



THE STATES assembled on Tuesday,
25th May, 1982 at 10.15 a.m. under
the Presidency of the Deputy Bailiff,
Peter Leslie Crill, Esquire, C.B.E.

All members were present with the exception of –

Senator Richard Joseph Shenton – out of the Island.
Terence John Le Main, Deputy of St. Helier – ill.

Prayers.

The Late Mr. H.F. Le Gresley, former Deputy – tribute.

The Deputy Bailiff paid tribute to the late Mr. Henry Falle Le Gresley, former Deputy of St. Saviour.

Lord and Lady Thomson – welcome.

The Deputy Bailiff, on behalf of Members of the States, welcomed to the House, Lord Thomson of Monifieth, Chairman of the Independent Broadcasting Authority, and Lady Thomson.

Subordinate legislation tabled.

The following enactments were laid before the States, namely –

1. Road Traffic (Pedestrian Crossings) (Jersey) Order, 1982. R & O 7050.
2. Road Traffic (St. Lawrence) (Amendment No. 7) (Jersey) Order, 1982. R & O 7051.
3. Road Traffic (Public Parking Places) (Amendment No. 9) (Jersey) Order, 1982. R & O 7052.

Island Development Committee – resignation.

THE STATES noted the resignation of Senator John Philip de Carteret from the Island Development Committee.

Contingency vote of credit – Finance and Economics Committee.

THE STATES noted an Act of the Finance and Economics Committee dated 19th May, 1982, informing the House that it was making available the sum of £40,000 out of its contingencies vote of credit to enable it to make a payment for professional fees, in the preparation of documents concerning the acquisition by the States of a controlling interest in the Jersey New Waterworks Company Limited.

Cable interconnexion with France: Reports of Merz and McLellan Limited and the Finance and Economics Committee.

The Finance and Economics Committee by Act dated 5th May, 1982, presented to the States its Report, together with that of Merz and McLellan Limited on the cable interconnexion with France.

Matters noted – land transactions.

THE STATES noted an Act of the Finance and Economics Committee dated 19th May, 1982, showing that, in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved –

- (a) as recommended by the Public Works Committee, the leasing to Mr. Robert Frederick Le Marquand of the Old Blacksmith's Shop at Corbière, St. Brelade, for a period of nine years, with effect from 24th June, 1982, at an annual rent of £250, subject to review at the end of the third and sixth years;
- (b) as recommended by the Public Works Committee, the leasing to La Moye Golf Club of an area of land measuring V6.25 at Noir Cotil, St. Brelade, being land lying in the valley between the 9th and 16th fairways of La Moye Golf Club, for a period of nine years from 25th March, 1979, at an annual rent of £10, the amount of rent

for the whole period of the lease to be paid in one sum in advance.

Matters noted – financial transactions.

THE STATES noted an Act of the Finance and Economics Committee dated 19th May, 1982, showing that, in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules, 1967, as amended, the Committee had noted that the Housing Committee had accepted the lowest of five tenders, namely that submitted by A.D. Beddoe (Builders) Limited in the sum of £28,576.39 in a contract period of 20 weeks for the conversion of 10, Duhamel Place, St. Helier.

Matters lodged.

The following subjects were lodged 'au Greffe' –

1. **Draft Public Service Vehicles (Fees) (Amendment No. 2) (Jersey) Regulations, 198 . P.65/82.**
Presented by the Defence Committee. The States decided to take this subject into consideration on 22nd June, 1982.
2. **Wessex Body Scanner Appeal. P.66/82.**
Presented by the Public Health Committee.
3. **Canning of mid potatoes by Jersey Exporters Limited: interest subsidy. P.67/82.**
Presented by the Agriculture and Fisheries Committee. The States decided to take this subject into consideration on 8th June, 1982.
4. **Transfer of Scotch Derrick Crane to Victoria Pier. P.68/82.**
Presented by the Harbours and Airport Committee. The States decided to take this subject into consideration on 8th June, 1982.
5. **Development proposals of the Housing Committee for 1983. P.69/82.**
Presented by the Housing Committee. The States decided to take this subject into consideration on 8th June, 1982.

6. **Development of youth facilities: east of the Island. P.70/82.**
Presented by the Education Committee. The States decided to take this subject into consideration on 8th June, 1982.
7. **Draft Regulation of Undertakings and Development (Amendment) (Jersey) Regulations, 198 . P.71/82.**
Presented by the Finance and Economics Committee. The States decided to take this subject into consideration on 15th June, 1982.
8. **Draft Sea Fisheries (Immature Sea Fish) (Amendment No. 4) (Jersey) Regulations, 198 . P.72/82.**
Presented by the Agriculture and Fisheries Committee. The States decided to take this subject into consideration on 8th June, 1982.
9. **Replacement of Primary Radar Transmitters. P.73/82.**
Presented by the Harbours and Airport Committee. The States decided to take this subject into consideration on 8th June, 1982.
10. **Electrical interconnexion with France. P.74/82.**
Presented by the Finance and Economics Committee. The States decided to take this subject into consideration on 22nd June, 1982.

Pathological Laboratory – Staff. Deferred Supply.

THE STATES acceded to the request of the President of the Public Health Committee that the Proposition relating to the grant of a Supplementary Vote of Credit under the heading “Pathological Laboratory – Staff. Deferred Supply” (P.51/82 – lodged on 27th April, 1982) be considered on 1st June, 1982.

St. Martin’s Arsenal: approval of plans. P.36/82.

THE STATES acceded to the request of the President of the Housing Committee that the Proposition relating to St. Martin’s Arsenal: approval of plans (P.36/82 – lodged on 16th March, 1982) be considered on 8th June, 1982.

**Resignation from the Island Development Committee.
Statement of Senator J.P. de Carteret.**

Senator John Philip de Carteret made a personal statement in the following terms –

“I believe the house should know my reasons for resigning from the Island Development Committee. Briefly, successive Committees have failed to satisfactorily answer why Mr. Beaty’s letter clearly indicated to Mr. Manning that it was an area where no additional commercial or residential development would take place, yet as close as seven months later, consent was given for large commercial undertakings and residential development both alongside and elsewhere. The procedure for change of use from agricultural to supermarket was not followed as is normal for local business houses. The comparison of comparing like with like in the form of open agricultural land development has been given in the vicinity to at least three fields and six residential buildings.

These and other factors, I believe, show the planning authority over the years to have improperly discriminated against Mr. Manning. I have represented Mr. Manning throughout the correct procedure. The final recourse for any member of the public is eventually to appeal to the States Assembly. The public regard the Assembly as the final arbitrator in their elected representatives rectifying any injustice. The basic principle of any democracy must be that the majority decision is decisive. Whilst, legally it is possible for the Committee to take no notice of the States I do not believe it should be done lightly. The present Committee does not in my view have enough regard for the balance between the need for restraint and conservation alongside the need for what is reasonable and for what is economically desirable by the community or individual members of the public. Last Friday, I could no longer serve on the Committee whilst believing strongly in our individual form of representation. My responsibility to represent unjust decisions on members of the public outweighs my serving on the Committee, and in that untenable position, I resigned”.

Field 1007 – Mr. D.R. Manning. Statement of Deputy R.F. O'Connor.

Deputy Richard Francis O'Connor of St. Clement made a personal statement in the following terms –

“After the vote on P.32 of 1982 last Tuesday when this Assembly decided after a full debate to indicate its sympathy and proposed support for Mr. D.R. Manning’s application to build on Field 1007, St. John, I have been surprised and dismayed by the renewed refusal of the application by the Island Development Committee.

I shall therefore be going into the matter more fully with a view to the presentation to the States, in due course, of legislation which would have the effect of requiring a Committee to comply with the instructions of the States’ Assembly in such circumstances.”

Field 1007 – Mr. D.R. Manning. Statement of Island Development Committee.

The President of the Island Development Committee made a statement in the following terms –

“At its meeting on Friday, May 21st, the Island Development Committee gave careful reconsideration to the application by Mr. D.R. Manning to develop Field 1007, St. John in the light of the States debate on Tuesday, May 18th.

The Committee gave due weight to the one vote majority for the Proposition informing the Committee that the States would support the proposed development of the field.

However, it decided that such development would make the future decisions of the Island Development Committee in upholding the principles of the Island Plan untenable.

The occasions when the Island Development Committee has not followed the wishes of the States, or of a Review Board, are comparatively rare. It may serve to show the gravity with which the Committee views the breach of planning principles

and of consistent government that would be involved if approval was granted in this case.

The Committee is not prepared to put in such jeopardy the orderly planning of land use in Jersey. It is conscious of the fact that it and its successors have a duty to the Island to ensure that the door is not opened to general erosion of the open nature of our countryside.

I have to tell the States, therefore, that my Committee finds it impossible to reverse the decision of three of its predecessors in this matter.

Senator de Carteret asked for his dissent to be recorded and resigned from the Committee.”

Self-Catering facilities. Statement of Tourism Committee.

The President of the Tourism Committee has made a statement in the following terms –

“My Committee has considered the desirability of providing a separate register for premises that are designed to meet the requirements of tourists who wish to have a holiday on a self-catering basis.

At the present time, limited self-catering facilities are available in a few hotels and this arrangement provides the occupants with the opportunity to enjoy the amenities of the hotels, with the option of self-catering or of partaking of meals served on the premises. The former Committee, in its Report to the States in 1978, indicated that limited self-catering facilities would be permitted within the boundaries of registered hotels in suitable locations and experience has shown that this is a very satisfactory arrangement.

The Committee recognises that there is an untapped market of tourists who desire to cater for themselves during their holiday, and it has decided to introduce a register for premises that are designed for this purpose. It is intended to prescribe standards at a level that will ensure the provision of good quality accommodation and this should limit the amount of self-catering accommodation as well as maintain the total registered accommodation at the previously agreed level.”

Budgeting Procedures.

THE STATES, adopting a Proposition of the Finance and Economics Committee, rescinded their Act, dated 20th May, 1980, concerning budgeting procedures and agreed that the last date by which the States could approve, in principle, capital requests in excess of £100,000 for inclusion in the Budget for the ensuing financial year, would be the last sitting of the States in the month of June.

Land at La Collette: transfer of administration.

THE STATES, adopting a Proposition of the Harbours and Airport Committee, approved the transfer to the Island Development Committee from the Harbours and Airport Committee of the administration of land at La Collette, shown coloured Purple on Drawing No. 1.04.03.101.

La Collette Development Plan.

THE STATES, adopting a Proposition of the Island Development Committee, rezoned the greater part of the La Collette reclamation area for industrial development as shown on Drawing No. 1.04.03.102.

Suspension of Standing Order No. 18

THE STATES, adopting a Proposition of Deputy Donald George Filleul of St. Helier, suspended Standing Order No. 18 in order to allow consideration at the present Sitting of an amendment to paragraph (e) of the Proposition of the Island Development Committee concerning the rezoning of land for residential development.

Rezoning of land for residential development.

THE STATES adopted paragraphs (a) to (d) of a Proposition of the Island Development Committee and –

- (a) rezoned about seven vergées of land at Fields 868 and 871, Bel Royal, St. Lawrence, together with a strip of

land on the eastern boundary of Field 866 required for the improvement of the access to Fields 868 and 871, as shown on Map No. 08.2.823 from “White Land” to use mainly for States’ basic-loan residential developments, and for access thereto;

- (b) rezoned about 1.7 vergées of land adjoining “Dunedin”, Bellozanne Road, St. Helier, as shown on Map No. 01.111.2 from “White Land” to use for States’ basic-loan or rental residential development;
- (c) rezoned about 1.4 vergées of land adjoining “Dronfield”, Carrefour Selous, St. Lawrence as shown on Map No. 08.113.1 from “White Land” to use for States’ basic-loan residential development;
- (d) rezoned about 3.8 vergées of land at Field 105, La Petite Route des Mielles, St. Brelade, as shown on Map No. 12.114.1 from “White Land” to use for States’ basic-loan development.

THE STATES, having rejected an amendment of Deputy Donald George Filleul of St. Helier, that in paragraph (e) for the words “six months” there should be substituted the words “twelve months”, adopted paragraphs (e) to (i) and –

- (e) agreed that, in the event of proposals for private development of any of the land described in paragraphs (a) to (d) failing to satisfy the Island Development Committee and the Housing Committee within six months of the land being zoned, to authorise the Island Development Committee to negotiate with the owners for the purchase of the land at a fair and proper price to be agreed with the Finance and Economics Committee;
- (f) agreed that in the event of it not being possible to reach agreement on a fair and proper purchase price, the Island Development Committee should be empowered, in exercise of the powers conferred by Article 4 of the Island Planning (Jersey) Law, 1964, to acquire the land by compulsory purchase on behalf of the public in accordance with the provisions of the Compulsory

Purchase of Land (Procedure) (Jersey) Law, 1961, as amended;

- (g) authorised the payment or discharge of the expenses to be incurred in connexion with the acquisition of the said land and of all interests therein, and of the payment of all legal expenses from the Island Development Committee Acquisition and Servicing of Land Vote C.0903;
- (h) authorised the Island Development Committee to transfer the land described in Propositions (a)–(d) when acquired, to the administration of the Housing Committee;
- (i) authorised the Attorney General and the Greffier of the States to pass, on behalf of the public, any contracts which it might be found necessary to pass in connexion with the said properties and any interests therein.

Bashford's Nurseries: approval of further plans.

THE STATES, adopting a Proposition of the Housing Committee –

- (a) approved Drawings Nos. 235/21(A), 53(A), 56(C), 62, 65(A), 68, 71, L71 – 98, L99(A), L100(A), L101(C), L102(C), L105(B), L106(A), L109(B) and L110(A) showing the development of Phases 3, 4 and 5 of Bashford's Nurseries, St. Saviour to provide 30 houses and 12 flats;
- (b) authorised the Greffier of the States to sign the said Drawings on behalf of the States.

Proposed link road to Bellozanne Valley: acquisition of land.

THE STATES, adopting a Proposition of the Public Works Committee –

- (a) approved the construction of a new road between St. Aubin's Road and Bellozanne Valley, as shown on Plan No. 331/4;

- (b) approved the purchase from the Overseas Trading Corporation (1939) Limited of an area of land, measuring approximately 28,750 sq.ft. shown coloured pink on Plan No. 331/5, for a total sum of £275,925, plus legal expenses;
- (c) approved the purchase from Blackall and Danby Limited of an area of land measuring approximately 3,060 sq.ft. shown coloured blue on the said Plan No. 331/5 for a total sum of £9,180, plus legal expenses;
- (d) authorised the Greffier of the States to sign the said Plans Nos. 331/4 and 331/5 on behalf of the States;
- (e) authorised the Attorney General and the Greffier of the States to pass the necessary contracts in the matter;
- (f) authorised the Treasurer of the States to make the appropriate payments in respect of the transactions set out in paragraphs (b) and (c) of this Proposition, from the Public Works Committee Vote C0303 – Roads – Improvements, property acquisition and investigation.

Rezoning of land for light industrial development.

THE STATES, adopting a Proposition of the Island Development Committee –

- (a) confirmed the established light industrial use of about 6.3 vergées of land at La Ville es Nouveaux, First Tower;
- (b) rezoned about 6.0 vergées of land at La Ville es Nouveaux from Recreational to Light Industrial use, on Drawing No. 01.3.41;
- (c) approved the alignment of the proposed new road between La Route de St. Aubin and Bellozanne Valley as shown on Drawing No. 01.3.41.

Clos St. André, St. Helier: transfer of administration of land.

THE STATES, adopting a Proposition of the Housing Committee approved the transfer of administration of an area of land measuring approximately 1,339 sq. yards, at Clos St. André, St. Helier, coloured in Red on Drawing No. 331/4 from the Housing Committee to the Public Works Committee.

Safeguarding of Workers (Amendment No. 3) (Jersey) Law, 1982.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled Safeguarding of Workers (Amendment No. 3) (Jersey) Law, 1982.

THE STATES rose at 3.15 p.m.

R.S. GRAY,

Deputy Greffier of the States.