

**THE STATES assembled on Tuesday,  
11th July 2000 at 9.30 a.m. under the  
Presidency of Senator Pierre François  
Horsfall, O.B.E.**

All members were present with the exception of -

Senator Terence Augustine Le Sueur - out of the Island  
Francis Herbert Amy, Connétable of Grouville - out of the Island  
David Leon Crespel, Deputy of Trinity - out of the Island  
Roy George Le Hérissier, Deputy of St. Saviour - out of the Island

Prayers

**Subordinate legislation tabled**

The following enactments were laid before the States, namely -

**Battle of Flowers (Jersey) Order 2000. R & O 60/2000.**

**Public Finances (General) (Amendment No. 22) (Jersey) Rules 2000. R & O 61/2000.**

**Matters lodged**

The following matters were lodged “au Greffe” -

**Draft Rehabilitation of Offenders (Jersey) Law 200 - P.130/2000.**  
Presented by the Legislation Committee.

**Anti-inflation strategy (P.125/2000): amendments - P.131/2000.**  
Presented by Deputy J.L. Dorey of St. Helier.

**Introduction of Work Permits. P.107/2000**

THE STATES, adopting a proposition of Deputy Maurice François Dubras of St. Lawrence, President of the Industries Committee, agreed that the proposition of Senator P.V.F. Le Claire concerning the introduction of work permits (P.107/2000 lodged “au Greffe” on 4th July 2000) be referred to the Policy and Resources and Industries Committees for reports.

**Janvrin’s Farm, St. Brelade - statement**

Senator Nigel Lewis Quérée, President of the Planning and Environment Committee, made a statement in the following terms -

“The events of 11th March 2000 surprised and shocked many Islanders when Janvrin’s Farm, which was previously used as a restaurant and was well-known to many members of the community, was demolished without the Committee’s knowledge or consent.

The Committee, through its Jersey Building Heritage Sub-Committee was in the process of evaluating the

architectural and historic merit of this building. Their research on this building was at an advanced stage, and access to the property had been requested, in writing, in order to allow the recording of internal details of the building.

The fact that this building was razed to the ground without the Committee's approval either having been first sought, or given, raises serious legal questions.

The Committee, under the Island Planning (Jersey) Law 1964, as amended, has responsibility for-

the orderly planning and comprehensive development of land;

the preservation and improvement of the general amenities of the Island;

the protection of sites of historic interest;

generally the prevention of the spoliation of amenities of the Island.

Quite rightly the public and States members consider these responsibilities require the Committee to initiate appropriate action using its powers under the Law. This is an important case which the Committee believes should be tested in the Royal Court in the public interest.

The Department of Planning and Building Services passed a comprehensive account of the events and circumstances known to it to the Attorney General on 24th March 2000 with a request to advise whether, in the particular circumstances, demolition constituted 'development' and whether the action of demolition without consent was contrary to law. The Attorney General in a reply dated 12th April 2000 advised the Committee that '*It appears to be reasonably clear under the current Law that, if the demolition is unconnected with any application or intended application for development, then consent would not be required for that demolition.*' This would not apply to a Site of Special Interest, which would be protected under the Law and he requested the Department to provide further information on the circumstances surrounding the events. Appropriate arrangements for completing these enquiries are in progress and it would not be helpful to the investigation to publish any further details.

The Committee have already included in its published new draft Planning Law a specific change to the definition of 'development' to encompass demolition. Subject to the outcome of this case it will also consider whether to bring any proposition to the States for an amendment to the existing Planning Law as a matter of urgency.

I can also advise that the Committee is serving a formal legal notice requiring the clean-up of the site. The application registered last Friday will be determined strictly on application of the existing policies and on its merits as required under the law. I can assure the Assembly that the Attorney General's advice will be sought at every stage."

### **Grainville School, St. Saviour: redevelopment Phase I - Science Block: approval of drawings - P.95/2000**

THE STATES, adopting a proposition of the Education Committee -

- (a) approved drawings Nos. 1875D/100 to 104, 107, 108, 120 to 125 and 134 to 137 showing the proposed new science block to be constructed within the grounds of Grainville School, St. Saviour;
- (b) authorised the Greffier of the States to sign the said drawings on behalf of the States.

### **La Collette Reclamation Site Phase II - development framework - P.96/2000**

THE STATES, adopting a proposition of the Planning and Environment Committee, referred to their Act dated

10th November 1992 in which, in accordance with Article 3 of the Island Planning (Jersey) Law 1964, as amended, they approved Map 3-92 as the development plan for the St. Helier Waterfront area, and to their Act dated 12th December 1995 in which they requested the Planning and Environment Committee to bring to the States for approval any alterations to the designated use of land shown on the said Map, and -

- (a) approved a framework for the future development of land at La Collette reclamation site, Phase 2, as shown on drawing number 652/1 to include the designation of -
  - (i) an area of reclaimed land for the purposes of industrial, storage and warehousing use;
  - (ii) an area of reclaimed land to be used for super-filling and subsequently for the purposes of providing a major landscaped feature and public open space;
  - (iii) an area of reclaimed land to the south of the tanker berth for the purposes of storing aggregate material imported through St. Helier Harbour as an option pending the outcome of a feasibility study to assess the viability of this use;
  - (iv) an area of reclaimed land for access to the water at all states of the tide and for associated facilities for marine leisure craft,such designations to supersede those shown on Map 3-92 where they differed,
- (b) authorised the Greffier of the States to sign the said drawing on behalf of the States.

Members present voted as follows -

**“Pour” (36)**

**Senators**

Le Maistre, Stein, Quérée, Bailhache, Syvret, Norman, Kinnard, Lakeman.

**Connétables**

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

**Deputies**

St. Mary, Layzell(B), Breckon(S), Grouville, St. Martin, St. John, Vibert(B), St. Peter, Dubras(L), St. Ouen, G. Baudains(C), Troy(B), Voisin(L), Scott Warren(S), Farnham(S), Ozouf(H), Fox(H), Bridg(H).

**“Contre” (10)**

**Senator**

Le Claire.

**Connétable**

St. Helier.

**Deputies**

H. Baudains(C), S. Baudains(H), Duhamel(S), Routier(H), Huet(H), Crowcroft(H), Dorey(H), Martin(H)

**Compensation of Victims of Uninsured Drivers of Motor Vehicles: Agreement between the Home Affairs Committee and the Motor Insurers' Bureau - P.97/2000**

THE STATES, adopting a proposition of the Home Affairs Committee, referred to their Acts dated 12th June 1990 and 18th February 1997, and approved the terms of a revised draft Agreement between the Home Affairs Committee and the Motor Insurers Bureau with regard to the compensation of victims of uninsured drivers of motor vehicles and ordered the printing and publication thereof.

**Agricultural Loans and Guarantees Advisory Board: appointment of members - P.100/2000**

THE STATES, adopting a proposition of the Agriculture and Fisheries Committee, and in accordance with Regulation 3(2) of the Agriculture (Loans) (Jersey) Regulations 1974, as amended -

- (a) approved the re-appointment of Mr. David John Le Marquand as Chairman;
- (b) approved the re-appointment of Mr. David John Picot as Vice-Chairman;
- (c) approved the re-appointment of -

Mr. Walter Labey,  
Mr. Robin Victor Perchard,  
Mr. Michael Touzel, and  
Mr. David Vautier,

as members of the Agricultural Loans and Guarantees Advisory Board, for a period of three years from 24th May 2000.

**Draft Public Employees (Contributory Retirement Scheme) (New Members) (Amendment No. 7) (Jersey) Regulations 200 - P.102/2000**

THE STATES, in pursuance of Article 2 of the Public Employees (Retirement) (Jersey) Law 1967, as amended, made Regulations entitled the Public Employees (Contributory Retirement Scheme) (New Members) (Amendment No. 7) (Jersey) Regulations 2000.

**Draft Public Employees (Contributory Retirement Scheme) (Existing Members) (Amendment No. 5) (Jersey) Regulations 200 - P.103/2000**

THE STATES, in pursuance of Article 2 of the Public Employees (Retirement) (Jersey) Law 1967, as amended, made Regulations entitled the Public Employees (Contributory Retirement Scheme) (Existing Members)

(Amendment No. 5) (Jersey) Regulations 2000.

**Draft Public Employees (Contributory Retirement Scheme) (General) (Amendment No. 7) (Jersey) Regulations 200 - P.104/2000**

THE STATES, in pursuance of Article 2 of the Public Employees (Retirement) (Jersey) Law 1967, as amended, made Regulations entitled the Public Employees (Contributory Retirement Scheme) (General) (Amendment No. 7) (Jersey) Regulations 2000.

**Draft Public Employees (Contributory Retirement Scheme) (Amendment No. 16) (Jersey) Regulations 200 - P.105/2000**

THE STATES, in pursuance of Article 2 of the Public Employees (Retirement) (Jersey) Law 1967, as amended, made Regulations entitled the Public Employees (Contributory Retirement Scheme) (Amendment No. 16) (Jersey) Regulations 2000.

THE STATES rose at 12.31 p.m.

**G.H.C. COPPOCK**

*Greffier of the States.*