

**THE STATES assembled on Tuesday,
16th May 2000 at 9.30 a.m. under the
Presidency of the Greffier of the States,
Geoffrey Henry Charles Coppock, Esq.**

**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 Pierre François Horsfall - out of the Island
Jennifer-Anne Bridge, Deputy of St. Helier - ill.

Prayers

Subordinate legislation tabled

The following enactments were laid before the States, namely -

Road (Spring Rally) (Jersey) Order 2000. R & O 39/2000.

Court of Appeal (Remuneration of Ordinary Judges) (Jersey) Order 2000. R & O 40/2000.

Royal Court (Remuneration of Commissioners) (Jersey) Order 2000. R & O 41/2000.

Collective Investment Funds (Restriction of Scope) (Jersey) Order 2000. R & O 42/2000.

Pet Travel Scheme (Pilot Arrangements) (Amendment) (Jersey) Order 2000. R & O 43/2000.

Employment and Social Security Committee - resignation of member

THE STATES noted the resignation of the Deputy of Grouville from the Employment and Social Security Committee.

Employment and Social Security Committee - appointment of member

THE STATES appointed Deputy Harry Hallelwell Baudains of St. Clement as a member of the Employment and Social Security Committee.

Matters presented

The following matters were presented to the States-

**States members income support and expense allowance: annual increases (P.57/2000): comments - P.57/2000
Com.**

Presented by the House Committee.

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

1999 Financial Report and Accounts.

Presented by the Finance and Economics Committee.

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 8th May 2000 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 Public Services Committee, the purchase from Mrs. Elizabeth Frances Le Prévost, née Montier, of the reversionary ownership of an area of land adjacent to the Bunker (currently occupied by Faulkner Fisheries) at L'Etacq, St. Ouen, for the sum of £1,000, with the Committee to be responsible for both parties' reasonable legal fees incurred in relation to the transaction, it being further noted that, once acquired, the land would remain subject to the life enjoyment of Mr. Aime Ange Marie Joseph Rupert. (The Committee rescinded its Act No. A2 of 14th February 2000 reported to the States on 22nd February 2000);
- (b) as recommended by the Sport, Leisure and Recreation Committee, the lease to Mr. Maurice Francis Gotel of part of Fields Nos. 116 and 117, Crabbé, St. Mary (together measuring a total of 14 vergées), for the purpose of operating a clay pigeon shooting range, for a period of nine years from 25th December 1999, at a commencing annual rent of £750 payable yearly in advance, with rent reviews every three years in line with the percentage increase in the Jersey Retail Prices Index, subject to each party being responsible for its own legal fees arising from the agreement of the new lease (the Committee rescinded its Act No. A2(c) of 13th March 2000 reported to the States on 4th April 2000);
- (c) as recommended by the Housing Committee, the lease to the Jersey Electricity Company Limited of an area of land at Lord Coutanche Court, St. Helier, being the site of electricity sub-station No. 128, for a period of 99 years at an annual rent of £1 payable upon the passing of the contract, and the grant to the Jersey Electricity Company Limited of wayleave rights in association with the sub-station (as illustrated on Plan No. 22K reference P1608 dated 7th October 1999), free of charge, on the basis that each party would be responsible for its own legal fees arising from this transaction;
- (d) as recommended by the Public Services Committee, the purchase from Moyade Limited or La Rocquaise Association as appropriate, of an area of land at La Rocquaise (formerly Beauport Nursing Home) measuring 1,447 square feet to the west of the junction of La Route des Genets and Mont Sohier, St. Brelade (as shown on Drawing No. 906/A), for a consideration of £10 to enable a roadside footpath of a minimum width of 1.5 metres to be constructed, with all accommodation work, including the footpath construction, to be carried out by the vendor who would also be responsible for both parties' legal fees arising from this transaction;
- (e) as recommended by the Planning and Environment Committee, the entering into of a Deed of Arrangement with Mr. Geoffrey Le Vesconte Fiott in order to establish the boundary between Fields Nos. 563, 565 and 568, St. Brelade, which were in public ownership, and Fields Nos. 564 and 567, St. Brelade, which were owned by Mr. Fiott, with the Committee to be responsible for the professional survey and legal costs associated with this transaction;
- (f) as recommended by the Harbours and Airport Committee, in relation to the purchase from the Parish of St. Peter of land at La Rue de la Commune, St. Peter to facilitate the Airport Alpha Taxiway Realignment Project, the payment upon completion of the transaction of the legal fees incurred by the Parish of St. Peter in extinguishing the roadway.

Matters lodged

The following matters were lodged “au Greffe” -

Draft Road Traffic (No. 51) (Jersey) Regulations 200 (P.40/2000): third amendment - P.68/2000.

Presented by Deputy G.C.L. Baudains of St. Clement.

Draft Magistrate’s Court (Miscellaneous Provisions) (Amendment No. 8) (Jersey) Law 200 - P.69/2000.

Presented by the Legislation Committee.

Draft Civil Proceedings (Vexatious Litigants) (Jersey) Law 200 - P.70/2000.

Presented by the Legislation Committee.

Draft Friendly Societies (Immovable Property) (Jersey) Law 200 - P.71/2000.

Presented by the Legislation Committee.

Draft Maintenance Orders (Enforcement) (Amendment) (Jersey) Law 200 - P.72/2000.

Presented by the Legislation Committee.

Draft Statutory Nuisances (Jersey) Law 1999 (Appointed Day) Act 200 - P.73/2000.

Presented by the Health and Social Services Committee.

Church of England: Draft Ecclesiastical Offices (Age Limit) (Channel Islands) Order 200 - P.74/2000.

Presented by the Legislation Committee.

States members income support and expense allowance: increase for 2000 - P.75/2000.

Presented by the Finance and Economics Committee.

Draft Amendment (No. 20) of the Standing Orders of the States of Jersey - P.76/2000.

Presented by the House Committee.

Jersey Heritage Trust: appointment of chairman - P.77/2000.

Presented by the Finance and Economics Committee.

Arrangement of public business for the present meeting

THE STATES acceded to the request of Senator Leonard Norman, President of the Education Committee, that the following matter be considered as the first item of public business at the present meeting -

Mont Nicolle School, St. Brelade: approval of drawings - P.67/2000.
Lodged: 2nd May 2000.
Education Committee.

THE STATES noted that consideration of the matters below, that were set down for the present meeting, had been deferred to a later date -

Draft Road Traffic (No. 51) (Jersey) Regulations 200 - P.40/2000.
Lodged: 28th March 2000.
Home Affairs Committee.

Draft Road Traffic (No. 51) (Jersey) Regulations 200 (P.40/2000): amendment- P.43/2000.
Lodged: 4th April 2000.
Deputy G.C.L. Baudains of St. Clement.

Draft Road Traffic (No. 51) (Jersey) Regulations 200 (P.40/2000): amendments (P.43/2000) - report - P.43/2000 Rpt.
Presented: 11th April 2000.
Home Affairs Committee.

Draft Road Traffic (No. 51) (Jersey) Regulations 200 (P.40/2000): second amendments- P.62/2000.
Lodged: 2nd May 2000.
Home Affairs Committee.

States members income support and expense allowance: annual increases - P.57/2000.
Lodged: 18th April 2000.
Deputy R.G. Le Hérissier of St. Saviour.

Draft Road Traffic (No. 51) (Jersey) Regulations 200 (P.40/2000): amendment (P.43/2000)

THE STATES granted leave to Deputy G.C.L. Baudains of St. Clement to withdraw the draft Road Traffic (No. 51) (Jersey) Regulations 200 (P.40/2000): amendment (P.43/2000 lodged "au Greffe" on 4th April 2000), Deputy Baudains having lodged a revised proposition at the present meeting.

Arrangement of public business for the next meeting on 23rd May 2000

THE STATES confirmed that the following matters lodged "au Greffe" would be considered at the next meeting on 23rd May 2000 -

Draft Separation and Maintenance Orders (Amendment No. 2) (Jersey) Law 200 - P.46/2000.
Lodged: 11th April 2000.
Legislation Committee.

Draft Maintenance Orders (Facilities for Enforcement) (Jersey) Law 200 - P.49/2000.
Lodged: 11th April 2000.
Legislation Committee.

Draft Diseases of Animals (Amendment No. 5) (Jersey) Law 200 - P.54/2000.
Lodged: 11th April 2000.
Agriculture and Fisheries Committee.

Business transformation programme - questions and answers (Tape No. 582)

Deputy Roy George Le Hérisier of St. Saviour asked Senator Terence Augustine Le Sueur, President of the Employment and Social Security Committee, the following questions -

- “1. Would the President outline the objectives and the full costs of the business transformation programme?”
2. Would the President indicate whether the position of Business Transformation Director is an additional post or, if not, which post(s) have been surrendered to create this position?
3. Would the President indicate the number of additional posts of all categories i.e. full, part-time, permanent, contract, which have been created in his Department during the last six years?”

The President of the Employment and Social Security Committee replied as follows -

- “1. The basic intent behind this programme is to improve productivity and modernise customer service in line with paragraph (b) of the proposition on the States Resource Plan approved by the States on 6th July 1999, which set public sector manpower targets for 30th June 2002 and also in line with the States e-government strategy.

There are four main objectives -

Firstly, to replace the Department’s current computer system which is basically now old technology and becoming increasingly difficult to maintain. Whilst doing this we must take advantage of the new technologies and the potential of electronic communications. As we all know, the internet is changing the face of business around the world. Its application is just as appropriate to government which is largely an information processing organisation. The Employment and Social Security Department in particular processes huge amounts of work daily.

However, unlike the last wave of computerisation where systems were usually developed around existing processes, in this case, in order to take full advantage of the new technologies, businesses have to fundamentally rethink the way they do business and redesign or create new processes. So a considerable amount of preparatory work has to take place first.

The second main objective is to enable the Department to cope with ever increasing workloads and public expectations also bearing in mind the terms of paragraph (b) of the proposition on the States Resource Plan and the June 2002 manpower targets. We know that our workloads will continue to grow in the light of demographic changes and other aspects so we have to find a way of achieving even greater productivity.

The third objective is to improve customer services. The potential of the internet is enormous. For example,

it could ultimately allow the Department to provide a seven day a week, 24 hours a day service;

smart cards to access GP services could ease the burden of paperwork between GPs, pharmacies, the Department, the individuals and their employers;

electronic billing could reduce the time spent by employers and ourselves processing contribution payments.

job vacancies could be posted on an internet site.

The possibilities are quite considerable and far reaching.

The last main objective is to work towards electronic links with other Departments and agencies to help streamline functions which cross departmental boundaries. An example of this is our proposal for a low income support system which includes Parishes, the Employment and Social Security Department and Housing. Other, possible linked processes could be health related ones which involve the Health and Social Services Department, my Department, GPs and pharmacies. Again, the possibilities are considerable and we are linking in with the States IS/IT Adviser, Mr. Peter Griffiths, to make sure that these developments support the e-government initiative.

As to the full costs of the Business Transformation Programme, it is too early to give any indication. The Department started work on analysing and rethinking work processes in January and this work will be finalised by the end of June. This information will form the brief for an architecture study to determine what technologies and operating system will deliver the objectives. It is only then that costs can be identified and a business case developed. The investment will have to pay for itself and reduce administration costs. At present, our costs are low in comparison to other similar systems - around four per cent of total expenditure - but we believe these can be further reduced in the longer term. So much is possible but I can assure members that it will not be at any cost but one that can be justified, as I have said, on efficiency and effectiveness grounds.

2. The position of Business Transformation Director is a temporary additional post. Members can no doubt appreciate that whilst all this new work is proceeding the Department has to maintain existing services, implement a number of major reforms, and manage the change to new systems and processes. The whole project is a very complex one and we received support from the Human Resources Committee for this post on a two year temporary contract. We anticipate that some of the programme will be completed in that period and resources saved as a consequence. In other words, this is an investment which will pay for itself.

I would add that a number of opportunities for improving processes have already been identified which are not necessarily dependent on IT but need to be worked through and implemented now. I believe this is a very modest resource for such a huge project.

3. It is difficult to answer this question under the categories specified because our records have been kept in a full time equivalent format in accordance with the requirements of the Human Resources Committee. In addition, the mix of full and part time, contract and permanent staff has varied over the period, depending on the demand for any of these arrangements and the needs of the Department. I will therefore use the same format as the States manpower returns.

Six years ago the Department was only a Department of Social Security and the records show that it had an approved complement, in full time equivalent terms, of 74.61 civil servants, 5.85 manual workers and 6.5 contract posts giving a total of 86.96. In 1996, various employment and training organisations (previously under three Committees) were transferred to the renamed Employment and Social Security Department. The Department inherited a total of 26.5 posts, the majority of which were employed on a contract basis. Subsequently, the functions of the then Industrial Relations Committee were transferred to the Department together with its complement of 1.5 posts.

The total number of posts inherited during that period was therefore 28 posts and subsequently, as a result of staff savings achieved by the Department through re-organisation and rationalisation of services, the complement for this work was confirmed by the then Establishment Committee as 19, bringing the number of full-time equivalent posts up to 76.11 civil servants, 5.85 manual workers and 24 contract posts giving a total of 105.96 in 1996. Since then, there has been a total net increase of 9.5 bringing the complement to 115.46 for the year 2000. This comprises 100.11 civil servants, 4.85 manual workers, 8.5 contract staff and two trainee health and safety inspectors. These trainee posts will eventually move into permanent posts vacated by retiring staff. At present, the Department

has a total of 27 staff working on a part-time basis.

During the last six years, the Department has also contracted a few people on very short term contracts from time to time to cover exceptional peaks of work and more recently job coaches have been contracted to work alongside people with disabilities in the workplace in order to help them secure permanent employment.

The net additional 9.5 full-time equivalent posts I referred to has resulted from increases in workload and States decisions. Many were approved as part of the relevant propositions. All have been thoroughly vetted by the Establishment or, as it is now. Human Resources Committee. The main reasons for the increases include -

- introduction of two new benefits - Disability Transport Allowance and Childcare Allowance
- development of new work services for people with disabilities
- large increase in pensions work
- need for more IT support
- more fraud detection and prosecution work
- new policy responsibilities for poverty work, minimum wage, employment legislation, Social Security reforms and recently the States approved further co-ordination of Special Needs Services across three Departments

this figure also includes two posts approved by the States recently to develop a low income support system.”

Expenditure on maintenance - questions and answers (Tape No. 582)

The Deputy of St. John asked Deputy Michael Edward Vibert of St. Brelade, President of the Sport, Leisure and Recreation Committee, the following questions -

- “1. Since the building of Springfield Stadium, what percentage of the Committee’s annual budget for these premises is set aside for maintenance?”
2. What percentage of the Committee’s budget is set aside for maintenance on all properties administered by the Committee?”

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

- “1. The Committee has incurred the following expenditure on the maintenance of Springfield -

Springfield	<u>1998</u>	<u>1999</u>	<u>2000</u>
Expenditure on maintenance	£38,907	£37,828	£73,100
Total expenditure	£207,276	£249,794	£277,400
Percentage on maintenance	19%	15%	26%

(Expenditure on maintenance excludes the cost of ground maintenance and the cost of technical staff who carry out maintenance work on all facilities. The budget for technical staff for 2000 is £355,600,

however it is not possible to determine how much work they carry out on each facility).

2. The total sum set aside in the Committee's revenue budget in 2000 for building maintenance is £832,200 (excluding maintenance of grounds). This is 13.5 per cent of the Committee's gross revenue expenditure or 19.8 per cent of net expenditure (cash limit).

If the cost of technical staff employed directly by the Department is included the total costs amount to £1,187,800, that is 19.4 per cent of the Committee's gross expenditure or 28 per cent of net expenditure (cash limit).

Further minor capital funds have been voted to the Sport Leisure and Recreation Committee in 2000 for refurbishment and maintenance including repairs to drainage at Fort Regent (£100,000), the replacement of arena floors at Fort Regent (£310,000) and a new backwash tank at les Quennevais (£135,000).

The maintenance of all Sport Leisure and Recreation facilities is based on a formal programme of planned maintenance which has been developed to ensure that work is carried out in a co-ordinated manner on a cyclical basis to ensure that the maximum possible lifespan of the facility is achieved."

Lesquende housing development - question and answer (Tape No. 582)

The Connétable of St. Helier asked Senator Nigel Lewis Quérée, President of the Planning and Environment Committee, the following question -

"Would the President confirm that the Committee required the construction of brick chimneys on the 42 houses being built at the Lesquende site, St. Brelade by the Jersey Homes Trust, at a cost of £1,350 per house (a total of £56,700) and would the President explain why the same requirement was not imposed on the adjacent private development?"

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

"The success of the Belle Vue development is due to the adoption of a master-plan, planning brief and design brief which has guided the developers. The Committee's design brief required developers to have regard to Jersey's identity and include local characteristics in their designs. This was to reflect the 'model village' concept of the Belle Vue development plan which sought to achieve visual interest and quality. Including chimneys on the two and three-bedroomed houses was one method suggested in the design brief which was issued to the Jersey Homes Trust (JHT). This is important because their site is the primary focus of the development situated around the central green and at the estate entrance.

Having originally included chimneys in their design the JHT asked the Committee to agree to omit 13 chimneys to save costs. On 19th March 1998 the Committee was advised by the JHT that the chimneys would cost £700 each on the three-bedroomed houses. At that time the Committee was told that removing them would save £9,100. Whilst the Committee agreed to delete the majority of items which the JHT requested, it maintained its requirement for chimneys. Now that the houses are complete, I am certain that this was a correct decision as the structures provide a very striking and important feature to the appearance of what will be seen as a very successful development.

To answer the second part of the question I need to explain the method used by the Committee to procure the development. In the absence of States funds, the Committee has had to introduce innovative methods of funding. An area of land was sold to the Jersey Homes Trust under an agreement which provides for the residual value of the developed land (after allowing for the cost of construction) to be returned to the States. This agreement requires that social rented housing be maintained in the future and includes many safeguards. Two other parcels of land were tendered and sold to two developers under strict agreements to construct homes and sell them to first time buyers at a ceiling price and with conditions binding re-sales. This is the first time this has been done. The Committee believes that these arrangements have provided

the model for the Housing Committee and others to follow.

This structure has led to differences. Because the land sales to private developers were competitive, the Committee and Department were specially cautious not to impose avoidable costs which could have affected first time buyers. When these plots were tendered for sale this was subject to a development brief which included a greater element of flexibility. The object was to achieve variation in detailed design in what is a very large development and allow flexibility.

The result has been that the external design specification of these houses was slightly different than in the case of the JHT's homes. All the homes meet the Building Bye-laws and comply with the Committee's minimum standards."

Renovation of the Town Hall - question and answer (Tape No. 582)

The Connétable of St. Helier asked Senator Nigel Lewis Quérée, President of the Planning and Environment Committee, the following question -

- “(a) Would the President explain to members why the Committee imposed a condition on the planning consent for the Town Hall that Welsh slates had to be used instead of Spanish slates leading to an additional £14,500 cost?
- (b) Would the President explain why the Committee insisted on the use of wooden frames in the fibreglass dormers even though the windows replaced were made of aluminium?”

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

- (a) This answer will amplify the discussion I had with the Connétable when I met with him on 29th March 2000.

No such condition was imposed on the planning consent for roof refurbishment works that was issued in December 1999. The Town Hall, built in 1872, is one of the most important and prominent historic buildings within the town centre and clearly deserves the highest possible standards of management and maintenance. This is amply demonstrated by the extremely high quality of the repair and refurbishment works that have been carried out in recent years by the Parish of St. Helier.

The roof of the building was originally covered in Welsh slate, an extremely attractive and durable material which has a life span of around 100 years. Spanish slate, although a natural material, is not as attractive as Welsh slate, having a more uniform and relatively dull appearance, and has only half the life span of Welsh slate. For these reasons, and because of the prominence and importance of this public building, planning officers felt it quite appropriate when dealing with the application for roof refurbishment works to require that Welsh slate be used on the outer, visible, faces of the roof. Artificial slates were approved for the less visible rear roof slopes. Given the very long life span of Welsh slates, this decision represents good value for money. This outcome was reached by negotiation, and no condition was applied to the permit.

Neither the Department nor the Committee were made aware of the level of additional costs involved, nor that this would create difficulties for the Parish of St. Helier. Parish officers would be well aware that they are entitled to appeal to the Committee against any aspect of a planning permission, but this was not done. Moreover, the Parish was entitled, had they felt it appropriate, to apply to the Committee for grant aid to assist in the cost of these works. No such application was made.

I might add that the Department has done all it can to assist the Parish in achieving a refurbishment scheme of high quality. Ugly dormers were added to the Town Hall roof in 1967 and the Controller of the Parish had asked the advice of the Planning Department as to how these features might be visually improved to something like the original appearance without affecting the quality of daylight

within the offices at roof level. The Committee, at its own cost, commissioned research into the design of replacement dormer surrounds in fibreglass, to echo the design of the original, decorative, masonry dormers that had been destroyed. The cost of this research, and of the detailed design work for the new dormer surrounds, was met entirely by the Committee.

- (b) The application drawings submitted by the Parish in October 1999 show timber double-glazed replacement windows. This was not a requirement of planning officers or the Committee.”

St. Helier Waterfront Hotel - questions and answers (Tape No. 582)

Senator Paul Vincent Francis Le Claire asked Senator Nigel Lewis Quérée, President of the Planning and Environment Committee, the following questions -

- “1. At the Committee’s special meeting held on 9th March, 2000, four members of the Committee approved the design for the proposed hotel on the Waterfront. Would the President advise members what plans and other supporting documents were presented to the Committee for its approval?
- 2. Is the President satisfied that it was appropriate for the Committee to take this decision even though only four members were present?
- 3. Would the President advise members of the date when the plans were first advertised in the Jersey Evening Post?”

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

- 1. The Committee received the following documents when it approved the hotel application on 9th March 2000 -
 - (a) a three page report from the Assistant Director Design and Development which explained the changes of the design subsequent to the issue of a conditional permit on 7th February.
 - (b) a separate summary of representations, with copies of five letters received, and copies of three letters to the Jersey Evening Post.

The plans which were seen by the Committee were those advertised in the Jersey Evening Posts on 29th February. Plan numbers 20114 - c3, f, g, h, j, k, l, n, p, q, r, s apply. The Committee also reviewed the plans which were considered by the Committee on previous occasions and were able to see how the design has successfully responded to the changes requested by the Committee.

- 2. Yes.
- 3. The hotel application was originally registered in 1999. Revised plans were first registered on 12th January 2000 and advertised at that time. The latest, further revised plans were registered on 25th February and advertised in the Jersey Evening Post on 29th February 2000.”

Report of Her Majesty’s Inspector of Constabulary - question and answer (Tape No. 582)

Senator Paul Vincent Francis Le Claire asked Deputy Alastair John Layzell of St. Brelade, President of the Home Affairs Committee, the following question -

“Would the President inform members whether the Committee has received the results of the recent review conducted by Her Majesty’s Inspector of Constabulary into the policing of the streets of St. Helier at night and, if so, would the President summarise the findings for members?”

The President of the Home Affairs Committee replied as follows -

“The review to which the Senator refers is part of the formal inspection of the States of Jersey Police by Her Majesty’s Inspector of Constabulary. The Committee has not yet received his report. It is expected by the end of this month and will be published in June.”

Tax relief on second mortgages - question and answer (Tape No. 582)

Senator Paul Vincent Francis Le Claire asked Senator Frank Harrison Walker, President of the Finance and Economics Committee, the following question -

“Would the President advise members what progress the Committee has made in deciding when, if at all, it will recommend to the States that the tax relief on second mortgages should be removed and does it agree that this issue should be considered as a way of tackling inflation?”

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

“1. As a means of establishing policy with regard to direct taxation, i.e. income tax, over the coming years, my Committee is to prepare a strategic plan. That plan will incorporate many of the conclusions of the Fiscal Review Working Group. It is anticipated that the draft plan will be considered by my Committee in June and the final version brought to this Assembly in July.

One of the issues to be put forward for debate will be whether the tax relief currently granted for just about every kind of interest should be maintained.

My Committee accepts that subsidising the cost of borrowing by tax relief leads to the acceleration of spending by the consumer and probably causes him/her to spend rather more than would be the case without tax relief. While not wishing to overstate the effect, it is clearly the case that interest tax relief can contribute towards inflation.”

St. Helier Waterfront - questions and answers (Tape No. 582)

Senator Paul Vincent Francis Le Claire asked Senator Frank Harrison Walker, Vice-President of the Policy and Resources Committee, the following questions -

“1. Would the President advise members if the Crowne Plaza Organization has signed legally binding agreements with the Waterfront Enterprise Board Limited to operate the proposed hotel on the Waterfront and, if so, would he inform members of the arrangements made and advise whether the agreement is available to members for viewing?

2. Would the President advise members which organization has been commissioned by WEB Ltd to develop a computer model of the St. Helier Waterfront, and give details of the brief and projected cost?

3. Would the President advise whether this proposed model will show comparisons with St. Helier?”

The Vice-President of the Policy and Resources Committee replied as follows -

“1. The Crowne Plaza organisation has not signed any agreement with the Waterfront Enterprise Board Limited. Crowne Plaza will be the developer’s selected operator and the transaction will be between the developer and Crowne Plaza. The States’ only interest in the transaction is to secure a four star international operator.

2. The company selected and commissioned by WEB Limited to develop a computer model of the West

of Albert area of the Waterfront is -

3D Projections Limited
Vale Castle Industrial Estate
North Side
Vale
Guernsey.

3. The brief is to work with WEB's current advisers and with the architects for the various developments on the West of Albert, to produce a computer model of the West of Albert at a cost of £52,345.

The precise areas to be modelled are -

Albert Pier Housing
Maritime House
La Route du Port Elizabeth
Leisure Complex
Hotel
Waterfront car park and Marina Park
All internal roads
Area 3 open space
La Frégate
Les Jardins de la Mer
Elizabeth Marina
Elizabeth Castle
Elizabeth Terminal
Lorry park
Route de la Liberation
Housing Area 2 - in concept form only
Housing Area 3 - in concept form only.

It is hoped that the bulk of this work will be completed by July. However, in addition to its use for presentations, the model is a valuable working tool for WEB and its advisers and, in due course, for the Planning and Environment Committee. The model will evolve over time.

3. The model will show comparisons with Elizabeth Castle and Elizabeth Harbour and Elizabeth Marina. It will not be possible at this stage to model other parts of St. Helier for comparison. However, depending upon the availability of finance, there is nothing to prevent the model being expanded, provided that the benefits justify the costs. This remains to be seen.

However, WEB has a physical model of the Waterfront which is currently being updated. This model, which was on display in 1994 and in 1999, does show the relationship between the West of Albert and St. Helier."

Referendums - question and answer (Tape No. 582)

Senator Paul Vincent Francis Le Claire asked Senator Frank Harrison Walker, Vice-President of the Policy and Resources Committee, the following question -

"On 28th September 1999, in response to my question on the legislation required to implement a referendum, the President informed the Assembly that 'as was clearly stated at the time of the debate, a referendum can be held in accordance with the States decision without new legislation'.

Despite the President's response it is clear that no practical mechanism is currently in place for the

organisation of a referendum.

Would the President inform members whether the Committee is willing to take steps to put in place a practical mechanism without further delay to enable a referendum to be held in accordance with the decision of the States of 21st October 1997?"

The Vice-President of the Policy and Resources Committee replied as follows -

"The States agreed on 21st October 1997 to the principle of holding referendums, when the States agreed to the principle of having one on a particular subject and to the wording of the ballot. A practical mechanism to enable referendums to be held was established at the same time."

Capital expenditure plans at Jersey Airport - questions and answers (Tape No. 582)

The Deputy of St. Peter asked the Deputy of St. Mary, President of the Harbours and Airport Committee, the following questions -

1. In the light of British Airways' announced withdrawal from the Heathrow route, would the President advise members whether the Committee intends to review its plans for capital expenditure at the Airport considering the size of aircraft being withdrawn?
2. Scheme S14 for the realignment of Taxiway Alpha adopted a Code C standard to accommodate aircraft with a maximum wingspan of 24 to 36m and was then further modified to accommodate the Boeing 757 with an extra 2m of wingspan. In the light of current developments, would the President advise members if the Committee considers it cost-effective to maintain this standard?
3. Would the President inform members -
 - (a) how many landings occurred in 1999 by Code C aircraft?
 - (b) what were the types of aircraft involved and the corresponding number of landings in each case?
 - (c) how many of each type were on scheduled flights as opposed to charter flights?"

The President of the Harbours and Airport replied as follows -

1. Yes, the Alpha Taxiway and the new concrete parking aprons are being reviewed now by the Airport Director and his team. Very little modification is thought likely as nothing was being built specifically for British Airways.
2. Very little extra concrete was being added to accommodate the Boeing 757 which is used by airlines other than British Airways but the project is being reviewed.
3. (a) 12,178 (twelve thousand one hundred and seventy eight);

(b)	Aircraft Type	Landings
	Airbus 320	721
	ATR 72	3,473
	ATP	1,336
	Boeing 737	991
	BAe 146	2,202
	Dash 8	1,361
	Fokker F27	1,226
	Fokker F28	22
	Fokker F70	188

Fokker F100	658
Total landings	12,178

- (c) The Airport statistics are extracted from a revenue collecting database which does not differentiate between schedule and charter but approximately five per cent of Code C aircraft flights are charter flights.”

Recent decision of the Housing Committee - statement

Deputy Terence John Le Main of St. Helier, President of the Housing Committee, made a statement in the following terms -

“At a scheduled meeting of the Housing Committee on Monday 15th May 2000 the matter relating to the granting of a consent under Regulation 1(1)(g) of the Housing Regulations to Mrs. Catherine Adèle Glazebrook was given further consideration. All members were present.

The Committee fully took into account not only the circumstances of this case, but also comments made during the States debate on P.56/2000 on Tuesday 2nd May 2000. The Committee also considered the decision of the States on that date to request the Committee to reconsider its decision that it was not minded to grant consent under Regulation 1(1)(g) to Mrs. Glazebrook.

The Committee decided to maintain its previous decision that it did not consider that a consent could be justified in this case. In arriving at this decision the Committee is conscious that it might seem that the wishes of the States are being ignored. I would like to assure the States that this is not the case. The decision of the States was for the Committee to reconsider, which it has done. Also, the decision of the States was an evenly balanced one which does indicate the difficulties faced by any Housing Committee when endeavouring to decide whether the granting of a consent on hardship grounds can be justified.

The reasons for the Committee decision remain as set out in the letter of 18th June 1999 to the Chairman of the Board of Administrative Appeal. The text of this letter was circulated to all members in the Committee’s report on P.56/2000 (P.56/2000 Rpt. presented to the States on 2nd May 2000).

The Committee is extremely concerned that if it acceded to this request it would be morally obliged to treat in a similar manner many other cases suffering, in the Committee’s view, far greater hardship. The Committee is very sympathetic to these cases which are presented week after week. However, the Island, at this time, simply does not have sufficient accommodation for those who are already fully qualified.

The Committee is currently reviewing its Strategy Report for the next five years and, in the light of comments made during the debate of P.56/2000, has decided to bring to the States a proposition seeking approval for changes to the Regulations. The intention would be to make changes which would reduce the required qualifying period of residence and thus alleviate the hardship and suffering of many families. That proposition will enable the States to decide to what extent such families should be helped and what will be the consequences in term of an additional requirement for financial and land resources.”

Increases in taxi fares - statement

Deputy Alan Simon Crowcroft of St. Helier, President of the Public Services Committee, made a statement in the following terms -

“At its meeting on 8th May 2000, the Public Services Committee considered a request from the Taxi Drivers’ Association for an increase in fares. The Committee deferred making a decision at that meeting to allow time for discussions to be held with the Head of Statistics in the Policy and Resources Department in order that the Public Services Committee could gain a better understanding of the increase in costs of the various factors referred to in the Association’s claim.

A meeting between the President, the Principal Engineer of the Public Services Department and the Head of Statistics took place on 11th May 2000 and the Public Services Committee met again later that day. The Committee also had the benefit of the advice of the Chief Executive of Policy and Resources Committee who advised the Public Services Committee to limit the increased fares in line with the comments made by the Head of Statistics.

The Public Services Committee has decided not to approve the increase applied for by the Association but has approved a lower increase of an average of seven per cent, which will add 40p to the cost of a typical journey. This reflects the actual increases in fuel costs incurred by taxi operators since May 1999 and provides a cost of living increase (from which the rise in fuel prices has been excluded). The Committee recognises that this is a higher increase than the inflation target of 2.5 per cent which is likely to be set by the Finance and Economics Committee, but it believes that the increases are fair and reasonable in the light of the taxi operators' running costs and the cost of living increases they have borne during the past year.

It is expected that the increases will take effect in late June 2000.”

Mont Nicolle School, St. Brelade: approval of drawings - P.67/2000

THE STATES, adopting a proposition of the Education Committee -

- (a) approved drawings Nos. 3001/19A, 26A to 29A, 37, 37A, 38, 39, 40A, 41A, 47A, 51 and 52 showing the proposed extension and remodelling of Mont Nicolle School, St. Brelade;
- (b) authorised the Greffier of the States to sign the said drawings on behalf of the States.

Draft Police Force (Amendment No. 8) (Jersey) Law 200 - P.42/2000

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Police Force (Amendment No. 8) (Jersey) Law 2000.

Projet de Loi (No. 6) (200) concernant la charge de Juge d'instruction - P.47/2000

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Loi (No. 6) (2000) concernant la charge de Juge d'instruction.

Draft Petty Debts Court (Miscellaneous Provisions) (Jersey) Law 200 - P.48/2000. Amendments P.66/2000

THE STATES commenced consideration of the draft Petty Debts Court (Miscellaneous Provisions) (Jersey) Law 200 and adopted the preamble.

Articles 1 to 5 were adopted, the States having accepted amendments of the Legislation Committee that in Article 4(1), for the words “cinq mille” there should be substituted the words “dix mille”, and that after Article 4(3)(d) there should be added the following sub-paragraph -

- “(e) Article 1(d)(ii), Article 1(f) and Article 2(a) of the *Loi (1993) sur la Cour pour le recouvrement de menues dettes.*”

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Petty Debts Court (Miscellaneous Provisions) (Jersey) Law 2000.

Television licence fees: rebate for senior citizens - P.53/2000. Comments - P.53/2000 Com. Amendment

THE STATES commenced consideration of a proposition of Senator Corrie Stein on television licence fees: rebate for senior citizens and of an amendment of the Finance and Economics Committee that in paragraph (a) of the proposition, for the words “65 years” there should be substituted the words “75 years”; and for the words “50 per cent” there should be substituted the words “100 per cent”.

After discussion Senator Leonard Norman proposed that the States move to the consideration of the next item on the Order Paper, which proposition was carried.

Members present voted as follows -

“Pour” (26)

Senators

Québécois, Norman, Walker, Le Sueur, Lakeman.

Connétables

St. Mary, St. Peter, Grouville, St. Helier, St. Martin, St. John, St. Saviour, St. Clement, St. Brelade, St. Lawrence.

Deputies

St. Mary, Duhamel(S), Layzell(B), Grouville, Huet(H), St. Martin, Vibert(B), St. Peter, Dubras(L), St. Ouen, G. Baudains(C).

“Contre” (22)

Senators

Stein, Bailhache, Syvret, Kinnard, Le Claire.

Deputies

H. Baudains(C), S. Baudains(H), Trinity, Routier(H), Breckon(S), St. John, Le Main(H), Crowcroft(H), Dorey(H), Troy(B), Voisin(L), Scott Warren(S), Farnham(S), Le Hérisier(S), Ozouf(H), Fox(H), Martir (H).

Draft Financial Services (Extension) (Jersey) Law 200 - P.55/2000. Amendment - P.61/2000

THE STATES commenced consideration of the draft Financial Services (Extension) (Jersey) Law 200 and adopted the preamble.

Members present voted as follows -

“Pour” (36)

Senators

Syvret, Walker, Kinnard, Le Sueur, Le Claire.

Connétables

St. Mary, St. Helier, St. John, St. Saviour, St. Clement, St. Brelade, St. Lawrence.

Deputies

H. Baudains(C), St. Mary, Trinity, Duhamel(S), Routier(H), Layzell(B), Grouville, St. Martin, St. John

Le Main(H), Vibert(B), St. Peter, Dubras(L), St. Ouen, G. Baudains(C), Dorey(H), Troy(B), Voisin(L Scott Warren(S), Farnham(S), Le Hérisier(S), Ozouf(H), Fox(H), Martin(H).

“Contre” (0)

Articles 1-17 and the Schedule were adopted, the States having accepted amendments of the Finance and Economics Committee that, in Article 2, the words “for the benefit of other persons” should be deleted, and that in the Schedule, after the item relating to Article 30(4) there should be inserted the words -

“Article 38 All words commencing with ‘(5) Without prejudice’ and ending with ‘principal offender.’ ”.

THE STATES, subject to the sanction of Her Majesty in Council, adopted a Law entitled the Financial Services (Extension) (Jersey) Law 2000.

Clinique Pinel: approval of drawings - P.60/2000

THE STATES, adopting a proposition of the Health and Social Services Committee -

- (a) approved drawings Nos. 99-908-007, 008D, 011B, 012C and 019A showing the proposed new elevations, floor plans and phasing of the refurbishment of Clinique Pinel, St. Saviour; and
- (b) authorised the Greffier of the States to sign the said drawings on behalf of the States.

Draft Honorary Police (Amendment) (Jersey) Regulations 200 - P.63/2000

THE STATES, in pursuance of Article 4 of the Police Force (Jersey) Law 1974, as amended, made Regulations entitled the Honorary Police (Amendment) (Jersey) Regulations 2000.

Draft Fire Service (Amendment No. 4) (Jersey) Law 200 - P.64/2000

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Fire Service (Amendment No. 4) (Jersey) Law 2000.

Changes in Presidency

The Bailiff assumed the Presidency in place of the Greffier of the States during the question asked of the President of the Employment and Social Security Committee.

The Bailiff retired from the Chamber prior to the consideration of the Projet de Loi (No. 6) (200) concernant la charge de Juge d’Instruction because the draft law gave a power of appointment to the Bailiff, and the Greffier of the States assumed the Presidency. The Bailiff returned to the Chamber during consideration of the proposition of Senator Corrie Stein on Television licence fees: rebate for senior citizens and the meeting continued under his Presidency.

THE STATES rose at 5.11 p.m.

C.M. NEWCOMBE

Deputy Greffier of the States.