

THE STATES assembled on Tuesday,  
24th October 1995 at 9.30 a.m. under  
the Presidency of the Bailiff,  
Philip Martin Bailhache, Esquire

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His Excellency the Lieutenant Governor,  
General Sir Michael Wilkes, K.C.B., C.B.E,  
was present.

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All Members were present with the exception of -

Senator Terence John Le Main - out of the  
Island  
Robert Lester Le Brocq, Connétable of St.  
Helier - out of the Island  
John Nicolle Le Fondré, Deputy of St.  
Lawrence - out of the Island.

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Prayers

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Subordinate legislation tabled

The following enactments were laid before the  
States, namely -

1. Companies (General Provisions)  
(Amendment No. 3) (Jersey) Order 1995.  
R & O 8868.
2. Road Traffic (Public Parking  
Places) (Amendment No. 31) (Jersey)  
Order 1995. R & O 8869.
3. Weights and Measures (Testing  
Fees) (Jersey) Order 1995. R & O 8870.

Matter presented

The following matter was presented to the States -

Regulation of Undertakings and  
Development: six-monthly manpower returns.  
R.C.25/95.  
Presented by the Finance  
and Economics Committee.

The States noted that the following matter had  
been presented on 17th October 1995 -

Field 116, Le Clos de Maitland, St.  
Clement: construction of dwelling in Green  
Zone (P.109/95 Revised) - report. P.145/95.  
Presented by the Planning and  
Environment Committee.

Matters noted - land transactions

THE STATES noted an Act of the Finance and  
Economics Committee dated 16th October 1995,  
showing that, in pursuance of Standing Orders  
relating to certain transactions in land, the  
Committee had approved -

- (a) as recommended by the Public Services  
Committee, the acquisition from Mr.  
Rodney Denis Gilbert and Mrs. Betty May  
Gilbert, née Gavey, of 1,226 square  
feet of land in Field No. 1250,  
Trinity, for a consideration of £1,266,  
plus an additional £1,774 in respect of  
rent for the working area and access  
track, with the Committee being  
responsible for the payment of all  
reasonable legal fees involved in the  
transaction and for the cost of the  
accommodation works required;
- (b) as recommended by the Planning and  
Environment Committee (formerly the  
Island Development Committee), the  
renewal of the lease of Fields  
Nos. 1609, 1610 and 1459, St. Ouen, to  
Mr. Brian Herbert Langlois and Mrs.  
Pearl Doreen Langlois, née Luce, for a  
period of nine years from 29th  
September 1991 at an annual rent of  
£220, subject to triennial reviews (the  
Committee rescinded its Act No. 2(c) of  
19th August 1991);

(c) as recommended by the Public Services Committee, the sale to Mr. Stephen May and Mrs. Carolyn Wendy May, née Skinner, of 70.25 square feet of land at Craigeau, Mont Sohier, St. Brelade, in respect of a patio which encroached on public land and a barbecue sited completely on public land, for the sum of £500, with Mr. and Mrs. May being responsible for all legal costs, the removal of the barbecue site and steps leading to it and the costs of reinstating the land to its original condition.

#### Matters lodged

The following subjects were lodged ``au Greffe" -

1. Draft Adoption (Amendment No. 3) (Jersey) Law 1995 (Appointed Day) Act 1995. P.146/95.  
Presented by the Education Committee.
2. Draft Insurance Business (Jersey) Law 199 - P.147/95.  
Presented by the Finance and Economics Committee.
3. Draft Policing of Parks (Amendment No. 11) (Jersey) Regulations 1995. P.148/95.  
Presented by the Public Services Committee.

Arrangement of public business for the next meeting on 7th November 1995

THE STATES confirmed that the following subjects lodged ``au Greffe" would be considered at the next meeting on 7th November 1995 -

1. Draft States of Jersey (Amendment No. 5) Law 199 - P.88/95.  
Lodged: 11th July 1995  
Policy and Resources Committee.
2. Draft Prevention of Terrorism (Jersey) Law 199 - P.128/95.  
Lodged: 26th September 1995

Defence Committee.

3. Draft Reservoirs (Jersey) Law 199 - P.142/95.  
Lodged: 10th October 1995  
Public Services Committee.
4. Draft F.B. Playing Fields (Construction and Use of Sports Hall) (Jersey) Law 199 - P.144/95.  
Lodged: 10th October 1995  
Sport, Leisure and Recreation Committee.
5. Draft Adoption (Amendment No. 3) (Jersey) Law 1995 (Appointed Day) Act 1995. P.146/95.  
Lodged: 24th October 1995  
Education Committee.
6. Draft Policing of Parks (Amendment No. 11) (Jersey) Regulations 1995. P.148/95.  
Lodged: 24th October 1995  
Public Services Committee.

Library facilities in the west of the Island - questions and answers (Tape No. 309)

Senator Richard Joseph Shenton asked Deputy Evelyn Mabel Pullin of St. Saviour, President of the Education Committee, the following questions -

1. Would the President inform the States of the Committee's policy for library facilities in the west of the Island?
2. Would the President acknowledge that the library at Les Quennevais School needs to be refurbished in order that students and members of the public can enjoy the services provided?"

The President of the Education Committee replied as follows -

1. It is intended that the commitments given by the previous Education Committee regarding the Les Quennevais Branch Library, will be honoured and that this

public service in the West of the Island will continue.

2. The Branch Library is being refurbished to a similar high standard to that achieved in the other areas already completed at Les Quennevais School."

Cyclists and ``provisional" plates for motor vehicles - questions and answers (Tape No. 309)

Deputy Shirley Margaret Baudains of St. Helier asked Deputy Michael Adam Wavell of St. Saviour, President of the Defence Committee, the following questions -

- ``1. Is the President aware that concern has been expressed about some cyclists abusing pedestrian areas and ignoring traffic signs thereby causing danger to pedestrians and will the President inform members when the Committee is proposing to introduce a cycle registration scheme?
2. Will the President inform members whether the Committee intends to amend the Motor Vehicles (Driving Licences) (Jersey) Order 1993, to require that persons who pass a driving test for a motor vehicle should display ``provisional" plates on the front and rear of the vehicle for a period of twelve months, as is currently required for motor cyclists?"

The President of the Defence Committee replied as follows -

- ``1. The Committee is not convinced that the introduction of a cycle registration scheme will be of any real benefit in attempting to improve the riding habits and general behaviour of cyclists. However, the Committee understands that it is likely to receive a further representation on this subject.

The introduction of CCTV in St. Helier will certainly help in dealing with any incidents in the precinct and town streets. I have requested the Police to

take a more active rôle in respect of irresponsible and dangerous cycling and I feel sure that the Honorary Police will also play an important part in cycle enforcement in their dealings with any reported offences.

If a compulsory scheme was introduced there are a number of important issues that need to be addressed: one being, are there sufficient resources to police the scheme? The requirement for policing insurance discs and motor vehicle transfers is already causing a strain on Police resources and to add additional enforcement duties could mean a reduction in Police time in other important areas.

Another question requiring a difficult decision is: will notification of transfer of ownership be compulsory? If so what penalties will be imposed on, say, a 14 year old child who fails to notify transfer of ownership of their bike? There used to be many motorists who did not inform the DVS that their vehicle had been transferred to another owner and this was only controlled when the Courts acted strongly with fines up to £500. Does the Deputy think that a cyclist will be more inclined to notify the Registration Authority of a change of ownership than the owner of a car or truck? A registration scheme is useless unless the register is kept up to date.

There are also associated practical policy questions which will need to be answered before any workable scheme could emerge such as, who will be responsible for registration, owner or seller or in the case of juveniles, parents?

The Committee believes that the bureaucracy, manpower and financial implications involved in such a scheme would not effectively solve the problem.

2. The probationary plate scheme in Northern Ireland and our own motor cycle probationary P plate have not shown any significant improvement in

road safety. The general behaviour and driving standard of newly qualified drivers has not given the Police or the Driver and Vehicle Standards Department any cause to recommend any extension to the scheme. Consequently, whilst the Committee intends to continue the P plate scheme for motor cyclists, who are perhaps somewhat vulnerable, there is no evidence to suggest that the scheme should be extended to drivers of other vehicle categories.

Furthermore, a motorcycle is generally ridden by the one person to whom P relates and on which the test is taken, after which the examiner affixes the probationary P. A person driving a car passes his test generally in a school car (not a private vehicle to which the owner could affix the P) and he may then drive any vehicle of that class, the family car, work vehicle, friend's vehicle, etc., all of which have to display the probationary plate.

Whilst there have been similar calls for the introduction of P plates in the United Kingdom where speeds are much higher, the Department of Transport has recently stated that it is not necessary to introduce a probationary P plate scheme."

#### Working Party on Need: disbandment - statement

The President of the Finance and Economics Committee made a statement in the following terms -

``The Working Party on Need at its meeting 24th July 1995 agreed that arrangements should be made for it to be formally disbanded once the States had agreed the change of name of the Public Health Committee to the Health and Social Services Committee, and the transfer of functions to that Committee enabling the proposals for the reorganisation of Health and Social Services provision in Jersey adopted by the States on 28th February 1995 to be brought fully into effect. At their meeting on 26th September 1995 the States adopted the Public Health Committee (Change of Name) (Jersey) Act 1995 and the Transfer of

Functions (Health and Social Services Committee) (Jersey) Act 1995. Therefore I wish formally to inform the House of the decision to disband the Working Party.

In announcing the disbandment of the Working Party, and in handing the reins over to the Health and Social Services Committee and the Employment and Social Security Committee, I should like to take this opportunity of thanking all those who have contributed to the work of the Working Party over the years. The Working Party was formed in 1972 in response to a concern at that time at the level of welfare benefit and the variation in payments from parish to parish. It was also recognised that there was a requirement for more effective co-ordination between the various agencies involved with those in need. Over the years I believe the Working Party, working closely with the parishes, and the Finance and Economics, Employment and Social Security, Public Health and Housing Committees, has achieved much of what it was set up to do and the new structure therefore has a firm base from which to work."

Supplementary and additional votes of credit

THE STATES considered an Act of the Finance and Economics Committee dated 2nd October 1995, presenting Acts of the undermentioned Committees and, acceding to the requests contained therein, granted to the said Committees supplementary and additional(A) votes of credit out of the general reserve as follows -

£	
Finance and Economics Committee	
Non-departmental expenditure	
0603 Court and case costs, fees and expenses	350,000
Defence Committee	
Miscellaneous	
1020 Criminal Injuries Compensation Scheme	98,500



Education Committee

3103 Structural maintenance 300,000

Employment and Social Security  
Committee

States Grants to Insurance Funds

4801 States Contribution -  
Social Security 1,250,000

Benefits of a non-contributory  
nature

4813 Dental Benefit Scheme 97,50  
0

Total request 1,347,500

CAPITAL VOTES OF CREDIT

Defence Committee

Fire Service

C0170 Refurbishment/extension  
to training facilities 18,300

Public Services Committee

C0385 West of Albert Pier  
Reclamation site 632,200  
C2613 Ash Containment areas -  
La Collette 549,000 (A)

Total request 1,181,200

Housing Committee

C1103 Building, purchase and  
rehabilitation of  
dwellings 93,000

Sport, Leisure and Recreation  
Committee

C1240 Les Quennevais Pool 140,000  
C1245 Springfield 1,522,700

Total request 1,662,700

The total requests granted for the

October Supply Day amounted to £5,051,200.

States Committees' inflation and vote transfers

THE STATES noted decisions taken by the Finance and Economics Committee in accordance with subparagraphs (a) and (b) of Paragraph (2) of Article 18 of the Public Finances (Administration) (Jersey) Law 1967, as amended -

CAPITAL EXPENDITURE

	£	
1995	inflation requests	2,291,000

REVENUE EXPENDITURE

	£	
1995	vote transfers	2,626,130

CAPITAL EXPENDITURE

	£	
1995	vote transfers	435,856.

Les Ruisseaux, La Rue de la Vallée,  
Trinity: sale of share -

THE STATES, adopting a proposition of the Finance and Economics Committee -

- (a) agreed the sale to Mr. Michael Edmund Powell and Mrs. Jane Elizabeth Powell, née Le Brocq, of the one quarter share in the immovable estate consisting of a dwelling house known as Les Ruisseaux, La Rue de la Vallée, Trinity, bequeathed to the public of the Island by the late Mrs. Nellie Winifred Miriam O'Meara, née Simmonds, as set out in the Committee's report, dated 19th October 1995;
- (b) authorised the Attorney General and the Greffier of the States to pass the necessary contract;
- (c) authorised the Treasurer of the States to receive the amount connected with the above transaction.

Simultaneous voting/enhanced sound systems in States Chamber - P.115/95

THE STATES rejected a proposition of the House

Committee -

- (a) to approve the introduction of a system of simultaneous electronic voting to replace voting by appel nominal;
- (b) to authorise the acquisition and installation of a combined electronic voting and replacement sound reinforcement system at a combined cost of £33,503;
- (c) to charge the House Committee to prepare the necessary amendments of the Standing Orders of the States of Jersey to provide for simultaneous electronic voting in place of voting by appel nominal.

Members present voted as follows -

``Pour" (16)

Senators

Quérée, Syvret.

Connétables

St. Lawrence, St. Ouen.

Deputies

S. Baudains(H), Carter(H), Johns(H),  
Duhamel(S), Matthews(B), Dorey(H),  
Layzell(B), Breckon(S), Grouville, Huet(H),  
St. Martin, St. John.

``Contre" (33)

Senators

Shenton, Jeune, Horsfall, Rothwell, Le  
Maistre, Stein, Chinn, Bailhache, Tomes.

Connétables

St. Clement, St. Mary, St. Brelade, St.  
Peter, Grouville, St. Saviour, St.  
Martin, St. John.

Deputies

Rumboll(H), Wavell(S), Norman(C), St.  
Peter, H. Baudains(C), Le Sueur(H), St.  
Ouen, Coutanche(L), Huelin(B), St. Mary,  
Le Geyt(S), Walker(H), Crespel(H),  
Pullin(S), Trinity, Routier(H).

Field 116, Le Clos de Maitland, St. Clement:  
construction of dwelling in Green Zone -  
P.109/95 (Revised) and P.145/95

THE STATES rejected a proposition of Senator Patricia Ann Bailhache -

- (a) to request the Planning and Environment Committee to reconsider its previous decision and to grant permission for the construction of one dwelling in Field 116, Le Clos de Maitland, St. Clement, shown hatched on drawing No. 6726-Q, which is located in the Green Zone;
- (b) to authorise the Greffier of the States to sign the said drawing on behalf of the States.

Jersey Financial Services Commission:  
establishment - P.132/95

THE STATES, adopting a proposition of the Finance and Economics Committee -

- (a) approved in principle the establishment, by law, of a Jersey Financial Services Commission, with corporate status, to be charged with responsibility for the supervision and development of the finance industry within the Island;
- (b) charged the Finance and Economics Committee to bring forward to the States the necessary legislation to establish the Commission and define its powers and responsibilities.

Air Transport Permits (Jersey) Regulations  
1995 - P.137/95

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 Air Transport Permits (Jersey) Regulations 1995.

Elizabeth Harbour: lease of accommodation -  
P.138/95

THE STATES, adopting a proposition of the Harbours and Airport Committee -

- (a) approved the lease to Channel Express

(C.I.) Limited of the south-eastern corner of the Phase I Warehouse (Letting No. E25), Elizabeth Harbour, St. Helier, measuring 4,810 square feet, for a period of three years, commencing 1st July 1995, at an annual rent of £29,504.54 (representing a rate of £6.134 a square foot), subject to annual review on 1st July 1996 and 1st July 1997;

(b) authorised the Greffier of the States to sign the necessary lease;

(c) authorised the Treasurer of the States to receive the rent as it becomes due.

La Collette fuel storage: fire protection facilities - P.139/95

THE STATES commenced consideration of a proposition of the Public Services Committee regarding the proposed fire protection facilities at the site leased to the Jersey Gas Company Limited at La Collette, St. Helier.

After discussion Deputy Leonard Norman of St. Clement proposed that the States move to the consideration of the next item on the order paper, which proposition was carried, more than 20 members voting in support thereof.

Deputy Alan Breckon of St. Saviour declared an interest in the matter and withdrew from the Chamber prior to the debate.

1 to 17 St. Paul's Gate, St. Helier: sale to Jersey Homes Trust - P.140/95.

THE STATES, adopting a proposition of the Housing Committee -

(a) approved the sale to the Jersey Homes Trust of the freehold of 1 to 17 St. Paul's Gate, Dumaresq Street, St. Helier, comprising 17 two-bedroom flats, with ancillary stores and car parking, for the sum of £1,496,000, with each party being responsible for the payment of its own legal costs;

(b) authorised the Attorney General and the Greffier of the States to pass the necessary contracts on behalf of the public;

(c) authorised the Treasurer of the States to receive the amount connected with the above transaction.

European Communities Legislation  
(Implementation) (Jersey) Law 199 - P.143/95

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the European Communities Legislation (Implementation) (Jersey) Law 199 .

La Collette fuel storage: fire protection facilities - P.139/95

THE STATES acceded to the request of the President of the Public Services Committee that the proposition regarding fire protection facilities at La Collette, St. Helier (lodged "au Greffe" on 10th October 1995) be considered at the next meeting on 7th November 1995.

THE STATES rose at 1.20 p.m.

G.H.C. COPPOCK

Greffier of the States.