

Price : £2.25

THE STATES assembled on Tuesday,  
21st January 1997 at 10.15 a.m. under  
the Presidency of the Bailiff,  
Sir Philip Bailhache

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All members were present with the exception of -

Senator Corrie Stein - out of the Island  
Senator Stuart Syvret - suspended  
Deputy Shirley Margaret Baudains of St.  
Helier - out of the Island.

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Prayers

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Subordinate legislation tabled

The following enactments were laid before the  
States, namely -

1. Teachers' Superannuation  
(Financial Provisions) (Jersey) Order  
1996. R & O 9033.
2. Pilotage (Dues and Fees)  
(Amendment No. 8) (Jersey) Order 1996.  
R & O 9034.
3. Road and Sand Racing (Jersey)  
Order 1997. R & O 9035.

Employment and Social Security Committee

THE STATES appointed Leonard René Hamel,  
Connétable of St. Clement, as a member of the  
Employment and Social Security Committee.

Matters presented

The following matters were presented to the States -

1. Welfare benefits: recommended rates from 1st January 1997 - R.C.1/97.  
Presented by the Employment and Social Security Committee.  
THE STATES ordered that the said report be printed and distributed.
2. The Jersey Council for Safety and Health at Work: report for the period 1st October 1995 to 30th September 1996. R.C.2/97.  
Presented by the Employment and Social Security Committee.  
THE STATES ordered that the said report be printed and distributed.
3. States of Jersey Law 1966, as amended - delegation of functions: customs and excise provisions - R.C.3/97.  
Presented by the Finance and Economics Committee.  
THE STATES ordered that the said report be printed and distributed.
4. States of Jersey Law 1966, as amended - delegation of functions: health care registration - R.C.4/97.  
Presented by the Health and Social Services Committee.  
THE STATES ordered that the said report be printed and distributed.
5. States of Jersey Law 1966, as amended - delegation of functions: regulation of undertakings and development - R.C.5/97.  
Presented by the Finance and Economics Committee.  
THE STATES ordered that the said report be printed and distributed.
6. States of Jersey Law 1966, as amended - delegation of functions: financial services - R.C.6/97.  
Presented by the Finance and Economics Committee.  
THE STATES ordered that the said report be printed and distributed.

Matters noted - land transactions

THE STATES noted Acts of the Finance and Economics Committee dated 9th December 1996 and 13th January 1997, showing that, in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved -

- (a) as recommended by the Public Services Committee, the lease from C. Le Masurier Limited of 3,029 square feet of land in Field No. 981, St. Ouen, required as a site for a new pumping station to serve the St. Ouen's Bay foul drainage scheme, for a period of 99 years at an annual rent of £1, on the basis that the Committee would be responsible for all reasonable legal fees arising from the transaction and also for the cost of the provision of a connection to serve the land owner's adjacent property up to a maximum of £10,000;
  
- (b) as recommended by the Agriculture and Fisheries Committee, the acquisition from Mr. Iain Roy Barette of a triangular area of land (measuring approximately 20 perch) located in the north-eastern corner of Field No. 328, St. Mary, for a consideration of £2,000, with the Committee being responsible for all reasonable legal fees arising from the transaction;
  
- (c) as recommended by the Education, Sport, Leisure and Recreation Committees and the Telecommunications Board, the establishment of the undermentioned wayleaves over land at Crabbé, St. Mary, in order to lay two one inch water pipes and an underground duct for telecommunications use around the perimeter of Fields Nos. 330, 331, 332, 333, 334 and 335, St. Mary, to provide mains water to the Silver Jubilee Activity Base and rifle range, and communications to the rifle range -
  - (i) wayleave over Fields Nos. 330 and 331, administered by the Agriculture and Fisheries Committee, with the consent of the tenant of the land, Mr. Maurice Kergozou, free of charge;
  
  - (ii) wayleave over Fields Nos. 332,

333, 334 and 335, from Mr. Gordon John Hervé, owner of the land, for the sum of £6,000, to be shared by the Committees and the Board, with each party being responsible for its own legal fees arising from the transaction, with the tenant of the land (La Ferme Limited) having agreed to the laying of the pipes and cable subject to the following conditions -

1. that notice would be given as to when the works were to start so that the crops in the fields were not damaged;
2. that the exact route and depth of the pipes were agreed;
3. that the trees running along the edge of the field were not damaged;
4. that pipes were placed at a depth below any agricultural working;
5. that the soil structure was replaced as found; and
6. that the works were commenced no later than Christmas 1996 or not until the autumn of 1997;

(d) as recommended by the Public Services Committee, the entering into a Deed of Arrangement with the Pavilion Hotel Limited, Grève de Lecq, St. Ouen, in order to clarify the boundary lines between the public car park and land fronting the sea wall, on the basis that each party would be responsible for its own legal fees arising from the transaction;

(e) as recommended by the Public Services Committee, the entering into a Deed of Arrangement with the Royal Bay Hotel Limited, Gorey, Grouville, in order to clarify the boundary between the Hotel and Field No. 146, Grouville, and also to grant servitudes and rights, for a consideration of £2,000, with the owner of the hotel being

responsible for all legal fees arising from the transaction;

(f) as recommended by the Sport, Leisure and Recreation Committee, the incorporation within the existing lease (currently under review following the incorporation of the lessee) to the Jersey Race Club of land forming Les Landes Racecourse of two additional areas of land (together measuring 2.7 vergées) located to the south-west and north-west of the Racecourse, St. Ouen, from the date of the signing of the lease, for an annual rent of £300;

(g) as recommended by the Housing Committee, the lease to Mr. Raymond Anthony Sargent of the property known as No. 74 Colomberie, St. Helier, for a period of seven years from a date to be agreed, with the Committee to have an option to break the lease after the expiry of the third year of the term upon giving three months prior written notice to the lessee, for an annual rent of £10,600, payable monthly in advance with a two month rent free period from commencement, subject to rent reviews every two years, on an internal repairing and insuring basis with the lessee being responsible for the building premiums, occupier's rates, electricity and any other taxes levied on the property with the exception of foncier rates and Schedule A Income Tax, with the lessor to be responsible for the structure of the property and to maintain it in a wind and watertight condition, and with the ingoing lessee to be responsible for the lessor's reasonable legal fees;

(h) as recommended by the Public Services Committee, the renewal of the lease to Miss Carolyn Mary Tanner of 9.5 vergées of land in Field No. 691, St. Brelade, for a period of three years at an annual rent of £260, with each party being responsible for its own legal fees;

(i) as recommended by the Planning and Environment Committee, the granting to Mr. Michael Emile Pallot and Mrs. Martine Linda Pallot, née Lafolley, of

Ivy Farm, La Rue à Don, Grouville, a wayleave across Field No. 724, Grouville, in order to connect a two inch diameter pipe to the public sewer serving the Rue des Prés Estate, on the terms and conditions set out in an Act, dated 7th November 1996, of the Planning and Environment Committee, which included the making of a single capital payment of £500 to the States in return for granting the wayleave;

- (j) as recommended by the Probation Committee, the lease from Mrs. Elsie Louisa Cadoret, née Le Brun, of Field No. 925 (measuring 1.22 vergées) at Bareada, La Rue à Georges, St. Mary, for a period commencing from the signing of the lease to run concurrently with the lease of the adjacent Community Services workshop site, at an annual rent of £250, with each party being responsible for its own legal costs arising from the transaction;
- (k) as recommended by the Housing Committee, the granting to Mrs. Rosemary Edith Colley, née Kent, and to Mr. John Joseph Bambury and Mrs. Rhoda Eleanor Bambury, née Little, of a wayleave and rights over the public land adjacent to the properties known as La Mondine and La Petite Mondine, Eureka Avenue, St. Clement, in order to install a rainwater pipe, the purpose of which was to drain surface water to the road gulley or surface water drain, free of charge, subject to the payment of the public's reasonable legal fees by the abovementioned parties;
- (l) as recommended by the Harbours and Airport Committee, the lease to Mrs. Kathleen Louise Blampied, née Nutt, of the Hungry Man Café, Rozel Harbour, St. Martin, for a period of nine years from 1st May 1997 at an annual rent of £566.50, subject to annual review;
- (m) as recommended by the Harbours and Airport Committee, the renewal of the lease to Huelin Renouf Shipping Limited of offices N.19, N.19A and N19B, New North Quay, Port of St. Helier, for a period of one year with effect from 1st

January 1997, at annual rents of £11,986.01, £1,466.18 and £4,093.03 respectively;

(n) as recommended by the Public Services Committee, the renewal of the lease from Miss Suzanne Mary Chinnery of the three-bedroom property, 1 Clos du Douet, St. John, for a period of one year from 1st September 1996 at an annual rent of £11,448.47;

(o) as recommended by the Education Committee, the sale to Mr. Anthony Averill Gothard and Mrs. Virginia Lesley Gothard, née Pratt, of Tudor Lodge, Claremont Road, St. Saviour, of approximately 1,755 square feet of land adjacent to the Jersey College for Girls car park, Mont Millais, St. Saviour, for use as a garden, for a consideration of £10, with the Committee being responsible for all the legal fees involved in the transaction.

Matters noted - acceptance of tenders

THE STATES noted Acts of the Finance and Economics Committee dated 9th December 1996 and 13th January 1997, showing that, in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Committee had noted that -

(a) the Housing Committee had accepted the lowest of seven tenders, namely that submitted by J.P. Mauger Limited in the sum of £1,344,000 in a contract period of 32 weeks for Phase II of the redevelopment of Le Geyt Flats, St. Saviour;

(b) the Housing Committee had accepted the lowest of four tenders, namely that submitted by Cosgrove (1969) Limited in the sum of £68,058 in a contract period of 20 weeks for the refurbishment of No. 63 Great Union Road, St. Helier.

Matters lodged

The following matters were lodged ``au Greffe" -

1. Draft Health Insurance (Medical Benefit) (Amendment No. 47) (Jersey) Regulations 199 - P.1/97.  
Presented by the Employment and Social Security Committee.
2. Draft Licensing (No. 12) (Jersey) Regulations 199 - P.2/97.  
Presented by the Tourism Committee.
3. Draft Investigation of Fraud (Amendment) (Jersey) Law 199 - P.3/97.  
Presented by the Finance and Economics Committee.
4. Draft Cheques (Amendment No. 2) (Jersey) Law 199 - P.4/97.  
Presented by the Finance and Economics Committee.
5. Florence Boot Cottages Trust: sale of land - P.5/97.  
Presented by the Housing Committee.

Lodged on 17th December 1996 -

6. Child Care Provision: Working Party Strategy - P.244/96.  
Presented by the Education Committee.

Jersey College for Girls relocation: petition and proposition - P.7/97 Revised

Deputy Imogen Stephanie Nicholls of Grouville presented to the States a petition on behalf of the independent governors of Victoria College and its Preparatory School, parents and teachers of pupils, Old Victorians and others, requesting the States to take no final decision on the planning and other proposals for the relocation of the Jersey College for Girls on the Victoria College House site until they had received a full report of a Committee of Inquiry into the proposed relocation.

THE STATES referred the petition to the Planning and Environment Committee and the Education Committee and lodged ``au Greffe" a proposition of Deputy Nicholls to the effect that the prayer of the petition be granted.



Arrangement of public business for the present meeting

THE STATES confirmed that the following matters lodged ``au Greffe" would be considered at the present meeting -

Robin Hood junction, St. Helier:  
cession of land - P.211/96.  
Lodged: 19th November 1996.  
Public Services Committee.

Draft Finance (Jersey) Law 199 -  
P.230/96.  
Lodged in second reading: 3rd December  
1996.  
Finance and Economics Committee.

Draft Telecommunications (Amendment  
No. 2) (Jersey) Law 199 - P.232/96.  
Lodged: 10th December 1996.  
Telecommunications Board.

Property Management Office: change of  
name - P.234/96.  
Lodged: 10th December 1996.  
Planning and Environment Committee.

Channel House, Green Street,  
St. Helier: lease of second floor -  
P.240/96.  
Lodged: 10th December 1996.  
Telecommunications Board.

Draft Transfer of Functions  
(Industrial Relations Committee) (Jersey)  
Act 199 - P.241/96.  
Lodged: 10th December 1996  
Policy and Resources Committee.

Draft Transfer of Functions  
(Industrial Relations Committee) (Jersey)  
Act 199 : comments.  
Establishment Committee.

States Auditor: re-appointment of  
Price Waterhouse - P.212/96.  
Lodged: 19th November 1996.  
Finance and Economics Committee.

Arrangement of public business for the  
next meeting on 4th February 1997

THE STATES, having received assurances from the

Presidents of the Planning and Environment Committee and the Education Committee that reports would be available before the debate, acceded to the request of the President of the Education Committee that the propositions relating to the relocation of the Jersey College for Girls be taken first of the items of matters lodged ``au Greffe" listed under Public Business at the meeting on 4th February 1997.

THE STATES thereupon confirmed that the following matters lodged ``au Greffe" would be considered at the meeting on 4th February 1997 -

Jersey College for Girls relocation:  
petition - P.7/97.  
Lodged: 21st January 1997 and referred to the Planning and Environment Committee and the Education Committee  
Deputy I.S. Nicholls of Grouville.

Jersey College for Girls:  
construction in Green Zone - P.220/96.  
Lodged: 19th November 1996.  
Planning and Environment Committee.

Jersey College for Girls: approval of drawings - P.221/96.  
Lodged: 19th November 1996.  
Education Committee.

Draft Safeguarding of Workers  
(Electricity at Work) (Amendment) (Jersey)  
Regulations 199 - P.214/96.  
Lodged: 19th November 1996.  
Employment and Social  
Security Committee.

Draft Safeguarding of  
Workers (Liquefied Petroleum Gas)  
(Amendment) (Jersey) Regulations 199 -  
P.215/96.  
Lodged: 19th November 1996.  
Employment and Social  
Security Committee.

Draft Safeguarding of Workers (Highly  
Flammable Liquids) (Amendment) (Jersey)  
Regulations 199 - P.216/96.  
Lodged: 19th November 1996.  
Employment and Social  
Security Committee.

Draft Boats and Surf-Riding (Control)  
(Amendment No. 15) (Jersey) Regulations  
199 - P.231/96.

Lodged: 10th December 1996.  
Harbours and Airport Committee.

Draft Radio Equipment (Jersey) Law  
199 - P.233/96.

Lodged: 10th December 1996.  
Telecommunications Board.

Jubilee Sailing Trust (Jersey  
Branch): grant for sail training ship -  
P.239/96.

Lodged: 10th December 1996.  
Finance and Economics Committee.

Child Care provision: Working Party  
strategy - P.244/96.

Lodged: 17th December 1996.  
Education Committee.

Draft Health Insurance  
(Medical Benefit) (Amendment No.47)  
(Jersey) Regulations 199 - P.1/97.

Lodged: 21st January 1997.  
Employment and Social Security  
Committee.

Draft Licensing (No. 12) (Jersey)  
Regulations 199 - P.2/97.

Lodged: 21st January 1997.  
Tourism Committee.

Draft Investigation of Fraud  
(Amendment) (Jersey) Law 199 - P.3/97.

Lodged: 21st January 1997.  
Finance and Economics Committee.

Draft Cheques (Amendment No. 2)  
(Jersey) Law 199 - P.4/97.

Lodged: 21st January 1997.  
Finance and  
Economics Committee.

Legislation to control noise - question and  
answer - (Tape No. 377)

Deputy Frederick John Hill, B.E.M., of St.  
Martin, asked the Connétable of St. Saviour,  
President of the Health and Social Services  
Committee, the following question -

``On 31st January 1995, the President  
informed the States that, subject to law  
drafting time being allocated by the Policy  
and Resources Committee, legislation to

control noise abuse was expected to be ready for presentation to the States later that year. Two years have now elapsed. Would the President inform the States -

- (a) what steps have been taken to bring the legislation forward?
- (b) the reasons for the delay in the presentation of the legislation to the States?
- (c) when he now expects that the draft legislation will be presented to the States for debate?"

The President of the Health and Social Services Committee replied as follows -

- “(a) In 1995 the Health and Social Services Committee employed a consultant solicitor specialising in public health matters in the United Kingdom to provide a law drafting brief, using as its source parts of the Environment Protection Act 1990 and the Noise and Statutory Nuisances Act 1993.

The first working copy of the draft law was provided in February 1996 when many queries were raised due to the complexities of the subject.

Since then there has been constant contact and discussion between the officers of the Law Draftsman's Office and the Environmental Health Department. The current position is that the third working draft is with the Law Officers' Department where specific legal points are being considered. Amongst these are the application of the law to noisy events in public places, noise from small parties in private premises and traffic noise.

- (b) The legislation has been progressed as quickly as possible. However, the subject is complex and both the Law Draftsman's Office and the Environmental Health Department are extremely busy.
- (c) It is hoped that legal opinion will

soon be available and dependent upon that opinion, the proposed law will progress to the next stage. This hopefully will be limited to minor alterations to the draft, followed by presentation to the Health and Social Services Committee and a consultation period.

A final draft, taking account of the opinions arising from the consultation, will be approved by the Health and Social Services Committee which will then be presented to the States for debate.

Because of the variables involved it is not possible to be precise as to when this date will be, but it is thought that it will be May or June this year."

Working Party on Policing in the Island - statement

The President of the Defence Committee made a statement in the following terms -

1. Members will recall that on 5th November 1996, the States approved the report and proposition of the Defence Committee - Police Services in Jersey: Independent Review (P.184/96) - which charged the Committee to set up a Working Party to consider whether and to what extent the major recommendations of the Report of the Independent Review Body on Police Services in Jersey should be implemented and to report back to the States with recommendations.
2. The constitution of this Working Party has now been determined and is as follows -

Deputy M.A. Wavell President, Defence Committee, Chairman  
Connétable L.R. Hamel Chairman, Comité des Connétables  
Jurat P.G. Blampied, O.B.E. Independent member  
Mr. J.H. Hibbs Independent member  
Mr. R.H. Le Breton Chief Officer, Stat

es of Jersey Police  
Mr. P. Marks Assistant Chief  
Officer, States of  
Jersey Police  
Sergeant B. Faudemer States of Jersey  
Police  
Centenier T.M. Avery Centeniers' Assoc  
iation  
Vigntenier M.N. Couriard Vignteniers'  
Association

I am hoping to bring a report to the States  
within six months."

Ann Alice Rayner Fund Delegation: appointment

THE STATES, adopting a proposition of the  
Finance and Economics Committee, referred to  
their Act, dated 12th December 1996, appointing  
Senator Frank Harrison Walker as President of  
the Ann Alice Rayner Fund Delegation, and  
appointed the undermentioned as members of the  
Delegation -

Mrs. Enid Clare Quénault, Connétable of St.  
Brelade  
Deputy Shirley Margaret Baudains of St.  
Helier  
Deputy Alan Breckon of St. Saviour.  
Deputy Imogen Stephanie Nicholls of  
Grouville.

Telephone Engineering Centre, Five Oaks, St.  
Saviour: transfer of land

THE STATES, adopting a proposition of the  
Telecommunications Board, approved the transfer  
of the administration of the land and wall at  
the Telephone Engineering Centre, Five Oaks, St.  
Saviour, shown on drawing No. 16/S/P14/U3, from  
the Telecommunications Board to the Health and  
Social Services Committee, for the use of Les  
Amis Incorporated.

Manual Workers' Joint Council: Employers' Side  
Membership

THE STATES, adopting a proposition of the  
Establishment Committee, and in accordance with  
their Act dated 9th November 1961, concerning  
the membership of the Manual Workers' Joint  
Council, approved the appointment of the six

representatives of the States to serve as members of the Employers' Side of the Council, as follows -

Mr. Jack Roche, Connétable of St. Saviour  
Deputy Shirley Margaret Baudains of St Helier  
Deputy David Leon Crespel of Trinity  
Deputy Maurice François Dubras of St. Lawrence  
Mr. Brian Grady, Director of Education  
Mr. Graham Edward Jennings, Chief Executive, Health and Social Services Department

Robin Hood junction, St. Helier: cession of land - P.211/96

THE STATES, adopting a proposition of the Public Services Committee -

(a) authorised -

- (i) the cession of 89 square feet of land, forming part of the gable end wall, at 65 Val Plaisant, St. Helier, to Mr. Francis Richard Haycock, as shown on drawing No. 449/1 (marked 'A'); and
- (ii) the cession of 107 square feet of land, forming part of the gable end wall, 70 Val Plaisant, St. Helier, to Mrs. Pearl Hunt, née Syvret, as shown on drawing No. 449/1 (marked 'B');

with the public being responsible for all reasonable legal fees;

- (b) authorised the Attorney General and the Greffier of the States to pass, on behalf of the public, such contracts as it might be found necessary to pass in connection with the said transactions.
- (c) authorised the payment or discharge of the expenses to be incurred in connection with the said transactions from the Planning and Environment Committee's capital vote of credit 'Land Acquisition - Major Reserve - (Vote No. C.0904)'.

Finance (Jersey) Law 199 - P.230/96

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Finance (Jersey) Law 199 .

Telecommunications (Amendment No. 2) (Jersey) Law 199 - P.232/96

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Telecommunications (Amendment No. 2) (Jersey) Law 199 .

Property Management Office: change of name - P.234/96

THE STATES, adopting a proposition of the Planning and Environment Committee, referred to their Act, dated 9th April 1991, in which they adopted a proposition of the Policy and Resources Committee (P.43/91) approving the establishment of a Property Management Office, and approved the change of name of the office from the Property Management Office to the Department of Property Services.

Channel House, Green Street, St. Helier: lease of second floor - P.240/96

THE STATES, adopting a proposition of the Telecommunications Board -

(a) approved the leasing by the public from the Beaufort Hotel Company Limited of the second floor offices and car parking spaces at Channel House, Green Street, St. Helier, for the purpose of accommodating the Telecommunications Board Data Systems Group engineers and sales personnel, for a period of nine years (the lease expiring on 23rd June 2005) at an annual rent of £28,120 for the office accommodation (representing a rate of £12.25 a square foot) and £6,250 for the car parking spaces (representing an annual rate of £1,250 for each parking space);

(b) authorised the Greffier of the States to sign the lease;



(c) authorised the Treasurer of the States  
to pay the rent as it became due.

Transfer of Functions (Industrial Relations  
Committee) (Jersey) Act 1997- P.241/96

THE STATES, in pursuance of Article 29 of the  
States of Jersey Law 1966, made an Act entitled  
the Transfer of Functions (Industrial Relations  
Committee) (Jersey) Act 1997.

States Auditor: re-appointment of Price  
Waterhouse - P.212/96. Debate in  
camera

The Bailiff, in pursuance of paragraph (5) of  
Article 11 of the Public Finances  
(Administration) (Jersey) Law 1967, as amended,  
and in accordance with Standing Order No. 46(2),  
ordered the withdrawal of strangers and the  
closing of the doors of the Chamber in order  
that the appointment of the States Auditor be  
debated in camera.

THE STATES, adopting a proposition of the  
Finance and Economics Committee, and in  
accordance with paragraph (1) of Article 11 of  
the Public Finances (Administration) (Jersey)  
Law 1967, as amended, re-appointed the firm of  
Price Waterhouse as States Auditor, for a period  
of three years, commencing with the audit of the  
States accounts for the year ending 31st  
December 1997.

THE STATES rose at 11.50 a.m.

G.H.C. COPPOCK

Greffier of the States.