, 1989.

Act modifying the Act revising pensions payable to retired public employees. P.110/89.

THE STATES, adopting a Proposition of the Establishment Committee, approved an Act dated 29th August, 1989, modifying the Act dated 11th July, 1972, revising pensions payable to retired public employees.

Act repealing the Act regarding the pension rights of Officers appointed by the Crown, the Bailiff and the States. P.110/89.

THE STATES, adopting a Proposition of the Establishment Committee, approved an Act dated 29th August, 1989, repealing the Act dated 22nd January, 1963 regarding the pension rights of Officers appointed by the Crown, the Bailiff and the States.

Drunk and incapable in public:
alternative to the penal system. P.111/89.

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

- (a) approved in principle the introduction of a scheme, as set out in the report of the Public Health Committee, which was approved by the States on 28th February, 1989, for the management of persons who are found in public to be drunk and incapable;
- (b) authorised the Housing Committee to take the necessary steps to acquire a suitable property for use as a community facility, subject to the Finance and Economics Committee's approval of the price and the Island Development Committee's approval of the use of the site;
- (c) required the Finance and Economics Committee to provide an annual sum of #40,000 (subject to inflationary increase) to the Public Health Committee to cover extra staffing costs, this sum to be over and above that Committee's revenue budget;
- (d) authorised the Attorney General and the Greffier of the States to pass the necessary contracts.

Summer Time (Jersey) Act, 1989.
P.115/89.

THE STATES, in pursuance of
Article 2 of the Summer Time (Jersey) Law,
1972, made an Act entitled the Summer Time
(Jersey) Act, 1989.

Le Pré de Mal Assis, Grands Vaux,
St. Saviour/St. Helier: rezoning and
purchase of land. P.117/89.

THE STATES, adopting a Proposition
of the Island Development Committee -

(a) agreed to rezone part of Field 366, Le Pré de Mal Assis, Grands Vaux, St. Saviour/St. Helier measuring 2.09 vergées from Green Zone to Category A housing land;

(b) agreed to purchase on behalf of the public, Field 366 and part of Field 365, Le Pré de Mal Assis, measuring 7.33 vergées, shown on Drawing No. 01/231/1, from the Jersey New Waterworks Company Limited at a fair and proper price to be agreed by the Finance and Economics Committee, using funds from the Island Development Committee's vote of credit "Acquisition of Land - Major Reserve" (Vote No. CO904);

(c) authorised the Attorney General and the Greffier of the States to pass on behalf of the public, any contracts that it might be necessary to pass in connexion with the purchase of the said land and any interest therein.

THE STATES rose at 5.10 p.m.

E.J.M. POTTER

Greffier of the States.