

**THE STATES assembled on Tuesday,  
13th November 2001 at 9.30 a.m. under  
the Presidency of the Deputy Bailiff,  
Michael Cameron St. John Birt, Esquire**

**His Excellency the Lieutenant Governor,  
Air Chief Marshal Sir John Cheshire, K.B.E., C.B.,  
was present**

All members were present with the exception of -

Senator Jean Amy Le Maistre - out of the Island  
Senator Paul Vincent Francis Le Claire - out of the Island  
Shirley Margaret Baudains, Deputy of St. Helier - out of the Island  
Robert Charles Duhamel, Deputy of St. Saviour - out of the Island  
Paul Francis Routier, Deputy of St. Helier - out of the Island  
Imogen Stephanie Nicholls, Deputy of Grouville - out of the Island  
Jacqueline Jeannette Huet, Deputy of St. Helier - out of the Island  
Kenneth William Syvret, M.B.E., Deputy of St. Ouen - out of the Island  
Peter Nicholas Troy, Deputy of St. Brelade - out of the Island  
Jennifer-Anne Bridge, Deputy of St. Helier - ill.

Prayers read by the Deputy Bailiff

### **Subordinate legislation tabled**

The following enactments were laid before the States, namely -

**Telecommunications (Telephones) (Amendment No. 33) (Jersey) Order 2001. R & O 157/2001.**

**Diseases of Animals (Foot and Mouth - Restrictions No. 1F) (Jersey) Order 2001. R & O 158/2001.**

**Food (Registration of Premises) (Jersey) Order 2001. R & O 159/2001.**

### **Matters presented**

The following matters were presented to the States -

**Introduction of work permits (P.107/2001): comments - P.107/2001 Com.(2).**

Presented by the Industries Committee.

**Machinery of Government Implementation Plan: Special Committee (P.146/2001): comments - P.146/2001 Com.**

Presented by the Human Resources Committee.

**Machinery of Government Implementation Plan: Special Committee (P.146/2001): comments - P.146/2001 Com.(2).**

Presented by the Finance and Economics Committee.

**Constitution and membership of the States: referendum (P.147/2001): comments - P.147/2001 Com.**

Presented by the Human Resources Committee.

**Constitution and membership of the States: referendum (P.147/2001): comments - P.147/2001 Com.(2).**

Presented by the Finance and Economics Committee.

**Committee of Inquiry: procedures for recruitment of Honorary Police Officers - appointment of members (P.148/2001): comments - P.148/2001 Com.**

Presented by the Human Resources Committee.

**Committee of Inquiry: procedures for recruitment of Honorary Police Officers - appointment of members (P.148/2001): comments - P.148/2001 Com.(2).**

Presented by the Finance and Economics Committee.

**François Scornet: commemorative statue (P.116/2001): comments - P.116/2001 Com.**

Presented by the Finance and Economics Committee.

**Unit 6, La Rue Grellier, La Rue des Prés Trading Estate: sub-lease of warehouse (P.164/2001) - comments - P.164/2001 Com.**

Presented by the Planning and Environment Committee.

The following matter was presented on 6th November 2001 -

**Projet de Loi (200-) (Amendement) sur la Voirie (P.90/2001): rapport - P.90/2001 Rpt.(2).**

Présenté par le Comité de l'Aménagement et de l'Environnement.

THE STATES ordered that the said reports be printed and distributed.

### **Matters noted - land transactions**

THE STATES noted an Act of the Finance and Economics Committee dated 24th October 2001 recording the following decisions of the Treasurer of the States under delegated powers, in pursuance of Standing Orders relating to certain transactions in land -

- (a) as recommended by the Housing Committee, the lease to Classic Carpets (St. Helier) Limited of the shop unit located at No. 76 La Colomberie, St. Helier, for a period of nine years from 1st November 2001 at an annual rent of £6,950, subject to triennial rent reviews in line with the Jersey Retail Price Index, with the Lessee to be granted access to the premises prior to the beginning of November 2001 in order to undertake the necessary work to enable trading to commence from 1st November 2001; on the basis that the Committee was required to insure the property with the premium to be reimbursed by the Lessee, who would also be responsible for undertaking any necessary internal repairs and decoration, to include the shop front, and with each party to be responsible for its own legal costs arising from this transaction;
- (b) as recommended by the Public Services Committee, the entering into of a Deed of Arrangement with Dove Developments Limited setting out the terms and conditions in relation to the purchase of approximately 65 square feet of land on the former site of the Hireride building, New St. John's Road, St. Helier, in order to facilitate a footpath widening at New St. John's Road, for the sum of £65 together with a compensation payment to the owner of the site (Dove Developments Limited) in the sum of £9,935; and the payment of the owner's architectural and engineering fees in respect of the re-design of the foundation piling detail, the timber-frame design and the detailed development drawings up to a maximum sum of £4,000, subject to receipted proof of payment, on the basis that the Committee would be liable for the reasonable legal fees incurred by Dove Developments Limited.

### **Matters lodged**

The following matters were lodged "au Greffe" -

**States members' income support and expense allowance: annual increases (P.160/2001) - amendment - P.160/2001 Amd.**

Presented by the Human Resources Committee.

**Draft Summer Time (Jersey) Act 200- P.168/2001.**

Presented by the Legislation Committee.

**States members: part reimbursement of Class 2 social security contributions - P.169/2001.**  
Presented by the House Committee.

**Investing in Tourism's future - P170/2001.**  
Presented by the Tourism Committee.

**Draft Amendment (No. 26) to the Tariff of Harbour and Light Dues- P.171/2001.**  
Presented by the Harbours and Airport Committee.

**Draft Amendment (No. 27) to the Tariff of Harbour and Light Dues- P.172/2001.**  
Presented by the Harbours and Airport Committee.

**Draft Boats and Surf-Riding (Control) (Amendment No. 21) (Jersey) Regulations 200 P.173/2001.**  
Presented by the Harbours and Airport Committee.

**Draft Harbours (Amendment No. 33) (Jersey) Regulations 200 P.174/2001.**  
Presented by the Harbours and Airport Committee.

**Machinery of Government: composition and role of Privileges and Procedure and Scrutiny Committees - P.175/2001.**  
Presented by Senator S. Syvret.

The following matters were lodged on 6th November 2001 -

**Budget 2002.**  
Presented by the Finance and Economics Committee.

**Draft Criminal Justice (Anonymity in Sexual Offence Cases) (Jersey) Law 200-. P.166/2001.**  
Presented by the Legislation Committee.

**Jersey Consumer Council: transfer of responsibility - P.167/2001.**  
Presented by Deputy A. Breckon of St. Saviour.

#### **Arrangement of public business for the next meeting on 20th November 2001**

THE STATES granted leave to the Connétable of Grouville to defer consideration of his proposition regarding Funding of Welfare (P.135/2001 lodged "au Greffe" on 11th September 2001) from this meeting to a later date.

THE STATES confirmed that the following matters lodged "au Greffe" would be considered at the next meeting on 20th November 2001 -

Introduction of work permits - P.107/2000.  
Lodged: 4th July 2000.  
*Senator P.V.F. Le Claire.*

Introduction of work permits (P.107/2000): comments - P.107/2000 Com.  
Presented: 9th October 2001.  
*Policy and Resources Committee.*

Introduction of work permits (P.107/2000): comments - P.107/2000 Com.(2).  
Presented: 13th November 2001.  
*Industries Committee.*

Draft Disability Transport Allowance (Jersey) Regulations 200- P.163/2001.  
Lodged: 30th October 2001.  
*Employment and Social Security Committee.*

Unit 6, La Rue Grellier, La Rue des Prés Trading Estate: sub-lease of warehouse - P.164/2001.

Lodged: 30th October 2001.  
*Telecommunications Board.*

Unit 6, La Rue Grellier, La Rue des Prés Trading Estate: Sub-Lease of Warehouse (P.164/2001) -  
Comments - P.164/2001 Com.  
Presented: 13th November 2001.  
*Planning and Environment Committee.*

Projet de Loi (200-) (Amendement) sur la Voirie - P.90/2001.  
Logé au Greffe le 19 juin 2001.  
*Député G.C.L. Baudains de St. Clément.*

Projet de Loi (200-) (Amendement) sur la Voirie (P.90/2001): rapport - P.90/2001 Rpt.  
Présenté le 30 octobre 2001.  
*Comité des Services Publics.*

Projet de Loi (200-) (Amendement) sur la Voirie (P.90/2001): rapport - P.90/2001 Rpt.(2).  
Présenté le 6 novembre 2001.  
*Comité de l'Aménagement et de l'Environnement*

Draft Criminal Justice (Anonymity in Sexual Offence Cases) (Jersey) Law 200- P.166/2001.  
Lodged: 6th November 2001.  
*Legislation Committee.*

#### **Arrangement of public business for the meeting on 27th November 2001**

THE STATES agreed in principle that the following matters lodged "au Greffe" would be considered at the meeting on 27th November 2001 -

Draft Fishing Vessels (Safety Training) (Jersey) Regulations 200- P.140/2001.  
Lodged: 2nd October 2001.  
*Harbours and Airport Committee.*

Draft Fishing Vessels (Safety Training) (Jersey) Regulations 200- P.140/2001): amendment -  
P.140/2001 Amd.  
Lodged: 30th October 2001.  
*Deputy G.C.L. Baudains of St. Clement.*

Committee of Inquiry: procedures for recruitment of Honorary Police Officers - appointment of  
members - P.148/2001.  
Lodged: 9th October 2001.  
*Deputy R.G. Le Hérisier of St. Saviour.*

Committee of Inquiry: procedures for recruitment of Honorary Police Officers - appointment of members  
(P.148/2001) - comments - P.148/2001 Com.  
Presented: 13th November 2001.  
*Human Resources Committee.*

Committee of Inquiry: procedures for recruitment of Honorary Police Officers - appointment of members  
(P.148/2001) - comments - P.148/2001 Com.(2)  
Presented: 13th November 2001.  
*Finance and Economics Committee.*

States members' income support and expense allowance: annual increases - P.160/2001.  
Lodged: 23rd October 2001.  
*House Committee.*

States members' income support and expense allowance: annual increases (P.160/2001): amendment -  
P.160/2001 Amd.

Lodged: 13th November 2001.  
*Human Resources Committee.*

Draft Shipping (Jersey) Law 200- P.162/2001.  
Lodged: 23rd October 2001.  
*Harbours and Airport Committee.*

Draft Summer Time (Jersey) Act 200- P.168/2001.  
Lodged: 13th November 2001.  
*Legislation Committee.*

States members: part reimbursement of Class 2 social security contributions- P.169/2001.  
Lodged: 13th November 2001.  
*House Committee.*

Draft Amendment (No. 26) to the Tariff of Harbour and Light Dues- P.171/2001.  
Lodged: 13th November 2001.  
*Harbours and Airport Committee.*

Draft Amendment (No. 27) to the Tariff of Harbour and Light Dues- P.172/2001.  
Lodged: 13th November 2001.  
*Harbours and Airport Committee.*

Draft Boats and Surf-Riding (Control) (Amendment No. 21) (Jersey) Regulations 200 P.173/2001.  
Lodged: 13th November 2001.  
*Harbours and Airport Committee.*

#### **Census results - questions and answers** (Tape No. 692)

Deputy Gerard Clifford Lemmens Baudains of St. Clement asked Deputy Philip Francis Cyril Ozouf of St. Helier, President of the Etat Civil Committee, the following questions-

- “1. With reference to the statement made on Tuesday 23rd October 2001 regarding the Census results, would the President -
  - (a) clarify whether his assumed ‘undercount’ of 710 Jersey residents was included in the total of 87,186 and if it was not, why not?
  - (b) with reference to the sentence “The forms were generally fully and correctly completed; ....” state how he and his officers were able to confirm that forms were in fact correctly filled in?
  - (c) in relation to the same sentence, state how he has ensured that lodgers in private houses have not avoided being counted when either a landlord or lodger has been unwilling, possibly for a variety of reasons, to disclose the total number living in that house?
2. On the evening of the release of these figures, the Jersey Evening Post carried a list of people recently married. One third of those setting up home in Jersey are not local. In view of these figures, would the President reconsider his statement that “ .... Population growth, as in 1996, was not caused by immigration ” and agree that “immigration is roughly balanced by emigration”?”

The President of the Etat Civil Committee replied as follows -

- “1.(a) The estimated 710 persons who were not enumerated were not included in the total figure of 87,186. This has been the practice in every census since 1821. Persons not enumerated cannot be included because they have not provided the information required.
- (b) Census returns were carefully examined by Census administrative staff. Further checks and corrections have been made and are still being made in the computer database. This is why

the results become available in stages. But the number of corrections needed is very small. The forms were “correctly completed” in that the answers provided were complete, consistent and credible. Where they were not, householders were contacted and/or forms were edited to make them so.

Some questions were designed in such a way that answers could be reconciled once entered into the database. For example, a non-Jersey born person who stated an arrival date and continuous residence in Jersey for over 19 years and who answered that he was non-qualified will have been highlighted as an error and corrective action taken.

When I visited Professor McNabb of Cardiff Business School, who co-ordinates the Census data entry and processing, he reported that he and his staff were delighted with the quality of the returns from Jersey, due in no small part to the diligent work of our local Census Team.

- (c) No householder has been unwilling to disclose the number living in their household. During the Census promotion campaign assurances were given concerning the confidentiality of returns. The confidentiality of Census returns is protected by Law and individual data are not disclosed to any third parties, including any States of Jersey Departments, for 100 years. Data entry is carried out in the United Kingdom and all information which could identify individuals such as names, addresses or employer details are not entered into the database. All results are presented in such a way that it is impossible to identify individuals. For that reason Islanders can be confident that whatever the answers given to sensitive questions, such as number of lodgers, protection and confidentiality was guaranteed.

2. I would not base anything on a sample of nine marriages.

Taking the estimated undercount in 1996 and 2001 into consideration, the resident population rose by some 1,650 between the two Censuses. In the same period births exceeded deaths by about 1,375. The difference of approximately 275 persons - one sixth of the growth, or 55 people a year - is attributable to net inward migration.

The relatively minor contribution of migration to the rise in population is borne out by the information about people’s ages available from the Census. The number below working age rose by 4.4 per cent, the number above working age by 4.1 per cent, and the number of working age, where most migrants are found, increased by 1.4 per cent.”

### **Retired employees and pensions - questions and answers (Tape No. 692)**

The Deputy of St. John asked Deputy Jeremy Laurence Dorey of St. Helier, President of the Human Resources Committee, the following questions -

- “1. What is the Committee’s policy on re-employing former States’ employees who have served a full term of States employment and have retired on a full States’ pension? Do these people, when re-employed by a States’ Department, get a further States’ pension for their additional service?
2. During the President’s reply to supplementary questions to my question regarding pension enhancement on 9th October 2001, he stated that the six persons, above Civil Service Grade 8, had been given pension enhancement or early retirement. Will the President indicate at which grade(s) the six employees had been employed?”

The President of the Human Resources Committee replied as follows -

- “1. In 1999, the then Establishment Committee decided, in support of the strategic aims that had been approved by the States in the 1995 Strategic Policy Review, to allow those who were approaching retirement age or who had retired from employment to continue in employment or to be re-employed by a States’ department.

Potentially, a number of employees who are re-employed would be above age 60 and would not,

therefore, be entitled to become members of the Public Employees Contributory Retirement Scheme (PECRS). However, there might be some retired uniformed services officers who are under the age of 60 when they are re-employed by States' departments and who would, therefore, under the terms of PECRS, be liable to join that scheme. In the latter instances, their contributions and that of their employer could give rise to further pension entitlement.

The question refers to people who have retired on a full States' pension and who apply for re-employment. It is worth pointing out, however, that applications are also received from people who have not previously served all the way through to retirement.

I can assure the Assembly that particularly careful consideration would be given to any past employee who had been granted voluntary early retirement or voluntary redundancy and who was seeking to be re-employed within the States. Such consideration would include the question of whether any restitution should be made of payments that had been awarded to the person at the time of early retirement or redundancy.

2. In my response to the Deputy's questions on 9th October, I pointed out that I had commissioned an investigation into the principles underlying this question. I also pointed out, however, that I considered it inappropriate to provide specific details which might make it possible to identify the individuals concerned. In this type of situation, I believe that the duty of care that is owed to past and present employees must override any public interest involved. Once again, the Deputy's question opens up the possibility of identifying individuals, without seeking information relevant to the principle, and I therefore consider it inappropriate to answer it."

#### **Insurance cover - questions and answers (Tape No. 692)**

Deputy Alan Simon Crowcroft of St. Helier asked Senator Pierre François Horsfall, President of the Policy and Resources Committee, the following questions -

- “1. Has the Committee made any enquiries of the appropriate authorities in France as to precautions taken to prevent an accident or terrorist attack from taking place at the nuclear reprocessing plant at Cap de la Hague, and is the President satisfied as to the adequacy of those precautions from the viewpoint of the Island's safety?
2. Would the President explain what insurance cover is in place to compensate the Island in the event of an incident or terrorist attack at the nuclear reprocessing plant at Cap de la Hague, and is the President satisfied that the level of insurance cover is adequate? If not, is he taking steps to have this level of cover increased?
3. Does the President not agree that while the risk of such an incident occurring may be low, the consequences would be so serious for the Island community that the States should, through the appropriate channels, bring pressure to bear on the French government to stop nuclear reprocessing on the Cotentin peninsular?”

The President of the Policy and Resources Committee replied as follows -

- “1. The Policy and Resources Committee itself has not made any specific enquiries of the French authorities. However, officials from Jersey and the other Channel Islands have been holding technical meetings with officials from the French Government, Préfecture de la Manche, COGEMA, and EDF to discuss such matters. These are ongoing meetings but at the last meeting held in Cherbourg as recently as 26th October we were assured that even before 11th September 2001 sophisticated security measures were in place to protect the nuclear sites. Nevertheless, while there is no evidence of any specific terrorist threat to the nuclear installations on the Cotentin, various further enhancements to security have since then been put into place. Our officials were advised that the French authorities have always believed in a system of 'security in depth' and the recent installation of a missile defence system and changes in regulations governing overflights were a part of this process. We were further advised that although normal levels of security were of a high standard they were now even higher.

As for the adequacy of these precautions, I am unable to make a specific assessment since the Jersey authorities do not have access to the French intelligence network or its assessment of current risks to the COGEMA re-processing plant, especially from terrorist attack. But I am pleased with the clear evidence given to us by the French authorities, in an open and constructive manner, about the recent enhanced security measures and I believe we are reasonably entitled to assume that, as far as potential terrorist attack is concerned, whatever slight risks may have existed before must surely now have been reduced.

The States of Jersey are not presently indemnified for nuclear risks under any commercial insurance policy, whether in respect of terrorism or otherwise. I am advised that a standard clause excluding nuclear risks applies to all commercial insurance policies. It follows therefore that the States cannot seek higher levels of cover because we have no ability to purchase it in the first place.

The 1960 Paris Convention on Third Party Liability in the Field of Nuclear Energy provides for compensation to be paid without proof of negligence, by the operators of nuclear installations in countries that are parties to the Convention in respect of damage or injury occurring in the territory of another contracting party as a result of nuclear incidents at such installations. The Convention provides that damage must be to the person or property of the claimant, and related causally to a nuclear incident, but contains no detailed provision determining the kind of damage or injury which will be compensated.

The Paris Convention has been extended to Jersey, and to France.

The limit of compensation established by the Convention has been increased from time to time and is, I understand, around £250 million. This amount of compensation is available not only in the event of a nuclear incident occurring at a nuclear installation, but also in the event of a nuclear incident occurring during the course of transport of nuclear substances from a nuclear installation. It should be stressed that the compensation limit applies to all claims, domestic or international, relating to a specific incident.

As the Deputy will no doubt be aware, we have made representations to the UK on several occasions, most recently in 1998, that in any re-negotiation of the Paris Convention the special position of the Island - and indeed the Channel Islands collectively - in relation to the Cotentin peninsular should be recognised. Our aim was that the Paris Convention financial limits should be increased accordingly to recognise the Islands' unique position in this regard. I understand that, while there have been discussions at international level on a review of the Convention, no review as such has yet been carried out.

3. I cannot but agree totally that the consequences of a terrorist attack upon the Cap de la Hague plant, or indeed any other kind of incident there, would, or could, be exceptionally serious for Jersey. We must, however, be realistic. The States have sought in the past to bring pressure to bear of the kind to which the Deputy refers. We can only seek to bring such pressure through the UK. So far this has had little effect, and it is unlikely to as long as the UK itself has similar nuclear plants. This is a reality that we have to accept. In the circumstances it is far better in my view to ensure that we are as well informed as possible about the security measures now in place and are able to participate in technical meetings with the French in order to be sure that we have the best possible understanding of all relevant matters to do with the plants on the Cotentin. We are endeavouring to do just that and will continue to do so."

### **States' loans - questions and answers (Tape No. 692)**

The Deputy of St. John asked Deputy Terence John Le Main of St. Helier, President of the Housing Committee, the following questions -

- “1. Would the President advise members how many people are paying 10 per cent interest on their States Loan?
2. Given that mortgage rates have fallen below 10 per cent since the end of 1992 -



- (a) would the President advise whether the Committee might review the amount charged to the Islanders who have States loans to bring them more into line with charges in the private sector?
- (b) if the answer to (a) is in the negative, will he explain the reason?"

The President of the Housing Committee replied as follows -

- “1. 598 out of the total of 1,117 existing borrowers are paying 10 per cent interest on their States loan.
2. (a) The Committee, in the course of compiling its draft strategy report, has reviewed the parameters of the States’ loan scheme but has decided for the time being to keep them unchanged. The scheme offers loans at interest rates of between three per cent and 10 per cent for flats and between five per cent and 10 per cent for houses, with the percentage interest rate determined by the applicant’s age and income. The interest rate paid on the loan is adjusted annually according to changes in the applicant’s income.
- (b) The maximum interest rate of 10 per cent has been maintained in the Regulations for some considerable time. Although current market rates are low, many existing borrowers took out their loans when market rates were in the high teens and were then protected from the ravages of the market. Since the early 1990s commercial lenders have been very active in the private house market, offering on many occasions better terms for first-time buyers than are available under the States’ loan scheme. The result of this activity has been that loans granted by the Committee have been relatively few in recent years, for example only five in 2000, and 14 in 1999.

The rationale behind maintaining a ceiling of 10 per cent is that it will discourage those who can well afford to borrow in the private sector. However, it does present a difficulty for those who initially were on low incomes, and therefore received considerable subsidy, but are now on higher incomes and paying above the market rate. If they wish to move to the private sector they have to repay the subsidy, which may run to several thousand pounds, and are therefore reluctant to do so.

This problem was recognised several years ago but finding a simple solution has proved more difficult than anticipated. Nevertheless the Committee intends to bring to the States in the near future an amendment to the Building Loan Regulations whereby any ‘overpayment’ above the current standard variable mortgage rate can be off-set against any subsidy previously granted under a specific loan. This will, if approved, enable borrowers to limit their subsidy repayment liability in the event that they wish to sell the property or transfer to a private sector loan.”

**Recruitment advertisements - question and answer** (Tape No. 692)

Deputy Gerard Clifford Lemmens Baudains of St. Clement asked Deputy Alastair John Layzell of St. Brelade President of the Home Affairs Committee, the following question -

“With reference to the Recruitment Advertisement placed in the Jersey Evening Post on 27th October (assuming it was such), would the President -

- (a) give his reasons why it was placed in a language other than English or French, thereby possibly discriminating against local applicants who may not understand the text?
- (b) give assurances that should his Committee be minded to place advertisements and notices in a foreign language in future, that an English version will be published simultaneously so that the content is obvious to all?"

The President of the Home Affairs Committee replied as follows -

- “(a) This year, the States of Jersey Police have held two recruitment drives in order to attract suitable applicants to the service. A number of different measures have been adopted in order to draw the attention of members of the community to the fact that the Police are looking for new officers. These measures have included advertisements on the radio and television, banners around the Island, and also advertisements in the local press, namely the Jersey Evening Post.

The closing date for applications during the most recent recruitment drive was 2nd November 2001. Prior to this date, a number of advertisements were placed in the JEP. Written in both English and Portuguese they were submitted with the intention of reaching as many members of the community as possible and therefore drawing the attention of as many Islanders as possible to the recruitment efforts of the States of Jersey Police.

Five English advertisements were placed between 11th and 25th of October, and two Portuguese advertisements on 20th and 27th October 2001. The latter two advertisements were placed in the paper to coincide with the Portuguese articles that are submitted each Saturday.

It is important that a Police Service reflects the community that it polices, and it is for this reason that the advertisements were placed in the two different languages. Placing the Portuguese advertisement in the paper on each Saturday was a deliberate act in order to coincide with the other Portuguese publications on these days as it is likely that a larger audience from the Portuguese community reads the paper on these occasions.

As I have already said, in addition to these two particular advertisements, five other entries were also made in English.

This same procedure was adopted during the earlier recruitment drive in 2001, however the three Portuguese advertisements placed at this time did not coincide with the Saturday editions.

- (b) As I have described, recruitment advertisements have been placed in both English and Portuguese, although not simultaneously as Deputy Baudains rightly points out. The recruitment campaign has been widespread and has been formulated to reach as many members of our community as possible. I am therefore unable to provide the assurances that Deputy Baudains has requested.”

#### **Sites for housing - question and answer (Tape No. 692)**

Deputy Philip Francis Cyril Ozouf of St. Helier asked Senator Nigel Lewis Qu  r  e, President of the Planning and Environment Committee, the following question -

“Earlier this year at a joint meeting of the Housing, Planning and Environment, Finance and Economics and Industries Committees it was agreed in principle that planning obligations would be used in conjunction with the zoning of land in the forthcoming Island Plan to provide homes at affordable prices. Would the President inform members -

- (a) what progress has been made to take this matter forward?
- (b) of the timetable for the Island Plan including when the next draft is to be published and when the Committee will be requesting a date for debate?
- (c) whether the total number of homes planned is to be increased?
- (d) whether the Committee has considered any specific alternative or additional sites for housing from those identified in the draft consultation Island Plan?”

The President of the Planning and Environment Committee replied as follows -

- “(a) The new Planning and Building Law requires further amendment arising from the third party appeals amendment and to ensure the integrity of the legislation following that, and the other,

amendments. These are currently being worked on by the Planning Department and the Law Draftsman's Department. Principally, the way in which the Planning and Building Appeals Commission is constituted and resourced needs to be altered, while remaining Human Rights Law compliant, to accommodate the substantial increase in the number of appeals it will have to deal with. The introduction of Planning Obligations is dependent on the new Law coming into force. The third reading of the Law is likely to occur shortly, together with the consequential amendment referred to above.

- (b) For the time-being, the programme for the Island Plan remains as previously notified to Members. However, the Committee is currently working through the report of the Independent Reviewer and the representations made on the Plan, which will involve the consideration of new potential sites for housing put forward through the consultation process. The consideration of these is likely to affect the timetable for lodging the Revised Plan, as is the outcome of the review of housing requirements being undertaken by the Policy and Resources Department, promised for the end of this month. The date the Committee requests for the Island Plan to be debated will depend on other States' business, in particular the Sustainable Development Strategy and, Population and Immigration Strategy (both the responsibility of the Policy and Resources Committee) and the Housing Strategy presented by the Housing Committee, all of which, logically, should precede the debate on the Island Plan. The Committee anticipates a debate on the Plan no later than April next year.
- (c) The total number of homes planned will be contingent on the outcome of the Policy and Resources Department's study.
- (d) The Committee is considering other sites put forward in representations, including, for example, those arising from the Glasshouse Growers' proposals, should it be necessary to provide more land or to replace sites which may be deleted from the Consultation Draft of the Plan. Any new sites, which the Committee proposes to add to the Plan, will be subject to further public consultation."

#### **Swimming facilities - question and answer (Tape No. 692)**

The Deputy of St. John asked Deputy Michael Edward Vibert of St. Brelade, President of the Sport, Leisure and Recreation Committee, the following question -

"Over the last few months concerns have been raised by the Jersey Swimming Club about future swimming facilities. Would the President give an assurance to all swimming clubs that the Fort Regent swimming pool will not be closed until a viable alternative is in place?"

The President of the Sport, Leisure and Recreation Committee replied as follows -

"Yes."

#### **Renal Dialysis Unit, General Hospital, St. Helier: approval of drawings**

THE STATES, adopting a proposition of the Health and Social Services Committee -

- (a) approved drawings Nos. 2000/11/05A, 18 and 19, showing the proposed Renal Dialysis Unit at the General Hospital, St. Helier; and
- (b) authorised the Greffier of the States to sign the said drawings on behalf of the States.

#### **Draft Gambling (Betting) (Amendment No. 12) (Jersey) Regulations 200 P.150/2001**

THE STATES commenced consideration of the draft Gambling (Betting) (Amendment No. 12) (Jersey) Regulations 200- and adopted the preamble.

Regulations 1-4 were adopted.

Members present voted as follows on Regulations 1 to 4 -

**“Pour” (40)**

**Senators**

Horsfall, Stein, Qu erie, Norman, Walker, Le Sueur, Lakeman.

**Conn tables**

Grouville, St. Helier, St. Martin, St. Ouen, Trinity, St. Saviour, St. Clement, St. Brel  
St. Lawrence, St. Mary, St. John, St. Peter.

**Deputies**

H. Baudains(C), St. Mary, Trinity, Layzell(B), Breckon(S), St. Martin, St. John, Le Main(C)  
Crowcroft(H), Vibert(B), St. Peter, Dubras(L), G. Baudains(C), Dorey(H), Voisin(L), Scott Warren  
(S), Farnham(S), Le H rissier(S), Ozouf(H), Fox(H), Martin(H).

**“Contre” (3)**

**Senators**

Bailhache, Syvret, Kinnard.

Regulations 5 was adopted.

Members present voted as follows on Regulation 5 -

**“Pour” (37)**

**Senators**

Horsfall, Stein, Qu erie, Norman, Walker, Lakeman.

**Conn tables**

Grouville, St. Helier, St. Martin, St. Ouen, Trinity, St. Saviour, St. Clement, St. Brel  
St. Lawrence, St. Mary, St. John, St. Peter.

**Deputies**

St. Mary, Trinity, Layzell(B), Breckon(S), St. Martin, St. John, Le Main(H), Crowcroft(H), Vibert(I)  
St. Peter, Dubras(L), Dorey(H), Voisin(L), Scott Warren(S), Farnham(S), Le H rissier(S), Ozouf(H)  
Fox(H), Martin(H).

**“Contre” (6)**

**Senators**

Bailhache, Syvret, Kinnard, Le Sueur.

**Deputies**

H. Baudains(C), G. Baudains(C).

Regulations 6 to 9 were adopted.

THE STATES, in exercise of the powers contained in Article 3 of the Gambling (Jersey) Law 1964, as amended, made Regulations entitled the Gambling (Betting) (Amendment No. 12) (Jersey) Regulations 2001.

**St. Helier ring-road: deferment of works - P.115/2001**  
**Report - P.115/2001: report**

THE STATES, adopting a proposition of Deputy Gerard Clifford Lemmens Baudains of St. Clement requested the Planning and Environment Committee, the Public Services Committee and any other agency of the States involved in carrying out alterations to the traffic flow or control within the St. Helier ring road to defer any further such works until a comprehensive overall plan had been submitted to the States for approval.

**Union Street, St. Helier, purchase of land - P.139/2001**  
**Comments - P.139/2001 Com**

THE STATES, adopting a proposition of the Public Services Committee -

- (a) authorised the acquisition on behalf of the public, of four areas of land as follows -
  - (i) 34 and 36 New Street, 1, 3, 5, 7 and 9 Union Street, St. Helier- 1,089 square feet of land (as shown diagonal hatched on drawing No. 632/01/29) from“Solest Holdings Limited”;
  - (ii) 13 Union Street, St. Helier- 336 square feet of land (as shown crosshatched on drawing No. 632/01/29) from“Feature Limited”;
  - (iii) 14½ Union Street, St. Helier- 446 square feet of land (as shown horizontal hatched on drawing No. 632/01/29) from“Cass Properties Limited”;
  - (iv) 15 Union Street, St. Helier- 175 square feet of land (as shown vertical hatched on drawing No. 632/01/29) from“Cass Properties Limited”;

for the purpose of implementing a road improvement scheme as approved by the States on 10th May 1978 and reaffirmed in the Island Plan Town Map approved by the States on 10th November 1987;

- (b) agreed that, if it was not possible to agree a fair and proper price with the owners, the Public Services Committee should be empowered in exercise of the powers conferred by Article 3 of the Roads Administration (Jersey) Law 1960, as amended, to acquire the land by compulsory purchase, in accordance with the provisions of the Compulsory Purchase of Land (Procedure) (Jersey) Law 1961, as amended;
- (c) 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 purchase of the said land and all interests therein;
- (d) authorised the payment or discharge of the expenses incurred in connexion with the purchase of the said land, and all interests therein, from the Planning and Environment Committee’s Capital Vote of Credit - “Acquisition of Land - Major Reserve” (Vote No. C0904).

**Draft Piercing and Tattooing (Jersey) Law 200- P.144/2001**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Piercing and Tattooing (Jersey) Law 200-.

**6 Plaisance Terrace, La Route du Fort, St. Saviour: transfer of administration- P.159/2001**

THE STATES, adopting a proposition of the Health and Social Services Committee -

- (a) authorised the transfer of administration of the premises known as 6 Plaisance Terrace, La Route du Fort, St. Helier, as shown on Drawing No. 254/00/12 from the Health and Social Service Committee to the Home Affairs Committee; and
- (b) authorised the Greffier of the States to sign the said drawing on behalf of the States.

## **Hotel Cristina, Mont Félard, St. Lawrence: development in the Green Zone - P.161/2001**

THE STATES, adopting a proposition of the Planning and Environment Committee, supported the intention of that Committee to grant planning permission to Hotel Cristina Ltd. for the construction of six self-catering apartments on land to the east of the existing hotel (as shown on Drawing No. 663/1), the land being situated within an area designated as Green Zone on the Island Map, as amended 1-87.

Members present voted as follows -

### **“Pour” (35)**

#### **Senators**

Horsfall, Stein, Quérée, Norman, Walker, Le Sueur.

#### **Connétables**

St. Helier, St. Martin, St. Ouen, Trinity, St. Saviour, St. Brelade, St. Lawrence, St. Mary, St. Peter.

#### **Deputies**

H. Baudains(C), St. Mary, Trinity, Layzell(B), St. Martin, St. John, Le Main(H), Crowcroft(Vibert(B), St. Peter, Dubras(L), G. Baudains(C), Dorey(H), Voisin(L), Scott Warren(S), Farnham(S), Le Hérisier(S), Fox(H), Martin(H).

### **“Contre” (6)**

#### **Senators**

Bailhache, Syvret, Kinnard.

#### **Connétables**

Grouville, St. Clement.

#### **Deputy**

Breckon(S).

## **Draft Island Planning (Amendment No. 7) (Jersey) Law 200-P.165/2001**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Island Planning (Amendment No. 7) (Jersey) Law 200.

Members present voted as follows -

### **“Pour” (36)**

#### **Senators**

Horsfall, Stein, Quérée, Bailhache, Syvret, Norman, Walker, Kinnard, Le Sueur.

#### **Connétables**

Grouville, St. Ouen, St. Saviour, St. Clement, St. Brelade, St. Lawrence, St. Mary, St. John, St. Peter.

#### **Deputies**

H. Baudains(C), St. Mary, Trinity, Layzell(B), Breckon(S), St. Martin, Le Main(H), Crowcroft(Vibert(B), St. Peter, Dubras(L), Dorey(H), Voisin(L), Scott Warren(S), Farnham(S), Le Hérisier(S), Fox(H), Martin(H).

**“Contre” (4)**

**Connétables**

St. Helier, Trinity.

**Deputies**

St. John, G. Baudains(C).

THE STATES rose at 4.27 p.m.

**C.M. NEWCOMBE**

*Greffier of the States.*