

Price : £1.00

THE STATES assembled on Tuesday,
18th February 1992 at 9.30 a.m. under
the Presidency of the Deputy Bailiff,
Vernon Amy Tomes, Esquire.

All Members were present with the exception of -

Senator Reginald Robert Jeune - out of the
Island.
Senator Antony Beresford Chinn - out of the
Island.
Graeme Ernest Rabet, Deputy of St. Helier -
ill.
Terence Ahier Jehan, Deputy of St. Martin -
out of the Island.
Frank Harrison Walker, Deputy of St.
Helier - out of the Island.

Prayers read by the Deputy Bailiff

Connétable of St. Peter - welcome

The Deputy Bailiff, on behalf of the Members of
the States, welcomed to the Assembly the newly
elected Connétable of St. Peter, Mr. Malcolm
Pollard.

Deputy M.C. Buesnel of St. Helier - welcome

The Deputy Bailiff, on behalf of the Members of
the States, welcomed Deputy Maurice Clement
Buesnel of St. Helier to the States after his
recent illness.

Subordinate legislation tabled

The following enactments were laid before the

States, namely -

1. Jersey Open Air Market (Jersey)
Order 1992. R & O 8335.
2. Road Traffic (Saint Helier)
(Amendment No. 16) (Jersey) Order 1992.
R & O 8336.
3. Road Traffic (Saint Saviour)
(Jersey) Order 1992. R & O 8337.
4. Road and Sand Racing (Jersey)
Order 1992. R & O 8338.

Housing Committee: resignation of member

THE STATES noted the resignation of Frank Harrison Walker, Deputy of St. Helier from the Housing Committee.

Housing Committee: appointment of member

THE STATES appointed Graeme Ernest Rabet, Deputy of St. Helier as a member of the Housing Committee.

Finance and Economics Committee: appointment of member

THE STATES appointed Frank Harrison Walker, Deputy of St. Helier as a member of the Finance and Economics Committee.

Tourism Committee: appointment of member

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

Prison Board: appointment of member

THE STATES appointed Malcolm Pollard, Connétable of St. Peter as a member of the Prison Board.

Jersey Electricity Company Limited: Director's report and accounts for 1991

The Finance and Economics Committee by Act dated

13th January 1992, presented to the States the Jersey Electricity Company Limited Director's report and accounts for 1991.

Regulation of Undertakings and Development Law: quarterly manpower returns. R.C.5

The Finance and Economics Committee by Act dated 27th January 1992, presented to the States a report covering the quarterly manpower returns provided under Article 2A of the Regulation of Undertakings and Development (Jersey) Law 1973, as amended, for the quarter ended 30th September 1991.

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

Matters noted - land transactions -

THE STATES noted Acts of the Finance and Economics Committee dated 27th January and 10th February 1992, showing that, in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved -

- (a) as recommended by the Tourism Committee, the lease to Mr. Peter Ivan Gibbins, Mr. Robert Arthur Gibbins, Mrs. Anne Huelin, née Gibbins and Mrs. Phyllis Gibbins née Kent, of Le Braye Café, Five Mile Road, St. Ouen for a period of three years from 24th December 1991 at a rent of £13,000 for the first year and with the rent for 1993 and 1994 to be reviewed in late 1992;
- (b) as recommended by the Tourism Committee, the lease to Mr. Clive Alexander Black of West Park Café, West Park, St. Helier for a period of three years from 24th December 1991 at a rent of £12,900 for the first year and with the rent for 1993 and 1994 to be reviewed in late 1992;
- (c) as recommended by the Harbours and Airport Committee, the assignment of the lease from 1st January 1992 of an area of land and forecourt at St. Brelade's Garage (Lettings Nos. L53

and L53A) currently held by the Island Motor Company Limited to Interlock Investments Limited on the same terms and conditions as the current lease held by the Island Motor Company Limited;

(d) as recommended by the Harbours and Airport Committee, an addendum to the current lease held by British Channel Island Ferries on accommodation at Elizabeth Harbour Terminal to include 829 square feet of office accommodation with effect from 10th May 1991 at an annual rent of £9,168.74 and with effect from 14th October 1991 of 277.5 square feet of storage space at an annual rent of £3,069.15, on the same terms and conditions as the current lease;

(e) as recommended by the Public Health Committee, the extension of the lease from Mrs. Maureen Olive Hamel, née Quénault, of the four-bedroomed detached house, Burwood, Rue des Sablons, Grouville, for a period of six months from 1st November 1991, at an annual rent of £10,448.35;

(f) as recommended by the Housing Committee, with the support of the Island Development Committee, the purchase from Mont Limited of the property 16 Val Plaisant, St. Helier, for the sum of £80,000 with each party paying its own legal expenses;

(g) as recommended by the Harbours and Airport Committee, the granting to Mr. Andrew William Barrott and Mrs. Angela Barrott, née Aked of a wayleave required to lay a sewer under Fields 24, 25, 26, 27 and 46 in the Parish of St. Peter to connect their property to the main sewer on L'Avenue de la Commune, for a payment of £1,000 and with Mr. and Mrs. Barrott's being responsible for all legal fees;

(h) as recommended by the Harbours and Airport Committee, the lease to Jersey Cruising School and Yacht Charters for a period of three years commencing 25th November 1991 of 490 square feet of office accommodation on the New North

Quay, St. Helier (Letting No. 18a) at an annual rent of £6,218 subject to annual increases.

Matters lodged

The following subjects were lodged ``au Greffe" -

1. Draft Administrative Decisions (Review) (Panel of Members) (Jersey) Act 199 . P.12/92
Presented by the Special Committee to consider the relationship between Committees and the States.
2. Draft Drug Trafficking Offences (Designated Countries and Territories) (Amendment) (Jersey) Regulations 199 . P.13/92
Presented by the Finance and Economics Committee.
3. Grouville Hospital site, Grouville: approval of drawings. P.14/92.
Presented by the Housing Committee.
4. Draft Policing of Parks (Amendment No. 8) (Jersey) Regulations 199 . P.15/92.
Presented by the Public Services Committee.
5. Draft Policing of Beaches (Amendment No. 8) (Jersey) Regulations 199 . P.16/92.
Presented by the Tourism Committee.
6. Le Parcq de la Belle Fontaine, la Rue d'Aval, St. Martin: lease. P.17/92.
Presented by the Housing Committee.
7. Projet de Loi (199) (Amendement No. 4) sur l'instruction primaire. P.18/92.
Presented by the Education Committee.
8. Terms of Employment Officers: appointment. P.19/92.

Presented by the Industrial
Relations Committee.

9. Island Plan: continued support.
P.20/92.

Presented by Deputy Stuart
Syvret of St. Helier.

10. Island Development Committee:
vote of no confidence. P.21/92.

Presented by Senator Richard
Joseph Shenton.

Draft Regulation of Undertakings and Development
(Amendment No. 6) (Jersey) Regulations 199 .
P.20/91. Withdrawn

THE STATES noted that in pursuance of Standing
Order 17(6) the following subject which was
lodged ``au Greffe" had been withdrawn -

Draft Regulations of Undertakings and
Development (Amendment No. 6) (Jersey)
Regulations 199 . P.20/91.
Lodged: 19th February 1991.
Finance and Economics Committee.

Arrangement of Public Business for the
present Sitting

THE STATES confirmed that the following further
subjects lodged au Greffe should be considered
at the present Sitting -

Teachers' Centre: relocation P.190/91.
Lodged: 3rd December 1991.
Education Committee.
(Island Development Committee report
refers - R.C.30/91).

Teachers' Centre - relocation:
supplementary vote of credit. P.163/91.
Lodged: 22nd October 1991.
Finance and Economics Committee.

Draft Firearms (Amendment No. 2)
(Jersey) Law 199 . P.191/91.
Lodged: 3rd December 1991.
Defence Committee.

Arrangement of Public Business for next

Sitting on 3rd March 1992

THE STATES confirmed that the following subjects lodged au Greffe should be considered at the next Sitting on 3rd March 1992 -

Island Development Committee: vote of no confidence. P.21/92.
Senator R.J. Shenton.

THE STATES decided to take this matter as the first item of Public Business.

Draft Administrative Decisions (Review) (Panel of Members) (Jersey) Act 199 . P.12/92.
Special Committee to consider the relationship between Committees and the States.

Draft Drug Trafficking Offences (Designated Countries and Territories) (Amendment) (Jersey) Regulations 199 . P.13/92.
Finance and Economics Committee.

Grouville Hospital site, Grouville: approval of drawings. P.14/92.
Housing Committee.

Draft Policing of Parks (Amendment No. 8) (Jersey) Regulations 199 . P.15/92.
Public Services Committee.

Draft Policing of Beaches (Amendment No. 8) (Jersey) Regulations 199 . P.16/92.
Tourism Committee.

Le Parcq de la Belle Fontaine, La Rue d'Aval, St. Martin: lease. P.17/92.
Housing Committee.

Projet de Loi (199) (Amendement No. 4) sur l'instruction primaire. P.18/92.
Education Committee.

Terms of Employment Officers: appointment. P.19/92.
Industrial Relations Committee.

Island Plan: continued support. P.20/92

THE STATES rejected a request of Deputy Stuart Syvret of St. Helier that consideration of the

proposition regarding the States support for the Island Plan should be discussed on 3rd March 1992.

Incident outside a local night spot. Questions and answers

Deputy Stuart Syvret of St. Helier asked Deputy Michael Adam Wavell of St. Saviour, President of the Defence Committee, the following questions -

- ``1. Is it true that a police car struck and injured two young people outside a popular night spot?
2. If the answer to the above is yes, could the President explain why no public statement has been made concerning this incident?
3. Why have not the police made a public request for witnesses to come forward as is usual when a pedestrian is struck by a car?"

The President of the Defence Committee replied as follows -

- ``1. I confirm that a police car was in collision with two young people at about 10.40 p.m. on Saturday, 1st February 1992, outside the Inn on the Park at West Park as a result of which they both received minor injuries.
2. There was absolutely no reason why a public statement should not have been made and it is accepted by the Chief Officer that it would have been prudent for the police to have made a public statement at an earlier time and the reasons for not doing so are now being examined. Further, I am satisfied that a full and thorough investigation is being carried out into this very regrettable incident by a senior officer to determine whether any criminal and/or disciplinary offences have been committed and, as in all cases, a report will be forwarded to Her Majesty's Attorney General who will decide whether any further action will be taken. Once more all complaints are

overseen by my Committee's sub-committee, a rôle which they have to examine all complaints that are put before the police.

3. Whilst it is not unusual for the police to make a public request for witnesses when a pedestrian is struck by a car it is not a prerequisite to any subsequent investigation. The police deal with a considerable number of injury incidents each year and an appeal is usually made only when witnesses give conflicting statements or where there are no immediate identifiable witnesses to hand. In this case, I understand that there were at least six known independent witnesses to the incident."

Mont à l'Abbé School, St. Helier: approval of drawings

THE STATES, adopting a proposition of the Education Committee -

- (a) approved Drawings Nos. 1400/01/100 - 1400/01/110 showing the construction of additional classrooms, general purpose hall and other teaching accommodation at Mont à l'Abbé School;
- (b) authorised the Greffier of the States to sign the said Drawings on behalf of the States.

Suspension of Standing Order No. 24(3)

THE STATES, adopting a proposition of the Island Development Committee suspended Standing Order No. 24(3) in order to allow the matter regarding development at Long Beach and Puerto Seco, La Rue à Don, Grouville, to be reconsidered by the States during the current session.

Long Beach and Puerto Seco, La Rue à Don, Grouville: development

THE STATES commenced consideration of a proposition of the Island Development Committee regarding development at Long Beach and Puerto Seco, La Rue à Don, Grouville.

After further discussion, the President of the Island Development Committee made the following statement -

“As suggested by the House my Committee has met during the adjournment and has decided to take note of the views expressed by some members during the course of the debate. I have had the opportunity of meeting informally with the owner and I have asked him to consider amending his plans so that no part of the development will exceed a height of 30 feet above the ground. The owner is giving consideration to this proposal with his advisers.

If the owner is not prepared to seek to amend his plans in the way that I have suggested the Committee will give consideration to the exercise of its power, under Article 7 of the Island Planning (Jersey) Law 1964 to modify the permission granted by my Committee.

I therefore seek the leave of the House to withdraw my Committee's proposition.”

On the proposition of the Connétable of St. John, President of the Island Development Committee, the States gave leave to the Island Development Committee to withdraw its proposition regarding development at Long Beach and Puerto Seco, La Rue à Don, Grouville.

Members present voted as follows -

“Pour” (36)

Senators

Shenton, Binnington, Horsfall, Le Maistre, Stein.

Connétables

St. John, St. Peter, St. Helier, St. Clement, St. Lawrence, St. Mary, St. Ouen, St. Saviour, St. Brelade, Trinity, St. Martin, Grouville.

Deputies

Le Gallais(S), Roche(S), Beadle(B), Wavell(S), Blampied(H), Norman(C), St. John, St. Peter, Baudains(C), Le Sueur(H), St. Ouen, Coutanche(L), Huelin(B), Jordan(B), St. Mary, Clarke-Halifax(S), Le Fondré, Le Geyt(S), Crespel(H).

``Contre" (10)

Senators

Baal, Rothwell, Le Main, Carter, Qu  r  e.

Deputies

Trinity, Bailhache(H), Baudains(H),
Grouville, Syvret(H).

Island Development Committee: vote of no confidence. P.21/92

THE STATES noted that as the Island Development Committee had withdrawn its proposition regarding the development at Long Beach and Puerto Seco, Grouville, Senator Richard Joseph Shenton had withdrawn his proposition proposing a vote of no confidence in the Island Development Committee.

Island Plan: continued support. P.20/92

THE STATES, acceded to the request of Deputy Stuart Syvret of St. Helier that consideration of the proposition regarding the States continued support for the Island Plan should be considered at the next Sitting on 3rd March 1992.

Teachers' Centre: relocation. P.190/91

THE STATES, adopting a proposition of the Education Committee informed the Island Development Committee that the States' preferred option for the location of the Teachers' Centre would be on a site at Highlands College.

Teachers' Centre - relocation: supplementary vote of credit. P.191/91

THE STATES, adopting a proposition of the Finance and Economics Committee acceded to the request for the following supplementary vote of credit to be voted out of the general reserve -

Education Committee
3096 - General maintenance and
emergencies  350,000

Social Security (Amendment No. 9) (Jersey) Law

1992 (Appointed Day) Act 1992. P.7/92

THE STATES, in pursuance of Article 3 of the Social Security (Amendment No. 9) (Jersey) Law 1992 made an Act entitled the Social Security (Amendment No. 9) (Jersey) Law 1992 (Appointed Day) Act 1992.

Territorial Army Personnel: purchase of properties. P.11/92

THE STATES, adopting a proposition of the Defence Committee -

- (a) approved the policy of the Defence Committee to purchase four houses for occupation by U.K. Army officers posted to Jersey to serve with the Island's Territorial Army Royal Engineer Field Squadron;
- (b) approved the utilisation of the Defence Contribution Vote of Credit for this purpose;
- (c) approved the purchase from Mr. Henry Hugh Goldsmith of the property No. 2 Ville ès Renauds, Grouville for the sum of £245,000 on the basis described in the report of the Defence Committee dated 16th January 1992;
- (d) authorised the Attorney General and the Greffier of the States to pass, on behalf of the public, any contracts which it is found necessary to pass in connexion with the said property and any interest therein.

Firearms (Amendment No. 2) (Jersey) Law 1992. P.191/91

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council adopted a Law entitled the Firearms (Amendment No. 2) (Jersey) Law 1992.

Road Traffic (No. 41) (Jersey) Regulations 1992. P.8/92

THE STATES, in pursuance of the powers conferred on them by the Order in Council of the twenty-sixth day of December 1851 and Article 49 of the

Road Traffic (Jersey) Law 1956 as amended made Regulations entitled the Road Traffic (No. 41) (Jersey) Regulation 1992.

Motor Traffic (No. 3) (Jersey) Regulations 1992.
P.9/92

THE STATES, in pursuance of the powers conferred on them by the Order in Council of the twenty-sixth day of December 1851 and Article 54A of the Motor Traffic (Jersey) Law 1935 as amended made Regulations entitled the Motor Traffic (No. 3) (Jersey) Regulations 1992.

Policing of Roads (Amendment No. 3) (Jersey) Regulations 1992. P.10/92

THE STATES commenced consideration of the draft Policing of Roads (Amendment No. 3) (Jersey) Regulations 199 (lodged on 4th February 1992) and adopted the Preamble.

Regulation 1 was adopted, the States having accepted an amendment of the Defence Committee that in Regulation 1, paragraph (c) should be deleted.

Regulations 2 and 3 were adopted.

The Regulations were there upon lodged, as amended, in Second Reading.

THE STATES rose at 4.35 p.m.

C.M. NEWCOMBE

Deputy Greffier of the States.