

STATES OF JERSEY ORDER PAPER

Tuesday 12th October 2004

A. COMMUNICATIONS BY THE BAILIFF

B. TABLING OF SUBORDINATE LEGISLATION

(Explanatory note attached)

Motor Vehicles (Construction and Use) (Amendment No. 6)
(Jersey) Order 2004. R&O 117/2004.
Home Affairs Committee.

Motor Vehicle Registration (General Provisions) (Amendment
No. 12)(Jersey) Order 2004. R&O 118/2004.
Home Affairs Committee.

Motor Traffic (Public Service Vehicles (Fees)) (Jersey) Order 2004. R&O 119/2004.
Home Affairs Committee.

Motor Vehicles (Driving Licences) (Amendment No. 3)(Jersey)
Order 2004. R&O 120/2004.
Home Affairs Committee.

Motor Cars (Driving Instruction) (Amendment No. 15)(Jersey)
Order 2004. R&O 121/2004.
Home Affairs Committee.

Immigration (Removal Directions) (Jersey) Order 2004. R&O 122/2004.
Home Affairs Committee.

C. MATTERS RELATING TO COMMITTEE MEMBERSHIP

Resignation of Deputy J.A. Hilton of St. Helier from the Environment and Public
Services Committee.

D. PRESENTATION OF PAPERS

(a) Papers for information

Matters presented under Standing Order 6A(1)(a)

Public and private sector construction workflow projections. R.C.45/2004.
Economic Development Committee.

Manpower survey as at 30th June 2004. R.C.46/2004.
Economic Development Committee.

Fields 519, 520, 521, 524, 527 and 528, Trinity – rescindment of
planning permit (P.74/2004) – comments – addendum. P.74/2004. Com.
(2) Add.
Finance and Economics Committee.

Car parking charges: allocation of additional income to the funding of
transport initiatives (P.147/2004) – amendments (P.147/2004 Amd.)–
comments. P.147/2004.
Finance and Economics Committee. Amd.Com.

Bus Service: rescindment of decisions relating to concessionary fares
and adult fares after 8.00 p.m. (P.150/2004)– comments. P.150/2004.
Finance and Economics Committee. Com.

Matters presented under Standing Order 6A(1)(b)

Jersey Advisory and Conciliation Service: Board members' report and financial statements for 2003. R.C.44/2004.
Employment and Social Security Committee.

Draft Public Holidays and Bank Holidays (Jersey) Act 200- (P.56/2004): comments. P.56/2004. Com.
Economic Development Committee.

(b) Notification of Standing Order decisions

30th September 2004

Decisions under delegated functions.
Finance and Economics Committee.

(c) Notification of acceptance of tenders

30th September 2004

Phase 1A, Le Squez Estate, St. Clement.
Housing Committee.

(d) Papers to be lodged "au Greffe" under Standing Order 17A(1)(a)

Machinery of Government Reform: composition and election of the States Assembly (P.151/2004) – amendments (P.151/2004 Amd.)– amendments. P.151/2004. Amd.Amd.
Deputy M.F. Dubras of St. Lawrence.

Machinery of Government Reform: composition and election of the States Assembly (P.151/2004) – second amendments. P.151/2004. Amd.(2)
Deputy M.F. Dubras of St. Lawrence.

Draft Dogs (Licence Duty) (Jersey) Regulations 200-. P.169/2004.
Legislation Committee.

Bellozanne Scrap Metal Yard, Bellozanne Valley, St. Helier: lease to Picot and Rouille Limited. P.170/2004.
Environment and Public Services Committee.

(e) Notification of Papers lodged "au Greffe" under Standing Order 17A(1)(b)

(f) Papers for consideration by the States in Committee under Standing Order 38A

E. STATEMENTS AND PROPOSITIONS RELATING TO THE ARRANGEMENT OF PUBLIC BUSINESS AT THIS OR ANY SUBSEQUENT MEETING

In accordance with Standing Order 22 (3), Senator E.P. Vibert has instructed the Greffier of the States to withdraw the following matters –

Modernisation of Jersey's Gambling Legislation (P.62/2004): P.62/2004.
amendments. Amd.
Lodged: 22nd June 2004.
Senator E.P. Vibert.

Sunday Trading legislation. P.107/2004.
Lodged: 1st June 2004.
Senator E.P. Vibert.

Modernisation of Jersey's Gambling Legislation: gaming devices. P.123/2004.
Lodged: 22nd June 2004.
Senator E.P. Vibert.

THE STATES are asked to agree that the following matters lodged "au Greffe" be considered at their next meeting on 26th October 2004 -

Modernisation of Jersey's Gambling Legislation. P.62/2004.
Lodged: 20th April 2004. (re-issue)
Economic Development Committee.

Modernisation of Jersey's Gambling Legislation (P.62/2004): P.62/2004.
comments. Com.
Presented: 11th May 2004.
Finance and Economics Committee.

Draft Education (Revocation of Provided School) (Jersey) P.161/2004.
Regulations 200-. (re-issue)
Lodged: 28th September 2004.
Education, Sport and Culture Committee.

Draft Dogs (Licence Duty) (Jersey) Regulations 200-. P.169/2004.
Lodged: 12th October 2004.
Legislation Committee.

Bellozanne Scrap Metal Yard, Bellozanne Valley, St. Helier: lease to P.170/2004.
Picot and Rouille Limited.
Lodged: 12th October 2004.
Environment and Public Services Committee.

F. PRESENTATION OF PETITIONS

G. QUESTIONS

(a) **Written Questions**

(b) **Oral Questions**

H. MATTERS OF PRIVILEGE

I. PERSONAL STATEMENTS

J. COMMITTEE STATEMENTS

K. PUBLIC BUSINESS

Jersey Telecom Limited: special tariffs for senior citizens. Lodged: 28th September 2004. <i>Deputy of Grouville.</i>	P.167/2004.
Draft Drainage (Jersey) Law 200-. Lodged: 16th December 2003. <i>Environment and Public Services Committee.</i>	P.193/2003.
Draft Drainage (Jersey) Law 200- (P.193/2003): amendments. Lodged: 20th April 2004. <i>Environment and Public Services Committee.</i>	P.193/2003. Amd.
Draft Drainage (Jersey) Law 200- (P.193/2003): second amendments. Lodged: 14th September 2004. <i>Environment and Public Services Committee.</i>	P.193/2003. Amd.(2) (re-issue)
Draft Public Holidays and Bank Holidays (Jersey) Act 200-. Lodged: 20th April 2004. <i>Legislation Committee.</i>	P.56/2004.
Draft Public Holidays and Bank Holidays (Jersey) Act 200- (P.56/2004): comments. Presented: 5th October 2004. <i>Economic Development Committee.</i>	P.56/2004. Com.
Fields 519, 520, 521, 524, 527 and 528, Trinity – rescindment of planning permit. Lodged: 20th April 2004. <i>Senator P.V.F. Le Claire.</i>	P.74/2004. (re-issue)
Fields 519, 520, 521, 524, 527 and 528, Trinity – rescindment of planning permit (P.74/2004) – comments. Presented 28th September 2004. <i>Health and Social Services Committee.</i>	P.74/2004. Com.
Fields 519, 520, 521, 524, 527 and 528, Trinity – rescindment of planning permit (P.74/2004) – comments. Presented: 28th September 2004. <i>Finance and Economics Committee.</i>	P.74/2004. Com.(2)
Fields 519, 520, 521, 524, 527 and 528, Trinity – rescindment of planning permit (P.74/2004) – comments – addendum. Presented: 12th October 2004. <i>Finance and Economics Committee.</i>	P.74/2004. Com.(2) Add.
Court and Case Costs: investigation. Lodged: 20th July 2004. <i>Deputy A. Breckon of St. Saviour.</i>	P.138/2004.
Court and Case Costs: investigation (P.138/2004) – comments. Presented: 28th September 2004. <i>Finance and Economics Committee.</i>	P.138/2004. Com.

Draft Road Traffic (Amendment No. 3) (Jersey) Law 200. Lodged: 7th September 2004. <i>Environment and Public Services Committee.</i>	P.146/2004.
Car parking charges: allocation of additional income to the funding of transport initiatives. Lodged: 7th September 2004. <i>Environment and Public Services Committee.</i>	P.147/2004.
Car Parking Charges: allocation of additional income to the funding of transport initiatives (P.147/2004) – comments. Presented: 28th September 2004. <i>Finance and Economics Committee.</i>	P.147/2004. Com.
Car parking charges: allocation of additional income to the funding of transport initiatives (P.147/2004) – amendments. Lodged: 28th September 2004. <i>Deputy J.B. Fox of St. Helier.</i>	P.147/2004. Amd.
Car parking charges: allocation of additional income to the funding of transport initiatives (P.147/2004) – amendments (P.147/2004 Amd.)– comments. Presented: 12th October 2004. <i>Finance and Economics Committee.</i>	P.147/2004. Amd.Com.
Area of land, St. Brelade, adjacent to L53, L53a and L65 Garage site, L’Avenue de la Commune, St. Peter: transfer of administration. Lodged: 7th September 2004. <i>Harbours and Airport Committee.</i>	P.149/2004.
Area of land, St. Brelade, adjacent to L53, L53A and L65 Garage site, L’Avenue de la Commune, St. Peter: transfer of administration (P.149/2004) – comments. Presented: 28th September 2004. <i>Finance and Economics Committee.</i>	P.149/2004. Com.
Bus Service: rescindment of decisions relating to concessionary fares and adult fares after 8.00 p.m. Lodged: 14th September 2004. <i>Deputy R.G. Le Hérisier of St. Saviour.</i>	P.150/2004.
Bus Service: rescindment of decisions relating to concessionary fares and adult fares after 8.00 p.m. (P.150/2004)– comments. Presented: 12th October 2004. <i>Finance and Economics Committee.</i>	P.150/2004. Com.
Field 812A, Bagot Manor Farm, St. Saviour: rezoning. Lodged: 14th September 2004. <i>Environment and Public Services Committee.</i>	P.155/2004.

Draft The Law Society of Jersey Law 200-. Lodged: 28th September 2004. <i>Legislation Committee.</i>	P.162/2004.
Draft The Law Society of Jersey Law 200- (P.162/2004): comments. Presented: 28th September 2004. <i>Finance and Economics Committee.</i>	P.162/2004. Com.
Draft The Law Society of Jersey Law 200- (P.162/2004): amendments. Lodged: 28th September 2004. <i>Deputy R.G. Le Hérisier of St. Saviour.</i>	P.162/2004. Amd.
Shadow Public Accounts Committee: appointment of member. Lodged: 28th September 2004. <i>Deputy S.C. Ferguson of St. Brelade.</i>	P.163/2004
Attendance Allowance Board: appointment of member. Lodged: 28th September 2004. <i>Employment and Social Security Committee.</i>	P.164/2004.
Bus Service Tendering Process: Committee of Inquiry – membership. Lodged: 28th September 2004. <i>Policy and Resources Committee.</i>	P.165/2004

M.N. DE LA HAYE
Greffier of the States

7th October 2004.

Explanatory Note regarding subordinate legislation tabled at this meeting.

R&O 117/2004.

This Order increases the fees payable for applications for a licence for the use of a vehicle by 2.5%. The fees were last altered in February 2004.

The Order was made on 30th September 2004, and comes into force on 1st January 2005.

R&O 118/2004.

This Order –

- (a) increases the fees payable for the registration of a motor vehicle from £19.85 to £20.35;
- (b) increases from £319.25 to £327.30 the fee payable in relation to registration marks under Article 21 that relate to trade licences under Article 23; and
- (c) increases the fees for registration of a motor car or heavy motor car, and other related fees, in the Second Schedule.

The fees have been increased by 2.5%. The fees were last increased in 2003. The Order was made on 30th September 2004, and shall come into effect on 1st January 2005.

R&O 119/2004.

This Order increases most of the fees last specified in 2003 in relation to public service vehicles, by repealing and replacing the previous Order. However, it does not increase the fee for the grant or renewal of a public service vehicle licence or for the issue of a new plate for a public service vehicle to replace a plate lost or defaced. The fees were last increased in 2003. They have increased by 2.5%.

The Order was made on 30th September 2004, and will come into force on 1st January 2005.

R&O 120/2004.

The Order increases by 2.5% various fees relating to the taking of tests for the issue of driving licences. The fees were last increased in 2003.

The Order amends the Motor Vehicles (Driving Licences) (Jersey) Order 2003 so that the Order will no longer state that the person is required to have passed such a test within the previous 3 years. In addition the Order amends in 2 minor respects the notes on the certificate that indicates that a person has passed a test and also amends the notes so as to include a statement that the certificate becomes invalid if a court has convicted the holder of certain traffic offences. This warns the holder of the licence about the current effect of Article 17 of the Law.

The Order was made on 30th September 2004, and the fee increases shall come into effect on 1st January 2005. The other amendments shall come into effect 7 days after the Order is made.

R&O 121/2004.

This Order increases the fees payable for the examination of driving instructors, and for entry in the register of driving instructors, by approximately 2.5%. The fees were last increased one year ago.

The Order was made on 30th September 2004, and comes into force on 1st January 2005.

R&O 122/2004.

The purpose of this Order is to prescribe the classes of persons to whom an immigration officer may give directions when a person is to be removed from Jersey and to provide for the requirements that may be imposed by the directions. The immigration officer's power to give the directions is provided for in section 10 of the Immigration and Asylum Act 1999 as extended to Jersey by the Immigration and Asylum Act 1999 (Jersey) Order 2003.

Article 1 provides for the interpretation provisions.

Article 2 provides for the classes of person to whom the immigration officer may give directions.

Article 3 provides for the requirements that can be imposed under the directions.

Article 4 provides for the name of the Order and the commencement.

The Order was made on 30th September 2004, and comes into force 7 days after being made.

**NOTIFICATION OF STANDING ORDER DECISIONS -
FINANCE AND ECONOMICS COMMITTEE
(delegated functions)**

30th September 2004

- (a) as recommended by the Environment and Public Services Committee, the entering into of a Deed of Arrangement with La Rocque Plant Hire Limited in order to redefine the northern boundary of the property known as "Clairval", La Grande Route de St. Clement, St. Clement and to widen the adjacent footpath, with the acquisition by the public of an area of land (measuring 17.06 square metres) for a consideration of £10, on the basis that the company would undertake all construction works (to include the demolition and reconstruction of a granite wall) and also the reinstatement of the original pavement and the preparation and tarmacking of the area to be acquired by the public, and with the Committee to meet both parties' reasonable legal and professional costs arising from the transaction;
- (b) as recommended by the Environment and Public Services Committee, the undermentioned leases in respect of Beresford House, Bellozanne Road, St. Helier –
- (i) to Holl Cameron, the lease of the ground floor accommodation (totalling 1,446 square feet plus storage and four car parking spaces) - for a period of nine years on a tenant's internal repairing basis, to be deemed to have commenced from 7th August 2004, at an initial annual rent of £23,000, with a rent-free period of four months in order to reflect internal fitting-out to upgrade the standard of accommodation, with open market rent reviews and mutual break options at three-yearly intervals; and
- (ii) to The Beresford Group, the lease of the first floor accommodation (totalling 1,449 square feet plus six car parking spaces) - for a period of nine years, to be deemed to have commenced from 7th August 2004, at an annual rent of £21,025, with a rent-free period of four months in order to reflect internal fitting-out to upgrade the standard of accommodation, with open market rent reviews and mutual break options at three-yearly intervals - the agreement to be co-terminus with the lease for the ground floor of the premises;

both leases to be subject to guarantor agreements from the Directors of the respective companies, and on the basis that each party would be responsible for its own legal and professional costs arising from the transaction.

**NOTIFICATION OF ACCEPTANCE OF TENDER UNDER RULE 5 OF THE PUBLIC
FINANCES (GENERAL) (JERSEY) RULES 1967, AS AMENDED -
FINANCE AND ECONOMICS COMMITTEE**

30th September 2004

The Housing Committee has accepted the lowest tender received in respect of Phase 1A of the proposed redevelopment of the Le Squez Estate, St. Clement, namely that submitted by Hacquoil and Cook in the sum of £2,720,507.65 in a contract period of 41 weeks.

The other tenders received were as follows -

<u>Tenderer:</u>	<u>Tender sum:</u>	<u>Contract period:</u>
- A.C. Mauger and Son (Sunwin) Limited	£2,797,566.00	43 weeks
Charles Le Quesne (1956) Limited	£3,045,026.46	52 weeks
Camerons	£3,067,935.00	57 weeks
Premier Contracting and Shopfitting	£3,098,624.00	55 weeks