



**THE STATES assembled on Wednesday
17th January 2018, at 09.30 a.m. under
the Presidency of the Bailiff,
Sir William James Bailhache.**

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

Senator Paul Francis Routier, M.B.E. – ill
Senator Alan John Henry Maclean – excused attendance (arrived in the Chamber at 10.55 a.m.)
Senator Ian Joseph Gorst – excused attendance (arrived in the Chamber at 2.17 p.m.)
Deputy Judith Ann Martin of St. Helier – en défaut
Deputy John Alexander Nicholas Le Fondré of St. Lawrence – absent on States business
Deputy Peter Derek McLinton of St. Saviour – en défaut (défaut raised at 9.43 a.m.)

Prayers read by the Greffier of the States

Voting errors due to a fault with the electronic voting system – ruling by the Bailiff

The Bailiff made the following ruling regarding the vote of Deputy Andrew David Lewis of St. Helier on 16th January 2018 in respect of the proposition of Senator Sarah Craig Ferguson entitled ‘JT Group Limited: restructuring of enterprise’ (P.96/2017), as amended –

“A recorded vote was taken on P.96/2017, Senator Ferguson’s proposition regarding JT. The proposition was defeated by 34 votes to 9. At the conclusion of the vote there was a request pursuant to Standing Order 92(8) of the identities of those voting for and against the proposition. When the Greffier read the names of those recorded as voting, Deputy Andrew Lewis announced that he thought he had voted against the proposition but he was recorded as voting for it. He also described it as a ‘ring-binder moment’. I took that to be a reference to a vote cast accidentally in a particular way rather than intentionally; in other words a statement that he had made a mistake and he wished to correct it. I ruled immediately that he could change it in those circumstances and the vote was adjusted to 35 votes to 8 against. Following that I was rightly asked to make a formal ruling on the correct procedure to be followed in these circumstances.

I would like to say at the outset of the ruling that the fact the proposition would be defeated whatever decision I took at the time played a significant part in my immediate reaction because it made not a ha’p’orth of difference to the result. That is no defence. But also perhaps an explanation of the ruling that I had only a minute before arrived in the Chamber and probably had not fully orientated myself. But for one thing I would overrule the decision taken yesterday; that one thing is that I have been advised by the Greffier and, as indeed the Connétable of Grouville said yesterday afternoon, the electronic system in the Chamber had been acting erratically all day and indeed my own screen, which I am pleased to see working this morning, which normally showed the results of the vote, was frozen as though the Connétable of St. Peter was speaking. As Deputy Lewis says that he pressed the *contre* button I accept that. It follows that the system had wrongly recorded his vote, so it seems to me to be right that the Presiding Officer should be able to exercise a discretion to permit the vote to be taken accurately. There may be other circumstances, for example where an adjoining Member accidentally knocks the arm of the voting Member, causing him or her to vote in the wrong way. The important thing, what is apparent from those sorts of examples, is that the wrong recording of the vote came about, not as a result of a mistake by the Member, but by some happening or mischance, which was out of his control. Where the Member just makes a mistake in casting his vote, he or she is not permitted to change it.”

Documents presented

Land Transactions under Standing Order 168(3) – R.8/2018.

- (a) First and Second Floor, F.B. Playing Fields Main Pavilion, La Grande Route de St. Clement, St. Clement – lease;
- (b) La Rue du Cimetière – extinguishment of part of the By-Road;
- (c) transfer of ownership of part of public land for incorporation into La Rue du Cimetière.

Presented: 17th January 2018.

Minister for Infrastructure.

Draft Connétables (Amendment No. 2) (Jersey) Law 201- P.112/2017

THE STATES resumed consideration of the Draft Connétables (Amendment No. 2) (Jersey) Law 201-.

THE STATES, resuming consideration of Article 1, rejected parts 1 and 2 of an amendment of Deputy Montfort Tadier of St. Brelade that –

In the inserted new Article 4B, in paragraph (1)(b), there should be omitted the words “is a British citizen who”; and

In the inserted new Article 4C, for paragraph (2) there should be substituted the following paragraph –

“(2) A person shall be disqualified from holding office as a Connétable by reason of not being resident in Jersey for a period of more than 6 months.”.

Members present voted as follows –

POUR: 16

Connétable of St. Helier
 Connétable of St. Lawrence
 Deputy G.P. Southern (H)
 Deputy M. Tadier (B)
 Deputy of St. John
 Deputy M.R. Higgins (H)
 Deputy of St. Peter
 Deputy R.J. Rondel (H)
 Deputy S.Y. Mézec (H)
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy M.J. Norton (B)
 Deputy T.A. McDonald (S)
 Deputy of St. Mary
 Deputy P.D. McLinton (S)

CONTRE: 27

Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator A.K.F. Green
 Senator S.C. Ferguson
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy E.J. Noel (L)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy A.D. Lewis (H)
 Deputy S.M. Wickenden (H)
 Deputy S.M. Bree (C)
 Deputy G.J. Truscott (B)

ABSTAIN: 0

Deputy Montfort Tadier of St. Brelade did not propose part 3 of his amendment to Article 1.

THE STATES, resuming consideration of Article 1, adopted Article 1.

Members present voted as follows –

POUR: 34

Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator A.K.F. Green
 Senator S.C. Ferguson
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Mary
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Martin
 Connétable of St. Saviour
 Connétable of Grouville
 Connétable of St. John
 Connétable of Trinity
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy E.J. Noel (L)
 Deputy of St. John
 Deputy M.R. Higgins (H)
 Deputy J.M. Maçon (S)
 Deputy S.J. Pinel (C)
 Deputy of St. Martin
 Deputy R.G. Bryans (H)
 Deputy R.J. Rondel (H)
 Deputy A.D. Lewis (H)
 Deputy of St. Ouen
 Deputy S.M. Wickenden (H)
 Deputy S.M. Bree (C)
 Deputy M.J. Norton (B)
 Deputy of St. Mary
 Deputy G.J. Truscott (B)

CONTRE: 8

Deputy G.P. Southern (H)
 Deputy M. Tadier (B)
 Deputy of St. Peter
 Deputy S.Y. Mézec (H)
 Deputy L.M.C. Doublet (S)
 Deputy R. Labey (H)
 Deputy T.A. McDonald (S)
 Deputy P.D. McLinton (S)

ABSTAIN: 0

THE STATES adopted Articles 2 to 4.

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Connétables (Amendment No. 2) (Jersey) Law 201-.

Members present voted as follows –

POUR: 32

Senator A.J.H. Maclean
 Senator A.K.F. Green
 Senator S.C. Ferguson

CONTRE: 7

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

ABSTAIN: 0

Connétable of St. Helier	Deputy L.M.C. Doublet (S)
Connétable of St. Clement	Deputy R. Labey (H)
Connétable of St. Peter	Deputy T.A. McDonald (S)
Connétable of St. Lawrence	Deputy P.D. McLinton (S)
Connétable of St. Mary	
Connétable of St. Ouen	
Connétable of St. Brelade	
Connétable of St. Martin	
Connétable of St. Saviour	
Connétable of Grouville	
Connétable of St. John	
Connétable of Trinity	
Deputy of Grouville	
Deputy J.A. Hilton (H)	
Deputy of Trinity	
Deputy E.J. Noel (L)	
Deputy of St. John	
Deputy M.R. Higgins (H)	
Deputy J.M. Maçon (S)	
Deputy S.J. Pinel (C)	
Deputy of St. Martin	
Deputy R.G. Bryans (H)	
Deputy R.J. Rondel (H)	
Deputy of St. Ouen	
Deputy S.M. Wickenden (H)	
Deputy S.M. Bree (C)	
Deputy M.J. Norton (B)	
Deputy of St. Mary	
Deputy G.J. Truscott (B)	

Income Support: reinstatement of single parent component P.113/2017

THE STATES, referring to their Act dated 8th October 2015 to phase out the additional single parent component of Income Support, and adopting a proposition of the Health and Social Security Scrutiny Panel entitled 'Income Support: reinstatement of single parent component' (P.113/2017), agreed –

- (a) to reinstate the additional single parent component of Income Support with effect from 1st March 2018; and
- (b) to request the Minister for Social Security and the Minister for Treasury and Resources to take the necessary steps to identify funds to reinstate the component for the duration of the current Medium Term Financial Plan.

Members present voted as follows –

POUR: 24

Senator S.C. Ferguson
 Connétable of St. Helier
 Connétable of St. Clement
 Connétable of St. Lawrence
 Connétable of St. Saviour
 Connétable of St. John
 Deputy G.P. Southern (H)
 Deputy of Grouville

CONTRE: 21

Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator A.K.F. Green
 Connétable of St. Peter
 Connétable of St. Mary

ABSTAIN: 0

Deputy J.A. Hilton (H)	Connétable of St. Ouen
Deputy K.C. Lewis (S)	Connétable of St. Brelade
Deputy M. Tadier (B)	Connétable of St. Martin
Deputy of St. John	Connétable of Grouville
Deputy M.R. Higgins (H)	Connétable of Trinity
Deputy J.M. Maçon (S)	Deputy of Trinity
Deputy S.Y. Mézec (H)	Deputy E.J. Noel (L)
Deputy A.D. Lewis (H)	Deputy S.J. Pinel (C)
Deputy of St. Ouen	Deputy of St. Martin
Deputy L.M.C. Doublet (S)	Deputy R.G. Bryans (H)
Deputy S.M. Wickenden (H)	Deputy of St. Peter
Deputy S.M. Bree (C)	Deputy R.J. Rondel (H)
Deputy M.J. Norton (B)	Deputy G.J. Truscott (B)
Deputy T.A. McDonald (S)	
Deputy of St. Mary	
Deputy P.D. McLinton (S)	

Changes in Presidency

The Bailiff retired from the Chamber during consideration of the proposition of the Health and Social Security Scrutiny Panel entitled 'Income Support: reinstatement of single parent component' (P.113/2017) and the meeting continued under the Presidency of Mrs. Lisa-Marie Hart, Deputy Greffier of the States. The Bailiff returned to the Chamber during consideration of the same proposition and the meeting continued under his Presidency.

Jersey Gas Works site: development by Andium Homes Limited P.114/2017

THE STATES commenced consideration of a proposition of the Council of Ministers entitled 'Jersey Gas Works site: development by Andium Homes Limited' P.114/2017.

THE STATES rejected a proposition of Deputy Geoffrey Peter Southern that, in accordance with Standing Order 83(1)(a) the matter should be referred back to the Council of Ministers in order that further information relating to the proposition could be provided to the Assembly.

Members present voted as follows –

POUR: 7

Senator S.C. Ferguson
 Connétable of St. Clement
 Connétable of St. Martin
 Connétable of St. John
 Deputy G.P. Southern (H)
 Deputy M.R. Higgins (H)
 Deputy S.Y. Mézec (H)

CONTRE: 29

Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator A.K.F. Green
 Connétable of St. Helier
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Saviour
 Connétable of Grouville
 Deputy of Grouville
 Deputy J.A. Hilton (H)
 Deputy of Trinity
 Deputy K.C. Lewis (S)

ABSTAIN: 0

Deputy E.J. Noel (L)
 Deputy of St. John
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy A.D. Lewis (H)
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy S.M. Bree (C)
 Deputy M.J. Norton (B)
 Deputy T.A. McDonald (S)
 Deputy of St. Mary
 Deputy P.D. McLinton (S)

THE STATES, resuming consideration of the proposition of the Council of Ministers, adopted the proposition and agreed that as part of the development of the Jersey Gas site for Housing, Andium Homes should be requested to deliver, subject to the award of planning permission, a significant extension to the Millennium Town Park, thereby providing greater amenity benefits for all Islanders, the purchase and creation of which would be without additional contribution from the taxpayer; and to develop a below-surface public car park for approximately 150–200 vehicles.

Members present voted as follows –

POUR: 32

Senator P.F.C. Ozouf
 Senator A.J.H. Maclean
 Senator I.J. Gorst
 Senator L.J. Farnham
 Senator P.M. Bailhache
 Senator A.K.F. Green
 Connétable of St. Helier
 Connétable of St. Peter
 Connétable of St. Lawrence
 Connétable of St. Ouen
 Connétable of St. Brelade
 Connétable of St. Saviour
 Connétable of Grouville
 Connétable of St. John
 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 of St. John
 Deputy R.G. Bryans (H)
 Deputy of St. Peter
 Deputy S.Y. Mézec (H)
 Deputy A.D. Lewis (H)
 Deputy of St. Ouen
 Deputy L.M.C. Doublet (S)
 Deputy S.M. Bree (C)
 Deputy M.J. Norton (B)
 Deputy T.A. McDonald (S)
 Deputy of St. Mary
 Deputy P.D. McLinton (S)

CONTRE: 2

Senator S.C. Ferguson
 Connétable of St. Martin

ABSTAIN: 0

THE STATES noted that, in accordance with the provisions of Standing Order 106(1)(c), the Connétable of St. Mary, the Connétable of Trinity, Deputy Jeremy Martin Maçon of St. Saviour, the Deputy of St. Martin, Deputy Richard John Rondel of St. Helier, Deputy Scott Michael Wickenden of St. Helier and Deputy Graham John Truscott of St. Brelade declared an interest and withdrew from the Chamber for the duration of the debate on the proposition of the Council of Ministers.

Adjournment

THE STATES adjourned, having agreed to reconvene on Thursday 18th January 2018 to continue consideration of the outstanding items of public business listed for the present meeting.

THE STATES rose at 6.07 p.m.

DR. M. EGAN

Greffier of the States