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THE STATES assembled on Tuesday,  
7th July 1992 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 Pierre François Horsfall - out of  
the Island.

Senator John Stephen Rothwell - out of the  
Island.

Arthur Philip Quérée, Connétable of St.  
Ouen - out of the Island.

Snowdon George Robins, Connétable of St.  
Saviour - absent.

Leonard Picot, Connétable of Trinity - out  
of the Island.

Edgar John Becquet, Deputy of Trinity -  
ill.

Margaret Sylvia Rose Beadle, Deputy of St.  
Brelade - ill.

Terence Ahier Jehan, Deputy of St. Martin -  
out of the Island.

David Leon Crespel, Deputy of St. Helier -  
out of the Island.

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Prayers

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#### Change in Presidency

The Bailiff retired from the Chamber and the  
Sitting continued under the Presidency of  
Geoffrey Henry Charles Coppock, Esquire,  
Greffier of the States.

#### Subordinate legislation tabled

The following enactments were laid before the  
States, namely -

1. Company Securities (Insider  
Dealing) (Recognised Stock Exchange)

(Jersey) Order 1992. R & O 8401.

2. Health Insurance (Pharmaceutical Benefit) (General Provisions) (Jersey) Order 1992. R & O 8402.
3. Food and Drugs (Artificial Sweeteners) (Revocation) (Jersey) Order 1992. R & O 8403.
4. Inquests (Fees) (Jersey) Rules 1992. R & O 8404.
5. Road Traffic (St. Saviour) (Amendment) (Jersey) Order 1992. R & O 8405.
6. Motor Vehicles (Driving Licences) (Amendment No. 5) (Jersey) Order 1992. R & O 8406.
7. Banking Business (List of Registered Persons) (Amendment) (Jersey) Order 1992. R & O 8407.

Gambling Control Committee - appointment of member

THE STATES appointed Malcolm Pollard, Connétable of St. Peter as a member of the Gambling Control Committee.

Water Resources in Jersey. P.95/92

The Finance and Economics Committee by Act dated 29th June 1992 and the Establishment Committee by Act dated 22nd June 1992 presented to the States their comments on a proposition of the Public Services Committee regarding water resources in Jersey (P.78/92).

Motor Traffic Department report for 1991

The Defence Committee by Act dated 7th May 1992 presented to the States a report of the Motor Traffic Department for 1991.

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

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 29th June 1992, showing that in pursuance of Standing Orders relating to certain transactions in land, the

Committee had approved -

- (a) as recommended by the Housing Committee, the purchase from Mr. Michael Roy Grove of the freehold of Devonia Yard, Devonshire Place, St. Helier for the sum of £25,000 with each party being responsible for its own legal and valuer's fees;
- (b) as recommended by the Education Committee, the passing of a Contrat de Bornement and a Contrat de Transaction between the public of the Island and St. James Mews Limited in order to agree the boundary between 1-4 St. James Cottages and New Ways Day Care Centre, Old School House, New St. James Street, St. Helier, and to allow the partial demolition and rebuilding of the party gable between the properties and the right to allow gutters to overlay the boundary, with St. James Mews Limited being responsible for all the legal costs involved in the transaction.

Matters lodged

The following subjects were lodged ``au Greffe" -

1. Parish of St. Lawrence: loan.  
P.94/92.  
Presented by the Finance and Economics Committee.
2. Draft Lodging Houses  
(Registration) (Amendment) (Jersey) Law  
199. P.96/92.  
Presented by the Housing Committee.
3. Youth Training Initiative.  
P.97/92.  
Presented by the Education Committee.
4. Teaching appointments: Committee  
of Inquiry. P.98/92.  
Presented by Deputy S.M.  
Baudains of St. Helier.

Teaching appointments: Special Committee  
P.93/92. Withdrawn

THE STATES noted that Deputy S.M. Baudains of St. Helier had withdrawn her proposition

regarding the establishment of a Special Committee to examine the procedures for making senior teaching appointments in the Education Service (lodged on 23rd June 1992), having lodged a revised proposition (P.98/92) at the present Sitting.

Arrangement of Public Business for the next Sitting on 28th July 1992

THE STATES confirmed that the following subjects lodged ``au Greffe" should be considered at the next Sitting on 28th July 1992 -

Springfield, St. Helier: rezoning of land. P.67/92  
Lodged: 12th May 1992  
Sport, Leisure and Recreation Committee

Protection of employment opportunities. P.72/92  
Lodged: 19th May 1992  
Policy and Resources Committee

La Grande Maison, St. Catherine: approval of drawings. P.91/92  
Lodged: 23rd June 1992  
Housing Committee

Field 1367, St. Helier: approval of drawings. P.92/92  
Lodged: 23rd June 1992  
Housing Committee

Draft Lodging Houses (Registration) (Amendment) (Jersey) Law 199 . P.96/92  
Housing Committee

Youth Training Initiative. P.97/92  
Education Committee

Teaching appointments: Committee of Inquiry. P.98/92  
Deputy S.M. Baudains of St. Helier.

Jersey Royal potatoes. Questions and answers (Tape No. 144)

Senator Richard Joseph Shenton asked Senator Nigel Lewis Qu  r  e, a member of the Agriculture and Fisheries Committee the following questions -

``1. Will the President inform the House of the breakdown in costs

associated with shipping one tonne of Jersey Royal potatoes to the United Kingdom using Lo-Lo facilities at Jersey and Portsmouth; the breakdown to include the costs of sea freight, stevedoring charges at both ends, harbour dues, the cost of pallets, packaging in Jersey, road transport in Jersey, road transport in the United Kingdom, commissions and any other relevant charges?

2. Will the President inform the House as to the total value of the 1992 Jersey Royal exports to date and express the costs as a percentage per tonne of the total value?
3. Will the President inform the House as to the total number of vergées of arable land in Jersey that is used for potato production only?"

Senator Quérée replied as follows -

``Senator Shenton's questions enable the Agriculture and Fisheries Committee to inform the House that it has already decided to undertake a survey into distribution and marketing charges as well as margins at outlets. There are a number of elements that make up the charges and these replies detail the result of the Committee's first investigations but have, as yet not been compared to marketing costs in other areas.

1. Representative costs are as follows -

(a) Handling

Store packing (excluding bags) 24.  
80  
25 kg bags per tonne i.e. per 40 1  
0.20  
Palletts each 4.40

Jersey road haulage )  
Jersey stevedores 3.55 )  
Jersey harbour dues 5.10 )  
61.80

Sea freight Lo-Lo ) per tonne  
Portsmouth harbour dues )  
Portsmouth stevedores )  
United Kingdom road haulage  
)

Promotions activity funding 3.00  
Wholesalers handling charge  
and quality control levy 1.4  
0

Total 105.60

(b) Commission rate 6 per cent to wholesalers plus a further 1.5 per cent as marketing charges

(c) Other charges -

insurance 0.6 per cent  
group levy 0.1 per cent.

Several points must be borne in mind in looking at these costs.

(a) Jersey harbour dues on produce exported are refunded in part by the States. In 1991 the figure was £3.65 a tonne refund on all produce exported.

(b) The promotion activity fund levy is financed from within the Committee's promotion and advertising votes and refunded to growers.

(c) The marketing groups have to decide on a freight rate before the season commences, i.e. total weight, likely peaks - length of the season and the detailed distribution pattern are not known. Thus in some years there is an element of rebate on these costs by some groups.

(d) The road freight cannot be assessed in simple terms as it represents the cost of achieving a delivery aligned to market requirements necessitating for example part load deliveries and loadings designed to meet supermarket delivery slots.

The freight rate also includes refrigerating potatoes and storing potatoes in refrigerated conditions, when necessary, and also includes all overtime rates incurred in Jersey and Portsmouth docks.

It will be noted that the total costs of an individual consignment sent by Lo-Lo mid week and delivered to an

adjacent market would undoubtedly be less than the £61.80 quoted. The reasons for the higher standard cost are outlined above.

- (e) Packing charges include all overtime and packing on public holidays and weekends.
2. The full value of the season is not yet known. However it is known that 49,657 tonnes had been exported up to 30th June. The United Kingdom gross value on the first 27,204 tonnes was £12,119,201. Bearing in mind the answers to question 1 the costs would be approximately 30.5 per cent of the value. Since that time prices have fallen and thus handling, etc. becomes a large percentage of the value.
  3. No records are available of the specific uses of areas of land. What is available are the areas devoted to various crops and the income attributed to those crops. The table clearly indicates the industry's increasing reliance on the Jersey Royal over the last few years - land usage is similar to that of the early sixties but financially the dependence on the Jersey Royal has increased to almost 60 per cent of total exports.

1960 1970 1980 1990 1991 1992

Jersey Royals \*17,679 14,663 14,700 15,335 16,510  
 \*\*16,589  
 (vergées)

Total area of all crops (vergées) 53,606 52,726 51,888 54,135 57,060

Jersey Royals as a percentage of all crops 33.0 27.8 28.3 28.3 28.9

Area of land farmed (vergées) 39,186 39,713 37,720 36,073 36,045

Area of Jersey Royals as a percentage of total land farmed 45.1 36.9 39.0 42.5 45.8

Total value of Jersey Royals (£) N/R 2,870,903 5,806,109 21,587,115

20,975,975

Total value of all  
crops (£) N/R 7,370,996 15,825,337 39,594,608  
36,272,243

Value of Royals as  
a percentage of total  
crops exported 38.9 36.7 54.5 57.8

Source: Agricultural Census

\* These included an area of other varieties

\*\* Obtained from Colorado Beetle Order 1960  
declarations submitted by 30th April 1992  
and may yet be increased marginally."

Comparative Study of Salaries and Wages  
in the Private Sector. Questions and Answers  
(Tape No. 144)

Deputy Alan Payn Bree of Grouville asked Senator  
Richard Joseph Shenton, President of the  
Establishment Committee the following  
questions -

``With reference to the `Comparative Study  
of Salaries and Wages in the Private  
Sector' carried out last year by the United  
Kingdom Consultants, P.E. International,  
will the President of the Establishment  
Committee kindly inform this House -

(a) When was the contract to carry out the  
study let to P.E. International?

(b) When was the report of the Consultants  
received by the Committee?

(c) When will it be made available to  
States' Members?"

The President of the Establishment Committee  
replied as follows -

``(a) P.E. International Plc were  
informed on 21st January 1991.

(b) The first draft was received on 23rd  
July 1991. A final draft is still  
awaited.

(c) When the Establishment Committee is  
satisfied that the terms agreed with  
P.E. have been met it will be made  
available, as originally agreed, to the

Civil Service Staff Side and private sector organisations which participated in the survey."

#### Change of Presidency

The Sitting continued under the Presidency of the Bailiff.

#### Postal services. Statement

The President of the Committee for Postal Administration made a statement in the following terms -

``My Committee would wish the House to be aware of the difficulties Postal continues to face in attempting to follow States policy, with particular regard to zero job growth, against a background of increasing volumes of mail.

In order to operate a high level of service for the businesses and public of the Island, against a background of manpower and financial constraint, there is a need to review methods and work practices and this includes the introduction of mechanisation. Change is commonly met with resistance, in this respect Postal is no different and considerable difficulties are being experienced.

The Establishment Committee has been both informed and involved in the discussions between the Postal Committee and the Union of Communication Workers. Satisfactory progress with the discussions has been helped by the intervention of the Deputy General Secretary of the Union who spent several days in the Island on two occasions in the past few months.

In any large work force there is always a small element who will act in a way to compound difficulties and again the Postal Department is no exception. This has caused embarrassment to the Department and inconvenience to the public of the Island. Such problems can only be resolved in-house and are not helped by misinformed media attention. Although it will not come as a surprise to Members to learn of the increasing amount of mail incoming to the Island, so far this year another 10 per cent, many Members may not appreciate that we now handle over one million items per week. Coupled with the growth in the number

of addresses it says much for management that we have been able to provide the level of service without taking on extra staff.

The saddest part of this unfortunate episode is that at a time when there is a need to modify attitudes and moderate expectations throughout the public sector we were being attacked by the Jersey Evening Post who invited criticism in order to fill their pages and who expected my Committee to openly debate the issue which had become extremely delicate.

Thanks to the co-operation of the many loyal staff and the Union of Communication Workers, who recognise their responsibilities, we now have a climate within which the recently introduced mechanisation can be used in a productive manner and so help contain costs and high levels of overtime in an operation that is essentially labour intensive.

It is hoped that the House will appreciate the difficulties that the Postal Department faces and will continue to support us in carrying out States policies, which in the long term will be of benefit to the postal user."

Access to premises and related facilities.  
Statement

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

``Members of this House will be aware that in addition to planning services my Committee provides a comprehensive building control service to the Island. One of its objectives is to ensure that all new building construction work complies with legislation and good building practice. The public is fortunate in being able to rely on my department's professional expertise which, in my Committee's view, has over the years generally resulted in a great improvement in the quality of building standards in the Island.

In 1961 we were given the legal authority of the Public Health (Control of Building) (Jersey) Law 1956 to carry out this work. The purposes of this Law are very clearly set out in detail in Article 2 which defines the powers available to the Committee to make Bye-laws. There are

currently in place 128 Bye-laws whose revision is now well advanced. It was identified that a serious gap existed in the Law's provision for access and facilities for disabled persons. In the modern world it is imperative that we find ways of enabling all members of our community to lead as full a life as is possible.

My officers, aided by Mr L. Davis an adviser to the U.K. government, have now completed a draft of the requirements of new Bye-laws for access for the disabled which my Committee intends to introduce. We have requested the Attorney General to advise whether the purposes in the existing Law are sufficiently wide to empower these draft Bye-laws, of which there is some doubt.

We have, therefore, decided to issue these Bye-laws as a code of practice in advance of my Committee obtaining the necessary amendments to the Law.

Members of the House have today received a copy of the draft code of practice which is being issued for consultation by architectural practices. It will then become a voluntary code of practice to which we would ask all development applications for public buildings to conform to, including particularly all new construction work to States buildings.

My Property Services Department will be endeavouring with the Public Services Department to try to advance plans for improved access to existing States buildings wherever possible. This requires resources which we have every confidence the States will provide in due course.

I would like to record my Committee's gratitude for the help we have received from the staff at Overdale and the Disabled Access Group in the preparing of this code which I am sure will be of help to all those involved."

Territorial Army Centre, La Collette: purchase and sale of land

THE STATES, adopting a proposition of the Defence Committee -

(a) referred to their Act dated 9th April 1991 regarding the purchase and sale of

land at La Collette and agreed to the cession from the Parish of St. Helier of 11 perch of land, as shown on plan number 2191/2 free of charge;

(b) authorised the Attorney General and the Greffier of the States to pass the necessary contracts in the matter.

Health Services Disciplinary Tribunal:  
appointment of member

THE STATES, adopting a proposition of the Social Security Committee and in pursuance of Articles 1 and 36 of the Health Insurance (Jersey) Law 1967, as amended, and following the retirement of Mrs. Sheila Minnie Daphne Billot, appointed Mrs. Patricia Anne Henwood as a member of the Health Services Disciplinary Tribunal for the period expiring 31st December 1992.

Strategic policy report for 1992. P.70/92

THE STATES continued discussion of the proposition of the Policy and Resources Committee on the Strategic Policy Report for 1992.

Paragraph 6 was adopted.

Paragraph 7 was adopted, the President of the Island Development Committee having withdrawn his Committee's amendment (P.89/92) that at the end of paragraph 7 there should be inserted the following words -

``and to accept the comments of the Island Development Committee set out in paragraphs 15 to 17 of its report dated 5th June 1992."`

THE STATES, adopted an amendment (P.87/92) of the Housing Committee that in paragraph 7, after sub-paragraph (c) there should be inserted the following sub-paragraph -

``(d) to request that the Finance and Economics committee makes every endeavour to grant in 1993 appropriate financial assistance to housing associations which the Housing Committee permits to develop certain of the sites under its administration."`

[As an aide-memoire the decisions of the States on the Strategic Policy Report for 1992 are consolidated as an

Appendix immediately after this set of Minutes].

Public entertainment: responsibility for content. P.68/92

THE STATES rejected a proposition of Deputy S. Syvret of St. Helier to approve in principle the transfer of the responsibility for the content of public entertainment from the Bailiff to a Committee of the States.

Members present voted as follows -

``Pour" (3)

Senator

Quérée

Deputies

Buesnel(H), Syvret(H)

``Contre" (38)

Senators

Shenton, Jeune, Binnington, Baal, Le Main,  
Le Maistre, Carter, Stein, Chinn

Connétables

St. Clement, St. Lawrence, St. Mary, St.  
Brelade, St. Martin, St. Peter,  
Grouville

Deputies

Le Gallais(S), Roche(S), Rumboll(H),  
Wavell(S), Blampied(H), St. John, St.  
Peter, Baudains(C), Le Sueur(H), St. Ouen,  
Coutanche(L), Huelin(B), Jordan(B), St.  
Mary, Bailhache(H), Rabet(H), Baudains(H),  
Grouville, Clarke-Halifax(H), Le Fondré(L),  
Le Geyt(S), Walker(H).

Unlawful Public Entertainment (Jersey)  
Regulations 1992. P.84/92

THE STATES, by virtue and in exercise of the powers conferred upon them by the Order in Council of the twenty-eighth day of March 1771 made Regulations entitled the Unlawful Public Entertainments (Jersey) Regulations 1992.

Bailiff's Consultative Panel. P.90/92

THE STATES commenced consideration of a proposition of Senator Richard Joseph Shenton regarding the establishment of a Bailiff's Consultative Panel, and rejected an amendment of

Senator Dereck André Carter that the original wording of the proposition (P.90/92) should be reinstated. Members present voted as follows -

``Pour" (16)

Senators

Baal, Le Maistre, Carter, Quérée

Connétables

St. Mary, St. Brelade, St. Martin, St. Peter

Deputies

Blampied(H), St. Peter, Buesnel(H),  
Huelin(B), Rabet(H), Grouville, Le Geyt(S),  
Syvret(H).

``Contre" (19)

Senators

Jeune, Le Main, Stein, Chinn

Connétables

St. Clement, St. Lawrence, Grouville

Deputies

Le Gallais(S), Roche(S), Rumboll(H),  
Wavell(S), Baudains(C), Le Sueur(H), St.  
Ouen, Coutanche(L), St. Mary, Bailhache(H),  
Baudains(H), Walker(H).

Senator Richard Joseph Shenton abstained from voting.

THE STATES, adopting the proposition, as amended -

``1. agreed to establish a Consultative Panel of elected members of the States with whom the Bailiff would be able to meet in order to consult on a confidential basis in appropriate cases.

2. (a) agreed that the Panel should comprise -

the senior Senator  
the senior Connétable  
the senior Deputy  
the President of the Policy and Resources Committee  
the President of the Finance and Economics Committee  
the President of the Establishment Committee  
and three Members nominated by the States.

(b) that a quorum for meetings of the Panel should be five elected Members."

Bailiff's Consultative Panel: appointment of three Members nominated by the States

There were nominated for appointment as Members of the Bailiff's Consultative Panel -

Senator Bernard Thomas Binnington - proposed by Iris Medora Le Feuvre, Connétable of St. Lawrence

Senator Jean Amy Le Maistre - proposed by Senator Nigel Lewis Quérée

Senator Dereck André Carter - proposed by Margaret Anne Le Geyt, Deputy of St. Saviour

Senator Corrie Stein - proposed by Senator Terence John Le Main

Michael Adam Wavell, Deputy of St. Saviour - proposed by Jack Roche, Deputy of St. Saviour.

THE STATES having proceeded to a secret ballot, the Bailiff declared that Deputy Wavell, Senator Binnington and Senator Le Maistre had been appointed to serve on the Panel.

The result of the ballot was as follows -

Deputy Wavell	-	29 votes
Senator Binnington	-	24 votes
Senator Le Maistre	-	20 votes
Senator Carter	-	17 votes
Senator Stein	-	8 votes

THE STATES rose at 3.35 p.m.

G.H.C. COPPOCK

Greffier of the States.

APPENDIX

Strategic Policy Report for 1992 (P.70/92) - as amended, including renumbered paragraphs

following reference back of original paragraph 3.

THE STATES, adopting the proposition as amended, therefore -

1. accepted the 1992 Strategic Policy Report as a general statement of the policy objectives to which all Committees will have regard;  
(23rd June 1992)
2. agreed that the overall strategy for population growth adopted by the States on 5th December 1989 should be retained but, having regard to current employment trends, both established and new businesses should be encouraged to support the full employment of Island residents;  
(23rd June 1992)
3. accepted paragraphs 3.1-9.14 of the Report as a general statement of policy in respect of the economy and in particular of the policies of support for the further development of -  
(24th June 1992)
  - (a) the finance industry, as set out in paragraphs 4.1-4.25;
  - (b) the tourism industry, as set out in paragraphs 5.1-5.18;
  - (c) the agriculture and fishing industries, as set out in paragraphs 6.1-6.13;
4. requested the Housing Committee to adopt -  
(24th June 1992)
  - (a) a more flexible policy when considering applications for consents under Regulation 1(1)(k) with the number of additional consents each year no longer being limited to five;
  - (b) a more critical approach to the granting of replacement consents under Regulation 1(1)(j), to give every encouragement to the employment and training of local residents, while also being more flexible in responding to applications for the extension of existing five year consents under

Regulation 1(1)(j) where this can be justified by reference to the long term interests of the community;

5. accepted paragraphs 10.1-11.18 of the Report as a general statement of housing and social policies;  
(7th July 1992)

6. accepted paragraphs 14.1-14.46 of the Report as a general statement of policy in respect of the public sector and in particular -

(a) agreed that the States capital programme for 1993 should comprise -

building and civil engineering works	£40.5 million
equipment and services	£11.0 million
land purchase	£4.0 million

Total	£55.5 million
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(b) agreed the recommended list of capital projects for 1993 as set out in Tables A, B and E of Appendix 9 of the Report;

(c) agreed the recommended list of priority capital projects for 1993-1996, as set out in Table C of Appendix 9 of the Report.

(d) requested that the Finance and Economics Committee makes every endeavour to grant in 1993 appropriate financial assistance to housing associations which the Housing Committee permits to develop certain of the sites under its administration.  
(7th July 1992)