



**THE STATES assembled on Tuesday,
8th November, 1988 at 10.15 a.m. under
the Presidency of the Deputy Bailiff,
Vernon Amy Tomes, Esquire.**

His Excellency The Lieutenant Governor,
Admiral Sir William Pillar, G.B.E., K.C.B.,
was present.

All members were present with the exception of –

Senator Terence John Le Main – out of the Island.

John Pepin Le Sueur, Connétable of St. John – out of
the Island.

David John de la Haye, Deputy of St. Helier – out of the
Island.

Prayers

Tribute to the late Deputy P.G. Mourant of St. Helier.

The Deputy Bailiff paid tribute to the late Deputy Philip George Mourant of St. Helier and the States observed one minute's silence as a mark of respect.

Subordinate legislation tabled.

The following enactments were laid before the States, namely –

1. **Motor Traffic (Experimental Routes) (Designation) (Jersey) Order, 1988. R & O 7821.**

2. **Motor Traffic (Experimental Routes) (General Provisions) (Jersey) Order, 1988. R & O 7822.**
3. **Road Traffic (Speed Limits) (Amendment) (Jersey) Order, 1988. R & O 7823.**
4. **Road Traffic (Saint Peter) (Amendment No. 7) (Jersey) Order, 1988. R & O 7824.**
5. **Road Traffic (Saint Lawrence) (Amendment No. 8) (Jersey) Order, 1988. R & O 7825.**

Etat Civil Committee: vacancy in Presidency.

In accordance with Article 28(3) of the States of Jersey Law, 1966, the Deputy Bailiff gave notice that there was a vacancy in the office of President of the Etat Civil Committee, consequent upon the death of Deputy Philip George Mourant of St. Helier.

Department of Postal Administration: report for 1987.

The Committee for Postal Administration by Act dated 26th October, 1988, presented to the States a Report of the Department of Postal Administration for the year 1987.

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

Matters noted – land transactions.

THE STATES noted an Act of the Finance and Economics Committee dated 31st October, 1988, 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 purchase of land required in connexion with the completion of the road improvement scheme at La Route des Gênets, St. Brelade, with the Committee's being responsible for accommodation works and the payment of legal fees –
- (i) from Mr. Peter Charles Le Bailly of 58 square feet of land forming part of 'Kynoch', for a consideration of £116;
 - (ii) from Mr. Leslie Horace Sparks and Mrs. Mary Iris Sparks, née Le Brocq, of 39 square feet of land forming part of 'Jesmond Dene', for a consideration of £78;
 - (iii) from Mr. Mark David Olver and Mrs. Tanya Anne Olver, née Le Rougetel, of 40 square feet forming part of 'Shakatak', for a consideration of £80;
- (b) as recommended by the Public Works Committee, the annulment of the existing lease to the National Trust for Jersey of Le Câtel Fort from 25th December, 1988, and the lease on a full repairing basis to the National Trust for Jersey of the property known as Le Câtel Fort, Grève de Lecq, for a period of nine years, commencing 25th December, 1988, at a nominal annual rent of £1, commuted forward to the inception of the new agreement;
- (c) as recommended by the Education Committee, the leasing from the Rector of the Parish of St. Saviour, for and on behalf of the said Parish, of approximately 13 vergées of land known as Glebeland, St. Saviour, for a further period of three years, commencing 1st January, 1989, at an annual rent of £1,442;

- (d) as recommended by the Public Health Committee, the leasing from Macpor Developments Limited of the semi-basement flat at 29, Midvale Road, St. Helier, for a period of two years commencing 1st October, 1988, at a weekly rent of £85, with a rent review in line with the Jersey Cost of Living Index at the end of the first year, required for occupation by an essential employee;
- (e) as recommended by the Housing Committee, the purchase from Mrs. Pauline Clavelly Lewis, neé Birtwhistle, of the property Morning Dawn Cottage, St. Helier, required in connexion with a States rental development, for a consideration of £60,000 with that Committee's being responsible for the payment of legal fees.

Matters lodged.

The following subjects were lodged “au Greffe” –

1. **The Budget 1989.**
Presented by the Finance and Economics Committee.
2. **Highbury Court, St. Mark’s Road, St. Helier (Phase II): approval of drawings. P.137/88.**
Presented by the Housing Committee. The States decided to take this subject into consideration on 22nd November, 1988.
3. **Draft Health Insurance (Medical Benefit) (Amendment No. 33) (Jersey) Regulations, 198 . P.138/88.**
Presented by the Social Security Committee. The States decided to take this subject into consideration on 29th November, 1988.

4. **Draft Attendance Allowances (Amendment) (Jersey) Regulations, 198 . P.139/88.**
Presented by the Social Security Committee. The States decided to take this subject into consideration on 29th November, 1988.

5. **Draft Places of Refreshment (Amendment No. 4) (Jersey) Law, 198 . P.140/88.**
Presented by the Tourism Committee. The States decided to take this subject into consideration on 22nd November, 1988.

6. **Jersey Battle of Flowers Association: financial assistance. P.141/88.**
Presented by the Tourism Committee. The States decided to take this subject into consideration on 22nd November, 1988.

7. **Jersey Wildlife Preservation Trust: extension of loan. P.142/88.**
Presented by the Finance and Economics Committee. The States decided to take this subject into consideration on 29th November, 1988.

8. **Jersey Wildlife Preservation Trust: grant. P.143/88.**
Presented by the Education Committee. The States decided to take this subject into consideration on 29th November, 1988.

9. **Draft Act with regard to the provision of expenses for elected Members of the States. P.144/88.**
Presented by the Legislation Committee. The States decided to take this subject into consideration on 29th November, 1988.

10. Amendments to Policy and Resources Committee and Finance and Manpower Committee: appointment (P.117/88). P.145/88.

Presented by Deputy Sir Martin Le Quesne of St. Saviour.

11. Second amendments to Policy and Resources Committee and Finance and Manpower Committee: appointment (P.117/88). P.146/88.

Presented by the Special Committee on the review of machinery of government.

Morning Dawn Cottage, St. Helier: compulsory purchase. P.96/88.

THE STATES noted that the President of the Housing Committee had withdrawn the Proposition relating to the purchase of Morning Dawn Cottage, St. Helier (lodged on 2nd August, 1988).

Salaries for Deputies. P.16/88.

THE STATES acceded to the request of Deputy Maurice Clement Buesnel of St. Helier that consideration of his Proposition relating to salaries for Deputies (lodged on 23rd February, 1988) be deferred from 22nd November, 1988 to a later date.

Public 18-hole golf course: rezoning of land at Les Quennevais, St. Brelade. P.119/88.

THE STATES acceded to the request of Senator Richard Joseph Shenton that consideration of his Proposition relating to the rezoning of land at Les Quennevais, St. Brelade for a public 18-hole golf course (lodged on 4th October, 1988) be deferred from 15th November, 1988 to a later date.

Policy and Resources Committee and Finance and Manpower Committee: appointment. P.117/88. Deferment of consideration of sub-paragraphs (s), (t), (u) and (v) of Paragraph 4.

THE STATES acceded to the request of the Public Works Committee that consideration of sub-paragraphs (s), (t), (u) and (v) of paragraph 4 of the Proposition of the Special Committee on the review of machinery of government relating to the appointment of a Policy and Resources Committee and a Finance and Manpower Committee be deferred until after the Proposition of the Public Works Committee relating to public property and the setting up of an Estates Management Division (P.136/88 – lodged on 1st November, 1988) had been debated.

Regulation 1(1)(k) of the Housing (General Provisions) (Jersey) Regulations, 1970. Statement.

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

“Under Regulation 1(1)(k) of the Housing (General Provisions) (Jersey) Regulations, 1970, the Housing Committee grants consents to property transactions where it is satisfied that consent can be justified on social or economic grounds. Consents under this Regulation are normally given on economic grounds, and when applications are received my Committee always consults at length with the States Economic Adviser.

Until January 1987, the Housing Committee was granting approximately 15 new consents under 1(1)(k) per annum. In addition, consents were granted where a direct ‘one in, one out’ arrangement applied, or where existing 1(1)(k) immigrants moved from one (k) property to another.

On 28th January, 1987, the States, by Act, adopted a Proposition of the Policy Advisory Committee, requesting

the Housing Committee to limit the number of consents granted under Regulation 1(1)(k) to not more than five in any calendar year. There is some ambiguity in the Proposition which is not assisted by the wording of the Policy Advisory Committee report where it is stated 'It is proposed that the Housing Committee be requested to limit the number of new 1(1)(k) immigrants to not more than five each year or a third of the number presently permitted under current States policy.'

My Committee, in responding to the States request has, since January, 1987, granted no more than five new consents per annum under Regulation 1(1)(k). However, we feel sure that the States did not intend that this number should include those consents granted where existing 1(1)(k)s move from one property to another, and my Committee has acted accordingly.

My Committee has been unclear as to how it should treat those who seek to purchase the property of an existing 1(1)(k), where the latter has received a consent within the past ten years (and therefore has not established any right to housing under other Regulations), and where that person was proposing to leave the Island. This has not presented undue difficulty to date because the number of occasions where this arrangement has been experienced has been limited, but a recent case has convinced the Committee that it should clarify to the House how it proposed to interpret the States Proposition of January 1987.

My Committee does not propose to count what may be described as replacement consents within the figure of five new consents per annum. In this the policy to be pursued will mirror exactly that applied when the number of housing consents under Regulation 1(1)(k) was limited to 15 per annum prior to January 1987."

Mail arrivals. Statement.

The President of the Committee for Postal Administration made a statement in the following terms –

“For the information of Members, I can confirm that at a Postal Committee meeting on 31st August it was decided that unless an acceptable alternative to previous morning inward mail arrangements could be provided by the United Kingdom Post Office after termination of their early morning mail contract via the newspaper aircraft on 30th September, the Committee would have to press for an equivalent early morning arrival. On the following day, 1st September, discussions in Jersey with the appropriate British Post Office officials identified four main options for them to investigate.

1. That of arranging for a further ‘shared’ charter on the new newspaper flight.
2. That of involving the morning Jersey mail in an existing Guernsey mail charter.
3. That of instituting a separate, additional dedicated charter.
4. That of adjusting circulation arrangements in the United Kingdom for mail destined for Jersey so that by maximising the use of scheduled air services, aided by some rearrangement of Jersey sorting and delivery systems, some disadvantages of losing an early morning arrival could be counterbalanced by advantages, particularly in respect of mail from the London area.

In the event, extension of the Guernsey charter proved unacceptable for reasons of unsuitability of arrival times for both Islands, and cost, including that of a change of crew if the flight were to be extended. Next, the United Kingdom

Post Office strike intervened with massive claims on the time of its officials concerned. Finally, arrangements which it was understood were in hand for a shared charter on the new newspaper aircraft, dependent upon a States' decision on 28th September regarding Airport opening, could not be completed. In those circumstances, the United Kingdom Post Office adopted the option of maximising the use of scheduled services in the short-term, progressively rerouteing mail for Jersey within the United Kingdom system to facilitate advantages sufficient to outweigh the potential problems, at the same time continuing investigations regarding the reinstatement of a morning charter if this proved a necessary and viable alternative.

The proposed termination of the previous charter on Friday, 30th September and its replacement by the use of scheduled services had drawn the attention of the news media, which, whilst informed of the above situation, seemed inclined to stress the possible difficulties.

The aftermath of the United Kingdom Post Office strike was prolonged due to substantial postings by those who had deferred mailings, not only during the strike, but also into the backlog period, and figures sufficiently representative to use in judging the new situation were slow to accumulate. During the first week, two businesses and one private recipient, disturbed that what they understood from the media might indicate the possibility of a permanent decline in service from the United Kingdom, wrote to the Department, which responded regarding the current situation, the prospects, and the problems of reaching too early a judgment. One of the businesses approached Deputy Rumboll, who made his concern known to the media, indicating that with the help of half a dozen business houses he was researching delivery times of first class mail posted in the United Kingdom and by 8th October had found that the best achieved was two days, the vast majority three days, and a few four to five days.

Deputy Rumboll also approached the Department, and twice met the President and officers, on the second occasion, 26th October, providing the 300 envelopes from his survey. On examination, all but one proved to have been to the address of Coopers and Lybrand, La Motte Chambers. A few posted on 30th September and unlikely to be representative, plus one second class item and a Guernsey item, were excluded, and 285 items posted 3rd to 18th October were examined in detail. All these envelopes were from London, and all but two were franked, giving no indication of the time of day when posted. 32 (11 per cent) of them had been additionally datestamped by the Office of Posting, this being official indication that they were observed as having been posted on that date instead of as shown by the franking, and in those 32 cases the datestamp of posting was used in the Department's analysis. (Several envelopes franked on 14th October were in fact datestamped as having been placed in United Kingdom Post Office hands in London only on 18th October, and were delivered in Jersey on 19th October.)

Assuming that the 285 envelopes were the total first class mail received by Coopers and Lybrand from London during the period, and therefore representative, and comparing the Department's own monitoring of inward mail from the United Kingdom as a whole (London and the rest of Britain) for October until 26th, the three sets of figures showed the following (taking the date of posting as Day A) –

	Day A+1	Day A+2	Later
Deputy Rumboll's London mail sample 3rd–18th October	10%	71%	19%
Jersey Post Office U.K. mail monitoring 1st–26th October	21%	49%	30%
Jersey Post Office U.K. mail monitoring April–August 1988	55%	41%	4%

A significant feature of these figures is the noticeable increase in October of the percentage later than two days after posting, and the marked decrease in October of mail taking only one day from posting to delivery, both factors likely to be noticed by concerned recipients.

Having made a series of representations to the United Kingdom Post Office, as the figures were accumulated during October, that the hoped for improvement in content of the evening scheduled arrivals was too slow, the Jersey Post Office informed the Managing Director, Letters, of the United Kingdom Post Office on 24th October that it seemed the only remedy for the continuing lowered quality of service of their mails to Jersey would be to restore an early morning arrival. Arising from a forthright operational meeting on Friday, 28th October the United Kingdom Post Office agreed the need to reinstate the early morning arrival as soon as possible, and in the meantime to make renewed efforts, despite substantial staff shortages, to improve the existing situation. In this regard, from yesterday, Monday, 7th November, special mail despatches from all London Districts have been set up to connect with the final Heathrow flight to Jersey on Mondays to Fridays inclusive, which being sorted overnight in Jersey will permit first class mail posted in Outer London for the morning collections, posted in the main districts of Central London by lunchtime, and posted at the Central London Head District Offices by mid-afternoon, to be delivered in Jersey on the following morning, between 18 and 24 hours later. The Postal Department will be closely monitoring the effectiveness of this arrangement in the next two weeks, during which it is expected that discussions on the reinstatement of the early morning arrival, already at an advanced stage, will be completed.

It has to be recognised throughout that the Committee's officers are always active in criticising, and proposing remedies for, any perceived deterioration in the inward service. The Department's postal staff, supported by their

Unions, do their best to respond to changes in local arrangements to accommodate changing circumstances. Nevertheless, sending mail to Jersey is the responsibility of the United Kingdom Post Office, which has to negotiate terms satisfactory to its own budget circumstances. Such negotiations are sensitive. They cannot be conducted in the glare of widespread publicity, which can incline those tendering for charters to drive a harder bargain. If, as a result, what we would see as a satisfactory response is rejected by the United Kingdom Post Office, because the cost is too high, we could be the loser.

That is why Postal Committees over the years have been reluctant to initiate public comment in this connexion unless and until it seems clear that no further progress is possible between its officers and the United Kingdom Post Office, a policy which has so far always been successful and is endorsed by the present Committee. This House and the public of the Island may be assured, however, that, in so doing, the Committee is aware of all the problems and approves all measures taken by the Department. The Committee has, however, made it clear to all concerned that it will never hesitate, if not satisfied with an outcome, to take the case to the very highest level.”

Policy and Resources Committee and Finance and Manpower Committee: appointment. P.117/88.

THE STATES commenced consideration of a Proposition of the Special Committee on the review of machinery of government regarding the appointment of a Policy and Resources Committee and a Finance and Manpower Committee. Having adopted an amendment of Deputy Sir Martin Le Quesne that in paragraph 1 before the word “Committee” the word “Standing” be deleted, the States adopted paragraph 1 and agreed –

1. to create a Committee of the States to be known as the Policy and Resources Committee.

Members present voted for the amendment as follows –

“Pour” (33)

Senators

Horsfall, Ellis, Baal, Manton, Brooke, Le Maistre.

Connétables

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

Deputies

Morel(S), Le Gallais(S), Roche(S), Le Quesne(S), Trinity,
Vandervliet(L), Beadle(B), Blampied(H), Norman(C), St. John,
St. Martin, Baudains(C), Buesnel(H), Le Sueur(H),
Coutanche(L), Huelin(B), Jordan(B), Rabet(H).

“Contre” (16)

Senators

Shenton, Jeune, Binnington, Rothwell, Carter.

Connétables

St. Clement, St. Lawrence.

Deputies

Rumboll(H), Grouville, Wavell(H), Billot(S), St. Peter,
Horne(H), St. Ouen, St. Mary, Bailhache(H).

THE STATES, on the Proposition of the President of the Special Committee, decided to defer further consideration of the Proposition to a later date.

Public Service Vehicles (Fees) (Amendment No. 5) (Jersey) Regulations, 1988. P.120/88.

THE STATES, in pursuance of Articles 19, 49A and 54 of the Motor Traffic (Jersey) Law, 1935, as amended, made Regulations entitled the Public Service Vehicles (Fees) (Amendment No. 5) (Jersey) Regulations, 1988.

Invalid Care Allowance (Jersey) Regulations, 1988. P.121/88.

THE STATES, in pursuance of Articles 15 and 17 of the Invalid Care and Disability Allowances (Jersey) Law, 1978, as amended, made Regulations entitled the Invalid Care Allowance (Jersey) Regulations, 1988.

Building Loans (Miscellaneous Provisions) (Amendment No. 18) (Jersey) Regulations, 1988. P.129/88.

THE STATES, in pursuance of Article 15 of the Building Loans (Jersey) Law, 1950, as amended, made Regulations entitled the Building Loans (Miscellaneous Provisions) (Amendment No. 18) (Jersey) Regulations, 1988.

THE STATES rose at 5.40 p.m.

R.S. GRAY,

Deputy Greffier of the States.