

THE STATES assembled on Tuesday,  
28th August, 1990 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 Bernard Thomas Binnington -  
out of the Island.  
Iris Medora Le Feuvre, Connétable of  
St. Lawrence - out of the Island.  
Margaret Sylvia Rose Beadle, Deputy of  
St. Brelade - out of the Island.  
Carlyle John Le Herissier Hinault,  
Deputy of St. John - out of the  
Island.  
Henry George Coutanche, Deputy of St.  
Lawrence - ill.

---

Prayers

---

Distinguished visitors - welcome

The Bailiff welcomed to the House  
Mr. Miles Walker, Chief Minister of the  
House of Keys, Isle of Man and his wife.

Matters noted - land transactions

THE STATES noted Acts of the Finance  
and Economics Committee dated 6th and 20th  
August 1990, 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 Mr. David Le Boutillier, Mrs. Maureen Rondel, née Le Boutillier, Mr. Donald Edward Le Boutillier, Mr. Edward John Le Boutillier, Mr. Brian Le Boutillier and Mrs. Anna Cabot, née Le Boutillier, of Fields 553 and 554, La Moye, St. Brelade, measuring 4.635 vergées and 4.23 vergées respectively, for a consideration of #308,970, with the Committee being responsible for the payment of all legal fees, plus a further #7,623 a plot in excess of 40 plots should the Housing Committee be successful in achieving additional development;

(b) as recommended by the Housing Committee, with the support of the Island Development Committee, the purchase from Mrs. Amelia Jane Wakeham, née Hacquoil, of the property Eastleigh, Plat Douet Road, St. Saviour for a consideration of £230,000 with the Committee being responsible for the payment of all legal fees;

(c) as recommended by the Housing Committee, with the support of the Island Development Committee, the purchase from Brackenhall Investments Limited of 57 Great Union Road, St. Helier for the sum of £228,000 with each side being responsible for the payment of its own legal fees;

(d) as recommended by the Housing Committee, with the support of the Island Development Committee, the purchase from Mrs. Lorraine Carole Baudains, née Guise, of 6 Lempriere Street, St. Helier for the sum of £170,000, with each party being responsible for the payment of all legal fees;

(e) as recommended by the Harbours and Airport Committee, the lease to Kufra Trading Limited of the Marina Shop, New North Quay, St. Helier (Letting N18B) from 1st

June 1990, to 31st May 1993, at an initial rent of £8,000 a year to be increased annually in line with the Jersey Cost of Living Index;

(f) as recommended by the Public Services Committee, the passing of a Contrat de Transaction with Mr. Jason John Mucklow of L'Arc en Ciel, Mont à l'Abbé, St. Helier, free of charge, to allow him to build a wall on the boundary between his property and the States' Nursery, the wall to be owned without offset, with the right of access over the track to the north-east of the States' Nursery in order to maintain the wall and the right to make openings and gates, with Mr. Mucklow being responsible for the cost of positioning the boundary stone and the payment of all legal fees;

(g) as recommended by the Public Health Committee, the renewal of the lease to the Jersey Electricity Company Limited of the site of Sub-Station No. 13 at St. Saviour's Hospital, for a period of 99 years from 23rd June 1990, at an annual rent of #1, with payments commuted forward to the inception of the agreement, also, the grant, free of charge, of servitudes required for high tension cables, with each side being responsible for the payment of its own legal costs.

#### Matters lodged

The following subjects were lodged  
"au Greffe" -

1. Draft Health and Safety at Work (Lifts) (Jersey) Regulations 199 . P.120/90.  
Presented by the Social Security Committee.
2. Field 146, St. Clement and part garden Okanagan: compulsory purchase. P.121/90.

Presented by the Housing  
Committee.

3. Draft Customs and Excise  
(General Provisions) (Amendment  
No. 2) (Jersey) Law 199 .  
P.122/90.  
Presented by the Finance and  
Economics Committee.
4. Draft Public Finances  
(Administration) (Amendment No. 5)  
(Jersey) Law 199 . P.123/90.  
Presented by the Finance and  
Economics Committee.
5. Les Mielles Golf Course, St. Ouen.  
P.124/90.  
Presented by Senator John Stephen  
Rothwell.
6. La Caroline, La Grande Rue, St.  
Mary. P.125/90.  
Presented by Senator John Stephen  
Rothwell.

Ecology Fund: establishment.  
P.91/90. Deferred

THE STATES acceded to the request of  
the President of the Finance and Economics  
Committee that the proposition relating to  
the establishment of an Ecology Fund  
(lodged on 3rd July 1990) be deferred from  
the present Sitting.

Licensing (Jersey) Law 1974: review.  
P.60/90. Discussion continued

THE STATES continued discussion of  
the review of the Licensing (Jersey) Law  
1974, and adopting paragraphs 27 to 37,  
agreed -

#### DEFINITION OF LICENSED PREMISES

27. that the definition of licensed  
premises should include all land  
and buildings defined in the Act  
of the Licensing Assembly  
approving the grant of the  
licence;
28. that premises holding Taverner's,

Restaurant or Comprehensive Licences should be able to provide tables and chairs on areas of land, outside their premises including public pavements, designated and approved by the relevant Roads Authorities, for the purpose of selling alcohol during the "permitted hours" for public bars;

## MANAGEMENT OF LICENSED PREMISES

29. that the onus for proper management of licensed premises must rest with the licensee;
30. that the licensee should be required to register both the deputy manager/s and relief managers with the Connétables who will check that they are fit and proper persons;
31. that either the manager, a deputy manager or a relief manager must be present at all times during "permitted" opening hours;
32. that as at present, it should be an offence for under age drinking to take place on licensed premises, except for wine, cider or beer where this is consumed with a meal and where the under age person is accompanied by a person over the age of 18;
33. that it should be an offence for excessive noise to emanate from licensed premises;
34. that, where the licence holder is declared en désastre, the Viscount should be permitted to nominate a manager so that the licence can continue in operation on a temporary basis;
35. that it should be an offence for any person who is already intoxicated to enter, or attempt to enter, licensed premises;

## PENALTIES AND ENFORCEMENT

36. that there should be increases in the penalties for infractions of the Licensing Law;

## AMENDED LEGISLATION

37. that the Law Draftsman should prepare draft Regulations amending the Licensing (Jersey) Law 1974, as amended, for approval by the Tourism Committee and submission to and approval by, the States.

Third report: States Sittings and planning of public business. P.104/90

THE STATES, adopting a proposition of the House Committee, agreed -

(a) that from 25th September 1990 until 12th December 1990 -

(i) the States should, as far as is practicable, sit for a whole day on alternate Tuesdays;

(ii) the Sittings of the States should normally be from 10 a.m. to approximately 1 p.m. and from 2.15 p.m. to approximately 5.30 p.m.;

(b) to suspend Standing Order No. 4(1) and (4) from 25th September until 12th December 1990 to give effect to the foregoing decisions;

(c) that the Greffier of the States should be requested, in conjunction with the Bailiff, Presidents and other members concerned, to plan the Public Business of the States on the lines described in the report attached to P.7/90, dated 9th January 1990.

Marquand House: replacement. P.105/90

THE STATES, adopting a proposition of the Public Services Committee, approved, in principle, the replacement of the telephone switchboard at Cyril Le Marquand House.

Crèche for teachers' children:  
transfer of funds. P.106/90

THE STATES, adopting a proposition of the Education Committee, agreed to transfer the balance of #50,000 remaining in the Education Committee's capital vote of credit No. C0580 to a new capital vote entitled ``Crèche for teachers' children."

Policy and Resources Committee:  
future structure. P.107/90 and P.117/90

THE STATES commenced consideration of a proposition of the Policy and Resources Committee regarding the future strategy of that Committee and adopted paragraph (1).

Paragraph (2) was adopted, the States having accepted an amendment of Deputy Alan Payn Bree of Grouville that after the words ``general election" the rest of the paragraph should be deleted.

Paragraph (3) was adopted, Deputy David John de la Haye of St. Helier having withdrawn his amendment that for paragraph (3) there should be substituted the following paragraph -

``(3) that the Committee should comprise nine members, of whom three should be the Presidents for the time being of the Finance and Economics, Island Development and Establishment Committee;"

THE STATES adopted an amendment of Deputy Bree that after the words ``that the Committee should" there should be deleted the words ``be elected on the day of the election of Presidents and should".

THE STATES rejected further amendments of

Deputy Bree that in paragraph (3) after the words "of whom three should be" for the words "the Presidents" there should be substituted the word "Members" and that after the words "Establishment Committees" there should be added the words "nominated by those Committees".

Paragraph (4) was adopted.

THE STATES, adopting the proposition as amended, therefore agreed -

- (1) that the Policy and Resources Committee should become a Standing Committee.
- (2) that the presidency of the Committee should be decided first in the election of Presidents after a general election.
- (3) that the Committee should comprise nine members, of whom three should be the Presidents for the time being of the Finance and Economics, Island Development and Establishment Committee;
- (4) to instruct the House Committee to prepare the necessary amendments to the Standing Orders to give effect to the foregoing decisions.

Agricultural Marketing (Amendment No. 4) (Jersey) Law 1990. P.101/90

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Agricultural Marketing (Amendment No. 4) (Jersey) Law 1990.

Agricultural Marketing (Amendment No 5) (Jersey) Law 1990. P.110/90

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Agricultural Marketing (Amendment No. 5) (Jersey) Law 1990.

Maincrop Potato Marketing Scheme (Amendment No. 7) (Jersey) Act 1990.



P.111/90

THE STATES, adopting a proposition of the Agriculture and Fisheries Committee, approved the Maincrop Potato Marketing Scheme (Amendment No. 7) (Jersey) Act 1990.

Road Traffic (No. 37) (Jersey) Regulations 1990. P.115/90

THE STATES, in pursuance of the powers conferred on them by the Order in Council of the twenty-sixth day of December 1851, and Article 49 of the Road Traffic (Jersey) Law 1956 as amended, made Regulations entitled the Road Traffic (No. 37) (Jersey) Regulations 1990.

THE STATES rose at 4.20 p.m.

E.J.M. POTTER

Greffier of the States.