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THE STATES assembled on Tuesday,
9th April 1991 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Peter Crill, C.B.E.

All Members were present with the exception
of -

Senator Anthony Beresford Chinn - out
of the Island.

Iris Medora Le Feuvre, Connétable of
St. Lawrence - out of the Island.

Enid Clare Quenault, Connétable of St.
Brelade - out of the Island.

Richard Winter Le Sauteur, Connétable
of Grouville - out of the Island.

Percy John Le Masurier, Deputy of St.
Ouen - absent, excused.

Terence Ahier Jehan, Deputy of St.
Martin - out of the Island.

Stuart Syvret, Deputy of St. Helier -
out of the Island.

Subordinate legislation tabled

The following enactments were laid
before the States, namely -

1. Road Traffic (Saint Helier)
(Amendment No. 14) (Jersey) Order
1991. R & O 8191.
2. Road Traffic (Saint Martin)
(Amendment No. 3) (Jersey) Order
1991. R & O 8192.
3. Road Traffic (Grouville)
(Amendment No. 6) (Jersey) Order
1991. R & O 8193.

Contingencies vote of credit: Public

Services Committee

THE STATES noted an Act of the Finance and Economics Committee dated 3rd April 1991, informing the States that it had made available to the Public Services Committee the sum of #55,000 from the contingencies vote of credit to cover various expenses relating to accommodation for the Judicial Greffe.

Dwelling Houses Loan Fund: accounts for 1990. R.C.15

The Housing Committee by Act dated 15th March 1991, presented to the States the accounts of the Dwelling Houses Loan Fund for the year ended 31st December 1990.

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

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 3rd April 1991, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved -

- (a) as recommended by the Housing Committee, with the support of the Island Development Committee, the purchase from Mrs. Wendy Evelyn Tipping, née Janvrin, Mr. Anthony Winter Nichols, Mrs. Jacqueline Olga Barker née Nichols and Mrs. Nicole Anita Copping née Nichols of the property No. 90 Great Union Road, St. Helier, for the sum of #140,000, with each side being responsible for its own legal fees;
- (b) as recommended by the Housing Committee, with the support of the Island Development Committee, the purchase from Mr. Leonard Herivel of the properties No. 25 Stopford Road and No. 24 Byron Lane, St. Helier, for the sum of #120,000, with each side being

responsible for its own legal fees;

- (c) as recommended by the Housing Committee, with the support of the Island Development Committee, the purchase of approximately 1.97 vergées of land forming part of Field 1517, Bellozanne, St. Helier, required in connexion with the development of Category A housing, for a consideration of #159,272, with each side being responsible for the payment of its own legal fees (The Committee rescinded paragraph (e)(ii) of its Act No. 5 of 15th October 1990 which was notified to the States on 23rd October 1990);
- (d) as recommended by the Harbours and Airport Committee, the lease to F. Battrick and Sons Limited of storage space on the Albert Pier, St. Helier (Letting Nos. A2 to A7A) for a period of three years from 1st April 1991 at an annual rent of #5,490 to be increased annually in line the with Jersey Cost of Living Index;
- (e) as recommended by the Harbours and Airport Committee, the lease to Mr. Augusto Alberto De Aguiar Matos of the Sailors' Rest Café, New North Quay, Port of St. Helier, for a period of three years from 1st April 1991 at a rent of #7,000 for the first year, #8,000 for the second year and #9,000 for the third year;
- (f) as recommended by the Tourism Committee, the lease to Mr Domenico Ammirati and Mrs. Jean Ammirati, née Waddington of the Old Station Café, St. Helier, for one year from 26th December 1990 at a rent of #5,400.

Matter noted - financial transaction

THE STATES noted an Act of the

Finance and Economics Committee dated 3rd April 1991, showing that in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Committee had noted that the Education Committee had accepted the lowest of six tenders, namely that submitted by B. & C. Construction Limited in the sum of #77,345.95 for the construction of an extension to Plat Douet School, St. Saviour.

Matters lodged

The following subjects were lodged
"au Greffe" -

1. Draft Road Traffic (No. 40) (Jersey) Regulations 199 . P.53/91.
Presented by the Defence Committee.
2. Draft Highways (Amendment No. 2) (Jersey) Law 199 . P.54/91.
Presented by the Public Services Committee.
3. Jersey Haig Homes Appeal: grant. P.55/91.
Presented by the Finance and Economics Committee.
4. Roadside walls and banques: repairs. P.56/91.
Presented by the Island Development Committee.
5. 16 Hill Street, St. Helier: temporary accommodation for Judicial Greffe. P.57/91.
Presented by the Public Services Committee.
6. Sport, Leisure and Recreation Committee. P.58/91.
Presented by the Policy and Resources Committee.
7. Training in the Island. P.59/91.
Presented by the Policy and Resources Committee.

THE STATES noted that in pursuance of Standing Order 17(6) the following

subject lodged ``au Greffe" had been
withdrawn -

Kent Lodge, 21 Clarendon Road, St.
Helier: compulsory purchase. P.49/90.
Lodged: 10th April 1990.
Housing Committee.

Arrangement of Public Business for
the next Sitting on 23rd April 1991

THE STATES confirmed that the
following subjects lodged au Greffe should
be considered at the next Sitting on 23rd
April 1991 -

Sludge dryer plant: acceptance of
tender. P.45/91.
Lodged: 26th March 1991.
Public Services Committee.

Ultra violet light disinfection
equipment: acceptance of tender.
P.46/91.
Lodged: 26th March 1991.
Public Services Committee.

Draft Road Traffic (No. 40)
(Jersey) Regulations 199 . P.53/91.
Lodged: 9th April 1991.
Defence Committee.

Draft Highways (Amendment
No. 2) (Jersey) Law 199 . P.54/91.
Lodged: 9th April 1991.
Public Services Committee.

Jersey Haig Homes Appeal:
grant. P.55/91.
Lodged: 9th April 1991.
Finance and Economics
Committee.

Roadside walls and banques:
repairs. P.56/91.
Lodged: 9th April 1991.
Island Development Committee.

16 Hill Street, St. Helier:
accommodation for Judicial Greffe.
P.57/91.
Lodged: 9th April 1991.
Public Services

Committee.

Independent local radio. Statement

The Vice-President of the Broadcasting Committee made a statement in the following terms -

“The Broadcasting Act 1990 is now in force and parts of it, relating to television services and new transmitting arrangements have been extended to Jersey. The Committee does not propose, at this stage, to extend the Section on Cable Television as the existing arrangements are satisfactory, and this leaves independent local radio.

The States on 23rd October 1990 adopted a proposition (P.153/90) of the Broadcasting Committee and -

- (a) agreed to vary their decision of 28th September 1977 and to allow a commercial radio station to be set up to operate from within the Island for reception within the Island;
- (b) authorised the Broadcasting Committee to negotiate with the Radio Authority with a view to that Authority being the licensing authority for such a station.

The Committee has now had further discussions with the Radio Authority, and in so doing, has taken account of concern expressed by some Members during the debate that the decision on which company should be awarded the licence should be taken locally.

The Committee fully accepts the reasons for Members' concern and has reconsidered the advantages and disadvantages of extending Part III of the Broadcasting Act 1990 to the Island. If the decision is to be taken locally, the Committee is in no doubt that this will entail new legislation and the production of codes for programmes and advertising standards

and a complaints procedure. This process assumes that the necessary expertise is available locally and will inevitably take some considerable time. It is, therefore, doubtful that a station could commence within the foreseeable future.

The Committee, which now includes four members who did not serve on the previous Committee, has concluded that the most realistic way to proceed is to invite the Radio Authority to be the licensing authority for such a station. The obvious advantages of adopting this course of action are clearly set out in P.153/90. As a result of the further discussions with the Radio Authority, the Committee has obtained written confirmation of its involvement during the application process as follows -

- (1) Before a licence is advertised, the Committee will provide the Authority with 'Notes to Applicants' explaining the particular circumstances of the Island (including various controls which exist). These notes will be sent out to all applicants together with the Authority's documentation.
- (2) The licence will be advertised in the Jersey Evening Post by the Authority. At the time of licence advertisement the Authority will invite comments from the public about the local radio needs of the Island and, in due course, about particular applicants' proposals. The Authority will make it clear that these comments will also be made available to the Committee for its appraisal, on the understanding that such correspondence will be handled on a strictly confidential basis.
- (3) Once applications are received, copies will be made available to the Committee, as well as being deposited for public scrutiny in the Public Library. Radio Authority staff will evaluate all

applications submitted, conducting follow-up telephone interviewing of applicants as necessary, according to its usual procedure. In parallel, the Committee will be forming its own views on the strengths and weaknesses of each application. It is expected that there will be a degree of consultation and dialogue at staff level during this process. The Committee would then indicate which of the applications are regarded as acceptable for a potential licence award, providing a reasoned justification for any that it would not be happy to see awarded the licence. The Authority staff will similarly have identified those which are of adequate quality to be considered by the Authority. The Committee will also be welcome to submit detailed observations on individual applications, which will be placed before the Authority Members in full, alongside its staff briefings, prior to the decision on licence award.

- (4) The eventual licence award decision will be made by the Authority Members, who will select from among those candidates which are both acceptable to the Committee and are recommended as a result of the Authority's staff evaluation. If no applicant satisfies both these requirements, no licence award will be made. Thus, the Committee effectively has a right of veto.

In addition, the Committee has discussed with the Law Officers of the Crown a strengthening to the Act in the Extension Order which will require the Authority specifically to take account of the views expressed by the Broadcasting Committee. This proposal, which has been welcomed by the Radio Authority, will be contained in the draft Extension Order to be submitted to the Home Office.

It is therefore proposed that the licence will be advertised by the late summer, enabling the licence to be awarded by the end of 1991/early 1992, and the service being broadcasting during 1992."

Territorial Army Centre, La Collette: purchase and sale of land.
P.30/91

THE STATES, adopting a proposition of the Public Services Committee approved the following transactions in connexion with the security provisions and construction of a Territorial Army Centre at La Collette, with each party to pay its legal fees thereby incurred -

- (a) the purchase from the Parish of St. Helier of an area of land at La Collette measuring approximately 1 vergée, 11 perch shown on plan number 2191/2 for the sum of #10;
- (b) the sale to the Parish of St. Helier of an area of land at South Hill measuring approximately 1 vergée, 30 perch shown on plan number 2191/1 for the sum of #10;
- (c) to authorise the Treasurer of the States to pay the appropriate costs out of the vote of credit 0641;
- (d) to authorise the Treasurer of the States to receive the appropriate sum and credit it to Account R.402;
- (e) to authorise the Attorney General and the Greffier of the States to pass the necessary contracts in the matter;
- (f) to agree that, following the purchase, the area of land at La Collette required for the Territorial Army Centre will be administered by the Defence Committee and that the remainder of the area will be administered by the Public Services Committee.

Loi (1991) (Amendement) sur les
Etrangers. P.42/91

THE STATES, subject to the sanction
of Her Most Excellent Majesty in Council,
adopted a Law entitled the ``Loi (1991)
(Amendement) sur les Etrangers."

Property Management Office. P.43/91

THE STATES, adopting a proposition
of the Policy and Resources Committee
approved the establishment of a Property
Management Office as outlined in the report
of the Policy and Resources Committee dated
28th February 1991.

Sewage: treatment of liquid waste.
P.44/91

THE STATES, adopting a proposition
of the Public Services Committee -

(1) approved, in principle, the
proposals of the Public Services
Committee regarding the acceptance
of tenders for both the sludge
dryer scheme and the ultra violet
light disinfection scheme for
liquid waste treatment, outlined
in that Committee's report dated
12th March 1991;

(2) approved Drawings Nos. JSM/231,
232, 233, 234 showing the
provision of a sludge dryer plant
at Bellozanne, St. Helier, and to
authorise the Greffier of the
States to sign the Drawings on
behalf of the States;

(3) approved Drawings Nos.
JSP/PLAN/001, 002, 003, 005, 006,
007 and 162/018 showing the
proposed installation of an ultra
violet light disinfection plant at
the Bellozanne sewage treatment
works, and to authorise the
Greffier of the States to sign the
Drawings on behalf of the States.

Central Market roof repairs. P.47/91

THE STATES, adopting a proposition of the Public Services Committee agreed to refer to their Act dated 20th June 1989, and approved revised costings for the repair and redecoration of the Central Market roof, contained in the report, dated 8th March 1991, of the Public Services Committee.

Nemo Charitable Institution: grant.
P.48/91

THE STATES, adopting a proposition of the Finance and Economics Committee approved the provision of further funding to the Nemo Charitable Association in the sum of #33,000 in order to assist with the running expenses of Causeway House for the year to 31st March 1992.

Parish Rate (Administration)
(Amendment No. 5) (Jersey) Law 1991.
P.49/91

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Parish Rate (Administration) (Amendment No. 5) (Jersey) Law 1991.

Parish Rate (Administration)
(Jersey) Regulations 1991. P.50/91

THE STATES, in pursuance of Article 24A of the Parish Rate (Administration) (Jersey) Law 1946, as amended, made Regulations entitled the Parish Rate (Administration) (Jersey) Regulations 1991.

Jersey New Waterworks Company
Limited: issue of preference shares.
P.51/91

THE STATES, adopting a proposition of the Finance and Economics Committee -

- (a) confirmed that they will instruct their proxy to vote in favour of a resolution when this is put to

shareholders of the Jersey New Waterworks Company Limited to increase the authorised share capital of the company by £4.5 million;

- (b) approved their commitment to take up the £4.5 million preference shares, initially at a coupon of 7.5 per cent for the first ten years, 1991 to the year 2000, and thereafter at a coupon of 10 per cent in perpetuity.

THE STATES rose at 11.50 a.m.

C.M. NEWCOMBE

Deputy Greffier of the States.