

**THE STATES assembled on Tuesday,  
26th October 1999 at 9.30 a.m. under  
the Presidency of the Bailiff,  
Sir Philip Bailhache.**

**His Excellency the Lieutenant Governor,  
General Sir Michael Wilkes, K.C.B., C.B.E.,  
was present**

All members were present with the exception of-

Senator Richard Joseph Shenton - out of the Island

Prayers

### **Subordinate legislation tabled**

The following enactments were laid before the States, namely-

**Pilotage (Dues and Fees) (Amendment No. 12) (Jersey) Order 1999. R & O 9452.**

**Motor Vehicles (Construction and Use) (Amendment) (Jersey) Order 1999. R & O 9453.**

**Motor Vehicle Registration (General Provisions) (Amendment No. 7) (Jersey) Order 1999. R & O 9454.**

**Motor Vehicles (Driving Licences) (Amendment No. 11) (Jersey) Order 1999. R & O 9455.**

**Motor Cars (Driving Instruction) (Amendment No. 10) (Jersey) Order 1999. R & O 9456.**

### **Matters presented**

The following matters were presented to the States-

**Regulation of Undertakings and Development (Jersey) Law 1973, as amended: policy statement - R.C.39/99.**  
Presented by the Finance and Economics Committee.

**Draft Shops (Sunday Trading) (Amendment No. 3) (Jersey) Law 199 (P.106/99): report - P.106/99 Rpt.**  
Presented by the Tourism Committee.

**Housing Strategy 1999 - 2003 (P.148/99): comments - P.148/99 Com.**  
Presented by the Establishment Committee.

**Committees of the States: delegation of functions to sub-committees (P.122/99) - comments- P.122/99 Com.(2).**  
Presented by the Planning and Environment Committee.

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

### **Matters lodged**

The following matters were lodged “au Greffe” -

**Draft Gambling (Licensing Provisions) (Amendment No. 11) (Jersey) Regulations 199 - P.164/99.**  
Presented by the Gambling Control Committee.

**Draft Public Finances (Administration) (Amendment No. 9) (Jersey) Law 199 - P.165/99.**  
Presented by the Finance and Economics Committee.

**Jersey Financial Services Commission: appointment of Commissioners - P.166/99.**  
Presented by the Finance and Economics Committee.

**Crime and Community Safety Strategy: 1999 to 2009 - P.167/99.**  
Presented by the Defence Committee.

**Substance Misuse Strategy: 1999 to 2004 - P.168/99.**  
Presented by the Health and Social Services Committee.

**Establishment of a Statistics Users Group (P.142/99): amendment - P.169/99.**  
Presented by the Policy and Resources Committee.

**Draft Hire Cars (No. 9) (Jersey) Regulations 199 - P.170/99.**  
Presented by the Defence Committee.

**Draft Public Service Vehicles (Fees) (Amendment No. 10) (Jersey) Regulations 199 - P.171/99.**  
Presented by the Defence Committee.

**Draft Invalid Care Allowance (Jersey) Regulations 199 - P.172/99.**  
Presented by the Employment and Social Security Committee.

**Draft Road Traffic (No. 51) (Jersey) Regulations 199 (P.127/99): amendments- P.173/99.**  
Presented by Deputy G.C.L. Baudains of St. Clement.

**Establishment of a Home Affairs Committee - P.174/99.**  
Presented by the Policy and Resources Committee.

**Population policy - P.175/99.**  
Presented by the Policy and Resources Committee.

**Industries Committee: terms of reference and transfer of functions - P.176/99.**  
Presented by the Policy and Resources Committee.

The following matters were deemed to be lodged on 19th October 1999 -

**Draft Harbours (Amendment No. 30) (Jersey) Regulations 199 - P.159/99.**  
Presented by the Harbours and Airport Committee.

**Draft Boats and Surf-Riding (Control) (Amendment No. 19) (Jersey) Regulations 199 - P.160/99.**  
Presented by the Harbours and Airport Committee.

**Draft Amendment (No. 22) to the Tariff of Harbour and Light Dues - P.161/99.**  
Presented by the Harbours and Airport Committee.

**Jersey Harbours: incorporation - P.162/99.**  
Presented by the Harbours and Airport Committee.

**Draft European Communities Legislation (Implementation) (Amendment) (Jersey) Law 199 - P.163/99.**  
Presented by the Policy and Resources Committee.

## **Arrangement of public business for the next meeting on 9th November 1999**

THE STATES confirmed that the following matters lodged "au Greffe" would be considered at the next meeting on 9th November 1999 -

Draft Firearms (Jersey) Law 199 - P.96/99.  
Lodged: 6th July 1999.  
*Defence Committee.*

Draft Firearms (Jersey) Law 199 (P.96/99): amendments- P.140/99.  
Lodged: 28th September 1999.  
*Defence Committee.*

Draft Firearms (Jersey) Law 199 (P.96/99): second amendments- P.146/99.  
Lodged: 28th September 1999.  
*Deputy of St. Martin.*

Draft Firearms (Jersey) Law 199 (P.96/99): third amendments- P.147/99.  
Lodged: 28th September 1999.  
*Deputy G.C.L. Baudains of St. Clement.*

Cupressus Leylandii Trees - P.123/99.  
Lodged: 7th September 1999.  
*Deputy T.J. Le Main of St. Helier.*

Draft Road Traffic (No.51) (Jersey) Regulations 199 - P.127/99.  
Lodged: 14th September 1999.  
*Defence Committee.*

Draft Road Traffic (No. 51) (Jersey) Regulations 199 (P.127/99): amendments- P.173/99.  
Lodged: 26th October 1999.  
*Defence Committee*

Draft Criminal Justice (Standard Scale of Fines) (Jersey) Regulations 199 - P.129/99.  
Lodged: 14th September 1999.  
*Legislation Committee.*

Establishment of a Statistics User Group - P.142/99.  
Lodged: 28th September 1999.  
*Policy and Resources Committee.*

Establishment of a Statistics Users Group (P.142/99): amendment - P.169/99.  
Lodged: 26th October 1999.  
*Policy and Resources Committee.*

Housing strategy 1999 - 2003 - P.148/99.  
Lodged: 5th October 1999.  
*Housing Committee.*

Housing Strategy 1999 - 2003 (P.148/99): comments - P.148/99 Com.  
Presented: 26th October 1999..  
*Establishment Committee*

**Closed circuit television - question and answer (Tape No. 543)**

Deputy Alan Simon Crowcroft of St. Helier asked Deputy Michael Adam Wavell of St. Saviour, President of the Defence Committee, the following question -

“Would the President inform members how many investigations in the current year have been, or are being, directly assisted by CCTV recordings?”

The President of the Defence Committee replied as follows -

“I am now in a position to advise members that in the current year to October, there have been 80 incidents captured on CCTV. Of these incidents, 26 have been prosecuted at Court and nine have been dealt with at Parish Hall level. The remaining 45 incidents comprise cases where there are ongoing enquiries, cases awaiting result either from Court or Parish Hall and cases where there is no identifiable suspect or the accused has failed to appear at Court. The majority of the incidents to which I have referred relate to public disorder.”

**Reorganisation of the Department of Planning and Building Services - question and answer (Tape No. 543)**

The Deputy of St. John asked Senator Nigel Lewis Qu  r  e, President of the Planning and Environment Committee, the following question -

“Would the President advise members -

- (a) if any new posts were created during the reorganisation of the Planning and Building Services Department in June this year?
- (b) If the answer is in the affirmative, would he -
  - (i) name the new posts;
  - (ii) advise whether they are permanent or contract posts;
  - (iii) advise whether or not all usual recruitment procedures were followed?”

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

“The changes in July created the new post of Assistant Director - Policy and Projects, changed the existing post of Assistant Director - Development Control to that of Assistant Director - Design and Development and deleted the post of Conservation Architect/Urban Designer.

This change was made possible by the Chief Executive Officer negotiating agreement with the two postholders. One is a permanent employee and the other a ‘j’ category employee with just over two years remaining on his contract. Those arrangements have not changed, and the moves were made at existing grades. The changes were made with the prior agreement of the Establishment Committee.”

**Applications under the Regulation of Undertakings and Development (Jersey) Law 1973, as amended - question and answer (Tape No. 543)**

The Deputy of St. John asked Senator Frank Harrison Walker, President of the Finance and Economics Committee, the following questions -

“1. Would the President inform members -

- (a) how many applications for licences under the Regulation of Undertakings and Development (Jersey) Law 1973, as amended have been received from Habitat or Ikea, the European furniture group, for a new furnishing business at the new retail development on the J.E.C. site, Queen’s Road?
- (b) how many have been granted?

2. Would the President explain his policy on new undertakings in view of the fact that local businesses are being severely restricted on employing additional staff?"

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

- “1. As at 22nd October, 1999 no applications had been received from either of the firms mentioned. Accordingly, no licences have been issued.
2. The policy of the Finance and Economic Committee on the commencement of undertakings is set out in detail in section 18 of its published Policy Statement (RC.39/99). In summary, locally qualified people wishing to set up small undertakings on their own account will normally receive a licence. However, such applications by non-locally qualified people, or by outside undertakings, are normally refused. In such situations a licence would only be issued if the Committee was totally satisfied that the economic or social benefits to be provided by the new undertaking were so significant that the issue of a licence was in the Island’s overall best interests.

The Finance and Economics Committee, as recently as June of this year, reviewed this policy in the light of a consultative exercise involving all major employer organisations and other representative groups. Those consulted were united in their resistance to any further tightening of the policy on new undertakings, favouring the maintenance of the status quo.

The latest manpower figures show yet again that the tightening of the Law as required by the States is working. One of the inevitable consequences of any population policy, which has always been recognised, is the adverse impact that this has on the business community. Unfortunately this is now happening.”

#### **Swimming pool at Fort Regent - question and answer (Tape No. 543)**

Deputy Paul Vincent Francis Le Claire of St. Helier, asked Senator Jean Amy Le Maistre, President of the Sport, Leisure and Recreation Committee, the following question -

“In the recent debate on the St. Helier Waterfront Leisure Complex, it was stated that the current revenue deficit funding requirement for the Fort Regent swimming pool was £200,000 a year. Would the President supply members with a detailed breakdown of the losses incurred by the Fort Regent swimming pool identifying such items as operating costs and depreciation calculations separately in order that members might fully understand how the figure has been calculated?”

The President of the Sport, Leisure and Recreation Committee replied as follows -

“I am pleased to supply the members with the following information.

The figure quoted in the recent debate on the Waterfront did not include any element for depreciation as the entire development of Fort Regent was funded from lottery profits and the capital costs were written off.

In 1998 the operation of Fort Regent pool was subsidised by the Committee in the amount of £203,000. This figure is made up as follows -

<u>Expenditure</u>	£
Staff costs	240,000
Plant and equipment	62,000
Utilities	60,000
Chemicals	11,000
Other costs	<u>10,000</u>
<b>TOTAL</b>	<b><u>383,000</u></b>
<u>Income</u>	
All sources	180,000
Subsidy	<b><u>203,000</u></b> ”

## **Capital expenditure plans at Jersey - question and answer (Tape No. 543)**

Deputy Paul Vincent Francis Le Claire of St. Helier, asked the Deputy of St. Mary, President of the Harbours and Airport Committee, the following question -

“Would the President confirm that the Airport will require approximately £61m to replace capital items between 2000-2015 and that this figure does not include the cost of relocating the Aero Club or the removal of asbestos in the 1937 building?”

The President of the Harbours and Airport Committee replied as follows -

“The answer to the Deputy’s question could be ‘yes’, but as I stated in my answer to the question from Senator Stuart Syvret two weeks ago, my Committee is looking forward to the year 2020. An airport with its ‘hi-tec’ equipment is capital hungry. However, safety is paramount and will never be sacrificed. I do not have a complete picture of the future capital programme. This is being worked upon, but I promise that when I bring a report and proposition on the future of the Airport, probably next summer, I will portray the whole picture, warts and all.

My philosophy is that we should not rush matters as important as this, but we should try and get it right.

The cost of relocating the Alpha Taxiway includes a contribution towards the cost of relocating the Aero Club but the capital investment plan published last year did not include any alterations to the 1937 building.”

## **Housing Committee: vote of no confidence - P.158/99**

THE STATES, adopting a proposition of Senator Leonard Norman agreed that they no confidence in the Housing Committee.

Members present voted as follows -

**“Pour” (32)**

### **Senators**

Horsfall, Rothwell, Le Maistre, Stein, Quérée, Norman, Walker.

### **Connétables**

St. Lawrence, St. Brelade, St. Peter, St. Martin, St. Ouen, St. John, Trinity, St. Saviour, St. Clement.

### **Deputies**

Wavell(S), H. Baudains(C), Le Sueur(H), Coutanche(L), St. Mary, Trinity, Routier(H), Layzell(B), St Martin, Le Main(H), Blampied(H), Vibert(B), de la Haye(B), St. Peter, Dubras(L), St. Ouen.

**“Contre” (19)**

### **Senators**

Bailhache, Syvret, Kinnard.



## **Connétables**

St. Mary, Grouville, St. Helier.

## **Deputies**

S. Baudains(H), Le Geyt(S), Pullin(S), Johns(H), Duhamel(S), Breckon(S), Grouville, Huet(H), St. John Rabet(H), Crowcroft(H), G. Baudains(C), Le Claire(H).

## **Housing Committee - resignation of Committee**

THE STATES accepted the resignation of Deputy Shirley Margaret Baudains of St. Helier, President of the Housing Committee, together with the members of the Committee.

## **Housing Committee - vacancy in Presidency**

In accordance with Article 28(3) of the States of Jersey Law 1996, the Bailiff gave notice that there was a vacancy in the office of the President of the Housing Committee.

## **Investment Business (Amendment) (Jersey) Law 1999 (Appointed Day) Act 199 - P.152/99**

THE STATES, in pursuance of Article 2 of the Investment Business (Amendment) (Jersey) Law 1999 made an Act entitled the Investment Business (Amendment) (Jersey) Law 1999 (Appointed Day) Act 1999.

**Connétable of St. Brelade - retirement**

The Bailiff referred to the impending retirement of Mrs. Enid Clare Quénault, Connétable of St. Brelade, and thanked her for her services to the Island.

THE STATES rose at 6.44 p.m.

**G.H.C. COPPOCK**

*Greffier of the States*