

**THE STATES assembled on Wednesday,
26th May 2004 at 9.30 a.m. under
the Presidency of Michael Nelson de la Haye Esquire,
Greffier of the States.**

All members were present with the exception of –

Senator Paul Vincent Francis Le Claire– out of the Island
Senator Michael Edward Vibert– out of the Island
Senator Richard Joseph Shenton – out of the Island
John Baudains Germain, Connétable of St. Martin– ill
Maurice François Dubras, Deputy of St. Lawrence– out of the Island
Celia Joyce Scott Warren, Deputy of St. Saviour– out of the Island
John Benjamin Fox, Deputy of St. Helier– out of the Island
Geoffrey John Grime, Deputy of St. Mary– ill
Michael Andrew Taylor, Deputy of St. Clement– out of the Island

Prayers read by the Deputy Greffier of the States.

Matters presented

The following matter was presented to the States –

Committee of Inquiry: construction of 76 houses at Jambart Lane, St. Clement; P.33/2004. Com.
and public consultation procedures (P.33/2004) – comments. (3)
Presented by the Privileges and Procedures Committee.

**States Members' Remuneration: increases for 2004 – rescindment – P.11/2004
Comments, Comments (2), Amendments, Amendments (2) and Comments**

THE STATES commenced consideration of a proposition of Deputy Terence John Le Main of St. Helier concerning States Members' Remuneration: increases for 2004 – rescindment, (P.11/2004 lodged "au Greffe" on 27th January 2004), and adopting paragraph (a), agreed to suspend Standing Order 44(1) to enable members to discuss a matter in which they had a direct pecuniary interest.

THE STATES rejected an amendment of Senator Jean Amy Le Maistre that in paragraph (c), for the words "remain at the 2003 levels for the year 2004, namely £28,609 for income support and £9,629 for the expenses allowance" there be substituted the words "be increased by 2.5% over the 2003 levels for 2004, namely £29,324 for income support and £9,870 for the expenses allowance;".

Members present voted as follows –

"Pour" (13)

Senators

Le Maistre, Norman, Routier.

Connétables

St. Ouen, St. Brelade, St. Mary, St. Peter, Trinity, St. John.

Deputies

Trinity, Breckon(S), Huet(H), Hilton(H).

“Contre” (26)

Senators

Syvret, Walker, Kinnard, Le Sueur, E. Vibert.

Connétables

St. Clement, St. Lawrence, Grouville.

Deputies

Duhamel(S), St. Martin, St. John, Le Main(H), Baudains(C), Dorey(H), Troy(B), Le Hérissier(B), Bridge(H), Martin(H), Southern(H), Bernstein(B), Ferguson(B), St. Ouen, Ryan(H), Grouville St. Peter, De Faye(H).

THE STATES, following further discussion, rejected paragraphs (b), (c) and (d) of the proposition, requesting them to refer to their Act dated 25th November 2003, in which they agreed a new remuneration scheme for elected members of the States, and to agree to rescind their decision that the amount of income support, namely £28,609, should be increased by a figure of 0.5% below the percentage rise in the Jersey Retail Price Index at the end of 2003 and that the expense allowance, namely £9,629, should be increased by the percentage rise in the Jersey Retail Price Index at the end of 2003; and to agree that the sums should remain at the 2003 levels for the year 2004, namely £28,609 for income support and £9,629 for the expenses allowance; and to request that the Finance and Economics Committee take the necessary action to withdraw the previously agreed increases.

Members present voted as follows –

“Pour” (16)

Senators

Le Maistre, Le Sueur, Ozouf.

Connétables

St. Mary, St. Peter, Trinity, St. Lawrence, St. John.

Deputies

Trinity, Huet(H), St. John, Le Main(H), Troy(B), St. Ouen, Ryan(H), Hilton(H).

“Contre” (24)

Senators

Syvret, Norman, Walker, Kinnard, Routier, E. Vibert.

Connétables

St. Ouen, St. Brelade, St. Clement, Grouville, St. John.

Deputies

Duhamel(S), Breckon(S), St. Martin, Baudains(C), Dorey(H), Le Hérissier(S), Bridge(H), Martin(H), Southern(H), Bernstein(B), Ferguson(B), Grouville, St. Peter, De Faye(H).

Change in Presidency

Mr. Michael Nelson de la Haye, Greffier of the States, retired from the Chair following consideration of the proposition of Deputy Terence John Le Main of St. Helier concerning States Member's Remuneration: increases for 2004 – rescindment, (P.11/2004 lodged “au Greffe” on 27th January 2004), and the meeting continued under the Presidency of Senator Jean Amy le Maistre.

States Assembly: improving efficiency – P.79/2004

THE STATES commenced consideration of a proposition of the Privileges and Procedures Committee concerning the States Assembly: improving efficiency, (P.79/2004 lodged “au Greffe” on 27th April 2004), and adopted paragraph (a)(i) requesting them to suspend Standing Orders as required with immediate effect to enable the introduction of a revised system of questions and answers in the Assembly as set out in Appendix A to the report of the Privileges and Procedures Committee dated 21st April 2004, for a trial period ending 31st October 2004.

Members present voted as follows –

“Pour” (23)

Senators

Norman, Walker, Kinnard, Le Sueur, Routier, Ozouf.

Connétables

St. Saviour, St. Brelade, St. Peter, St. Clement, Trinity, St. Lawrence.

Deputies

Trinity, St. Martin, Le Main(H), Baudains(C), Troy(B), Farnham(S), Le Hérisserie(S), Ferguson(B Ryan(H), St. Peter, Hilton(H).

“Contre” (13)

Senators

Syvret, E. Vibert.

Connétables

St. Mary, St. John.

Deputies

Duhamel(S), Breckon(S), Huet(H), St. John, Dorey(H), Martin(H), Southern(H), St. Ouen, De Fay (H).

THE STATES adopted paragraph (a)(ii) requesting them to suspend Standing Orders as required with immediate effect to enable the introduction of a proposition to enable the closure of debates as follows –

“PROPOSITION FOR THE CLOSURE OF A DEBATE

- (1) *After a proposition or amendment has been debated for not less than one hour, any member may propose “that the question be now put”, and the Bailiff, unless it appears to him that the proposition is an abuse of the procedure of the States or an infringement of the rights of the minority, shall put the matter to the Assembly forthwith without amendment or debate, and if the proposition is carried the Bailiff shall invite the proposer of the proposition being debated to sum up.*
- (2) *If the proposition “that the question be now put” is rejected no similar proposition shall be proposed until at least one further hour has elapsed and no member who has moved such a proposition shall be entitled to move any similar proposition during the same debate.”*

Members present voted as follows –

“Pour” (21)

Senators

Norman, Walker, Le Sueur, Routier, Ozouf.

Connétables

St. Saviour, St. Brelade, St. Clement, St. Lawrence, St. John.

Deputies

St. Martin, St. John, Le Main(H), Baudains(C), Dorey(H), Troy(B), Farnham(S), Le Hérisier(C), Ferguson(B), St. Ouen, Ryan(H).

“Contre” (15)**Senators**

Syvret, Kinnard, E. Vibert.

Connétables

St. Mary, St. Peter, Trinity.

Deputies

Trinity, Duhamel(S), Breckon(S), Huet(H), Martin(H), Southern(H), St. Peter, Hilton(H), De Faye(H).

THE STATES, adopting paragraphs (b) and (c), agreed that when a proposition lodged ‘au Greffe’ was referred to a Committee for a report, or required such a report pursuant to any statutory provision before it could be considered, the report of the relevant Committee would be presented to the States no later than 2 months after the proposition was lodged; and requested the Privileges and Procedures Committee to monitor the operation of the trials set out in paragraph (a) of the proposition and to report to the States no later than 31s October 2004 with recommendations.

Change in Presidency

Senator Jean Amy le Maistre retired from the Chair following consideration of the proposition of the Privileges and Procedures Committee concerning the States Assembly: improving efficiency, (P.79/2004 lodged “au Greffe” on 27th April 2004), and the meeting continued under the Presidency of the Deputy Bailiff, Mr. Michael Cameron St. John Birt.

Draft Christmas Bonus (Amendment No. 2) (Jersey) Law 200 P.55/2004

THE STATES commenced consideration of the draft Christmas Bonus (Amendment No. 2) (Jersey) Law 200, of the Employment and Social Security Committee, (lodged “au Greffe” on 13th April 2004), and adopted the preamble.

Members present voted as follows –

“Pour” (27)**Senators**

Norman, Walker, Le Sueur, Routier, Ozouf, E. Vibert.

Connétables

St. Brelade, St. Mary, St. Peter, St. Clement, Trinity, St. Lawrence, St. John.

Deputies

Trinity, Duhamel(S), Breckon(S), Huet(H), Baudains(C), Troy(B), Bridge(H), Bernstein(B), Ferguson

(B), St. Ouen, Ryan(H), St. Peter, Hilton(H), De Faye(H).

“Contre” (10)

Senator

Syvret.

Connétable

St. Helier.

Deputies

St. Martin, St. John, Le Main(H), Dorey(H), Farnham(S), Le Hérissier(S), Martin(H), Southern(H).

THE STATES adopted Articles 1 to 6.

Members present voted as follows –

“Pour” (27)

Senators

Walker, Le Sueur, Routier, Ozouf, E. Vibert.

Connétables

St. Brelade, St. Mary, St. Peter, St. Clement, Trinity, St. Lawrence, St. John.

Deputies

Trinity, Duhamel(S), Breckon(S), Huet(H), Baudains(C), Troy(B), Le Hérissier(S), Bridge(H), Bernstein(B), Ferguson(B), St. Ouen, Ryan(H), St. Peter, Hilton(H), De Faye(H).

“Contre” (9)

Senator

Syvret.

Connétable

St. Helier.

Deputies

St. Martin, St. John, Le Main(H), Dorey(H), Farnham(S), Martin(H), Southern(H).

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Christmas Bonus (Amendment No. 2) (Jersey) Law 200.

**Le Squez Estate, St. Clement, Phase 1A: redevelopment approval of drawings – P.76/2004
Comments**

THE STATES, adopting a proposition of the Housing Committee –

- (a) approved Drawings Nos. 1892B/201– 10, 214 – 17, 240 – 243 and 6220/025 – 028 inclusive, showing the construction of 19 two, three and four-bedroom dwellings and associated external works with onsite parking as Phase 1A of the Le Squez Estate redevelopment; and,
- (b) authorised the Greffier of the States to sign the said Drawings on behalf of the States.

Public Sector Re-organisation: Five Year Vision for the Public Sector – P.58/2004

THE STATES, adopting a proposition of the Policy and Resources Committee –

- (a) approved the Five Year Vision for the Public Sector dated March 2004, in order to deliver overall improvements to the public sector and make savings of £20 million per annum and make value improvements of £9 million per annum, without cutting services;
- (b) required all Committees to work with the Policy and Resources Committee in order to implement the Vision within the timescales defined;
- (c) requested the Finance and Economics Committee to identify the source of the £9.4 million funding required to implement the necessary changes; and,
- (d) requested the Policy and Resources Committee to ensure that human resources policies across the States were sufficient to enable the reduction of 300 posts to be achieved by managing turnover, redeployment, voluntary redundancy or early retirement.

Members present voted as follows –

“Pour” (40)

Senators

Syvret, Norman, Walker, Kinnard, Le Sueur, Routier, Ozouf, E. Vibert.

Connétables

St. Saviour, St. Brelade, St. Mary, St. Peter, St. Clement, St. Helier, Trinity, St. Lawrence, St. John

Deputies

Trinity, Duhamel(S), Breckon(S), Huet(H), St. Martin, St. John, Le Main(H), Baudains(C), Dorey(H), Troy(B), Voisin(L), Farnham(S), Le Hérissier(S), Bridge(H), Martin(H), Southern(H), Bernstein(B), Ferguson(B), St. Ouen, Ryan(H), St. Peter, Hilton(H), De Faye(H).

“Contre” (0)

Change in Presidency

The Deputy Bailiff retired from the Chair during consideration of the proposition of the Policy and Resources Committee concerning the Public Sector Re-organisation: Five Year Vision for the Public Sector, (P.58/2004 lodged “au Greffe” on 20th April 2004), and the meeting continued under the Presidency of Senator Jean Amy Le Maistre.

Committee of Inquiry: construction of 76 houses at Jambart Lane, St. Clement; and public consultation procedures – P.33/2004

Comments, Comments (2)

THE STATES commenced consideration of a proposition of Deputy Roy George Le Hérissier of St. Saviour concerning a Committee of Inquiry: construction of 76 houses at Jambart Lane, St. Clement; and public consultation procedures, (P.33/2004 lodged “au Greffe” on 24th February 2004), and, following debate for more than one hour, and in accordance with the trial procedure approved by the States on 26th May 2004, adopted a proposition of Senator Leonard Norman that the question be now put.

Members present voted as follows –

“Pour” (27)

Senators

Norman, Walker, Le Sueur, Routier, Ozouf, E. Vibert.

Connétables

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

Deputies

Trinity, Duhamel(S), Baudains(C), Troy(B), Le Hérissier(S), Martin(H), Southern(H), Bernstein(B)
Ferguson(B), St. Ouen, Ryan(H), St. Peter, Hilton(H).

“Contre” (10)

Senators

Syvret, Kinnard.

Connétables

St. Helier, Trinity.

Deputies

Breckon(S), St. Martin, Le Main(H), Dorey(H), Bridge(H), de Faye (H).

THE STATES, rejected the proposition requesting them, in accordance with Article 36B of the States of Jersey Law 1966, as amended, to approve the appointment of a Committee of Inquiry to investigate the circumstances leading up to and surrounding the granting of planning permission for the construction of 76 houses at Jambar Lane on Fields 203, part of 204 and 252, St. Clement and to report thereon, and on the procedures for public consultation when determining potentially controversial applications, to the States with such recommendations, if any, as the Committee considered to be appropriate.

Members present voted as follows –

“Pour” (13)

Senators

Syvret, Norman.

Connétables

St. Mary, St. Peter, St. Clement.

Deputies

Duhamel(S), Breckon(S), St. Martin, Baudains(C), Le Hérissier(S), Southern(H), Bernstein(B)
St. Peter.

“Contre” (24)

Senators

Walker, Kinnard, Le Sueur, Routier, Ozouf, E. Vibert.

Connétables

St. Ouen, St. Saviour, St. Brelade, St. Helier, Trinity, St. Lawrence, St. John.

Deputies

Trinity, Le Main(H), Dorey(H), Troy(B), Bridge(H), Martin(H), Ferguson(B), St. Ouen, Ryan(H)
Hilton(H), De Faye(H).

Adjournment

THE STATES then adjourned, having agreed to meet on Tuesday 1st June 2004, and, if necessary, Wednesday 2nd June 2004, in order to continue consideration of the outstanding items of public business.

THE STATES rose at 6.10 p.m.

A.H. HARRIS

Deputy Greffier of the States.

Re-issue Note

These States Minutes are re-issued to correct the record of the appel nominal on the closure motion proposed by Senator L. Norman on P.33/2004 (Committee of Inquiry: construction of 76 houses at Jambart Lane St. Clement; and public consultation procedures).