

**THE STATES assembled on Tuesday
23rd May 2006, at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

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

Senator Terence Augustine Le Sueur, en défaut
Senator Philip Francis Cyril Ozouf – en défaut (défaut raised at 09.34 a.m.)
Connétable Kenneth Priaux Vibert of St. Ouen– en défaut (défaut raised at 09.34 a.m.)
Deputy Alan John Henry Maclean of St. Helier– en défaut (défaut raised at 09.34 a.m.).

Prayers read by the Greffier of the States

Subordinate enactments tabled

The following enactments were tabled, namely –

Battle of Flowers (Jersey) Order 2006. R&O 47/2006.
Minister for Transport and Technical Services.

Road Traffic (St. Peter) (Amendment No. 6) (Jersey) Order 2006. R&O 48/2006.
Minister for Transport and Technical Services.

Documents presented or laid

States Employees' Remuneration: 2005. R.41/2006.
Presented: 18th May 2006.
Chief Minister.

States Financial Report and Accounts 2005. R.42/2006.
Presented: 18th May 2006.
Minister for Treasury and Resources.

Reporting by the States of Jersey of sickness absence levels. R.43/2006.
Presented: 18th May 2006.
Comptroller and Auditor General.

Jersey's Goods and Services Tax (GST): Financial Services Discussion Paper. R.44/2006.
Presented: 19th May 2006.
Minister for Treasury and Resources.

Tourism Development Fund: annual report 2005. R.45/2006.
Presented: 23rd May 2006.
Minister for Economic Development.

Jersey Tourism: annual report 2005. R.46/2006.
Presented: 23rd May 2006.
Minister for Economic Development.

The impact of the fulfilment policy on the incorporation of Jersey Post. S.R.2/2006.

Presented: 23rd May 2006.
Economic Affairs Scrutiny Panel.

Draft Postal Services (Transfer) (Jersey) Regulations 200- (P.9/2006): report of the Economic Affairs Scrutiny Panel. P.9/2006. Com.
Presented: 23rd May 2006.
Economic Affairs Scrutiny Panel.

Notification of lodged propositions

Strategic Plan 2006 to 2011 (P.40/2006): second amendment. P.40/2006. Amd.
Lodged: 19th May 2006. (2)
Connétable of St. Helier.

Strategic Plan 2006 to 2011 (P.40/2006): third amendments. P.40/2006. Amd.
Lodged: 22nd May 2006. (3)
Senator J.L. Perchard.

Strategic Plan 2006 to 2011 (P.40/2006): fourth amendment. P.40/2006. Amd.
Lodged: 22nd May 2006. (4)
Connétable of St. Helier.

Income Tax: allowances, reliefs and exemption thresholds (“20 means 20”). P.58/2006.
Lodged: 19th May 2006.
Minister for Treasury and Resources.

Aquasplash Swimming Pool Complex, Waterfront, St. Helier: public use at weekends. P.59/2006.
Lodged: 22nd May 2006.
Connétable of St. Helier.

Provision of pedestrian crossings. P.60/2006.
Lodged: 23rd May 2006.
Connétable of St. Helier.

Jersey Post Incorporation: cost/benefit analysis, investigation and responsibilities of JCRA. P.61/2006.
Lodged: 23rd May 2006.
Economic Affairs Scrutiny Panel.

Draft Jersey College for Girls (Removal of Covenants from Former Site) (Jersey) Law 200-. P.62/2006.
Lodged: 23rd May 2006. (re-issue)
Minister for Treasury and Resources.

Draft Sexual Offences (Jersey) Law 200-. P.63/2006.
Lodged: 23rd May 2006.
Minister for Home Affairs.

Withdrawal of lodged propositions

THE STATES noted that, in accordance with Standing Order 34(1), the proposers of the following propositions lodged “au Greffe” had informed the Greffier of the States that they had been withdrawn –

Milk Subsidy for Delivery to Special Classes. P.145/2005.

Lodged: 5th July 2005.

Deputy G.P. Southern of St. Helier.

Draft Water Resources (Jersey) Law 200-.

P.206/2005.

Lodged: 27th September 2005.

Minister for Planning and Environment (formerly the Environment and Public Services Committee).

Employment legislation: petition.

P.214/2005.

Lodged: 4th October 2005.

Deputy G.P. Southern of St. Helier.

Composting facilities.

P.258/2005.

Lodged: 1st November 2005.

Deputy P.V.F. Le Claire of St. Helier.

Strategic Plan 2006 to 2011 (P.40/2006): fourth amendment.

P.40/2006. Amd.

Lodged: 22nd May 2006.

(4)

Connétable of St. Helier.

Written Questions

[*\(see Official Report\)*](#)

The Minister for Transport and Technical Services tabled an answer to a question asked by Senator James Leslie Perchard regarding costs and income in connection with composting operations.

Oral Questions

[*\(see Official Report\)*](#)

Deputy John Alexander Nicholas Le Fondré of St. Lawrence asked a question of the Minister for Transport and Technical Services regarding the projected increase in traffic arising from the various H2 sites and other recent developments in St. Ouen, St. Peter and St. Lawrence.

Deputy Deidre Wendy Mezbourian of St. Lawrence asked a question of the Minister for Transport and Technical Services regarding the measures being introduced to mitigate the impact of traffic volume arising from various developments in St. Ouen, St. Peter, St. Mary, St. Brelade and St. Lawrence.

Deputy Shona Pitman of St. Helier asked a question of the Minister for Education, Sport and Culture regarding the fitting of seat belts in coaches used to transport young children.

Senator Ben Edward Shenton asked a question of the Chief Minister regarding the absence of a manpower resources statement in the Strategic Plan 2006-2011, (P.40/2006).

The Connétable of St. Lawrence asked a question of the Minister for Transport and Technical Services regarding the cost of a pumping station on the H2 development on Fields 848, St. Lawrence/St. Peter.

The Connétable of St. Helier asked a question of the Chief Minister regarding the resignation of the Managing Director of the Waterfront Enterprise Board.

Deputy Sean Seamus Patrick Augustine Power of St. Brelade asked a question of the Minister for Economic Development regarding the status of the OXERA study on trade links with France.

Deputy Roy George Le Hérisier of St. Saviour asked a question of the Chief Minister regarding access to the services of the Communications Unit.

The Deputy of St. Peter asked a question of the Minister for Transport and Technical Services regarding the value of the land upon which a pumping station was to be constructed on the H2 development in Fields 848, St. Lawrence/St. Peter.

The Connétable of St. Lawrence asked a question of the Minister for Planning and Environment regarding the number of units of accommodation approved in the western Parishes that had been completed or were presently the subject of planning applications.

Deputy John Alexander Nicholas Le Fondré of St. Lawrence asked a question of the Minister for Transport and Technical Services regarding traffic volume in St. Peter's Valley, La Route de la Haule, Rue de Haut Victoria Avenue and Mont Felard.

Deputy Roy George Le Hérissier of St. Saviour asked a question of the Chairman of the Privileges and Procedures Committee regarding the cost of the proposed public electoral survey.

The Deputy of St. Peter asked a question of the Minister for Planning and Environment regarding the construction of a pumping station on the H2 development, Fields 848, St. Lawrence/St. Peter.

The Connétable of St. Helier asked a question of the Minister for Transport and Technical Services regarding the La Collette composting site.

Oral Questions without notice

[*\(see Official Report\)*](#)

The Minister for Social Security answered questions without notice from members.

The Minister for Planning and Environment answered questions without notice from members.

Composting facilities (P.258/2005): withdrawal - personal statement

[*\(see Official Report\)*](#)

Deputy Paul Vincent Francis Le Claire of St. Helier made a personal statement regarding the withdrawal of the proposition entitled 'Composting facilities', (P.258/2005 lodged "au Greffe" on 1st November 2005).

Draft Water Resources (Jersey) Law 200- (P.206/2005): withdrawal – statement

[*\(see Official Report\)*](#)

The Minister for Planning and Environment made a statement regarding the Draft Water Resources (Jersey) Law 200-, (P.206/2005 lodged "au Greffe" on 27th September 2006).

Appointment of an 'Architectural Supremo' for the Waterfront – statement

[*\(see Official Report\)*](#)

The Minister for Planning and Environment made a statement regarding the appointment of an 'Architectural Supremo' for the Waterfront.

Draft Planning and Building (Jersey) Law 2002 (Appointed Day) Act 200- P.46/2006

THE STATES resumed consideration of the Draft Planning and Building (Jersey) Law 2002 (Appointed Day) Act 200- (P.46/2006 lodged "au Greffe" on 13th April 2006), and in pursuance of Article 131(2) of the Planning and

Building (Jersey) Law 2002, made an Act entitled the Planning and Building (Jersey) Law 2002 (Appointed Day) Act 2006.

Members present voted as follows –

POUR: 37

Senator S. Syvret
Senator L. Norman
Senator F.H. Walker

Senator W. Kinnard
Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator B.E. Shenton
Senator F.E. Cohen

Connétable of St. Martin
Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Mary
Connétable of St. Peter
Connétable of St. Clement
Connétable of St. Helier
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. John
Connétable of St. Brelade
Deputy of St. Martin
Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy R.G. Le Hérisier (S)
Deputy J.B. Fox (H)
Deputy S.C. Ferguson (B)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of St. Peter
Deputy G.W. de Faye (H)
Deputy P.V.F. Le Claire (H)
Deputy of Trinity
Deputy A.J.H. Maclean (H)
Deputy of St. John
Deputy I.J. Gorst (C)
Deputy of St. Mary

CONTRE: 13

Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy C.J. Scott Warren (S)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy of Grouville
Deputy J.A. Hilton (H)
Deputy J.A.N. Le Fondré (L)
Deputy D.W. Mezbourian (L)
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)

ABSTAIN: 0

Channel Islands Lottery: allocation of profits for 2005/2006 - P.41/2006

THE STATES, adopting a proposition of the Minister for Economic Development, agreed that the total Jersey portion of the profits of the Channel Islands Lottery from 2005 should be paid to the Association of Jersey Charities for the benefit of the community and the charitable needs of the Island, with 20% of profits from 2006 being transferred to the Lottery Accumulated Fund and the balance of 80% to the Association of Jersey Charities.

In accordance with the provisions of Standing Order 106, Senator Paul Francis Routier, the Connétable of

St. Lawrence, Deputy Celia Joyce Scott Warren of St. Saviour declared an interest but remained in the Chamber for the duration of the debate.

Assemblée Parlementaire de la Francophonie Executive Committee: membership- P.50/2006 amendment

THE STATES, adopting a proposition, as amended, of the Connétable of St. Ouen appointed the following to the Executive Committee of the Jersey Branch of the Assemblée Parlementaire de la Francophonie—

Connétable of St. Helier
Connétable of St. Brelade
Deputy Sean Power of St. Brelade
Deputy of St. Mary.

Administrative Appeals Panel: membership - P.51/2006

THE STATES, adopting a proposition of the Privileges and Procedures Committee and, in accordance with Article 5(2) of the Administrative Decisions (Review) (Jersey) Law 1982, appointed the following persons as members of the Administrative Appeals Panel, from whom members of Boards of Administrative Appeal were chosen, for a further period of 3 years—

Chairman

Mrs. Carol Elizabeth Canavan

Deputy Chairmen

Mr. Nigel Peter Edgar Le Gresley
Advocate Richard John Renouf

Members

Mr. John Geoffrey Davies
Mr. Peter George Farley
Mr. Patrick Edward Freeley
Mrs. Mary Le Gresley
Mr. Thomas Siouville Perchard
Miss Christine Vibert
Mr. David James Watkins.

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) –

6th June 2006

Jersey Post Incorporation: cost/benefit analysis, investigation and responsibilities of JCRA. P.61/2006.

Lodged: 23rd May 2006.

Economic Affairs Scrutiny Panel.

Draft Postal Services (Transfer) (Jersey) Regulations 200-. P.9/2006.

Lodged: 31st January 2006.
Minister for Treasury and Resources.
Continuation of 2nd reading.
(Principles adopted on 28th March 2006 before referral to Economic Affairs Scrutiny Panel in accordance with Standing Order 72(1)).

Draft Postal Services (Transfer) (Jersey) Regulations 200- (P.9/2006): report of the Economic Affairs Scrutiny Panel. P.9/2006. Com.
Presented: 23rd May 2006.
Economic Affairs Scrutiny Panel.

Draft Postal Services (Transfer) (Jersey) Regulations 200- (P.9/2006): amendment. P.9/2006. Amd.
Lodged: 28th February 2006.
Minister for Treasury and Resources.

Draft Postal Services (Transfer) (Jersey) Regulations 200- (P.9/2006): second amendment. P.9/2006. Amd. (2)
Lodged: 14th March 2006.
Minister for Treasury and Resources.

Draft Postal Services (Transfer) (Jersey) Regulations 200- (P.9/2006): third amendments. P.9/2006. Amd. (3)
Lodged: 25th April 2006.
Minister for Treasury and Resources.

Exclusivity of postal services within Jersey: termination of Agreement between the States of Jersey and the United Kingdom. P.42/2006.
Lodged: 11th April 2006.
Minister for Economic Development.

Draft Postal Services (Jersey) Law 2004 (Appointed Day) (No. 2) Act 200. P.43/2006.
Lodged: 11th April 2006.
Minister for Economic Development.

Island Plan 2002, Policy H2: Fields 848, 851, 853, and 854. P.48/2006.
Lodged: 20th April 2006.
Connétable of St. Lawrence.

Island Plan 2002, Policy H2: Fields 848, 851, 853, and 854 (P.48/2006) – comments. P.48/2006. Com.
Presented: 8th May 2006.
Minister for Planning and Environment.

Island Plan 2002, Policy H2: Fields 848, 851, 853, and 854 (P.48/2006) – comments – addendum. P.48/2006. Com.Add.
Presented: 12th May 2006.
Minister for Planning and Environment.

20th June 2006

Strategic Plan 2006 to 2011. P.40/2006.
Lodged: 10th April 2006.
Council of Ministers.

Strategic Plan 2006 to 2011 (P.40/2006): amendment. P.40/2006. Amd.

Lodged: 16th May 2006. <i>Senator J.L. Perchard.</i>	
Strategic Plan 2006 to 2011 (P.40/2006): second amendment. Lodged: 19th May 2006. <i>Connétable of St. Helier.</i>	P.40/2006. Amd. (2)
Strategic Plan 2006 to 2011 (P.40/2006): third amendments. Lodged: 22nd May 2006. <i>Senator J.L. Perchard.</i>	P.40/2006. Amd. (3)
Solid Waste Strategy: locations for proposed facilities. Lodged: 11th April 2006. <i>Minister for Transport and Technical Services.</i>	P.45/2006.
Draft Non-Commercial Movement of Pet Animals (Jersey) Regulations 200- Lodged: 2nd May 2006. <i>Minister for Planning and Environment.</i>	P.49/2006.
Aquasplash Swimming Pool Complex, Waterfront, St. Helier: public use at weekends. Lodged: 22nd May 2006. <i>Connétable of St. Helier.</i>	P.59/2006.
Provision of pedestrian crossings. Lodged: 23rd May 2006. <i>Connétable of St. Helier.</i>	P.60/2006.
<u>4th July 2006</u>	
Draft Customs and Excise (Amendment No. 3) (Jersey) Law 200- Lodged: 11th May 2006. <i>Minister for Treasury and Resources.</i>	P.52/2006.
Draft Employers' Liability (Compulsory Insurance) (Amendment No. 3) (Jersey) Law 200- Lodged: 11th May 2006. <i>Minister for Social Security.</i>	P.53/2006.
Draft Health and Safety (Work Experience) (Jersey) Regulations 200- Lodged: 11th May 2006. <i>Minister for Social Security.</i>	P.54/2006.
Strategy Plan: approval by the States. Lodged: 11th May 2006. <i>Senator B.E. Shenton.</i>	P.55/2006.
Tevielka, La Rue de la Haye du Puits, Grouville: deed of arrangement. Lodged: 12th May 2006. <i>Minister for Treasury and Resources.</i>	P.56/2006.
Draft Employment Relations (Amendment No. 2) (Jersey) Law 200- Lodged: 15th May 2006. <i>Minister for Social Security.</i>	P.57/2006.
Income Tax: allowances, reliefs and exemption thresholds ("20 means 20).	P.58/2006.

Lodged: 19th May 2006.
Minister for Treasury and Resources.

Draft Jersey College for Girls (Removal of Covenants from Former Site)
(Jersey) Law 200-. P.62/2006.
(*re-issue*)
Lodged: 23rd May 2006.
Minister for Treasury and Resources.

Draft Sexual Offences (Jersey) Law 200-. P.63/2006.
Lodged: 23rd May 2006.
Minister for Home Affairs.

18th July 2006

12th September 2006

26th September 2006

10th October 2006

24th October 2006

7th November 2006

21st November 2006

THE STATES, being of the opinion that the following matter related to a matter of such urgency and importance that it would be prejudicial to Jersey to delay its debate, adopted a proposition of Deputy Geoffrey Peter Southern of St. Helier, Chairman of the Economic Affairs Scrutiny Panel, that, in accordance with Standing Order 26(7), it be subject to a reduced minimum lodging period of 2 weeks in order that it be considered at the next meeting or 6th June 2006 –

Jersey Post Incorporation: cost/benefit analysis, investigation and P.61/2006.
responsibilities of JCRA.
Lodged: 23rd May 2006.
Economic Affairs Scrutiny Panel.

THE STATES adopted a proposition of Senator Philip Francis Cyril Ozouf that the following matter be not debated on 6th June 2006 –

Senators and Deputies: terms of office. P.227/2004.
Lodged: 14th December 2004.
Deputy A. Breckon of St. Saviour.
(*debate commenced and States adopted move to next item of public business on 1st February 2005*).

Members present voted as follows –

POUR: 27

CONTRE: 23

ABSTAIN: 0

Senator S. Syvret
Senator L. Norman
Senator F.H. Walker
Senator W. Kinnard

Senator B.E. Shenton
Connétable of St. Martin
Connétable of St. Peter
Connétable of St. Helier

Senator P.F. Routier
Senator M.E. Vibert
Senator P.F.C. Ozouf
Senator F.E. Cohen

Connétable of St. Ouen
Connétable of St. Saviour
Connétable of St. Mary
Connétable of St. Clement
Connétable of Trinity
Connétable of St. Lawrence
Connétable of Grouville
Connétable of St. John
Connétable of St. Brelade

Deputy G.C.L. Baudains (C)
Deputy P.N. Troy (B)
Deputy of St. Ouen
Deputy P.J.D. Ryan (H)
Deputy of Grouville
Deputy of St. Peter
Deputy G.W. de Faye (H)
Deputy A.J.H. Maclean (H)
Deputy I.J. Gorst (C)
Deputy of St. Mary

Deputy R.C. Duhamel (S)
Deputy A. Breckon (S)
Deputy J.J. Huet (H)
Deputy of St. Martin
Deputy C.J. Scott Warren
(S)
Deputy R.G. Le Hérisssier (S)
Deputy J.B. Fox (H)
Deputy J.A. Martin (H)
Deputy G.P. Southern (H)
Deputy S.C. Ferguson (B)
Deputy J.A. Hilton (H)
Deputy P.V.F. Le Claire (H)
Deputy J.A.N. Le Fondré (L)
Deputy D.W. Mezbourian
(L)
Deputy of Trinity
Deputy S.S.P.A. Power (B)
Deputy S. Pitman (H)
Deputy K.C. Lewis (S)
Deputy of St. John

THE STATES noted that, in accordance with Standing Order 34(2) and Regulation 4 of the States of Jersey (Modification and Transitional Provisions) (Jersey) Regulations 2005 relating to the withdrawal of a proposition not debated within 6 months of the day on which it was lodged “au Greffe”, the following matter would be taken to have been withdrawn on 9th June 2006 –

Senators and Deputies: terms of office.

Lodged: 14th December 2004.

Deputy A. Breckon of St. Saviour.

(debate commenced and States adopted move to next item of public business on 1st February 2005).

P.227/2004.

THE STATES rose at 3.35 p.m.

M.N. DE LA HAYE

Greffier of the States