

STATES OF JERSEY ORDER PAPER

Tuesday, 5th and Wednesday, 6th June 2001

A. COMMUNICATIONS BY THE BAILIFF

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Diseases of Animals (Foot and Mouth - Restrictions No. 1A) (Jersey)
Order 2001. R & O 91/2001.

Diseases of Animals (Foot and Mouth - Restrictions No. 4B) (Jersey)
Order 2001. R & O 92/2001.

Diseases of Animals (Foot and Mouth - Restrictions No. 8A) (Jersey)
Order 2001. R & O 93/2001.

Diseases of Animals (Foot and Mouth - Restrictions No. 9B) (Jersey)
Order 2001. R & O 94/2001.
Agriculture and Fisheries Committee.

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

Nomination of Deputy J. L. Dorey of St. Helier as a member of the
Housing Committee.

D. PRESENTATION OF PAPERS

(a) Papers for information

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

States of Jersey Fire and Rescue Service: annual report
for 2000.
Home Affairs Committee.

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

(b) Notification of Standing Order decisions

(c) Notification of acceptance of tenders

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

Appointments made by the States: review of P.85/2001.
procedures.
Deputy R.G. Le Hérisssier of St. Saviour.

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

(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 be set down for consideration at the next meeting on 19th June 2001 -

Committee of Inquiry: procedures for recruitment of Honorary Police Officers. P.67/2001.
Lodged: 24th April 2001.
Deputy R.G. Le Hérissier of St. Saviour.

Committee of Inquiry: procedures for recruitment of Honorary Police Officers (P.67/2001) - comments. P.67/2001.
Presented: 22nd May 2001. Com.
Finance and Economics Committee.

Committee of Inquiry: procedures for recruitment of Honorary Police Officers (P.67/2001) - report. P.67/2001.
Presented: 29th May 2001. Rpt.
Home Affairs Committee.

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| States members income support and expense allowances: annual increases. Lodged: 8th May 2001. <i>House Committee.</i> | P.74/2001 |
| States Auditors - further extension of contract. Lodged: 15th May 2001. <i>Finance and Economics Committee.</i> <i>(Consideration in camera)</i> | P.77/2001. |
| Draft Costs in Criminal Cases (Witnesses' Allowances) (Jersey) Regulations 200-. Lodged: 22nd May 2001. <i>Finance and Economics Committee.</i> | P.78/2001. |
| Fields 960, 961, 962 and 967A, St. Mary: rezoning for extension of La Gigoulande Quarry. Lodged: 22nd May 2001. <i>Planning and Environment Committee.</i> | P.79/2001. |
| Jersey Financial Services Commission: appointment of Commissioner. Lodged: 22nd May 2001. <i>Finance and Economics Committee.</i> <i>(Consideration in camera)</i> | P.81/2001. |
| Hautlieu School: approval of drawings. Lodged: 29th May 2001. <i>Education Committee.</i> | P.83/2001. |

F. PRESENTATION OF PETITIONS

G. QUESTIONS

Deputy P.F.C. Ozouf of St. Helier will ask a question of the President of the Housing Committee regarding the allocation procedure for first time buyer dwellings.

The Deputy of St. Martin will ask a question of the President of the Planning and Environment Committee regarding the redevelopment of Haut de la Garenne.

Deputy G.C.L. Baudains of St. Clement will ask questions of the President of the Public Services Committee regarding the public bus service and attendance at Committee meetings.

Deputy G.C.L. Baudains of St. Clement will ask a question of the President of the Policy and Resources Committee regarding a meeting of States members on the recommendations arising from the Review of the Machinery of Government.

The Deputy of St. John will ask a question of the President of the Industries Committee regarding its policy on making loans.

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

K. PUBLIC BUSINESS

Draft Planning and Building (Jersey) Law 200-. P.50/2001.
Lodged: 27th March 2001.
Planning and Environment Committee.
Continuation of consideration. The preamble and
Article 2 were adopted on 15th May 2001. Articles 1,
3-21 were approved, as amended where appropriate,
on 22nd May 2001.

Draft Planning and Building (Jersey) Law 200-. P.50/2001.
(P.50/2001): comments. Com.
Presented: 3rd April 2001.
Finance and Economics Committee.

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| <p>Draft Planning and Building (Jersey) Law 200-(P.50/2001): amendments. Lodged: 10th April 2001. <i>Deputy J.L. Dorey of St. Helier.</i></p> | <p>P.50/2001. Amd.</p> |
| <p>Draft Planning and Building (Jersey) Law 200-(P.50/2001): third amendments. Lodged: 1st May 2001. <i>Deputy C.J. Scott-Warren of St. Saviour.</i></p> | <p>P.50/2001. Amd.(3)</p> |
| <p>Draft Planning and Building (Jersey) Law 200-(P.50/2001): fifth amendments. First Presented: 15th May 2001. <i>Agriculture and Fisheries Committee.</i> <i>Attached.</i></p> | |
| <p>Mont St. Clair, Belvedere Hill, St. Saviour and Mascot Motors Garage, Georgetown Park Estate, St. Clement: Exchange of Land. Lodged: 15th May 2001. <i>Planning and Environment Committee.</i></p> | <p>P.76/2001.</p> |
| <p>Mont St. Clair, Belvedere Hill, St. Saviour and Mascot Motors Garage, Georgetown Park Estate, St. Clement: Exchange of Land (P.76/2001) - comments. Presented; 22nd May 2001. <i>Finance and Economics Committee.</i></p> | <p>P.76/2001. Com.</p> |
| <p>Jersey Consumer Council: appointment of Chairman. Lodged: 22nd May 2001. <i>Senator S. Syvret.</i></p> | <p>P.80/2001.</p> |
| <p>Jersey Consumer Council: appointment of Chairman (P.80/2001): amendment. <i>Industries Committee.</i> <i>Attached.</i></p> | |

Public Employees Contributory Retirement Scheme: P.82/2001.
Committee of Management - membership.
Lodged: 22nd May 2001.
Human Resources Committee.

C.M. NEWCOMBE

Greffier of the States

31st May 2001

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

(See Item B)

R & O 91/2001

The purpose of this Order is relax certain foot and mouth restrictions to allow certain horses to return from the other British Islands and to allow the importation from the other British Islands of meat products that have been cooked in a specified way.

The Order was made on 29th May 2001 and came into force forthwith.

R & O 92/2001

The purpose of this Order is relax certain foot and mouth restrictions to allow certain horses to return from France and to allow the importation from France of meat products that have been cooked in a specified way.

The Order was made on 29th May 2001 and came into force forthwith.

R & O 93/2001

The purpose of this Order is relax certain foot and mouth restrictions to allow certain horses to return from Holland and to allow the importation from Holland of meat products that have been cooked in a specified way.

The Order was made on 29th May 2001 and came into force forthwith.

R & O 94/2001

The purpose of this Order is relax certain foot and mouth restrictions to allow certain horses to return from the Republic of Ireland and to allow the importation from the Republic of Ireland of meat products that have been cooked in a specified way.

The Order was made on 29th May 2001 and came into force forthwith.

QUESTION PAPER

(See Item G)

Deputy Philip Francis Cyril Ozouf of St. Helier will ask the following question of the President of the Housing Committee -

“Would the President inform the Assembly of the Committee’s policy in respect of deciding the allocation procedure for first-time buyer dwellings?”

The Deputy of St. Martin will ask the following questions of the President of the Planning and Environment Committee -

“On 8th December 1998, the States gave its approval, in principle, to the Committee’s proposition P.188/98 for the conversion and redevelopment of Haut de la Garenne, St. Martin, for the purpose of establishing a residential multi-purpose centre. Members also approved, in principle, the establishment of a Trust for the purpose of managing and operating the new centre on a self financing basis. Would the President update members on -

- (a) the work undertaken to convert and redevelop Haut de la Garenne?
- (b) the date when it is anticipated that the work will be completed and the premises will be ready to cater for visiting and locally organised groups?
- (c) the anticipated cost of the conversion and redevelopment of the property?
- (d) the work undertaken by the proposed Trust including the number of meetings it has held and whether there have been any changes in its membership?
- (e) when the Committee might present to the States its proposals for the constitution and membership of the Trust?”

Deputy Gerard Clifford Lemmens Baudains of St. Clement will ask the following questions of the President of the Public Services Committee -

1. “Whilst applauding the Committee’s refusal to give subsidies would the President assure members that he will actively investigate other possible schemes such as -

satellite bus stations in each parish, served by minibuses, (perhaps privately owned), providing a parochial service and culminating at a parish station;

larger buses, some being direct shuttles between those satellites and town, and others circulating the parish stations;

and return to members later this year with a statement as to what form future public transport will take in this Island?

2. With the cessation of bus Route 2C, the only service available to residents of Clos de Roncier (and Grouville Arsenal and Clos de la Bataille across the road in Grouville) is route 1B. However,

the first 1B bus into town does not arrive at the Weighbridge until 10.25 a.m. because an earlier bus prior to the 10.00 a.m. from Gorey Pier is not possible because the vehicle concerned is on the school run. Would the President agree -

- (a) that this is unacceptable to residents of that area needing to travel by bus to St. Helier for work?
 - (b) that the sale of Pioneer, eliminating a competitor to take over the route, has precipitated this situation?
3. Would the President confirm that between 18th September 2000 and 19th March 2001 the Committee met 14 times and that during that period (listing only the major absences), one member missed six full meetings and part of two, another member missed five and part of four meetings, a third member missed four meetings and part of another four, and a fourth member missed three meetings?
4. Would the President -
- (a) advise members on how many occasions in the last 18 months the bus problem has featured on the Committee's agendas?
 - (b) state why Public Transport Services only warranted one line of 10 words in the recent Public Services Report and confirm that this highlights the lack of priority the Committee has given to this important issue?
 - (c) state whether the low attendance at Committee meetings has delayed important policy matters such as the bus and taxi/cab issues bearing in mind that Committee members are allocated individual areas of responsibility?"

Deputy Gerard Clifford Lemmens Baudains of St. Clement will ask the following question of the President of the Policy and Resources Committee -

"The President recently informed members that the working party on the Machinery of Government was leaning towards the Clothier recommendations. Would the President -

- (a) confirm that the tone of the meeting of States Members held at the RJA&HS premises to discuss the Clothier proposals was one of leaning towards a modification of our present system rather than the Clothier proposals?
- (b) advise when members will receive the paper outlining the position arrived at during that meeting, as we were promised?"

The Deputy of St. John will ask the following question of the President of the Industries Committee -

"In 2000 the Committee made a loan of £25,000 towards the production of the film The Crooked Mile. Would the President give members details of to whom the money was paid and the pay back time

of this loan and what security was given against this money. Would he also explain if it is the Industries Committee's policy to make loans and if so, was this agreed by the States when setting up the Committee."

DRAFT PLANNING AND BUILDING (JERSEY) LAW 200- (P.50/2001): FIFTH AMENDMENT

PAGE 103, ARTICLE 52(4) -

Insert after sub-paragraph (a), the following sub-paragraph -

“(b) where the building or place falls within the area of responsibility or concern of a Committee or a body or person created by statute, shall consult that Committee, body or person and shall take into account any representations made;”

Designate the subsequent sub-paragraph as (c).

AGRICULTURE AND FISHERIES COMMITTEE

Report

The listing of a building or place can substantially limit its use, for example, a marine area.

The Committee therefore considers that before the Planning and Environment Committee lists a building or place it should consult any other Committee (or body or person created by statute) that has responsibility or concern for the building or place.

It should also have an obligation to take into account any representations it receives.

This proposed amendment has no implications for the financial or manpower resources of the States.

JERSEY CONSUMER COUNCIL: APPOINTMENT OF CHAIRMAN (P.80/2000) - AMENDMENT

For the words "three years" substitute the words "one year".

INDUSTRIES COMMITTEE

Report

Senator Syvret lodged P.80/2001 on 22nd May 2001 asking the States to appoint Deputy Alan Breckon as Chairman of the Jersey Consumer Council for a period of three years from 5th June 2001. The purpose of this amendment is to ask the States to appoint Deputy Breckon for a period of one year, rather than three years, as a transitional arrangement.

The Industries Committee has been charged to look at consumer protection strategy in the round. It presented a report entitled Consumer Protection Strategy (R.C.17) to the States on 8th May 2001. This report sets out the way in which the Committee intends to proceed. In essence, the Committee is seeking a frank assessment of the current position in the Island, the extent to which 'problems' exist for consumers and current representational arrangements may not be satisfactory, and appropriate recommendations for the way forward. Proposals for action will clearly need to have regard to the special characteristics of the Island's economy and the limited resources available to the States. The study to which reference is made in R.C.17 has been launched recently to widespread approbation. Once the strategy has been received, it will be necessary carefully to review and likely revise the Jersey Consumer Council's terms of reference.

R.C.17 explains the Industries Committee's view, in relation to the Consumer Council, that it was sensible to leave matters open for a few months, until the study was completed, by not re-appointing Deputy Breckon to the chairmanship of the Council and, instead, to invite another member of the Council to act as Chairman in the interim. The Committee intended to come to the States with a recommendation for the appointment of a chairman within a newly defined role and structure for the Council.

The Committee was convinced that it would be desirable to reinforce the Council's independence by appointing an independent Chairman rather than a Member of the States. The Committee's view was that no Member of the States could properly be described as 'independent'. This is not a reflection on individual Members, but a recognition of the conflict of interests that intrinsically exists with Members acting as legislators and, in this case, as an independent 'watchdog'.

The Committee remains of the view that the Chairman of the Council should be independent of the States. However, the study into consumer protection strategy will be completed in July 2001 and the Committee will then engage in extensive consultation before finalising any proposals.

In the circumstances, Deputy Breckon has agreed to act as an interim Chairman in order to ensure a smooth transition. The Committee therefore proposes the amendment to P.80 which seeks to appoint Deputy Breckon as Chairman of the Council for a period of one year from 5th June 2001, on the basis that this will provide sufficient time to consider the future role and structure of the Council within a comprehensive consumer protection strategy. The Industries Committee has already put in place arrangements to ensure that the Council is provided with an appropriate level of administrative and financial support during this interim period.

This amendment has no implications for the financial or manpower resources of the States.