



**THE STATES assembled on Tuesday
15th July 2014, at 09.30 a.m. under
the Presidency of the Bailiff,
Sir Michael Birt.**

All members were present at roll call with the exception of –

Senator Philip Francis Cyril Ozouf – excused attendance (arrived in the Chamber at 9.50 a.m.)
Senator Alan John Henry Maclean – en défaut (défaut raised at 9.44 a.m.)
Senator Sir Philip Martin Bailhache – absent on States business (arrived in the Chamber at 2.33 p.m.)
Connétable Alan Simon Crowcroft of St. Helier – excused attendance (arrived in the Chamber at 10.50 a.m.)
Deputy Kristina Louise Moore of St. Peter – ill

Prayers read by the Greffier of the States

Documents presented or laid

Draft Employment (Amendment No. 8) (Jersey) Law 201- (P.109/2014): comments (P.109/2014 Com.(2)) – response of the Minister for Social Security. P.109/2014.
Presented: 15th July 2014. Com.(2)
Minister for Social Security. Com.

Meetings of the States in 2015. R.96/2014.
Presented: 15th July 2014.
Privileges and Procedures Committee.

Withdrawal of lodged propositions

THE STATES noted that, in accordance with Standing Order 34(1), the proposer of the following propositions lodged “au Greffe” had informed the Greffier of the States that they had been withdrawn –

Island Plan 2011: revised draft revision – approval (P.37/2014) – seventh amendment. P.37/2014.
Lodged: 6th May 2014. Amd.(7)
Deputy J.H. Young of St. Brelade.

Island Plan 2011: revised draft revision – approval (P.37/2014) – ninth amendment (parts (b) to (e)). P.37/2014.
Lodged: 6th May 2014. Amd.(9)
Deputy J.H. Young of St. Brelade.

Draft Restriction on Smoking (Amendment No. 4) (Jersey) Law 201- P.103/2014

THE STATES commenced consideration of the Draft Restriction on Smoking (Amendment No. 4) (Jersey) Law 201- and adopted the principles.

Members present voted as follows –

POUR: 42

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A. Breckon
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. John
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérissier (S)
 Deputy J.A. Martin (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy E.J. Noel (L)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 Deputy of St. John
 Deputy J.P.G. Baker (H)
 Deputy J.H. Young (B)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)
 Deputy N.B. Le Cornu (H)
 Deputy S.Y. Mézec (H)

CONTRE: 4

Senator S.C. Ferguson
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy G.C.L. Baudains (C)

ABSTAIN: 0

THE STATES, having been informed that the relevant scrutiny panel had indicated that it did not wish to scrutinise the draft legislation, adopted Articles 1 to 4.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Restriction on Smoking (Amendment No. 4) (Jersey) Law 201-.

Urgent Oral Question*(see Official Report/Hansard)*

Deputy J.A.N. Le Fondré of St. Lawrence asked an urgent oral question of the Minister for Treasury and Resources which the Bailiff had allowed in accordance with Standing Order 15 relating to urgent oral questions –

“When did the Minister first become aware that the Treasurer had resigned?”

Arrangement of public business for the current meeting

THE STATES, adopting a proposition of Senator Philip Francis Cyril Ozouf agreed that, in accordance with Standing Order 26(7), the lodging period in respect of his amendment to the Draft Referendum (Composition of the States Assembly) (Jersey) Act 201- (P.118/2014 Amd.(3)) should be reduced to enable the matter to be considered at the current meeting.

Members present voted as follows –

POUR: 23

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A. Breckon
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator I.J. Gorst
 Senator L.J. Farnham
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of St. Mary
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy R.C. Duhamel (S)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy E.J. Noel (L)
 Deputy A.K.F. Green (H)
 Deputy J.P.G. Baker (H)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary

CONTRE: 20

Senator S.C. Ferguson
 Senator F. du H. Le Gresley
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. John
 Connétable of Grouville
 Deputy R.G. Le Hérisier (S)
 Deputy J.A. Martin (H)
 Deputy of St. Ouen
 Deputy J.A.N. Le Fondré (L)
 Deputy S.S.P.A. Power (B)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy G.C.L. Baudains (C)
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)
 Deputy N.B. Le Cornu (H)
 Deputy S.Y. Mézec (H)

ABSTAIN: 2

Deputy M. Tadier (B)
 Deputy J.H. Young (B)

THE STATES, adopting a proposition of Deputy Geoffrey Peter Southern of St. Helier, agreed that, in accordance with Standing Order 26(7), the lodging period in respect of his amendment to the amendment of Deputy Andrew Kenneth Francis Green, M.B.E. of St. Helier to the Draft Referendum (Composition of the States Assembly) (Jersey) Act 201- (P.118/2014 Amd.(2)Amd.) should be reduced to enable the matter to be considered at the current meeting.

Members present voted as follows –

POUR: 33

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A. Breckon
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of St. Clement
 Connétable of St. Mary
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Deputy R.C. Duhamel (S)
 Deputy G.P. Southern (H)
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy of St. John
 Deputy J.H. Young (B)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary
 Deputy R.J. Rondel (H)
 Deputy N.B. Le Cornu (H)
 Deputy S.Y. Mézec (H)

CONTRE: 11

Senator S.C. Ferguson
 Connétable of St. Lawrence
 Deputy R.G. Le Hérisier (S)
 Deputy J.A. Martin (H)
 Deputy of St. Ouen
 Deputy S.S.P.A. Power (B)
 Deputy J.M. Maçon (S)
 Deputy G.C.L. Baudains (C)
 Deputy J.P.G. Baker (H)
 Deputy of St. Martin
 Deputy R.G. Bryans (H)

ABSTAIN: 1

Deputy J.A.N. Le Fondré (L)

Draft Referendum (Composition of the States Assembly) (Jersey) Act 201- P.118/2014

THE STATES commenced consideration of a proposition of the Privileges and Procedures Committee regarding the Draft Referendum (Composition of the States Assembly) (Jersey) Act 201- and rejected an amendment of Senator Philip Francis Cyril Ozouf that, in Article 6, for paragraphs (5) and (6) there should be substituted the following paragraphs, and the remaining paragraphs renumbered accordingly –

- “(5) A voter may record a vote for or against a question in the referendum by making a cross in the blank square next to either “Yes” or “No” opposite the question on the ballot paper.
- (6) A voter’s ballot paper is not invalid by reason that the voter does not record a vote in respect of all of the questions on the ballot paper.
- (7) The Judicial Greffier, having added the votes for or against each of the questions in the referendum in the electoral districts, shall inform the Greffier of the States of the results of the referendum.”;

and that for the ballot paper set out in the Schedule, there should be substituted the following ballot paper –

BALLOT PAPER

ANSWER 'YES' OR 'NO' TO EACH OF THE 4 QUESTIONS

1.	Should the number of elected States members be reduced to 42?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
2.	Should a minimum of 8 Senators elected on an island-wide basis continue to be members of the States?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
3.	Should the Constables continue to be members of the States by virtue of their office?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
4.	Should Deputies be elected on an equal and proportionate basis in larger districts to be determined by an Electoral Boundaries Commission?	YES <input type="checkbox"/>	NO <input type="checkbox"/>

Members present voted as follows –

POUR: 18

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator I.J. Gorst
 Senator L.J. Farnham
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. John
 Connétable of St. Ouen
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy E.J. Noel (L)
 Deputy of St. John
 Deputy J.P.G. Baker (H)
 Deputy of St. Mary

CONTRE: 31

Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Brelade
 Connétable of Grouville
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisser (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy S.S.P.A. Power (B)
 Deputy M. Tadier (B)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 Deputy G.C.L. Baudains (C)
 Deputy J.H. Young (B)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin

ABSTAIN: 0

Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)
 Deputy N.B. Le Cornu (H)
 Deputy S.Y. Mézec (H)

THE STATES commenced consideration of an amendment of the Deputy of St. John to the Draft Referendum (Composition of the States Assembly) (Jersey) Act 201- (P.118/2014 Amd.) and rejected Part 2(1) of an amendment to that amendment by Senator Lyndon John Farnham that in the first question on the substituted ballot paper, for the words “lose their automatic right to sit in the States Assembly” there should be substituted the words “remain as members of the States as an automatic right”.

Members present voted as follows –

POUR: 22

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. John
 Connétable of St. Ouen
 Connétable of St. Martin
 Connétable of St. Saviour
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A.N. Le Fondré (L)
 Deputy E.J. Noel (L)
 Deputy G.C.L. Baudains (C)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary

CONTRE: 26

Senator A. Breckon
 Senator S.C. Ferguson
 Senator F. du H. Le Gresley
 Connétable of St. Clement
 Connétable of St. Brelade
 Connétable of Grouville
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisssier (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 Deputy J.P.G. Baker (H)
 Deputy J.H. Young (B)
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)
 Deputy N.B. Le Cornu (H)
 Deputy S.Y. Mézec (H)

ABSTAIN: 1

Deputy of St. John

THE STATES rejected Part 2(2) of an amendment of Senator Lyndon John Farnham to an amendment of the Deputy of St. John to the Draft Referendum (Composition of the States Assembly) (Jersey) Act 201- (P.118/2014 Amd.), that in the second question on the substituted ballot paper, for the words “elections cease to exist” there should be substituted the words “mandate be retained”.

Members present voted as follows –

POUR: 21

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand

CONTRE: 27

Senator A. Breckon
 Senator S.C. Ferguson
 Senator F. du H. Le Gresley
 Senator P.M. Bailhache

ABSTAIN: 1

Deputy of St. John

Senator I.J. Gorst	Connétable of St. Clement
Senator L.J. Farnham	Connétable of St. Brelade
Connétable of Trinity	Connétable of Grouville
Connétable of St. Peter	Deputy R.C. Duhamel (S)
Connétable of St. Lawrence	Deputy R.G. Le Hérisier (S)
Connétable of St. Mary	Deputy J.A. Martin (H)
Connétable of St. John	Deputy G.P. Southern (H)
Connétable of St. Ouen	Deputy J.A. Hilton (H)
Connétable of St. Martin	Deputy J.A.N. Le Fondré (L)
Connétable of St. Saviour	Deputy of Trinity
Deputy of St. Ouen	Deputy S.S.P.A. Power (B)
Deputy of Grouville	Deputy K.C. Lewis (S)
Deputy E.J. Noel (L)	Deputy M. Tadier (B)
Deputy G.C.L. Baudains (C)	Deputy T.A. Vallois (S)
Deputy S.J. Pinel (C)	Deputy M.R. Higgins (H)
Deputy of St. Mary	Deputy A.K.F. Green (H)
Deputy R.J. Rondel (H)	Deputy J.M. Maçon (S)
	Deputy J.P.G. Baker (H)
	Deputy J.H. Young (B)
	Deputy of St. Martin
	Deputy R.G. Bryans (H)
	Deputy N.B. Le Cornu (H)
	Deputy S.Y. Mézec (H)

THE STATES rejected Part 2(3) of an amendment of Senator Lyndon John Farnham to an amendment of the Deputy of St. John to the Draft Referendum (Composition of the States Assembly) (Jersey) Act 201- (P.118/2014 Amd.) that the third question on the substituted ballot paper should be deleted.

Members present voted as follows –

POUR: 23

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator I.J. Gorst
 Senator L.J. Farnham
 Connétable of Trinity
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Saviour
 Deputy G.P. Southern (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 Deputy G.C.L. Baudains (C)
 Deputy S.J. Pinel (C)

CONTRE: 26

Senator A. Breckon
 Senator F. du H. Le Gresley
 Senator P.M. Bailhache
 Connétable of St. Peter
 Connétable of St. John
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of Grouville
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisier (S)
 Deputy J.A. Martin (H)
 Deputy J.A. Hilton (H)
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy M. Tadier (B)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy of St. John
 Deputy J.P.G. Baker (H)
 Deputy J.H. Young (B)
 Deputy of St. Martin

ABSTAIN: 0

Deputy of St. Mary

Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)
 Deputy N.B. Le Cornu (H)
 Deputy S.Y. Mézec (H)

THE STATES, having resumed consideration of the amendment of the Deputy of St. John to the Draft Referendum (Composition of the States Assembly) (Jersey) Act 201- (P.118/2014 Amd.), rejected the amendment that in Article 6, for paragraphs (5) and (6) there should be substituted the following paragraphs and the remaining paragraphs renumbered accordingly –

- “(5) A voter may record a vote for or against a question in the referendum by making a cross in the blank square next to either “Yes” or “No” opposite the question on the ballot paper.
- (6) A voter’s ballot paper is not invalid by reason that the voter does not record a vote in respect of all of the questions on the ballot paper.
- (7) The Judicial Greffier, having added the votes for or against each of the questions in the referendum in the electoral districts, shall inform the Greffier of the States of the results of the referendum.”;

and that for the ballot paper set out in the Schedule there should be substituted the following ballot paper –

BALLOT PAPER

ANSWER ‘YES’ OR ‘NO’ TO EACH OF THE 3 QUESTIONS

1.	Should the 12 Parish Constables lose their <u>automatic</u> right to sit in the States Assembly?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
2.	Should Senators and the Island-wide elections cease to exist?	YES <input type="checkbox"/>	NO <input type="checkbox"/>
3.	Should the total number of elected States members be reduced to 44?	YES <input type="checkbox"/>	NO <input type="checkbox"/>

Members present voted as follows –

POUR: 13

Senator P.F. Routier
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator I.J. Gorst
 Senator L.J. Farnham
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. John
 Connétable of St. Martin
 Deputy of Grouville

CONTRE: 35

Senator A. Breckon
 Senator S.C. Ferguson
 Senator F. du H. Le Gresley
 Senator P.M. Bailhache
 Connétable of Trinity
 Connétable of St. Clement
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Saviour

ABSTAIN: 0

Deputy of Trinity	Connétable of Grouville
Deputy E.J. Noel (L)	Deputy R.C. Duhamel (S)
Deputy of St. John	Deputy R.G. Le Hérisssier (S)
	Deputy J.A. Martin (H)
	Deputy G.P. Southern (H)
	Deputy of St. Ouen
	Deputy J.A. Hilton (H)
	Deputy J.A.N. Le Fondré (L)
	Deputy S.S.P.A. Power (B)
	Deputy K.C. Lewis (S)
	Deputy M. Tadier (B)
	Deputy T.A. Vallois (S)
	Deputy M.R. Higgins (H)
	Deputy A.K.F. Green (H)
	Deputy J.M. Maçon (S)
	Deputy G.C.L. Baudains (C)
	Deputy J.P.G. Baker (H)
	Deputy J.H. Young (B)
	Deputy S.J. Pinel (C)
	Deputy of St. Mary
	Deputy of St. Martin
	Deputy R.G. Bryans (H)
	Deputy R.J. Rondel (H)
	Deputy N.B. Le Cornu (H)
	Deputy S.Y. Mézec (H)

THE STATES commenced consideration of an amendment of Deputy Andrew Kenneth Francis Green, M.B.E. of St. Helier to the Draft Referendum (Composition of the States Assembly) (Jersey) Act 201- (P.118/2014 Amd.(2)), and rejected an amendment of Deputy Geoffrey Peter Southern of St. Helier that in the substituted ballot paper, for the words “remain as members of the States as an automatic right” there should be substituted the words “no longer be entitled to sit in the States simply because they are Constables; should they seek election to the States if they wish, like everyone else”.

Members present voted as follows –

POUR: 4

Deputy G.P. Southern (H)
 Deputy M. Tadier (B)
 Deputy M.R. Higgins (H)
 Deputy S.Y. Mézec (H)

CONTRE: 44

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. John
 Connétable of St. Ouen
 Connétable of St. Brelade

ABSTAIN: 0

Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Deputy R.C. Duhamel (S)
 Deputy R.G. Le Hérisier (S)
 Deputy J.A. Martin (H)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy S.S.P.A. Power (B)
 Deputy K.C. Lewis (S)
 Deputy E.J. Noel (L)
 Deputy T.A. Vallois (S)
 Deputy A.K.F. Green (H)
 Deputy J.M. Maçon (S)
 Deputy G.C.L. Baudains (C)
 Deputy of St. John
 Deputy J.P.G. Baker (H)
 Deputy J.H. Young (B)
 Deputy S.J. Pinel (C)
 Deputy of St. Mary
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)
 Deputy N.B. Le Cornu (H)

THE STATES, adopting an amendment of Deputy Andrew Kenneth Francis Green, M.B.E. of St. Helier to the Draft Referendum (Composition of the States Assembly) (Jersey) Act 201- (P.118/2014 Amd.(2)), agreed that for the ballot paper set out in the Schedule there should be substituted the following ballot paper –

“BALLOT PAPER

Should the Constables remain as members of the States as an automatic right?

YES

NO ”

Members present voted as follows –

POUR: 29

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of St. Helier
 Connétable of Trinity

CONTRE: 20

Senator A. Breckon
 Senator S.C. Ferguson
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Connétable of St. Clement
 Deputy R.C. Duhamel (S)
 Deputy J.A. Martin (H)
 Deputy G.P. Southern (H)

ABSTAIN: 1

Connétable of St. Lawrence

Connétable of St. Peter	Deputy of St. Ouen
Connétable of St. Mary	Deputy J.A.N. Le Fondré (L)
Connétable of St. John	Deputy S.S.P.A. Power (B)
Connétable of St. Ouen	Deputy M. Tadier (B)
Connétable of St. Brelade	Deputy T.A. Vallois (S)
Connétable of St. Martin	Deputy M.R. Higgins (H)
Connétable of St. Saviour	Deputy J.M. Maçon (S)
Connétable of Grouville	Deputy G.C.L. Baudains (C)
Deputy R.G. Le Hérisssier (S)	Deputy J.P.G. Baker (H)
Deputy of Grouville	Deputy J.H. Young (B)
Deputy J.A. Hilton (H)	Deputy N.B. Le Cornu (H)
Deputy of Trinity	Deputy S.Y. Mézec (H)
Deputy K.C. Lewis (S)	
Deputy E.J. Noel (L)	
Deputy A.K.F. Green (H)	
Deputy of St. John	
Deputy S.J. Pinel (C)	
Deputy of St. Mary	
Deputy of St. Martin	
Deputy R.G. Bryans (H)	
Deputy R.J. Rondel (H)	

THE STATES, in pursuance of Article 1 of the Referendum (Jersey) Law 2002, made an Act entitled the Referendum (Composition of the States Assembly) (Jersey) Act 2014.

Members present voted as follows –

POUR: 31

Senator P.F. Routier
 Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Connétable of St. Helier
 Connétable of Trinity
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. John
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Deputy R.G. Le Hérisssier (S)
 Deputy of St. Ouen
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy J.A.N. Le Fondré (L)
 Deputy of Trinity
 Deputy K.C. Lewis (S)
 Deputy E.J. Noel (L)
 Deputy A.K.F. Green (H)

CONTRE: 14

Senator A. Breckon
 Senator S.C. Ferguson
 Connétable of St. Clement
 Connétable of St. Lawrence
 Deputy R.C. Duhamel (S)
 Deputy G.P. Southern (H)
 Deputy S.S.P.A. Power (B)
 Deputy T.A. Vallois (S)
 Deputy M.R. Higgins (H)
 Deputy G.C.L. Baudains (C)
 Deputy J.P.G. Baker (H)
 Deputy of St. Mary
 Deputy N.B. Le Cornu (H)
 Deputy S.Y. Mézec (H)

ABSTAIN: 4

Senator F. du H. Le Gresley
 Deputy J.A. Martin (H)
 Deputy M. Tadier (B)
 Deputy J.H. Young (B)

Deputy J.M. Maçon (S)
Deputy of St. John
Deputy S.J. Pinel (C)
Deputy of St. Martin
Deputy R.G. Bryans (H)
Deputy R.J. Rondel (H)

Changes in Presidency

The Bailiff retired from the Chamber during consideration of the amendment of the Deputy of St. John to the Draft Referendum (Composition of the States Assembly) (Jersey) Act 201- (P.118/2014 Amd.) and the meeting continued under the presidency of Mr. Michael Nelson de la Haye, O.B.E., Greffier of the States, until his return.

Arrangement of public business for the current meeting

THE STATES, adopting a proposition of the Minister for Planning and Environment, agreed, in accordance with the provisions of paragraph (4) of Article 4A of the Planning and Building (Jersey) Law 2002, that the amendments put forward by the Minister for Planning and Environment could be considered at the present meeting during the debate on the 'Island Plan 2011: revised draft revision – approval' (P.37/2014).

Island Plan 2011: revised draft revision – approval P.37/2014

THE STATES commenced consideration of the revised draft revision of the Island Plan 2011 and, adopting an amendment of the Minister for Planning and Environment (P.37/2014 Amd.(12)), agreed that –

- (1) for the words “The States” in paragraph 6.38 on page 232, there should be substituted the words “Andium Homes Limited, a wholly owned States company,”.
- (2) after the word “States” in paragraph 6.43 on page 232, there should be inserted the words “Andium Homes Limited” and for the words “housing trusts” there should be substituted the words “registered affordable housing providers”.
- (3) for the words “both land owned by the States that it proposes” in paragraph 6.45 on page 233, there should be substituted the words “both land directly owned by the States or through other agencies wholly owned by the States that is proposed”.
- (4) after paragraph 6.48 on page 233 there should be inserted the following new paragraph: “6.49 These sites may be transferred to other agencies wholly owned by the States (such as Andium Homes Limited) or to a registered affordable housing provider over the Plan period.”, and renumber subsequent paragraphs accordingly.
- (5) in the section heading 2 on page 234, for the words “States owned housing” there should be substituted the words “Category A affordable housing”.
- (6) for the words “States of Jersey Housing Department” in paragraph 6.53 on page 234, there should be substituted the words “Category A affordable housing”.

- (7) in table 6.3 on page 238, in relation to the words “States owned” in line 1 of the table there should be inserted the following new footnote: “These sites may be transferred to other agencies wholly owned by the States (such as Andium Homes Limited) or to a registered affordable housing provider over the Plan period.”, and subsequent footnotes renumbered accordingly; and for the words “States owned housing sites” in line 2 of the table, there should be substituted the words “Category A affordable housing”.
- (8) for the words “the States of Jersey Housing Department or other providers of social housing such as housing associations and” in paragraph 6.83 on page 241, there should be substituted the words “a States of Jersey approved affordable housing provider or”.
- (9) for the words “Jersey Property Holdings on behalf of the Housing Department, of for other social home providers” in paragraph 6.84 on page 241, there should be substituted the words “Andium Homes Limited or another States of Jersey approved affordable housing provider”.
- (10) after the words “States owned land” in paragraph 6.91 on page 242, there should be inserted the words “, either directly or through other agencies wholly owned by the States,”.
- (11) after paragraph 6.99 on page 244, there should be inserted the following new paragraph: “6.100 These sites may be transferred to other agencies wholly owned by the States (such as Andium Homes Limited) or to a registered affordable housing provider over the Plan period.”, and subsequent paragraphs renumbered accordingly.
- (12) after the words “compulsory purchase” in Policy H1 on page 245, there should be inserted the words “and transferred to a States of Jersey approved affordable housing provider such as Andium Homes Limited”, and for the words “registered social landlord” in the Policy on page 246, there should be substituted the words “affordable housing provider”.
- (13) after the words “compulsory purchase” in Policy H2 on page 246, there should be inserted the words “and transferred to a States of Jersey approved affordable housing provider such as Andium Homes Limited”.
- (14) after the words “compulsory purchase” in Policy H5 on page 251 there should be inserted the words “and transferred to a States of Jersey approved affordable housing provider such as Andium Homes Limited”.

THE STATES commenced consideration of parts (a) and (b) of an amendment of Deputy John Hilary Young of St. Brelade (P.37/2014 Amd.(10)) to the revised draft revision of the Island Plan 2011, as amended, and, adopting an amendment of the Minister for Planning and Environment, agreed that the words “and propose limits on the type of development and their densities within each of those areas” should be deleted and that after the words “planning guidance for” there should be inserted the words “the particularly sensitive parts of” and for the words “and their character” there should be substituted the words “as appropriate”.

THE STATES, adopting parts (a) and (b) of an amendment of Deputy John Hilary Young of St. Brelade as amended, to the revised draft revision of the Island Plan 2011, as amended, agreed that, after the words “the revised draft revision to the Island Plan 2011” there should be inserted the words –

“except that the following additional revisions shall be made to the Island Plan 2011 in addition to the Minister’s draft Revision –

- (a) after the preamble for “Other Built-up areas” on page 17 of the Island Plan 2011 there should be inserted the following paragraph –

‘The Built-up areas outside the main Built-up Area comprise various urban, suburban and isolated rural settlements. They differ widely in their age and architectural style, in individual character and general density of development. This variation greatly contributes to making the Island a unique place and is a quality which has to be conserved for the future. The Minister will review the Island’s Built-up areas, as defined on the Proposals Map, for individual areas within it which are particularly sensitive locations in consultation with stakeholders, to determine their individual character and;

- (b) after Policy SP1 on page 19 of the Island Plan 2011 there should be inserted the following new Proposal –

‘The Minister for Planning and Environment will, in partnership with key stakeholders, develop supplementary planning guidance for the particularly sensitive parts of the Island’s Built-up area in order to better identify and define the characteristics of its urban, suburban and rural settlements as appropriate and to use any such guidance to assess and guide development proposals.’.

THE STATES commenced consideration of part (a) of an amendment of Deputy John Hilary Young of St. Brelade (P.37/2014 Amd.(9)) to the revised draft revision of the Island Plan 2011, as amended, and, adopting an amendment of the Minister for Planning and Environment, agreed that for the words “materially harm the amenities of neighbouring properties” there should be substituted the words “unreasonably harm the amenities of neighbouring uses, including the living conditions for nearby residents”.

THE STATES, adopting part (a) of an amendment of Deputy John Hilary Young of St. Brelade, as amended, to the revised draft revision of the Island Plan 2011, as amended, agreed that after the words “the revised draft revision to the Island Plan 2011” there should be inserted the words –

“except that –

- (a) the following additional revision shall be made to the Island Plan 2011 in addition to the Minister’s draft Revision –

in Policy GD1 on pages 35–37 of the Island Plan 2011, for the introductory words to paragraph GD1(3) (on page 36) there should be substituted the following words –

- ‘3 unreasonably harm the amenities of neighbouring uses, including the living conditions for nearby residents and should, in particular;’;

Members present voted as follows –

POUR: 32

CONTRE: 2

ABSTAIN: 0

Senator A. Breckon
 Senator S.C. Ferguson
 Senator A.J.H. Maclean
 Senator B.I. Le Marquand
 Senator F. du H. Le Gresley
 Senator I.J. Gorst
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. John

Connétable of Trinity
 Deputy of Grouville

Connétable of St. Ouen
Connétable of St. Brelade
Connétable of St. Martin
Connétable of St. Saviour
Connétable of Grouville
Deputy R.C. Duhamel (S)
Deputy R.G. Le Hérissier (S)
Deputy G.P. Southern (H)
Deputy of St. Ouen
Deputy J.A.N. Le Fondré (L)
Deputy S.S.P.A. Power (B)
Deputy K.C. Lewis (S)
Deputy M.R. Higgins (H)
Deputy A.K.F. Green (H)
Deputy J.M. Maçon (S)
Deputy G.C.L. Baudains (C)
Deputy J.P.G. Baker (H)
Deputy J.H. Young (B)
Deputy S.J. Pinel (C)
Deputy of St. Mary
Deputy of St. Martin
Deputy R.G. Bryans (H)

In accordance with Standing Order 106(1)(b), Senators Philip Francis Ozouf and Bryan Ian Le Marquand and Deputy John Alexander Nicholas Le Fondré of St. Lawrence declared an interest but remained in the Chamber for the duration of the debate.

Adjournment

THE STATES adjourned, having agreed to reconvene on Wednesday 16th July 2014 to continue consideration of the proposition entitled 'Island Plan 2011: revised draft revision – approval' (P.37/2014) and the outstanding items of public business.

THE STATES rose at 5.22 p.m.

M.N. DE LA HAYE, O.B.E.

Greffier of the States