

STATES OF JERSEY ORDER PAPER

Tuesday, 25th May 1999

A. COMMUNICATIONS BY THE BAILIFF

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Diseases of Animals (Importation of Miscellaneous Goods) (Amendment No. 16) (Jersey) Order 1999. R & 9393.

Agriculture and Fisheries Committee.

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

Nomination of President of the Public Services Committee.

Nomination of Deputy G.C.L. Baudains of St. Clement as a member of the Telecommunications Board.

D. PRESENTATION OF PAPERS

(a) Papers for information

Matters presented under Standing Order 6A(1)(a)

Housing strategy 1998-2003 (P.201/98): comments. P.201/98
Establishment Committee. Com.

Prison Board: report for 1998. R.C.20/99
Prison Board.

(b) Notification of Standing Order decisions

Decisions under delegated functions.

Decisions of 17th May 1999.
Finance and Economics Committee.

(c) Notification of acceptance of tenders

(d) Papers to be lodged "au Greffe" under Standing Order 17A(1)(a)

Draft Proceeds of Crime (Jersey) Law 1999 (Appointed Day) Act 1999 .P.68/99
Finance and Economics Committee.

Draft Regulation of Undertakings and Development (Amendment No. 10) (Jersey) Regulations 1999 . P.69/99
Finance and Economics Committee.

Marine leisure industry: lease of land to Channel Islands Marine Limited. P.70/99
Harbours and Airport Committee.

Marine leisure industry: lease of land to GT Marine Limited. P.71/99
Harbours and Airport Committee.

Mr. D.L. Manning: grant of a loan (Field 1007, St. John). P.72/99
Finance and Economics Committee.

Draft Statutory Nuisances (Jersey) Law 1999 . (P.40/98): second amendment. P.73/99
Deputy G.C.L. Baudains of St. Clement.

(e) Notification of Papers lodged "au Greffe" under Standing Order 17A(1)(b)

Lodged on 18th May 1999

Regulation of public sector employment.
Establishment Committee.

P.67/99

(f) Papers for consideration by the States in Committee under Standing Order 38A

E. STATEMENTS AND PROPOSITIONS RELATING TO THE ARRANGEMENT OF PUBLIC BUSINESS AT THIS OR ANY SUBSEQUENT MEETING

THE STATES are asked to agree that the following matters lodged "au Greffe" will be considered at the next meeting on 8th June 1999 -

Housing strategy 1998 - 2003. P.201/98
Lodged: 29th September 1998.
Housing Committee.

Housing strategy 1998 - 2003. (P.201/98): amendments and supplementary report.
P.54/99
Lodged: 27th April 1999.
Housing Committee.

Housing strategy 1998-2003 (P.201/98): comments. P.201/98
Presented: 25th May 1999. Com.
Establishment Committee.

Housing modifications for disabled people. P.259/98
Lodged: 1st December 1998.
Housing Committee.

Housing modifications for disabled people (P.259/98): comments. P.259/98
Presented: 12th January 1999. Com.
Finance and Economics Committee.

Agricultural Loans and Guarantees Advisory Board: appointment of members P.57/99
Lodged: 27th April 1999.
Agriculture and Fisheries Committee.

Outsourcing policy. P.59/99
Lodged: 11th May 1999.
Policy and Resources Committee.

Regulation of public sector employment.
Lodged: 18th May 1999.
Establishment Committee.

P.67/99

Draft Proceeds of Crime (Jersey) Law 1999 (Appointed Day) Act 199 .P.68/99
Lodged: 25th May 1999.
Finance and Economics Committee.

F. PRESENTATION OF PETITIONS

G. QUESTIONS

The President of the Finance and Economics Committee will reply to the question asked at the last meeting by Deputy T.J. Le Main of St. Helier about the application of the Regulation of Undertakings and Development Law.

Deputy G.C.L. Baudains of St. Clement will ask questions of the President of the Defence Committee about road checks conducted by the Driver and Vehicle Standards Department.

The Deputy of St. John will ask a question of the President of the Defence Committee about cycling at night.

The Deputy of St. John will ask a question of the President of the Etat Civil Committee about the registration of illegitimate children.

Deputy P.V.F. Le Claire of St. Helier will ask a question of the President of the Harbours and Airport Committee about the use of private security firms at the harbours and airport.

Senator S. Syvret will ask questions of the President of the Harbours and Airport Committee about the cost of removing asbestos from the airport building.

Senator S. Syvret will ask questions of the President of the Establishment Committee about the cost of personnel services in States' departments.

Deputy M.E. Vibert of St. Brelade will ask questions of the President of the Housing Committee about the redevelopment of the former Postal Headquarters site.

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

The President of the Housing Committee will make a statement about the Housing Strategy 1998-2003 (P.201/98).

K. PUBLIC BUSINESS

Magistrate: appointment.
Establishment Committee.
(*debate in camera.*)

Treasurer of the States: appointment.
Establishment Committee.
(*debate in camera.*)

Draft Community Provisions (Prohibiting the Sale and Supply of Petroleum and Certain Petroleum Products to the Federal Republic of Yugoslavia) (Jersey) Regulations 199 .
P.63/99
Lodged: 11th May 1999.
Finance and Economics Committee.

Draft Community Provisions (Prohibition on Flights of Yugoslav Carriers) (Jersey) Regulations 199 . P.64/99
Lodged: 11th May 1999.
Policy and Resources Committee.

Millennium licensing hours.
Lodged: 27th April 1999.
Tourism Committee.
(addendum to Report attached)

P.55/99

Jersey Heritage Trust: new constitution. P.44/99
Lodged: 13th April 1999.
Finance and Economics Committee.

Jersey Heritage Trust: new constitution (P.44/99): amendments P.65/99
Lodged: 11th May 1999.
Deputy A.S. Crowcroft of St. Helier.

Jersey Heritage Trust: new constitution (P.44/99): second amendments P.66/99
Lodged: 11th May 1999.
Finance and Economics Committee.

Field 921, Rue à Georges, St. Mary: residential development within the agricultural priority zone.
P.17/99
Lodged: 2nd February 1999.
Senator L. Norman.

Field 921, Rue à Georges, St. Mary: residential development within the agricultural priority zone
(P.17/99) - report. P.17/99
Presented: 13th April 1999. Rpt.
Planning and Environment Committee.

Draft Protection of Children (Amendment No. 2) (Jersey) Law 199 .P.50/99
Lodged: 27th April 1999.
Legislation Committee.

Draft Affiliation Proceedings (Prescription) (Jersey) Law 199 . P.52/99
Lodged: 27th April 1999.
Legislation Committee.

Public Finances (Administration) (Jersey) Law 1967: capital expenditure. P.58/99
Lodged: 4th May 1999
Policy and Resources Committee.

Summerland Factory, Thorpe House and Broadcasting House, St. Helier: acquisition. P.62/99
Lodged: 11th May 1999
Planning and Environment Committee.

G.H.C. COPPOCK

Greffier of the States

20th May 1999

**Explanatory Note regarding subordinate legislation
tabled at this Meeting**

(See Item B)

R & O 9393

The purpose of this Order is to permit the importation of hay from a member State of the European Union.

The Order was made on 12th May 1999 and came into force forthwith.

**NOTIFICATION OF STANDING ORDER DECISIONS -
FINANCE AND ECONOMICS COMMITTEE
(delegated functions)**

17th May 1999

- (a) as recommended by the Public Services Committee, the purchase from Mr. Godfray Benett Amy, of an area of land (measuring 860 square feet) at the property known as L'Avenir, La Route de la Haule, St. Lawrence, for £1,720 (representing a rate of £2 per square foot), required for road improvement purposes (Road Scheme Project 452), on the basis that the Committee was to undertake the necessary associated accommodation works to the road alignment which had been agreed with Mr. Amy and that it would also be responsible for both parties' legal costs involved in this transaction;
- (b) as recommended by the Planning and Environment Committee, the inclusion of S.G. Hambros Bank and Trust (Jersey) Limited as a party to the 99-year lease agreement between the public and the Jersey Electricity Company Limited in respect of Sub-Station No. 129, Morier House, Halkett Place, St. Helier, which had been notified to the States on 9th December 1997, with the Committee to be responsible for both parties' legal costs involved in this transaction;
- (c) as recommended by the Public Services Committee, the lease to Pegasus Limited of the property known as The Bunker, L'Etacq, St. Ouen, for a period of 21 years from 1st January 1998 with an option to renew for a further period of 21 years, at an annual rent of £2,500 subject to triennial reviews in line with open market values, with Mr. Sean Anthony Heatley Faulkner to act as a personal guarantor, and on the basis that each party would be responsible for its own legal costs arising from this transaction. (The Committee accordingly rescinded its Act No. 2(h) of 5th March 1998, by which the abovementioned premises had been let to Mr. S.A.H. Faulkner personally);
- (d) as recommended by the Planning and Environment Committee, the lease to the Jersey Electricity Company Limited of electricity sub-station No. 615 situated at Maritime House, La Rue de Port Elizabeth,

St. Helier, for a period of 99 years at an annual rent of £1 payable in full upon signing the relevant contracts, and the granting of standard wayleave rights free of charge to the Company (in accordance with Plan No. 21M dated 25th January 1999), with each party to be responsible for its own legal costs arising from the transaction;

- (e) as recommended by the Planning and Environment Committee, the grant to the Jersey Electricity Company Limited of cable wayleave rights free of charge, in accordance with the terms and conditions set out in a letter, dated 4th August 1998, from the Director of Property Services, in connexion with the lease to the Company of an area of land on the site known as the Island Site, Weighbridge, St. Helier, for a period of 99 years from 1st January 1994, at an annual rent of £6,932 to be reviewed on 1st January 2004 and every five years thereafter on the basis that the lessee company would be responsible for the lessor's reasonable legal costs arising from the transaction.

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**NOTIFICATION OF STANDING ORDER DECISIONS -
FINANCE AND ECONOMICS COMMITTEE**

17th May 1999

- as recommended by the Planning and Environment Committee, and with the support of the Housing Committee, the purchase from Sunshine Hotel (1989) Limited of the properties known as the Sunshine Hotel and Sunshine Cottage, Marett Road, St. Helier, required for the development of social housing, for a consideration of £1,975,000, with each party being responsible for its own legal costs arising from the transaction.

PROPOSITION

MAGISTRATE: APPOINTMENT

THE STATES are asked to decide whether they are of opinion -

to appoint Advocate Bryan Ian Le Marquand to the post of Magistrate with effect from 1st November 1999.

Report

Advocate Le Marquand will replace Advocate T C Sowden Q.C. who will retire from the position of Magistrate with effect from 31st October 1999.

Advocate Le Marquand was called to the English Bar on 29th July 1976, and to the Jersey Bar on 4th March 1977.

Advocate Le Marquand held the position of Judicial Greffier from 1st March 1990 to 30th June 1997. In this role, he acted as Judge of first instance of interlocutory matters in civil cases and expert on Court procedure. Following on from this role, he has acted as Greffier Substitute which has involved him in performing the judicial functions of the Judicial Greffier. Advocate Le Marquand has also been a Relief Magistrate from March 1987 to March 1990.

The appointment is to be made under the provisions of the Loi (1864) concernant la charge de Juge d'Instruction and, under the provisions of Article 2(2) of this Law, a Magistrate can continue in office until the age of 70 years.

PROPOSITION

TREASURER OF THE STATES: APPOINTMENT

THE STATES, are asked to decide whether they are of opinion -

to appoint Mr Ian Black to the post of Treasurer of the States with effect from 1st July 1999 in accordance with Article 3 of the Public Finances (Administration) (Jersey) Law 1967.

ESTABLISHMENT COMMITTEE

NOTE: The Finance and Economics Committee supports this Proposition.

Report

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It is proposed that Mr. Ian Black will replace Mr. George Mackay Baird who has resigned from the post of Treasurer of the States of Jersey.

Mr. Black currently holds the position of Assistant Director (Resources) at the Education Department and has been employed in the direction of finances in that department since 1988. Prior to his employment at the Education Department, Mr. Black was, for two years, the Financial Controller at Fort Regent, having commenced his employment with the States of Jersey in 1985, when he was appointed as an accountant in the Treasury. Mr. Black was previously employed as an accountant in the London Borough of Tower Hamlets. He has an honours degree in Economics and is a Chartered Public Finance Accountant.

The appointment is to be made under the provisions of Article 3 of the Public Finances (Administration) (Jersey) Law 1967 and will take effect from 1st July 1999.

MILLENIUM LICENSING HOURS (P.55/99)
ADDENDUM TO REPORT

Following consultation with the Defence Committee, the Police, and industry representatives it has been agreed that two conditions will be applied to the extended period namely -

- (1) that if, in the discretion of a police officer not below the rank of Inspector, there is reason in the interests of public order to close the premises, such police officer may require that they be closed;
- (2) that all premises wishing to take advantage of the extended hours should notify the Judicial Greffier before 30th September 1999.

TOURISM COMMITTEE

STATES MEMBERS LUNCHEON

Old Library/No.3 Committee Room

I will require lunch at today's Sitting.

Signed.....

Named.....

Please hand this slip to an usher before 10.00a.m. today