



**THE STATES assembled on Tuesday,
30th June 1998 at 9.30 a.m. under
the Presidency of the Deputy Bailiff,
Francis Charles Hamon Esquire.**

**His Excellency the Lieutenant Governor,
General Sir Michael Wilkes, K.C.B., C.B.E.,
was present**

All members were present with the exception of –

Senator Patricia Ann Bailhache – out of the Island
Senator Frank Harrison Walker – out of the Island
Edwin Le Gresley Godel, Connétable of St. Mary– out of the Island
Carlyle John Le Hérissier Hinault, Connétable of St. John– ill
Harry Hallelwell Baudains, Deputy of St. Clement– out of the Island
Henry George Coutanche, Deputy of St. Lawrence– out of the Island
Kenneth William Syvret, Deputy of St. Ouen– out of the Island.

Prayers read by the Deputy Bailiff

Connétable of St. Saviour – retirement

The Deputy Bailiff, on behalf of the States, thanked Mr. Jack Roche, Connétable of St. Saviour, for his services to the Island over the years and conveyed to him the best wishes of the Assembly on his retirement.

Newly elected Connétable of St. Saviour – welcome

The Deputy Bailiff, on behalf of the Assembly, welcomed to the States the newly elected Connétable of St. Saviour, Mr. Philip Francis Ozouf.

Lord Chief Justice for England and Wales – visit

The Deputy Bailiff informed the States that the Lord Chief Justice for England and Wales, Lord Bingham, would visit the Island in July and speak in the Royal Court on the United Kingdom's proposed Human Rights Bill.

Subordinate legislation tabled

The following enactments were laid before the States, namely –

Road Traffic (Saint Clement) (Amendment No. 13) (Jersey) Order 1968. R & O 9246.

Road Traffic (Grouville) (Amendment No. 14) (Jersey) Order 1998. R & O 9253.

Gorey Fête (Jersey) Order 1998. R & O 9254.

Health and Social Services 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 Health and Social Services Committee.

Health and Social Services Committee – appointment of President

There were nominated for appointment as President of the Health and Social Services Committee –

Deputy Jeremy Laurence Dorey of St. Helier– proposed by Deputy Terence John Le Main of St. Helier;
and

Senator Richard Joseph Shenton – proposed by the Connétable of St. Brelade.

THE STATES having proceeded to a secret ballot, the Deputy Bailiff declared that Senator Richard Joseph Shenton had been elected President of the Health and Social Services Committee.

The result of the ballot was as follows –

Senator R.J. Shenton	33 votes
Deputy J.L. Dorey	13 votes.

Public Services Committee – resignation of member

THE STATES noted the resignation of Deputy Ronald Winter Blampied of St. Helier from the Public Services Committee.

Public Services Committee – appointment of member

THE STATES appointed Deputy Jeremy Laurence Dorey of St. Helier as a member of the Public Services Committee.

Matters presented

The following matters were presented to the States –

Year 2000 Date Change – computer compliance progress report – R.C.29/98.
Presented by the Establishment Committee.

United Nations Convention on the Elimination of All Forms of Discrimination Against Women: report – R.C.30/98.
Presented by the Policy and Resources Committee.

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

Medical Officer of Health: report for 1997.
Presented by the Health and Social Services Committee.

Matters noted – land transactions

THE STATES noted an Act of the Finance and Economics Committee, dated 22nd June 1998, recording the following decisions of the Treasurer of the States under delegated powers, in pursuance of Standing Orders relating to certain transactions in land –

- (a) as recommended by the Harbours and Airport Committee, the lease to British Airways Plc. of a ground site (measuring 493 square feet) adjacent to the Airport Terminal Building, for a period of nine years from 1st June 1996, at an annual rent of £1.36 a square foot, the rent to be subject to review on 1st June 1999 and 1st June 2002 in line with the Jersey Retail Prices Index. (The Committee rescinded its Act No. 2(a) of 18th March 1996 accordingly);
- (b) as recommended by the Health and Social Services Committee, the lease from Mr. William Bertram Payn, on an internal repairing basis, of the property known as Le Havre, La Rocque, Grouville, for a period of three years from 1st April 1998, at a commencing annual rent of £18,200, increasing on 1st April 1999 to £19,760 and on 1st April 2000 to £20,800, to be paid quarterly in advance, all other terms and conditions to remain as in the existing lease agreement, except that each side would be allowed the option to terminate the lease at the end of the second year, having given six months' notice in writing, and on the basis that each party would be responsible for its own legal costs arising from the transaction;
- (c) as recommended by the Public Services Committee, the acquisition from Merlin House Limited of an area of land (measuring 353.5 square feet) to the front of Merlin House, 20-24 Pier Road, St. Helier for a consideration of £10, with each party being granted certain rights of access by the Housing Committee, on the basis that each party would be responsible for its own legal costs arising from the transaction.

Matters lodged

The following matters were lodged “au Greffe” –

Public Lotteries Board: appointment – P.148/98.

Presented by the Gambling Control Committee.

Limited Liability Partnerships (Insolvent Partnerships) (No. 2) (Jersey) Regulations 199 – P.149/98.

Presented by the Finance and Economics Committee.

Financial Services Commission (Jersey) Law 1998 (Appointed Day) Act (No. 2) 199– P.150/98.

Presented by the Finance and Economics Committee.

Committees of the States: reorganisation – P.151/98.

Presented by the Policy and Resources Committee.

Draft Borrowing (Control) (Amendment No. 4) (Jersey) Law 199 – P.152/98.

Presented by the Finance and Economics Committee.

Draft Veterinary Surgeons (Jersey) Law 199 – P.153/98.

Presented by the Agriculture and Fisheries Committee.

Draft Dangerous Wild Animals (Jersey) Law 199 – P.154/98.

Presented by the Agriculture and Fisheries Committee.

Draft Parish Rate (Amendment No. 7) (Jersey) Law 1998 (Appointed Day) Act 199 – P.155/98.

Presented by the Legislation Committee.

Arrangement of public business for the present meeting

THE STATES confirmed that the following matter lodged “au Greffe” would be considered at the present meeting –

Draft Company Securities (Insider Dealing) (Amendment No. 2) (Jersey) Law 199 – P.69/98.
Lodged: 21st April 1998.
Finance and Economics Committee.

Arrangement of public business for the next meeting on 14th and 15th July 1998

THE STATES confirmed that the following matters lodged “au Greffe” would be considered at the next meeting on 14th and 15th July 1998 –

Limited Liability Partnerships (Insolvent Partnerships) (No. 2) (Jersey) Regulations 199 – P.149/98.
Lodged: 30th June 1998.
Finance and Economics Committee.

Financial Services Commission (Jersey) Law 1998 (Appointed Day) Act (No. 2) 1998– P.150/98.
Lodged: 30th June 1998.
Finance and Economics Committee.

Committees of the States: reorganisation – P.151/98.
Lodged: 30th June 1998.
Policy and Resources Committee.

Draft Borrowing (Control) (Amendment No. 4) (Jersey) Law 199 – P.152/98.
Lodged: 30th June 1998.
Finance and Economics Committee.

Draft Parish Rate (Amendment No. 7) (Jersey) Law 1998 (Appointed Day) Act 199 – P.155/98.
Lodged: 30th June 1998.
Legislation Committee.

Housing Committee’s visit to Vienna – question and answer (Tape No. 452)

Deputy Philip John Rondel of St. John asked Senator Corrie Stein, President of the Housing Committee, the following question –

“Recently members of the Housing Committee visited Vienna to look at social housing. Would the President inform the Assembly of the purpose of the visit, who attended, what the members saw during their visit and the cost of the visit to the taxpayer?”

The President of the Housing Committee replied as follows –

“The Housing Committee decided several months ago that, given the need over the next few years to provide a large number of new social rented homes, much could be learned from visiting jurisdictions outside the Island to view recently built developments of social housing. Mason Design Partnership, who organised the last Housing Committee visit to England in 1991, were consulted and requested to research not only appropriate locations to visit in England, but also Europe. The main purpose of the visits was to learn from the efforts of a number of architects and designers who have produced a diverse range of solutions to the problem of meeting a high demand for social rented housing. By viewing the properties

and meeting the people involved, the Committee aimed to broaden its outlook and bring back to Jersey the best ideas which have been seen to work in practice.

Vienna was selected from a number of potential European destinations because of its strong commitment to publicly funded rental accommodation, which accounts for 86 per cent of all property holdings. Not surprisingly the Viennese Government is the largest owner and administrator of social housing in Europe.

The party comprised the Vice-President Deputy Harry Baudains, Deputy Henry Coutanche, Deputy Robert Duhamel, Deputy Margaret Le Geyt and myself with Chief Executive Officer, Mr. Eric Le Ruez, and Estates Manager, Mr. Steve Read, representing the Housing Department, and Director of Planning, Mr. Peter Thorne, representing Planning. Architect Mr. Derek Mason and his assistant Mr. John Leveridge accompanied the party as professional guides.

In the short time spent in Vienna the party visited over 20 housing estates, including a number of low rise but high density developments. The main points arising from the visit included –

- use of underground car parking for low rise developments, creating safe, green environments at higher density than would normally be acceptable

- widespread use of ‘green roof’ systems

- widespread use of security systems to control access to properties and car park areas

- robust, high quality and vandal resistant components (doors, windows etc.) used for communal facilities

- simple but effective landscaping – small gardens for houses, but larger communal amenity spaces, with high quality play facilities for children of different ages

- strong emphasis on providing balconies/private open space for flat dwellers

- innovative use of internal communal areas, e.g. atrium creating an internal ‘street’

- success of co-operative ventures where residents take a stake in management of the property they occupy.

Members will have noted a report on the Committee’s visit featured in the Jersey Evening Post last week, but any member wishing to have a copy of a full report of the Committee’s visit, including the London visit, should contact the Department. A report will be available in about two weeks’ time.

The Committee set aside £18,000 in its 1998 Expenditure Budget of £24M. to cover visits, conferences and training courses outside the Island. The cost of the visit to Vienna was £5,105, and the total cost, including London, was £8,455. The Planning and Environment Committee will be meeting one-eighth of the total cost for the attendance of the Director of Planning.”

Members holding directorship of financial institutions – questions and answers (Tape No. 452)

Senator Richard Joseph Shenton, O.B.E. asked Senator Frank Harrison Walker, President of the Finance and Economics Committee, the following questions –

- “1. Will the President inform the Assembly of the current policy with regard to members of the Finance and Economics Committee holding directorships of financial institutions and other professional bodies?
2. As the recently appointed Financial Services Commission has a number of members who hold

directorships of financial institutions, does the President believe that the same rules should apply?"

The President of the Finance and Economics Committee replied as follows –

- “1. The Finance and Economics Committee has not established a fixed policy in this connection. All directorships are of course disclosed in the Register of Members’ Interests kept under Standing Order No. 44A. Also Standing Order No. 44 requires any member who has a direct pecuniar interest in any matter which is under consideration by the Committee to declare this interest and withdraw from the Committee during the consideration of, and voting on, the question.

However, when Senator Walker was appointed President of the Committee in December 1996, he resigned all directorships within the finance industry as a matter of personal conviction.

2. The Jersey Financial Services Commission has agreed a statement on conflicts of interest which was set out in Appendix B of the report and proposition– Financial Services Commission: Appointment of Commissioners (P.88/98).

That statement was derived from similar documents and procedures within the Securities and Investments Board and the Securities and Futures Authority in London and is being firmly implemented.

It is to be noted that the newly established Financial Services Authority in the United Kingdom has on its Board practitioners in the industry who have a wide variety of interests and that this is regarded as international best practice.”

Health and Social Services Committee – appointment of members

THE STATES, on the proposition of Senator Richard Joseph Shenton, President of the Health and Social Services Committee, appointed the following as members of that Committee –

Senator Jean Amy Le Maistre
Senator Stuart Syvret
Shirley Margaret Baudains, Deputy of St. Helier
Frederick John Hill, Deputy of St. Martin
Terence John Le Main, Deputy of St. Helier
Stanley John Le Cornu, Deputy of St. Clement.

Elizabeth Harbour, St. Helier: lease of accommodation to NFC UK Ltd.

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

- (a) approved the lease to NFC UK Ltd., trading as Exel Logistics, for a period of six years commencing 1st July 1998, of –
 - (i) accommodation within the south-western part of the Phase I Warehouse, Elizabeth Harbour St. Helier, (Letting No. E26) measuring 6,931 square feet, at an annual rental of £40,140.41 (representing a rate of approximately £6.78 a square foot), the rental to be subject to annual review in line with the Jersey Cost of Living Index; and
 - (ii) the ground site immediately outside the Phase I Warehouse (Letting No. E26A) measuring 46 square feet at an annual rental of £592.42 (representing a rate of approximately £1.29), the rental to be subject to annual review in line with the Jersey Cost of Living Index;

- (b) authorised the Greffier of the States to sign the necessary lease;
- (c) authorised the Treasurer of the States to receive the rent as it became due.

Car and passenger ferry service between Jersey and the United Kingdom – P.138/98

THE STATES, adopting a proposition of the Jersey Transport Authority –

- (a) approved, in principle, that permission be granted to Condor Ferries Limited, for a period of three years commencing 1st January 1999, to enable that company to operate passenger and car ferry shipping services between Jersey and the United Kingdom;
- (b) requested the Harbours and Airport Committee to grant the necessary permit under the Harbours (Administration) (Jersey) Law 1961, as amended, and to include as a condition of that permit a Service Level Agreement in terms approved by the Jersey Transport Authority.

Members present voted as follows –

“Pour” (26)

Senators

Rothwell, Le Maistre, Quérée, Tomes, Norman.

Connétables

St. Lawrence, St. Brelade, St. Peter, St. Martin, St. Ouen, Trinity, St. Saviour.

Deputies

Wavell(S), Le Sueur(H), St. Mary, Pullin(S), Johns(H), Duhamel(S), Layzell(B), Huet(H), St. Marti Rabet(H), Vibert(B), Le Cornu(C), St. Peter, Dubras(L).

“Contre” (17)

Senators

Stein, Syvret, Kinnard.

Connétables

St. Clement, Grouville, St. Helier.

Deputies

S. Baudains(H), Le Geyt(S), Trinity, Routier(H), Dorey(H), Breckon(S), Grouville, St. John, Blampic (H), Crowcroft(H), de la Haye(B).

States Resource Plan 1998 – P.112/98, P.142/98, P.143/98, P.144/98, P.145/98, P.147/98 and seventh and eighth amendments

THE STATES commenced consideration of the proposition of the Policy and Resources Committee and received the States Resource Plan 1998.

THE STATES adopted sub-paragraph (a) and –

- (a) approved the cash limits for each of the non-trading Committees for 1999 as set out in Appendix 1.2.

Members present voted as follows –

“Pour” (37)

Senators

Horsfall, Rothwell, Le Maistre, Stein, Quérée, Tomes, Norman, Kinnard.

Connétables

St. Lawrence, St. Brelade, St. Peter, St. Martin, St. Ouen, Trinity, St. Saviour.

Deputies

Wavell(S), Le Sueur(H), St. Mary, Le Geyt(S), Trinity, Pullin(S), Johns(H), Duhamel(S), Routier(H), Dorey(H), Layzell(B), Grouville, Huet(H), St. Martin, St. John, Blampied(H), Rabet(H), Vibert(B), de la Haye(B), Le Cornu(C), St. Peter, Dubras(L).

“Contre” (9)

Senators

Shenton, Syvret.

Connétables

St. Clement, Grouville, St. Helier.

Deputies

S. Baudains(H), Breckon(S), Le Main(H), Crowcroft(H).

THE STATES commenced consideration of sub-paragraph (b) of the proposition–

- (b) to approve the recommended priority order of capital projects for 1999, as set out in Appendix 5.2 and for 2000, 2001 and 2002 as set out in Appendix 5.4;

THE STATES accepted an amendment of the Housing Committee that in sub-paragraph (b), after the words “Appendix 5.2” there should be inserted the words “with the addition of the sum of £110,000, to enable the Housing Committee to undertake certain major adaptations to its housing stock to provide suitably adapted accommodation to meet the needs of those persons with special housing needs, and that the Finance and Economics Committee be requested to make sufficient sums available for the project in the 1999 Budget.”

THE STATES accepted an amendment of the Education Committee that for sub-paragraph (b) there should be substituted the following –

“(b) to approve the recommended priority order of capital projects for –

- (i) 1999, as set out in Appendix 5.2, as amended, to include the additional sum of £7,648,000 for the Phase 1 redevelopment of Hautlieu School;”

Members present voted on the amendment as follows –

“Pour” (35)

Senators

Shenton, Rothwell, Le Maistre, Stein, Syvret, Tomes, Norman, Kinnard.

Connétables

St. Lawrence, St. Peter, Grouville, St. Helier, St. Martin, St. Ouen, Trinity, St. Saviour.

Deputies

Wavell(S), S. Baudains(H), Le Geyt(S), Trinity, Pullin(S), Duhamel(S), Routier(H),Dorey(H), Breckon (S), Grouville, Huet(H), St. Martin, Le Main(H), Rabet(H), Vibert(B), de la Haye(B), Le Cornu(C) St. Peter, Dubras(L).

“Contre” (10)**Senators**

Horsfall, Quérée.

Connétables

St. Clement, St. Brelade.

Deputies

Le Sueur(H), St. Mary, Johns(H), Layzell(B), St. John, Blampied(H).

There was one abstention.

THE STATES then adjourned until Wednesday, 1st July 1998.

THE STATES rose at 5.50 p.m.

G.H.C. COPPOCK

Greffier of the States