

**THE STATES assembled on Tuesday,
3rd December 2002 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

**His Excellency the Lieutenant Governor,
Air Chief Marshal Sir John Cheshire, K.B.E., C.B.,
was present**

All members were present with the exception of -

Senator Paul Vincent Francis Le Claire - ill
Francis Herbert Amy, Connétable of Grouville - ill
John Benjamin Fox, Deputy of St. Helier - out of the Island

Prayers read by the Greffier of the States

Committee of Inquiry into Honorary Police Election Procedures: report - R.C.48/2002

The Bailiff presented to the States the report of the Committee of Inquiry into Honorary Police Election Procedures and on behalf of all members, thanked the members of the Committee of Inquiry for their work.

Connétable of Grouville - accident recovery

The Bailiff, on behalf of all members, extended best wishes to the Connétable of Grouville and his family, following his recent car accident in France.

Subordinate legislation tabled

The following enactments were laid before the States, namely -

Motor Traffic (Taxi-Cabs - General) (Jersey) Order 2002. R&O 137/2002.

Motor Cars (Driving Instruction) (Amendment No. 13) (Jersey) Order 2002. R&O 142/2002.

Motor Vehicles (Construction and Use) (Amendment No. 4) (Jersey) Order 2002. R&O 143/2002.

Motor Vehicles (Driving Licences) (Amendment) (Jersey) Order 2002. R&O 144/2002.

Motor Traffic (Public Service Vehicles (Fees) (No. 2) (Jersey) Order 2002. R&O 145/2002.

Road and Sand Racing (Jersey) Order 2002. R&O 146/2002.

Merchant Shipping (Small Ships Register) (Amendment No. 6) (Jersey) Order 2002. R&O 147/2002.

Road Traffic (Public Parking Places) (No. 3) (Jersey) Order 2002. R&O 148/2002.

Royal Court (Remuneration of Commissioners) (Jersey) Order 2002. R&O 149/2002.

Court of Appeal (Remuneration of Ordinary Judges) (Jersey) Order 2002. R&O 150/2002.

Companies (Subsidiaries) (Transitional Provisions) (No. 2) (Jersey) Order 2002. R&O 151/2002.

Road Traffic (Public Parking Places - Charges) (No. 2) (Jersey) Order 2002. R&O 152/2002.

Matters presented

The following matters were presented to the States -

Annual Report of the Director of Public Health Services 2002.

Presented by the Health and Social Services Committee.

Le Talus, La Rue du Nord, St. John, sale of land and Fremont Headland, St. John: acquisition of land (P.200/2002) - comments - P.200/2002. Com.

Presented by the Finance and Economics Committee.

Budget 2003: amendment (P.212/2002) amendment- (P.212/2002 Amd.) - comments - P.212/2002. Amd. Com.

Presented by the Agriculture and Fisheries Committee.

Budget 2003: amendment (P.212/2002) comments-P.212/2002. Com.(2).

Presented by the Finance and Economics Committee.

Budget 2003: amendment (P.212/2002) amendment (P.212/2002 Amd.) comments - P.212/2002. Amd.Com.(2).

Presented by the Finance and Economics Committee.

Le Chemin du Douet, St. Ouen: acquisition of track (P.214/2002) comments - P.214/2002 Com.

Presented by the Finance and Economics Committee.

Budget 2003: second amendment (P.218/2002) comments- P.218/2002 Com.

Presented by the Finance and Economics Committee.

The following matter was presented on 26th November 2002 -

Draft Parish Rate (Administration) (Jersey) Law 2001.199/2002) - comments - P.199/2002 Com.

Presented by the Finance and Economics Committee.

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 15th November 2002 recording the following decisions of the Treasurer of the States under delegated powers, in pursuance of Standing Orders relating to certain transactions in land -

- (a) as recommended by the Committee for Postal Administration, the entering into of a Deed of Arrangement with Royal Trust Properties Limited in order to clarify the boundaries between the Post Office at Nos. 15 and 17 Broad Street, St. Helier and Nos. 15 and 17 Broad Street/1921 Commercial Street, with the inclusion of the right to reduce the level of the party-owned wall - the timing of the demolition of which was covered by a pre-signed licence agreement.

Upon completion of the removal of the section of wall between the rear of the Post Office building and the north of the Royal Bank of Canada building (Nos. 7-9 Commercial Street), this was to be replaced by a new rendered wall built up to and on to the centre line of the existing party-owned wall and the public would retain the right to build up and on to the centre line of the party-owned wall in due course when redeveloping the premises 15-17 Broad Street.

The granting of the abovementioned rights would not in any way prevent the public from improving, enlarging or extending its own premises in the future. Royal Trust Properties Limited, as owners of

Nos. 79 Commercial Street/19-21 Broad Street, would move at its own cost any protective flashings or any other such structures to enable the public to carry out any work upon its own property. It would also have the rights of access on to Nos. 15-17 Broad Street and for future repair and maintenance, carrying out any work as quickly as possible causing the least inconvenience possible to the public.

Royal Trust Properties Limited were to be responsible for both parties' legal costs arising from this transaction;

- (b) as recommended by the Sport, Leisure and Recreation Committee, the lease to Leeward Enterprises Limited of crèche facilities within the ground floor of Springfield Stadium, St. Helier for a further period of three years deemed to have commenced from 11th May 1998, at an annual rent of £24,000, with an option to renew for a further period;
- (c) as recommended by the Public Services Committee, the entering into of a Deed of Arrangement with Millbrook Developments Limited, as owner of the property known as Richmond Villa, La Route de St. Aubin, St. Lawrence, which neighboured Coronation Park administered by the Committee, in order to ratify the western boundary of the property. Terms had been agreed such that the new wall would form the western boundary within the property known as Richmond Villa and would belong in its entirety to the company, subject to the payment by the company of the sum of £750 to reflect the encroachment onto public land together with the payment of all reasonable legal fees and expenses in respect of this transaction. It was noted that access rights would be granted to both parties to maintain any of their respective trees or vegetation close to the new boundary wall.
In addition, Millbrook Developments Limited was to give an undertaking that it would not action the public for any loss of light or view from the new development, or any blockages or damage resulting from leaves, foliage or branches falling onto its property, subject to the public maintaining its trees in a safe condition;
- (d) as recommended by the Housing Committee, the entering into of a Deed of Arrangement with G.R. Langlois (1999) Limited in respect of the grant, free of charge, of access rights, rights of way and service rights over La Rue de la Poterie, Grouville in connexion with the proposed development of Field No. 141, la Rue Horman, Grouville by that company. This transaction would be recorded in the same deed as the one arising from the Act of the States, dated 14th May 2002, in relation to Field No. 141 and, as such, there would be no additional legal fees to be paid by the public or the company;
- (e) as recommended by the Housing Committee, in order to regularise the boundary between No. 5 St. Clement's Road, St. Helier and Les Ronces, St. Helier -
 - (i) the sale to the Jersey Homes Trust of a strip of land in the south-eastern extremity of Les Ronces forming the sites of part of the newly constructed northern gable of the front block and the adjoining wall which was to form part of the new development on No. 5 St. Clement's Road, for a consideration of £10; and
 - (ii) the purchase from the Jersey Homes Trust of all and such land belonging to the Trust and situated between the northern faces of the newly constructed walls and buildings erected on the site of No. 5 St. Clement's Road and the centre line of the original party-owned boundary wall, for a consideration of £10;

on the basis that each party would be responsible for its own legal costs arising from this transaction.

Matters lodged

The following matter was lodged "au Greffe" -

Draft Advocates and Solicitors (Amendment No. 3) (Jersey) Law 200 P.233/2002.
Presented by the Legislation Committee.

The following matters were lodged on 26th November 2002 -

Draft Health Insurance (Amendment No. 13) (Jersey) Law 200 P.222/2002.

Presented by the Employment and Social Security Committee.

Draft Family Allowances (Amendment No. 6) (Jersey) Law 200 P.223/2002.

Presented by the Employment and Social Security Committee.

Draft Public Employees (Contributory Retirement Scheme) (Amendment No. 17) (Jersey) Regulations 200 P.224/2002.

Presented by the Human Resources Committee.

Draft Public Employees (Contributory Retirement Scheme) (Existing Members) (Amendment No. 6) (Jersey) Regulations 200- P.225/2002.

Presented by the Human Resources Committee.

Draft Public Employees (Contributory Retirement Scheme) (Former Hospital Scheme) (Amendment No. 4) (Jersey) Regulations 200- P.226/2002.

Presented by the Human Resources Committee.

Draft Public Employees (Contributory Retirement Scheme) (General) (Amendment No. 8) (Jersey) Regulations 200- P.227/2002.

Presented by the Human Resources Committee.

Draft Public Employees (Contributory Retirement Scheme) (New Members) (Amendment No. 8) (Jersey) Regulations 200- P.228/2002.

Presented by the Human Resources Committee.

Draft Social Security (Amendment No. 15) (Jersey) Law 2002 (Appointed Day) Act 2002- P.229/2002.

Presented by the Employment and Social Security Committee.

Draft Customs and Excise (Amendment) (Jersey) Law 200- P.230/2002.

Presented by the Home Affairs Committee.

Draft Boats and Surf-Riding (Control) (Amendment No. 24) (Jersey) Regulations 200 P.231/2002.

Presented by the Harbours and Airport Committee.

Draft Harbours (Amendment No. 35) (Jersey) Regulations 200 P.232/2002.

Presented by the Harbours and Airport Committee.

Arrangement of public business for the present meeting

THE STATES agreed to defer consideration of the draft Crime and Security (Jersey) Law 200- of the Home Affairs Committee (P.210/2002 lodged "au Greffe" on 17th November 2002) from the present meeting to a later date.

Draft Telecommunications (Jersey) Law 2002 (Appointed Day) (No. 3) Act 2002

THE STATES, in pursuance of Article 66(2) of the Telecommunications(Jersey) Law 2002, made an Act entitled the Telecommunications (Jersey) Law 2002 (Appointed Day) (No. 3) Act 2002.

Budget 2003; Amendment - P.212/2002;

Comments - P.212/2002 Com.;

Amendment - P.212/2002 Amd.;

Amendment - Comments- P.212/2002 Amd.Com.;
Third amendment

THE STATES allowed the Treasurer of the States to be present in the Chamber during the debate.

THE STATES commenced consideration of the Budget for the financial year commencing 1st January 2003, which in accordance with Article 16 of the Public Finances (Administration) (Jersey) Law 1967, as amended, has been presented to the Assembly on 5th November 2002, by the Finance and Economics Committee and comprised

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- (i) the estimate of the revenue expenditure and income of the States;
- (ii) the estimate of the transactions of the capital fund;
- (iii) the estimate of the transactions of the trading funds; and
- (iv) the Report of the Finance and Economics Committee thereon.

THE STATES, having considered the estimates of the revenue expenditure and income of the various committees, decided to allow the amounts of the said estimates as detailed in the undermentioned pages of the Budget as follows -

Policy and Resources Committee - Page 6

Finance and Economics Committee - Pages 7 to 10

Human Resources Committee - Pages 11 to 13

Planning and Environment Committee - Pages 14 to 16

Industries Committee - Pages 17 to 19

Health and Social Services Committee - Pages 20 to 23

THE STATES commenced consideration of the estimates of the revenue expenditure and income of the Education Committee, together with an amendment of Deputy Geoffrey Peter Southern of St. Helier that-

in the estimates of revenue expenditure of the Education Committee - there be increased the estimate of peripatetic, psychological and welfare services by £51,500 from £568,200 to £619,700 by reducing the estimate for ICT support from £1,624,400 to £1,572,900.

Adjournment

THE STATES then adjourned, having agreed that outstanding matters in the Budget and other items of public business should stand over until Wednesday, 4th December 2002.

THE STATES rose at 5.43 p.m.

M.N. DE LA HAYE

Greffier of the States.