



**THE STATES assembled on Tuesday,  
3rd December 1991 at 9.30 a.m. under  
the Presidency of the Bailiff,  
Sir Peter Crill, C.B.E.**

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All members were present with the exception of –

Senator Anne Baal – ill.

Graeme Ernest Rabet, Deputy of St. Helier – ill.

John Nicolle Le Fondré, Deputy of St. Lawrence – ill.

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Prayers

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**Greffier of the States: retirement**

The Bailiff informed the House that the following letter had been received by him from the Greffier of the States –

“As you will recall, my appointment to the office of Greffier of the States was to have effect until the end of June, 1992 or such earlier date as might be agreed, and I write to confirm that I wish to retire on 31st May, 1992, by which date I shall have completed nearly 42 years of service with the States.

During that time in the States’ Greffe and, for some years, as Establishment Officer, my work has brought me into contact with a wide range of people both in Jersey and elsewhere, and the fact that it has been possible to help some of those people, including Members of the States, has been the most rewarding aspect of the posts I have held.

I also take this opportunity of thanking you, the Deputy Bailiff and several of your predecessors in office for the patience you have exercised and the assistance that has always been readily forthcoming. May I now ask you to be good enough to present this formal notice of my retirement to the States at the next sitting.”

### **Subordinate legislation tabled**

The following enactment was laid before the States, namely –

**Island Planning (Tree Preservation) (Saint Saviour) (No. 1)  
(Jersey) Order 1991. R & O 8302.**

### **Matters noted – land transactions**

THE STATES noted an Act of the Finance and Economics Committee dated 25th November 1991, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved –

- (a) as recommended by the Housing Committee, with the support of the Island Development Committee, the purchase from Mr. Derek Le Tourneur of the La Motte Garage site, Grouville, for a consideration of £572,000, with that Committee being responsible for the payment of all legal fees and for a further payment of £3,000 towards the vendor’s estate agency and valuation fees;
- (b) as recommended by the Housing Committee, with the support of the Island Development Committee, the purchase from St. Helena Investments Limited of 9/11 Don Road, St. Helier for a consideration of £220,000 with each party paying its own legal fees;

- (c) as recommended by the Public Services Committee, the renewal of the lease to Mr. Robert Frederick Le Marquand of the Old Blacksmith's Shop, Corbière, for a period of nine years from 24th June 1991, at an annual rent of £430, subject to triennial reviews in line with the Jersey Cost of Living Index;
- (d) as recommended by the Public Services Committee, the acquisition free of charge from P.N. Developments Limited of 486 square feet of land on St. Saviour's Hill, St. Saviour, for the purpose of constructing a footpath, subject to the Committee's being responsible for the cost of constructing a three-foot granite wall and for the cost of all legal fees;
- (e) as recommended by the Public Services Committee, the lease from Mr. Philip Francis Le Cuirot of the property The Flat, La Petite Commune, St. Saviour, for the period 1st January 1992 until 31st March 1994 at an annual rent of £6,696, subject to annual increases in line with the Jersey Retail Price Index;
- (f) as recommended by the Public Services Committee, the purchase from the Parish of St. Helier of two areas of land measuring 1,141 square feet and 3,886 square feet, forming part of the Union Street extension, St. Helier, for a consideration of £10, with each side being responsible for its own legal costs;
- (g) as recommended by the Public Services Committee, the sale to the Parish of St. Helier of 441 square feet of land forming part of the paved area of Hue Court, St. Helier, for a consideration of £10 with each side being responsible for its own legal costs.

### **Matters lodged**

The following subjects were lodged "au Greffe" –

1. **Lottery profits. P.180/91.**  
Presented by the Gambling Control Committee.
2. **Draft Family Allowances (No. 2) (Jersey) Regulations, 199 . P.181/91.**  
Presented by the Social Security Committee.
3. **Projet de Loi (199 ) (Amendement) sur les Etrangers (Appointed Day) Act 199 . P.182/91.**
4. **Draft Amendment (No. 13) to the Tariff of Harbour and Light Dues. P.183/91.**  
Presented by the Harbours and Airport Committee.
5. **Draft Harbours (Amendment No. 20) (Jersey) Regulations, 199 . P.184/91.**  
Presented by the Harbours and Airport Committee.
6. **Draft Boats and Surf-Riding (Control) (Amendment No. 8) (Jersey) Regulations, 199 . P.185/91.**  
Presented by the Harbours and Airport Committee.
7. **Draft Public Employees (Contributory Retirement Scheme) (General) (Amendment No. 2) (Jersey) Regulations 199 . P.186/91.**  
Presented by the Establishment Committee.
8. **Golf Course, Les Creux, St. Brelade : purchase and lease of land. P.187/91.**  
Presented by the Sport, Leisure and Recreation Committee.
9. **Draft Health Insurance (Medical Benefit) (Amendment No. 39) (Jersey) Regulations, 199 . P.188/91.**  
Presented by the Social Security Committee.
10. **Draft Terms of Employment (Jersey) Regulations 199 . P.189/91.**  
Presented by the Industrial Relations Committee.
11. **Teachers' Centre: relocation. P.190/91.**  
Presented by the Education Committee.

12. **Draft Firearms (Amendment No. 2) (Jersey) Law, 199 . P.191/91.**  
Presented by the Defence Committee.
13. **Draft Milk (Sale to Special Classes) (Amendment No. 4) (Jersey) Regulations 199 . P.192/91.**  
Presented by the Social Security Committee.
14. **Lottery Profits (P.180/91): amendment. P.193/91.**  
Presented by Senator Nigel Lewis Querée.

#### **Voting rights of Non-British Subjects. P.134/90. Withdrawn**

THE STATES noted that Senator Terence John Le Main had withdrawn the proposition relating to voting rights of Non-British Subjects (lodged on 11th September 1990).

#### **Arrangement of Public Business for the next Sitting on 17th December 1991**

THE STATES confirmed that the following subjects lodged au Greffe should be considered at the next Sitting on 17th December 1991 –

Immigration Policy. P.179/91.  
Lodged: 26th November 1991.  
*Policy and Resources Committee.*

Social Security contributions: removal of married woman's option. P.117/91.  
Lodged: 6th August 1991.  
*Social Security Committee.*

Les Landes Racecourse, St. Ouen. P.173/91.  
Lodged: 19th November 1991.  
*Island Development Committee.*

Draft Parish Rate (Jersey) Law 199 . P.176/91.  
Lodged: 19th November 1991.  
*Connétable of St. Helier.*

Haut de la Garenne, St. Martin: redevelopment. P.177/91.  
Lodged: 19th November 1991.  
*Housing Committee.*

Lottery profits. P.180/91.  
*Gambling Control Committee.*

Lottery profits: amendment. P.193/91.  
*Senator N.L. Querée.*

Draft Family Allowances (No. 2) (Jersey) Regulations,  
199 . P.181/91.  
*Social Security Committee.*

Projet de Loi (199 ) (Amendement) sur les Etrangers  
(Appointed Day) Act 199 . P.182/91.  
*Defence Committee.*

Draft Amendment (No. 13) to the Tariff of Harbour and  
Light Dues. P.183/91.  
*Harbours and Airport Committee.*

Draft Harbours (Amendment No. 20) (Jersey) Regulations,  
199 . P.184/91.  
*Harbours and Airport Committee.*

Draft Boats and Surf-Riding (Control) (Amendment No. 8)  
(Jersey) Regulations 199 . P.185/91.  
*Harbours and Airport Committee.*

Draft Public Employees (Contributory Retirement Scheme)  
(General) (Amendment No. 2) (Jersey) Regulations 199 .  
P.186/91.  
*Establishment Committee.*

Draft Health Insurance (Medical Benefit) (Amendment No. 39) (Jersey) Regulations 199 . P.188/91.  
*Social Security Committee.*

Draft Terms of Employment (Jersey) Regulations 199 . P.189/91.  
*Industrial Relations Committee.*

Teachers' Centre: relocation. P.190/91.  
*Education Committee.*  
*(Island Development Committee report refers – R.C.30/91)*

Teachers' Centre – relocation: supplementary vote of credit. P.163/91.  
Lodged: 22nd October 1991.  
*Finance and Economics Committee.*

Draft Milk (Sale to Special Classes) (Amendment No. 4) (Jersey) Regulations 199 . P.192/91.  
*Social Security Committee.*

**Kent Lodge, 21 Clarendon Road, St. Helier: demolition.  
Question and answer.**

Senator Richard Joseph Shenton asked the Connétable of St. John, President of the Island Development Committee, the following question –

“Is it correct that the owners of Kent Lodge have been permitted to delay still further the demolition of the property and the tidying up of the site?”

The President of the Island Development Committee replied as follows –

“In March 1991 the Island Development Committee received a request from the owner's agent to demolish the property. In line with its normal practice the Committee

declined to allow demolition until such time as plans for redevelopment had been submitted to and approved by the Committee.

Aside from this being normal policy practice, which is intended to prevent the creation of unsightly gaps in the town for several years in advance of development, it was hoped that such action would encourage the advancement of a scheme for redevelopment.

The Committee has now received and granted permission for redevelopment, and although it hasn't specifically addressed the question, I am sure it would agree the demolition of the building in those circumstances.

However, I would wish to point out that the responsibility for keeping the premises tidy is clearly that of the owner."

**Kent Lodge, 21 Clarendon Road, St. Helier: compulsory purchase. Question and answer.**

Senator Richard Joseph Shenton asked Deputy Leonard Norman of St. Clement, President of the Housing Committee, the following question –

"Will the President give an assurance that steps will be taken without delay to implement the decision of the States to acquire Kent Lodge by compulsory purchase?"

The President of the Housing Committee replied as follows –

"I am indeed prepared to assure this House that steps are being taken without undue delay to implement the decision of the States to acquire Kent Lodge by compulsory purchase. I should like to give the House a resumé of events over recent months.



When the States gave my Committee compulsory purchase powers to acquire Kent Lodge on 20th August 1991, I undertook to the House that I would give a reasonable timescale of some eight weeks to the owners of the property to make clear their intentions for the site for which they had at that time already made planning application.

Shortly after this date, I received a letter from Mr. Burt, the owner of Kent Lodge, describing his own proposals for the site and requesting a meeting with me. In the meantime, his architect was progressing with the Island Development Committee his application to build flats on the site of Kent Lodge. Mr. Burt, who resides in the United States of America, travelled to the Island to meet with me on 25th September 1991, and at that meeting he offered in principle to sell to my Committee land which he owns in Dumaresq Street adjoining a Category A site already in States ownership. His proposal was that if my Committee bought this site, it would enable him to be able to fund the redevelopment of Kent Lodge once the Island Development Committee had granted the appropriate permission.

I felt it proper to pursue this proposal – first, in order to be fair to the Burt family in accordance with the undertaking that I had given to the States and, second, because the proposal might have produced a better solution all round – i.e. Category A housing on the Dumaresq Street site and Kent Lodge privately developed with six or seven flats. However, before deciding whether or not to accede to the proposal, I needed to know the size of the development we could achieve on the Dumaresq Street site and, for this purpose, an architect's feasibility study was commissioned. By the time our architect had confirmed boundaries of the Dumaresq Street property with Mr. Burt's legal representative and had cleared issues of density with the Planning Department, in addition to carrying out the feasibility study itself, it was not until mid-November that we were advised that a development of six, one-bedroom

and one, two-bedroom flats would be possible on that part of the Dumaresq Street site which was on offer.

On 20th November 1991, my Chief Officer contacted by telephone Mr. Burt's legal representative in the Island and described the outcome of the feasibility study, together with an indication of the price the Committee would be prepared to pay for the Dumaresq Street site, Mr. Burt's advocate agreed to discuss the matter with Mr. Burt and revert to my Chief Officer.

In the meantime, the Island Development Committee has decided that it will grant a Planning Permission to the family to develop the site of Kent Lodge.

On 27th November, my Chief Officer wrote to Mr. Burt's advocate, saying it was vital that this matter be concluded urgently. In his letter, my Chief Officer conveyed to Mr. Burt's advocate that unless I, as President of the Housing Committee, had received by 9.30 a.m. on Tuesday, 3rd December 1991, unequivocal confirmation that Mr. Burt is now able to make an immediate start on the redevelopment of Kent Lodge, i.e. as soon as development permission is granted by the Island Development Committee, I would have no alternative but to commence compulsory purchase proceedings to acquire the site."

### **Convention on Social Security and Health Care Protocol between the United Kingdom and Barbados**

THE STATES, adopting a proposition of the Social Security Committee, requested the Bailiff to inform the Secretary of State that it is the wish of the Assembly that the Convention on Social Security, together with a Protocol on Medical Treatment between the Government of the United Kingdom and Northern Ireland and the Government of Barbados should apply to Jersey.

**Commissioners of Appeal for Income Tax**

THE STATES, adopting a proposition of the Finance and Economics Committee –

- (a) approved the appointment as Commissioners of Appeal for Income Tax for a three year period commencing 1st January 1992, of Mrs. Pauline Margaret Rudgard, née Williams and Mr. James Shaw; and
- (b) approved the re-appointment as Commissioners of Appeal for Income Tax for a period of three years commencing 1st January 1992, of –

Harry Wookey Hall, Esq.,

Anthony John Cooper Paines, Esq.,

Arthur Stanley Le Ruez, Esq.

**Central Laundry at Five Oaks, St. Saviour**

THE STATES, adopting a proposition of the Public Health Committee –

- (a) approved Drawings Nos. 2905/00, 01, 04, 06, 07, 08, 09 and 10046/301, 302, 303, 304, 305, 306, 307, 308, showing the proposed construction of a Central Laundry at Five Oaks, St. Saviour;
- (b) authorised the Greffier of the States to sign the said Drawings on behalf of the States;
- (c) agreed to purchase from Mrs. Anne Margaret Reed, née Le Couteur, an area of land in Fields 382 and 383, St. Saviour, measuring approximately 4,875 square feet, at a rate of £9.50 a square foot, with each side

being responsible for their own legal costs involved in the transaction;

- (d) authorised the Treasurer of the States to pay the amount specified in (c) from the Island Development Committee's Capital Vote of Credit C0904 – Acquisition of Land (Major Reserve);
- (e) authorised the Attorney General and the Greffier of the States to pass the necessary contract.

**Judgments (Reciprocal Enforcement) (Amendment No. 2) (Jersey) Act 1991. P.174/91.**

THE STATES, in pursuance of Article 3(4) of the Judgments (Reciprocal Enforcement) (Jersey) Law 1960, made an Act entitled the Judgments (Reciprocal Enforcement) (Amendment No. 2) (Jersey) Act 1991.

**Affidavits (Advocates and Solicitors) (Jersey) Law 1991. P.175/91.**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Affidavits (Advocates and Solicitors) (Jersey) Law 1991.

**BUDGET 1992**

THE STATES commenced the consideration of the Budget for the financial year commencing 1st January, 1992, which in accordance with Article 16 of the Public Finances (Administration) (Jersey) Law, 1967, as amended, had been presented to the Assembly on 12th November, 1991, by the Finance and Economics Committee and comprised –

- (i) the estimate of the revenue expenditure and of the income of the committees of the States;
- (ii) the estimate of the transactions of the capital fund; and
- (iii) the Report of the Finance and Economics Committee thereon.

THE STATES, having considered the estimates of the revenue expenditure and of the income of the various committees, decided to allow the said estimates as detailed in the undermentioned pages of the Budget as follows –

Policy and Resources Committee – Pages 2 and 3.

Finance and Economics Committee – Pages 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11.

Defence Committee – Pages 12, 13, 14 and 15.

Public Services Committee – Pages 16, 17, 18, 19, 20 and 21.

Education Committee – Pages 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31. The Education Committee agreed that the sum of £70,000 which was not now included in Vote 3109 would be provided from within the Committee's total Revenue Expenditure Vote of £48,674,300, in order to comply with the wish of the States that the previous arrangements for the supply of School Milk should continue in 1992.

Public Health Committee – Pages 32, 33, 34 and 35.

Agriculture and Fisheries Committee – Pages 36 and 37.

Tourism Committee – Pages 38 and 39.

Social Security Committee – Pages 40 and 41.

Island Development Committee – Pages 42 and 43.

Housing Committee – Pages 44 and 45.

Establishment Committee – Pages 46 and 47.

Prison Board – Pages 48 and 49.

Fort Regent Development Committee – Pages 48 and 49.

Etat Civil Committee – Pages 50 and 51.

Cottage Homes Committee – Pages 50 and 51.

Gambling Control Committee – Pages 50 and 51.

Legislation Committee – Pages 52 and 53.

Overseas Aid Committee – Pages 52 and 53.

Broadcasting Committee – Pages 52 and 53.

Industrial Relations Committee – Pages 52 and 53.

Occupation and Liberation Committee – Pages 54 and 55.

House Committee – Pages 54 and 55.

Harbours and Airport Committee – La Collette Reclamation Scheme – Pages 54 and 55.

## **TRADING COMMITTEES**

Harbours and Airport Committee – Pages 56 and 57.

Telecommunications Board – Page 58.

Committee for Postal Administration – Page 59.

THE STATES, referring to the summary of income and revenue expenditure appearing on page 67, agreed the total revenue expenditure in the sum of £336,687,400; the total income from committees in the sum of £157,170,300 and, having allowed for a balance in hand at 31st December, 1991 of £6,238,000, agreed the amounts to be transferred to the accumulated reserve and general reserve in the sums of £3,000,000 and £25,000,000 respectively.

THE STATES noted that on the basis of levels of taxation proposed by the Finance and Economics Committee, the surplus on the revenue account to be transferred to the capital fund amounted to £26,987,000.

Having allowed for a balance of £33,305,400 to be brought forward at 1st January, 1992, and taking into account the capital repayments of £15,900,000 and the reduction in Harbours and Airport Committee capital debt of £19,035,000 the States noted that there would be available in the capital fund the sum of £95,227,400. The States then proceeded to consider the estimates of capital expenditure recommended by the Finance and Economics Committee on pages 60 and 61 of the Budget and –

### **NON-TRADING COMMITTEES**

The estimate of the capital expenditure of the Finance and Economics Committee appearing on page 60 of the Budget was allowed.

The estimate of the capital expenditure of the Defence Committee appearing on page 60 of the Budget was allowed.

The estimate of the capital expenditure of the Public Services Committee appearing on page 60 of the Budget was allowed.

The estimate of the capital expenditure of the Education Committee appearing on page 60 of the Budget was allowed.

The estimate of the capital expenditure of the Public Health Committee appearing on page 60 of the Budget was allowed.

The estimate of the capital expenditure of the Establishment Committee appearing on page 60 of the Budget was allowed.

The estimate of the capital expenditure of the Island Development Committee appearing on page 60 of the Budget was allowed.

The estimate of the capital expenditure of the Housing Committee appearing on page 61 of the Budget was allowed.

The estimate of the capital expenditure of the Fort Regent Development Committee appearing on page 61 of the Budget was allowed.

### **TRADING COMMITTEES**

The estimate of the capital expenditure of the Harbours and Airport Committee appearing on page 61 of the Budget was allowed.

The estimate of the capital expenditure of the Telecommunications Board appearing on page 61 of the Budget was allowed.

THE STATES, having terminated the discussion on the capital estimates, noted that the amount to be voted from the Capital Fund was £55,167,000.

THE STATES considered the estimates of income to be produced from taxation appearing on page 65 of the Budget and, having approved an amendment of Senator Richard Joseph Shenton that Motor Tax should not be increased by £430,000 and that this amount should be added to the impôt on motor fuel, agreed the estimate as follows –



	£	£
Impôts on spirits	4,651,000	
Impôts on wines	3,025,000	
Impôts on tobacco	5,534,000	
Impôts on beer	2,065,000	
Impôts on motor fuel	2,834,000	
Goods imported into the Island	450,000	18,559,000
Income tax		209,900,000
Motor tax		1,300,000

THE STATES adopted in second reading a Bill to continue certain expiring fiscal Laws; to prescribe the standard rate of income tax for the year nineteen hundred and ninety-two; to amend further the law relating to income tax to increase personal allowances and reliefs, and with respect to the treatment for taxation purposes of payments under covenant and donations to charity, and the allowances and reliefs given to non-residents; and to increase wines and spirits duty, beer duty, tobacco duty and oils and spirits duty.

The said Bill was lodged “au Greffe”.

THE STATES, in pursuance of Article 25 of the Public Finances (Administration) (Jersey) Law, 1967, as amended, have declared that the Bill to continue expiring fiscal Laws; to prescribe the standard rate of income tax for the year nineteen hundred and ninety-two; to amend further the law relating to income tax to increase personal allowances and reliefs, and with respect to the treatment for taxation purposes of payments under covenant and donations to charity, and the allowances and reliefs given to non-residents; and to increase wines and spirits duty, beer duty, tobacco duty and oils and spirits duty (which Bill has this day been lodged “au Greffe”), shall

immediately have effect as if it were a Law passed by the States and sanctioned by Her Majesty in Council.

THE STATES, having terminated the discussion on the Budget, agreed the summary of the estimated income and revenue expenditure for 1992 appearing on page 67 of the Budget as follows –

	£	£	£
<b>INCOME</b>			
Taxation			229,759,000
Committees			<u>157,170,300</u>
			386,929,300
<b>DEDUCT</b>			
Revenue expenditure			<u>336,687,400</u>
			50,241,900
<b>ADD</b>			
Estimated balance in hand at 1st January, 1992.			<u>6,238,000</u>
			56,479,900
LESS: Estimated transfer to Trading Funds			<u>1,492,900</u>
<b>APPROPRIATION TO RESERVES</b>			
Strategic Reserve		---	
Accumulated Reserve		3,000,000	
General reserve less estimated balance in hand at 31 December, 1991	29,150,000		
	<u>4,150,000</u>	<u>25,000,000</u>	<u>28,000,000</u>
Balance to be transferred to capital fund			<u>£26,987,000</u>

THE STATES further agreed the estimated transactions of the capital fund for 1992 as follows –

	£	£
Balance brought forward	33,305,400	
Capital repayments and receipts	15,900,000	
Reduction in Harbours & Airport Capital Debt	19,035,000	
Estimated balance on revenue account as above	<u>26,987,000</u>	95,227,400
Capital expenditure		<u>55,167,000</u>
Estimated balance in hand at 31st December, 1992		<u>£40,060,400</u>

THE STATES rose at 5.30 p.m.

**C.M. NEWCOMBE**

*Deputy Greffier of the States.*