



THE STATES assembled on Tuesday,
12th May, 1981 at 10.15 a.m. under
the Presidency of the Bailiff, Sir Frank
Ereaut.

General Sir Peter Whiteley, G.C.B., O.B.E., His Excellency
The Lieutenant-Governor, was present.

All members were present with the exception of –

Senator Richard Joseph Shenton – out of the Island.

Leslie Ernest Le Ruez, Deputy of St. Mary – out of the
Island.

Brian Edward Troy, Deputy of St. Saviour – out of the
Island.

Prayers read by Deputy Greffier.

Subordinate legislation tabled.

The following enactment was laid before the States, namely –

Road and Sand Racing (No. 2) (Jersey) Order, 1981.
R & O–6930.

Matters noted – land transactions.

THE STATES noted Acts of the Finance and Economics
Committee dated 6th May, 1981 showing that in pursuance of
Standing Orders relating to certain transactions in land, the
Committee had approved –

- (a) as recommended by the Harbours and Airport Committee,
the obtaining from Mr. Walter Francis Collings, of a
wayleave on Field 747, St. Peter, for a term of 21 years,
for a payment of £30 a year, subject to an adjustment of
the amount at the end of every third year of the

agreement, based on the Jersey Cost of Living Index, and subject to the right of the Committee to terminate the agreement at any time by giving twelve months notice, the agreement to take effect from 1st January, 1979, the wayleave being required in connexion with the installation of the new approach lighting pole and associated cables and works;

- (b) as recommended by the Housing Committee, the granting to Mr. Donald Ernest Charles Ruellan of Neldon, St. Peter, of an easement to enable him to run drains under the eastern section of the public's site at La Grande Pièce, St. Peter, from his property as far as the Resources Recovery Board's sewer in the main estate road, on the basis that he would have the right of access to undertake the necessary maintenance, for a consideration of £100, the Greffier of the States to be party to the relevant contract on the basis that each party would pay its own legal costs and that the encroachment in question would be specified in that contract and the rights of the respective owners secured;
- (c) as recommended by the Housing Committee, the granting to and acceptance from the owner of No. 111, St. Saviour's Road, St. Saviour, of an easement in respect of encroachments onto the public's property No. 110, St. Saviour's Road, St. Saviour, and to the agreement of the purchaser of No. 111, St. Saviour's Road, not to make any claim against the public of the Island in respect of any damage suffered by that property or its contents as a result of water penetration through the side gable of that property, the Greffier of the States to be party to the contract of sale in respect of No. 111, St. Saviour's Road, St. Saviour, by Mrs. Mary Louisa Webb, née Le Breton, to Mr. Keith William Hutton and Mrs. Jennifer Ann Hutton, née Laffoley, on the basis that all the encroachments in question and the agreement of the purchasers as aforesaid, would be specified in that contract and the rights of the purchasers secured.

Matters noted – financial transaction.

THE STATES noted an Act of the Finance and Economics Committee dated 6th May, 1981 showing that in pursuance of Rule 5 of the Public Finances (Jersey) Rules, 1967, as amended, the Committee had noted that the Education Committee had accepted the lowest of five tenders, namely that submitted by A.C. Mauger and Son (Sunwin) Limited in the sum of £82,230 with a specified completion date of 21st August, 1981 for alterations to d'Hautrée School.

Matters lodged.

The following subjects were lodged “au Greffe” –

1. Development of Fields 881/893, St. Brelade. P.47/81.
Presented by Deputy Terence John Le Main of St. Helier on behalf of Senator Richard Joseph Shenton.
The States referred the Proposition to the Island Development Committee.
2. Extension of deep water sump at Port of St. Helier. P.48/81.
Presented by the Harbours and Airport Committee.
The States decided to take this subject into consideration on 2nd June, 1981.
3. Draft Sea Fisheries (Miscellaneous Provisions) (Amendment No. 2) (Jersey) Regulations, 198 . P.49/81.
Presented by the Agriculture and Fisheries Committee.
The States decided to take this subject into consideration on 26th May, 1981.
4. Draft Sea Fisheries (Immature Sea Fish) (Amendment No. 3) (Jersey) Regulations, 198 . P.50/81.
Presented by the Agriculture and Fisheries Committee.
The States decided to take this subject into consideration on 26th May, 1981.
5. Les Quennevais Sports Hall – amalgamation of votes and approval of drawings. P.51/81.
Presented by the Education Committee. The States decided to take this subject into consideration on 26th May, 1981.

Programme of capital expenditure. Answer.

The President of the Finance and Economics Committee replied to a question asked in the House on 5th May, 1981 concerning a rolling programme of capital expenditure in the following terms –

“The term ‘a regular updating of a rolling programme of capital expenditure’ runs beautifully off the tongue, but it requires further definition before it can usefully be discussed. If, for example, it was a three year programme, adopted in 1982 in respect of capital expenditure for 1983, 1984 and 1985, it could mean, amongst other things, either –

- (a) that all projects approved in 1982 for 1985, and no other, could be carried through in 1985; or
- (b) that no capital expenditure could be carried through in 1985 which had not been approved in 1982, but that new projects could be added for exceptional reasons; or
- (c) that a three year list is drawing up each year, as a general indication of future requirements, but without imposing any limitations on the freedom of later decision of Committees or the States.

In practice the Finance and Economics Committee is following what is broadly the third alternative, in that it seeks to discover from Committees what capital projects are anticipated during the next three years. This information Committees have often found difficult to provide, but it obviously is valuable, in considering the Budget for any particular year, to have as accurate a picture as possible of what lies ahead. Members will recall that, in the Budget Report for 1982, the totals of the estimated requests for each of 1983 and 1984 were in fact provided.

The approval of the States is already required –

- (1) to the decision that capital expenditure be incurred for any purpose, this decision having been taken in the course of the Budget debate for amounts up to £100,000, supported by a prior decision in principle before the end of the preceding June for larger amounts;

- (2) to the determination of the sum to be allocated to the Capital Fund, out of which all capital expenditure is paid; and
- (3) to the selection of the particular projects to be covered by that Fund in the forthcoming year;

and, as in the last Budget, these decisions can be made by the States in the light of the capital requirements notified by Committees for the whole three year period.

The question implies that we should perhaps introduce the further requirement that the States should debate, some time in 1982, for example, commitment to and presumably the relevant priority of, projects planned for 1984 and 1985 as well as of those for 1983. I would not myself welcome such a debate. If it did not bind the future it seems purposeless. If it did bind the future it would fetter our later and better-informed discretion. It is sensible in making firm decisions in 1982 about 1983, as we must, to take account of what is likely to be requested in 1984 and 1985, as we did last year. But to make firm decisions so far ahead about those latter years themselves would in my view, be of more complication than benefit.”

Port of St. Helier – conversion of ‘C’ Store, New North Quay, to provide Marina facilities.

THE STATES, adopting a Proposition of the Harbours and Airport Committee –

- (a) approved Drawing No. 2732/7 showing the proposed conversion of ‘C’ Store, New North Quay, St. Helier Harbour, to provide Marina facilities;
- (b) authorised the Greffier of the States to sign the said Drawing on behalf of the States.

Fort Regent – Contingencies Vote, final payment on contract for construction of multi-purpose and sports hall.

THE STATES, adopting a Proposition of the Fort Regent Development Committee, authorised the Finance and Economics Committee to advance the sum of £250,000 from the Contingencies Vote to the Fort Regent Development Committee to enable that

Committee to make the final payment to C.G. Dumond (Builders) Limited in respect of the contract for the construction of the multi-purpose and sports hall.

Maufant Youth and Community Centre.

THE STATES, adopting a Proposition of the Education Committee, approved the transfer, to that Committee from the Housing Committee of the administration of that part of field 234, Maufant, St. Saviour, known as "The Paddock", required for the development of a Youth and Community Centre.

Arts Centre – lease of property.

THE STATES, adopting a Proposition of the Education Committee –

- (a) approved the lease of the property at Philips Street, St. Helier, administered by the Education Committee, which was formerly occupied by the Catering Department of Highlands College of Further Education to the Jersey Arts Council for use as an Arts Centre, for a period of 99 years at a nominal annual rent of £50, subject to the condition that if at any time during the period of the lease the premises cease to be used as an Arts Centre by the Council, they will revert to the States;
- (b) authorised the Attorney General and the Greffier of the States to pass the necessary contract in the matter.

THE STATES rose at 12.35 p.m.

R.S. GRAY,

Deputy Greffier of the States.