

# STATES OF JERSEY ORDER PAPER

Tuesday 18th November 2003

**A. COMMUNICATIONS BY THE BAILIFF**

**B. TABLING OF SUBORDINATE LEGISLATION**

**C. MATTERS RELATING TO COMMITTEE MEMBERSHIP**

**D. PRESENTATION OF PAPERS**

**(a) Papers for information**

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

Official Report of the States Assembly and its Committees  
(‘Hansard’): Introduction (P.81/2003) – comments.  
*Finance and Economics Committee.*

P.81/2003. Com.

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

**(b) Notification of Standing Order decisions**

5th and 12th November 2003

Decisions under delegated functions.  
*Finance and Economics Committee.*

**(c) Notification of acceptance of tenders**

5th November 2003

Main drainage system - relining of the Le Bourg rising main.  
*Environment and Public Services Committee.*

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

Draft Finance (Jersey) Law 200-.  
*Finance and Economics Committee.*

P.158/2003.

Draft Income Tax (Amendment No. 23) (Jersey) Law 200.  
*Finance and Economics Committee.*

P.159/2003.

Budget 2004: amendment.  
*Deputy of St. John.*

P.160/2003.

**(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 lodged “au Greffe” be considered at their next meeting on 25th November 2003 -

Benefits paid by the Housing and Employment and Social Security Committees: protection. P.116/2003.  
Lodged: 29th July 2003.  
*Deputy G.P. Southern of St. Helier.*

Benefits paid by the Housing and Employment and Social Security Committees: protection (P.116/2003) – comments. P.116/2003.  
Presented: 23rd September 2003. Com.  
*Employment and Social Security Committee.*

Benefits paid by the Housing and Employment and Social Security Committees: protection (P.116/2003) – comments. P.116/2003.  
Presented: 23rd September 2003. Com.(2)  
*Housing Committee.*

Income Tax: introduction of higher rate. P.131/2003.  
Lodged: 9th September 2003.  
*Deputy G.P. Southern of St. Helier.*

Income Tax: introduction of higher rate (P.131/2003) – comments. P.131/2003.  
Presented: 11th November 2003. Com.  
*Finance and Economics Committee.*

States Members’ remuneration: abolition of means testing. P.145/2003.  
Lodged: 21st October 2003.  
*Privileges and Procedures Committee.*

States Members’ remuneration: abolition of means testing (P.145/2003) – comments. P.145/2003.  
Presented: 11th November 2003. Com.  
*Employment and Social Security Committee.*

States Members’ remuneration: establishment of an Independent Review Body. P.146/2003.  
Lodged: 21st October 2003.  
*Privileges and Procedures Committee.*

Draft Road Traffic (No. 55) (Jersey) Regulations 200. P.157/2003.  
Lodged: 11th November 2003.  
*Deputy of St. Martin.*

**In accordance with Standing Order 17(6), the following Paper is deemed to have been withdrawn –**

Planning and Building (Jersey) Law 2002 - removal of third party appeals. P.206/2002.  
Lodged: 5th November 2002.  
*Environment and Public Services Committee.*  
*(Lodged in the name of the former Planning and Environment*

*Committee).*

**F. PRESENTATION OF PETITIONS**

**G. QUESTIONS**

The Deputy of St. John will ask a question of the Chairman of the Comité des Connétables regarding utility services provided under roadways.

Deputy G.P. Southern of St. Helier will ask a question of the President of the Economic Development Committee regarding the future funding of school milk.

The Deputy of St. John will ask a question of the President of the Economic Development Committee regarding matters relating to the Guernsey Fishing Licensing Scheme.

Deputy G.P. Southern of St. Helier will ask a question of the President of the Finance and Economics Committee regarding tax allowances for wealthy residents, the proposed introduction of sales tax and PAYE.

The Deputy of St. John will ask questions of the President of the Housing Committee regarding matters relating to the Assisted House Purchase Scheme.

Senator E.P. Vibert will ask questions of the President of the Harbours and Airport Committee regarding matters relating to Emeraude Lines and the Jersey-St. Malo ferry route.

**H. MATTERS OF PRIVILEGE**

**I. PERSONAL STATEMENTS**

**J. COMMITTEE STATEMENTS**

**K. PUBLIC BUSINESS**

Proposed Ratification of the International Convention for Safety of Life at Sea, 1974 and Implementation of the Associated International Ship and Port Security Code. P.144/2003.  
Lodged: 21st October 2003.  
*Harbours and Airport Committee.*

Proposed Ratification of the International Convention for Safety of Life at Sea, 1974 and Implementation of the Associated International Ship and Port Security Code (P.144/2003): comments. P.144/2003.  
Presented: 21st October 2003. Com.  
*Policy and Resources Committee.*

Proposed Ratification of the International Convention for Safety of Life at Sea, 1974 and Implementation of the Associated International Ship and Port Security Code (P.144/2003): comments. P.144/2003.  
Presented: 11th November 2003. Com.(2)  
*Finance and Economics Committee.*

Jersey Law Commission: appointment of Chairman and Commissioner. P.147/2003.  
Lodged: 4th November 2003.  
*Legislation Committee.*



Southview, La Route des Genets, St. Brelade: purchase.  
Lodged: 4th November 2003.  
*Health and Social Services Committee.*

P.148/2003.

Fundamental Spending Review process.  
(*Committee of the Whole House*).  
*Finance and Economics Committee.*

**M.N. DE LA HAYE**  
**Greffier of the States**

13th November 2003

**NOTIFICATION OF STANDING ORDER DECISIONS -  
FINANCE AND ECONOMICS COMMITTEE  
(delegated functions)**

5th November 2003

As recommended by the Harbours and Airport Committee, the lease to Condor (Jersey) Limited of ground floor and first floor offices, storeroom and toilets (E1, E22 and E23) situated in the Passenger Terminal at Elizabeth Harbour, St. Helier, for a further term of nine years at a total annual rent of £49,345.05, from 1st April 2003, to be reviewed annually in line with the Jersey Retail Price Index.

12th November 2003

- (a) as recommended by the Health and Social Services Committee, the lease to Jersey Telecom Group Limited of a services distribution (or CAB) room at Sandybrook Hospital, St. Lawrence (in order to formalise the lease agreement following the incorporation of the Telecommunications Board), for a period of 99 years deemed to have commenced from 3rd April 2000, for an initial capital sum of £9,000 and nominal annual rent of £10 without review thereafter, on the basis of the Heads of Terms outlined in the original report, dated 2nd December 1999, and as approved by the Director of Property Services;
- (b) as recommended by the Health and Social Services Committee, the lease to Mr. Michael Paul Norman of the two-bedroom property Flat 1, Le Boulevard, La Grande Route des Sablons, Grouville, for a period of six years deemed to have commenced from 25th March 2003, at an initial annual rent of £8,891 subject to phased increases of ten per cent with effect from 24th June 2003 to 2006, thereafter subject to annual review in accordance with the Jersey Retail Price Index, on the basis that each party would be responsible for its own legal costs arising from the transaction;
- (c) as recommended by the Health and Social Services Committee, the lease to Miss Irene Elizabeth Measures of the three-bedroom property Flat 4, Le Boulevard, La Grande Route des Sablons, Grouville, for a period of six years deemed to have commenced from 24th June 2003, at an initial annual rent of £9,780 subject to phased increases of ten per cent with effect from 24th June 2004 to 2006, thereafter subject to annual review in accordance with the Jersey Retail Price Index, on the basis that each party would be responsible for its own legal costs arising from the transaction; and,
- (d) as recommended by the Harbours and Airport Committee, the entering into of a Deed of Arrangement with Mr. Jonathan David Stuttard and Miss Ronnie Dawn Jubb in order to clarify the boundary between the airfield at Jersey Airport adjacent to the rear car park of the Fuel Compound and the property known as Laburnum Farm, Le Mont à la Brune, St. Peter, on the basis that Mr. Stuttard and Miss Jubb would erect a fence to which they would be granted reasonable access via the said car park, and with the said owners being responsible for both parties' legal costs arising from this transaction.

**NOTIFICATION OF ACCEPTANCE OF TENDER UNDER RULE 5 OF THE PUBLIC  
FINANCES (GENERAL) (JERSEY) RULES 1967, AS AMENDED -  
FINANCE AND ECONOMICS COMMITTEE**

5th November 2003

The Environment and Public Services Committee accepted a tender in respect of the proposed relining of the Le Bourg rising main.

Having noted the background to the present situation, the Committee recognised that whilst two tenders had been received for the contract, only one of them (namely that submitted by Insituform Technologies Limited in the sum of £235,566.30) complied with the terms of the tender document. It was noted that the other tender, submitted by Subterra Limited, although in a lower amount, would not have supplied the appropriate pressure rated couplings at the termination points of the liner, nor would it have been able to resist both positive and negative pressures.

The Committee, in accordance with Rule 5AA of the Public Finances (General) (Jersey) Rules 1967, as amended approved the acceptance of the tender submitted by Insituform technologies Limited in the sum of £235,566.30, for which sufficient funds were available in Vote C0418- Sewer Reconstruction.

The Committee decided to delegate to the Treasurer of the States its authority under the said Rule 5AA to grant consent to a Committee wishing to accept a tender to carry out a capital project at a cost of more than £200,000 which was –

- (a) not the lowest tender received; or
- (b) the only tender received.

## QUESTION PAPER

(See Item G)

The Deputy of St. John will ask the following question of the Chairman of the Comité des Connétables –

- “(a) Over recent years the utility companies have been digging up the roads to lay services but more recently the Jersey Electricity Company Limited (JEC) has been selling the right to use the fibre optic cables placed under the Island’s roads to private companies. Would the Chairman advise members whether the JEC notified the relevant Parishes that it intended to lay the fibre optic cable when laying electrical cable under the road surface or whether notification was only given in respect of the laying of the electrical cable?
- (b) As the JEC is now charging rental on this fibre optic cable to Newtel and Jersey Telecom, would the Chairman inform members –
  - (i) whether the relevant Parishes know where the cable is within the road structure of their Parish, whether there is a rental received by the Parishes for this, and, if so, whether this is a flat rental common to all relevant Parishes?
  - (ii) whether the JEC, and other utility service providers, are treated as occupiers and therefore pay Parish rates on the respective services that lie under Parish roads and, if not, whether the Comité has any plans to promote a change in this area?”

Deputy G.P. Southern of St. Helier will ask the following question of the President of the Economic Development Committee –

“Would the President advise members what steps the Committee has taken to secure, from the Finance and Economics Committee, additional funding for the years 2004 and 2005 to maintain the provision of free school milk and what response has been received from that Committee?”

The Deputy of St. John will ask the following question of the President of the Economic Development Committee –

“Would the President advise members –

- (a) whether the high level meetings in Guernsey and in the United Kingdom to discuss the Guernsey Fishing Licensing Scheme have taken place, and, if so, the outcomes?
- (b) whether the Committee’s budget will provide financial assistance to those fishermen appealing to fish within Guernsey waters, and if not, state the reasons why? and,
- (c) whether a number of Jersey fishing licences have been issued to Guernsey fishermen recently and if so, would he supply details?”

Deputy G.P. Southern of St. Helier will ask the following question of the President of the Finance and Economics Committee -

“Will the President inform members in relation to the reduction of tax allowances for wealthy residents, the introduction of sales tax, and PAYE –

- (a) when the Committee expects to finalise its proposals in respect of each of these matters?



(b) how much additional revenue the Committee expects to raise by each of these three measures?  
and,

(c) whether each of these three measures will be ready for implementation in 2005?"

The Deputy of St. John will ask the following questions of the President of the Housing Committee –

- “1. Would the President give details of the property transaction involving the States concerning the acquisition of 3 Les Buttes, St. Martin under the Assisted House Purchase Scheme for the sum of £265,000 in view of this being in the first-time buyer range?
2. Would the President advise whether the Committee will be bringing proposals to the States for debate regarding a review of the Assisted House Purchase Scheme, and, if so, when?”

Senator E.P. Vibert will ask the following questions of the President of the Harbours and Airport Committee –

- “1. During the ‘no confidence’ debate on 5th November 2003, the President informed the States that under the Service Level Agreement there was no requirement for Emeraude Lines to operate two vessels. Would the President confirm that the Service Level Agreement did in fact contain this requirement, and, if so, would he agree that this could be described as misleading members?
2. Following his statement to the Assembly on 11th November 2003, does the President accept that he mislead members regarding the insurance of Solidor V in answering questions on 5th November 2003, and would he now consider resigning?
3. Would the President inform members whether the £300,000 owed to the States is ever likely to be paid, and, if not, whether the seizure of Solidor V served any purpose?
4. Will the President inform members whether the Committee can refuse a ramp licence to whoever takes over Emeraude Lines for the St. Malo-St. Helier route in view of legal advice the Committee has received?”