



**THE STATES assembled on Thursday
13th May 2010, at 09.30 a.m. under
the Presidency of the Deputy Bailiff,
William James Bailhache, Esquire.**

All members were present at roll call with the exception of –

Senator Philip Francis Cyril Ozouf – en défaut (défaut raised at 9.37 a.m.)
Senator Sarah Craig Ferguson – en défaut (défaut raised at 10.11 a.m.)
Senator Alan John Henry Maclean – en défaut (défaut raised at 9.38 a.m.)
Connétable Daniel John Murphy of Grouville – excused attendance (arrived in the Chamber at 12.30 p.m.)
Connétable Silvanus Arthur Yates of St. Martin – ill
Connétable John Martin Refault of St. Peter – absent on States business
Deputy Roy George Le Hérisser of St. Saviour – excused attendance (arrived in the Chamber at 10.54 a.m.)
Deputy John Benjamin Fox of St. Helier – absent on States business
Deputy Collin Hedley Egré of St. Peter – excused attendance (arrived in the Chamber at 10.31 a.m.)
Deputy Sean Seamus Patrick Augustine Power of St. Brelade – absent on States business
Deputy Anne Teresa Dupré of St. Clement – absent on States business

Prayers

Notification of lodged propositions

North of Town Masterplan (P.57/2010): amendment.
Lodged: 13th May 2010.
Connétable of St. Helier.

P.57/2010.
Amd.

Millennium Town Park: commencement in 2010 P.42/2010

THE STATES resumed consideration of a proposition of the Connétable of St. Helier concerning the commencement of the Millennium Town Park and, adopting an amendment of the Council of Ministers, agreed that in paragraph (b), for the words “in their entirety and no part of the site should be developed for housing or other uses” there should be substituted the words “subject to the outcome of the debate on the North of Town Masterplan”

Members present voted as follows –

POUR: 28

Senator T.A. Le Sueur
Senator P.F. Routier
Senator P.F.C. Ozouf
Senator T.J. Le Main
Senator B.E. Shenton
Senator F.E. Cohen

CONTRE: 18

Senator A. Breckon
Connétable of St. Helier
Connétable of St. John
Deputy R.G. Le Hérisser (S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)

ABSTAIN: 0

Senator J.L. Perchard	Deputy of Grouville
Senator S.C. Ferguson	Deputy J.A. Hilton (H)
Senator A.J.D. Maclean	Deputy P.V.F. Le Claire (H)
Senator B.I. Le Marquand	Deputy S. Pitman (H)
Connétable of St. Ouen	Deputy of St. John
Connétable of Trinity	Deputy M. Tadier (B)
Connétable of Grouville	Deputy of St. Mary
Connétable of St. Brelade	Deputy T.M. Pitman (H)
Connétable of St. Clement	Deputy M.R. Higgins (H)
Connétable of St. Lawrence	Deputy A.K.F. Green (H)
Connétable of St. Mary	Deputy D.J. De Sousa (H)
Deputy R.C. Duhamel (S)	Deputy J.M. Maçon (S)
Deputy of St. Martin	
Deputy of St. Ouen	
Deputy of St. Peter	
Deputy J.A.N. Le Fondré (L)	
Deputy of Trinity	
Deputy K.C. Lewis (S)	
Deputy I.J. Gorst (C)	
Deputy A.E. Jeune (B)	
Deputy E.J. Noel (L)	
Deputy T.A. Vallois (S)	

THE STATES, having resumed consideration of the proposition of the Connétable of St. Helier concerning the commencement of the Millennium Town Park, as amended, adopted a proposition of Deputy Jeremy Martin Macon of St. Saviour that the meeting should adjourn for lunch.

Members present voted as follows –

POUR: 37

Senator T.A. Le Sueur
 Senator B.E. Shenton
 Senator F.E. Cohen
 Senator J.L. Perchard
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of Trinity
 Connétable of St. Brelade
 Connétable of St. John
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)

CONTRE: 7

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator T.J. Le Main
 Connétable of St. Ouen
 Connétable of Grouville
 Deputy of St. Martin
 Deputy R.G. Le Hérisssier (S)

ABSTAIN: 0

Deputy of Trinity
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy of St. John
Deputy M. Tadier (B)
Deputy A.E. Jeune (B)
Deputy of St. Mary
Deputy T.M. Pitman (H)
Deputy E.J. Noel (L)
Deputy T.A. Vallois (S)
Deputy M.R. Higgins (H)
Deputy A.K.F. Green (H)
Deputy D.J. De Sousa (H)
Deputy J.M. Maçon (S)

Changes in Presidency

The Deputy Bailiff retired from the Chair during consideration of the proposition of the proposition of the Connétable of St. Helier entitled 'Millennium Town Park: commencement in 2010' (P.42/2010) and the meeting continued under the presidency of Mrs. Anne Helen Harris, Deputy Greffier of the States until his return. The States re-assembled after the lunch adjournment under the Presidency of Mrs. Anne Helen Harris, Deputy Greffier of the States.

Roll call

Following the lunchtime adjournment the Presiding Officer, in accordance with Standing Order 56(2), directed that elected members be summoned as the Assembly was inquorate. In accordance with Standing Order 56(2), having allowed such time as she considered reasonable for elected members to return to the Chamber, the Presiding Officer asked the Assistant Greffier to call the roll, as she believed that the States remained inquorate. The following members who had been marked as present during the morning were absent from the Chamber for this second roll call –

Senator Terence Augustine Le Sueur
Senator Philip Francis Cyril Ozouf
Senator Ben Edward Shenton
Senator Frederick Ellyer Cohen
Senator Sarah Craig Ferguson
Senator Alan John Henry Maclean
Connétable Michael Keith Jackson of St. Brelade
Connétable Graeme Frank Butcher of St. John
Connétable Leonard Norman of St. Clement
Deputy Judith Ann Martin of St. Helier
Deputy Carolyn Fiona Labey of Grouville
Deputy Collin Hedley Egré of St. Peter
Deputy John Alexander Nicholas Le Fondré of St. Lawrence
Deputy Shona Pitman of St. Helier
Deputy Kevin Charles Lewis of St. Saviour
Deputy Trevor Mark Pitman
Deputy Edward James Noel of St. Lawrence

Millennium Town Park: commencement in 2010 P.42/2010

THE STATES, having resumed consideration of the proposition of the Connétable of St. Helier concerning the commencement of the Millennium Town Park, as amended, agreed –

- (a) that work to create the Millennium Town Park should commence in 2010 beginning with the remediation of the contaminated land, and public consultation over the design of the park;
- (b) that the Millennium Town Park should extend over both sites known as Gas Place car park and the Talman land, subject to the outcome of the debate on the North of Town Masterplan;
- (c) to request the Council of Ministers to take all necessary steps to bring the Millennium Town Park project to completion within the available funds by the end of 2011.

Members present voted as follows –

POUR: 27

CONTRE: 15

ABSTAIN: 0

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator F.E. Cohen
 Senator J.L. Perchard
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of St. Ouen
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. Lawrence
 Connétable of St. Mary
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy M. Tadier (B)
 Deputy of St. Mary
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)

Connétable of St. Helier
 Connétable of St. John
 Deputy R.G. Le Hérisier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy S. Pitman (H)
 Deputy of St. John
 Deputy A.E. Jeune (B)
 Deputy T.M. Pitman (H)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy D.J. De Sousa (H)
 Deputy J.M. Maçon (S)

The Deputy of St. John, in accordance with the provisions of Standing Order 106(b), declared an interest not being of a direct financial nature, but remained in the Chamber for the duration of the debate.

The Connétable of St. Saviour, in accordance with the provisions of Standing Order 106(1)(a), declared an interest and withdrew from the Chamber for the duration of the debate.

**Jersey Competition Regulatory Authority: proposal to grant a Postal Operator's licence
P.44/2010**

THE STATES, adopting a proposition of Deputy Geoffrey Peter Southern of St. Helier, requested the Minister for Economic Development to request the Jersey Competition Regulatory Authority (JCRA) to extend the period of consultation over the granting of postal licences to Citipost and HubEurope so that members could be fully informed of the consequences of such action by the JCRA.

Members present voted as follows –

POUR: 39

Senator T.A. Le Sueur
 Senator P.F. Routier
 Senator T.J. Le Main
 Senator B.E. Shenton
 Senator F.E. Cohen
 Senator J.L. Perchard
 Senator A. Breckon
 Senator A.J.D. Maclean
 Senator B.I. Le Marquand
 Connétable of Trinity
 Connétable of Grouville
 Connétable of St. Brelade
 Connétable of St. John
 Connétable of St. Saviour
 Connétable of St. Lawrence
 Deputy R.C. Duhamel (S)
 Deputy of St. Martin
 Deputy R.G. Le Hérisssier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy of St. Peter
 Deputy J.A. Hilton (H)
 Deputy P.V.F. Le Claire (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy S. Pitman (H)
 Deputy K.C. Lewis (S)
 Deputy I.J. Gorst (C)
 Deputy of St. John
 Deputy M. Tadier (B)
 Deputy A.E. Jeune (B)
 Deputy of St. Mary
 Deputy T.M. Pitman (H)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)

CONTRE: 2

Senator S.C. Ferguson
 Deputy of Trinity

ABSTAIN: 1

Connétable of St. Mary

Jersey Child Care Trust: appointment of Chairman P.47/2010

THE STATES, adopting a proposition of the Minister for Education, Sport and Culture, approved the re-appointment of Mr. Geoffrey Colin Powell, CBE as Chairman of the Jersey Child Care Trust until 31st December 2011.

Members present voted as follows –

POUR: 38

CONTRE: 0

ABSTAIN: 0

Senator T.A. Le Sueur
Senator P.F. Routier
Senator T.J. Le Main
Senator B.E. Shenton
Senator J.L. Perchard
Senator A. Breckon
Senator S.C. Ferguson
Senator B.I. Le Marquand
Connétable of Trinity
Connétable of Grouville
Connétable of St. Brelade
Connétable of St. John
Connétable of St. Saviour
Connétable of St. Lawrence
Connétable of St. Mary
Deputy R.C. Duhamel (S)
Deputy of St. Martin
Deputy R.G. Le Hérisssier (S)
Deputy J.A. Martin (H)
Deputy of St. Ouen
Deputy of Grouville
Deputy of St. Peter
Deputy J.A. Hilton (H)
Deputy P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré (L)
Deputy of Trinity
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)
Deputy I.J. Gorst (C)
Deputy of St. John
Deputy M. Tadier (B)
Deputy A.E. Jeune (B)
Deputy T.M. Pitman (H)
Deputy E.J. Noel (L)
Deputy T.A. Vallois (S)
Deputy M.R. Higgins (H)
Deputy A.K.F. Green (H)
Deputy J.M. Maçon (S)

Changes in Presidency

Mrs Anne Helen Harris, Deputy Greffier of the States, retired from the Chair during consideration of the proposition of the proposition of the Minister for Education, Sport and Culture entitled 'Jersey Child Care Trust: appointment of Chairman' (P.47/2010) and the meeting continued under the presidency of the Deputy Bailiff.

Arrangement of public business for future meetings

THE STATES agreed the following arrangement of public business for future meetings proposed, as amended, by the Chairman of the Privileges and Procedures Committee in accordance with the provisions of Standing Order 88(3) –

25th May 2010

Strategy for dealing with young offenders: establishment of Working Group. Lodged: 27th November 2009. <i>Deputy T.M. Pitman of St. Helier.</i>	P.201/2009.
Strategy for dealing with young offenders: establishment of Working Group (P.201/2009) – comments. Presented: 24th December 2009. <i>Education and Home Affairs Scrutiny Panel.</i>	P.201/2009. Com.
Strategy for dealing with young offenders: establishment of Working Group (P.201/2009) – comments. Presented: 18th January 2010. <i>Council of Ministers.</i>	P.201/2009. Com.(2)
Strategy for dealing with young offenders: establishment of Working Group (P.201/2009) – comments. Presented: 19th January 2010. <i>Minister for Home Affairs.</i>	P.201/2009. Com.(3)
Island Plan 2002: H3 Site No. 8, Field 1248 and Channel Television Site. Lodged: 2nd February 2010. <i>Deputy J.A. Hilton of St. Helier.</i>	P.10/2010.
Health and Social Services Department: Management Improvement Plan. Lodged: 17th March 2010. <i>Deputy R.G. Le Hérisier of St. Saviour.</i>	P.31/2010.
Health and Social Services Department: Management Improvement Plan (P.31/2010) – comments. Presented: 10th May 2010. <i>Minister for Health and Social Services.</i>	P.31/2010. Com.
Draft Amendment (No. 13) of the Standing Orders of the States of Jersey. Lodged: 1st April 2010. <i>Privileges and Procedures Committee.</i>	P.40/2010.

Draft Incorporated Limited Partnerships (Jersey) Law 201-. P.45/2010.
Lodged: 13th April 2010.
Minister for Economic Development.

Draft Separate Limited Partnerships (Jersey) Law 201-. P.46/2010.
Lodged: 13th April 2010.
Minister for Economic Development.

Jersey Financial Services Commission: appointment of Commissioner. P.58/2010.
Lodged: 11th May 2010.
Minister for Economic Development.

Public Employees Contributory Retirement Scheme Committee of Management: P.60/2010.
membership.
Lodged: 11th May 2010.
Chief Minister.

8th June 2010

'User Pays' Charges: issuing of animal health export and associated certificates. P.25/2010.
Lodged: 5th March 2010.
Minister for Planning and Environment.

Ratification of a Double Taxation Agreement between the States of Jersey and the P.50/2010.
Government of Malta.
Lodged: 20th April 2010.
Chief Minister.

Draft Taxation (Double Taxation) (Jersey) Regulations 201-. P.51/2010.
Lodged: 20th April 2010.
Chief Minister.

Field 633, St. Peter and procedure for Island Plan H3 sites. P.52/2010.
Lodged: 20th April 2010.
Minister for Planning and Environment.

22nd June 2010

Property and Infrastructure Regeneration: the States of Jersey Development P.79/2009.
Company Limited (as amended). (re-issue)
Lodged: 2nd June 2009.
Council of Ministers.

Property and Infrastructure Regeneration: the States of Jersey Development P.79/2009.
Company Limited (P.79/2009) – fourth amendment. Amd.(4)
Lodged: 14th January 2010.
Senator J.L. Perchard.

Chief Officer of the States of Jersey Police Force: appointment. P.30/2010.
Lodged: 16th March 2010.
Minister for Home Affairs.

Chief Officer of the States of Jersey Police Force: appointment (P.30/2010) – comments. Presented: 8th April 2010. <i>Education and Home Affairs Scrutiny Panel.</i>	P.30/2010. Com.
Chief Officer of States of Jersey Police: appointment process. Lodged: 23rd March 2010. <i>Deputy of St. Martin.</i>	P.33/2010.
Chief Officer of States of Jersey Police: appointment process (P.33/2010) – amendment. Lodged: 13th April 2010. <i>Minister for Home Affairs.</i>	P.33/2010. Amd.
Draft Supply of Goods and Services (Amendment) (Jersey) Regulations 201-. Lodged: 28th April 2010. <i>Minister for Economic Development.</i>	P.53/2010.
Draft Mental Health (Amendment No. 3) (Jersey) Law 201-. Lodged: 6th May 2010. <i>Minister for Health and Social Services.</i>	P.55/2010.
Draft States of Jersey (Period for Election) (Jersey) Regulations 201-. Lodged: 10th May 2010. <i>Privileges and Procedures Committee.</i>	P.56/2010.
North of Town Masterplan. Lodged: 11th May 2010. <i>Minister for Planning and Environment.</i>	P.57/2010.
North of Town Masterplan (P.57/2010): amendment. Lodged: 13th May 2010. <i>Connétable of St. Helier.</i>	P.57/2010. Amd.
Jersey Red Ensign: optional use for ships registered in Jersey. Lodged: 11th May 2010. <i>Minister for Economic Development.</i>	P.59/2010.
<u>6th July 2010</u>	
Island Plan 2002: Field 622, St. Ouen – rezoning. Lodged: 19th April 2010. <i>Connétable of St. Ouen.</i>	P.48/2010.
Samarès Nursery site, St. Clement: removal from draft Island Plan – petition. Lodged: 20th April 2010. <i>Connétable of St. Clement.</i>	P.49/2010.
Housing Development Fund: cost/benefit analysis. Lodged: 12th May 2010. <i>Senator A. Breckon.</i>	P.61/2010.

THE STATES rose at 3.34 p.m.

A.H. HARRIS

Deputy Greffier of the States