



**THE STATES assembled on Tuesday,  
21st April 1998 at 9.30 a.m. under  
the Presidency of the Bailiff,  
Sir Philip Bailhache**

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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 Vernon Amy Tomes – ill  
Senator Frank Harrison Walker – ill  
Jack Roche, Connétable of St. Saviour– ill  
James Thomas Johns, Deputy of St. Helier– out of the Island  
Alastair John Layzell, Deputy of St. Brelade– out of the Island  
Philip John Rondel, Deputy of St. John– out of the Island.

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Prayers

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#### **Vice-President of the Methodist Conference – welcome**

The Bailiff welcomed to the States the Vice-President of the Methodist Conference, Sir Michael Checkland, and Lady Checkland.

#### **Distinguished visitor – Madeira – Memorandum of Understanding and Friendship between the Government of Jersey and Madeira**

The Bailiff informed the Assembly that His Excellency Dr. Alberto Joao Jardim, President of the Government of Madeira, and an official party would be visiting the Island from 11th to 13th May 1998 and the States would adjourn their meeting at 12.30 p.m. to witness the signing of a Memorandum of Understanding and Friendship between the Governments of Jersey and Madeira.

#### **Subordinate legislation tabled**

The following enactment was laid before the States, namely –

**Collective Investment Funds (Unclassified Funds) (Prospectuses) (Amendment No. 2) (Jersey) Order 1998. R & O 9227.**

#### **Housing Committee – appointment of member**

THE STATES appointed Deputy Margaret Anne Le Geyt of St. Saviour as a member of the Housing Committee.

## **Matters presented**

The following matters were presented to the States –

**States members' income support and expense allowance (P.207/97): amendments (P.58/98) – comments – P.64/98.**

Presented by the Finance and Economics Committee.

**Telecommunications Board: report and accounts for 1997.**

Presented by the Telecommunications Board.

**Department of Postal Administration: report for 1997.**

Presented by the Committee for Postal Administration.

**Training and Employment Partnership: annual report for 1997.**

Presented by the Employment and Social Security Committee.

## **Matters noted – land transactions**

THE STATES noted an Act of the Finance and Economics Committee, dated 6th April 1998, recording the following decisions of the Treasurer of the States under delegated powers, in pursuance of Standing Orders relating to certain transactions in land –

- (a) as recommended by the Harbours and Airport Committee, the lease to Huelin Renouf Airfreight Limited of office accommodation at Jersey Airport, (Letting No. B136) measuring 280 square feet, for a period of three years from 1st January 1998, at an annual rent of £3,360 (representing a rate of £12 a square foot), subject to annual rent reviews on 1st January throughout the term of the lease in line with the Jersey Retail Prices Index;
- (b) as recommended by the Planning and Environment Committee, the lease to the Scouts Association, Jersey, of 5.75 vergées of land, known as plots 83 and 84, Field No. 1371, St. Oue for a period of 25 years from 1st January 1998 at an annual rent of £100, to be increased annually in line with the Jersey Retail Prices Index, with the lessee being responsible for the lessor's reasonable legal costs arising from the transaction;
- (c) as recommended by the Housing Committee, the entering into a Deed of Arrangement with the Parish of St. Brelade and the Jersey Electricity Company Limited in order to facilitate the placing of four windows within the boundary wall between the St. Aubin's Institute and the Jardin du Crocquet housing estate, St. Brelade, (two of which were directly above land which was leased to the Jersey Electricity Company Limited for the purposes of an electricity sub-station, which Company was to be party to the Deed for the two window openings), on the basis that –
  - (i) the Housing Committee was prepared to grant the Parish of St. Brelade rights to construct four window openings in the boundary wall in the St. Aubin's Institute;
  - (ii) the public would have the right to move or block off the four windows if the public wished to redevelop Jardin du Crocquet in the future;
  - (iii) the Parish paid to the public the sum of £500 for the granting of the rights; and
  - (iv) the Parish was responsible for the public's reasonable legal costs arising from the transaction;

- (d) as recommended by the Sport, Leisure and Recreation Committee, the entering into a Deed of Arrangement with Mr. Richard Le Sueur, of No. 71 Val Plaisant, St. Helier, in order to confirm the position and responsibilities in relation to the boundary between his property and that of the Springfield Stadium Parking Area; and also a licence agreement to allow Mr. Le Sueur access without affecting the long-term future use of the car parking site, on the basis that Mr. Le Sueur would be responsible for the payment of the Committee's legal expenses arising from the transaction, with the fee of £250 being paid to the Committee in relation to the licence agreement;
- (e) as recommended by the Health and Social Services Committee, the lease from Mr. John Herbert Falla, as landlord of Millreef, 2 Glendale Close, La Grande Route de la Côte, St. Clement, of a three-bedroom '(j)' category property for a period of three years from 1st February 1998, at a commencing annual rent of £12,000, subject to annual review in line with the Jersey Retail Prices Index, with the Committee being responsible for keeping the interior of the demised premises in a good state of repair and with the landlord being responsible for keeping the premises wind and water tight and carrying out other repairs thereto, on the basis that each party would be responsible for their own legal expenses arising from the transaction;
- (f) as recommended by the Housing Committee, the entering into a Deed of Arrangement with Mrs. Marlene Cicely Foster, née Luce, owner of the property known as Maison Le Coin, Maufant Village, St. Saviour, and Mrs. Eileen Valerie Algate, née Fleck, owner of the property known as Champs Vert, Maufant Village, St. Saviour, in order to clarify the boundaries between land administered by the Committee and the abovementioned properties, as follows –
- (i) **Maison Le Coin** – the eastern boundary of Maison Le Coin towards the grassed area belonging to the public, to be confirmed by an imaginary line taken between the boundary stones forming the south-eastern and north-eastern corners, respectively, of the property, subject to the boundary fence presently erected beyond the southern boundary of the property being replaced back to its correct position on the alignment of the existing boundary stones forming the southern boundary of Maison Le Coin, with Mrs. Marlene Cicely Foster, née Luce, to be granted access rights (under the usual terms and conditions) onto the grassed area belonging to the public in order to maintain and upkeep the fencing on or near the eastern and southern boundaries of Maison Le Coin, on the basis that drainage and electricity supplies would run from the south-eastern corner of the property in a south-easterly direction, and might remain as established subject to their being maintained and upkeep by the owners of Maison Le Coin, with Mrs. Foster to be responsible for the payment of all legal expenses incurred by the public in this transaction; and
- (ii) **Champs Vert** – the eastern boundary of the property Champs Vert to be constituted, firstly, by the existing eastern gable of the original house and by the concrete wall to the north (which would belong, without offset, to Mrs. Algate) and, secondly, by an imaginary line taken from the south-eastern corner of the gable to the boundary stone forming the south-eastern corner of the property – the whole towards the grassed area belonging to the public, on the basis that any parts of the roof, fascia boards, guttering, foundations attached to and forming part of the gable of the original house, as well as the coping stones established on the top of the aforementioned wall, would be allowed to remain as established, notwithstanding the fact that they encroach onto or overhang the grassed area belonging to the public, with Mrs. Algate to be granted access rights, with workmen, scaffolding and ladders, onto the necessary parts of the grassed areas in order to maintain and upkeep both the gable (including the overhanging parts thereof), wall and fence previously mentioned and the eastern gable of a certain small outhouse situated immediately to the west of the

fence – the whole subject to the usual terms and conditions, and with the gate established in the fence near the eastern boundary of the property to be allowed to remain as at present, which would only be used for the purpose of gaining access under the terms of the previous clause (Mrs. Algate not to use the gate to come and go from the property to the estate roadway), with Mrs. Algate to pay a consideration of £500 to the public in lieu of granting the above rights, and also to be responsible for the payment of all the legal expenses incurred by the public in this transaction.

### **Matters noted – acceptance of tenders**

THE STATES noted an Act of the Finance and Economics Committee, dated 6th April 1998, showing that, in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Committee had noted that –

- (a) the Public Services Committee had accepted the lowest tender submitted by M.J. Gleeson (Jersey) Limited in the sum of £263,192.60, for the provision of a new public surface water sewer from the Langford Site, Mont Millais, St. Helier, to the proposed new Gas Works Brook, in order to serve the proposed Jersey College for Girls development;
- (b) the Public Services Committee had accepted the lowest tender submitted by P. Trant Limited in the sum of £274,676.65, to provide main drainage to serve the Le Canné area as part of the overall scheme for St. Ouen.

### **Matters lodged**

The following matters were lodged “au Greffe” –

**New North Quay, St. Helier: lease of accommodation – P.66/98.**  
Presented by the Harbours and Airport Committee.

**Criminal Injuries Compensation Scheme: further amendments – P.67/98.**  
Presented by the Defence Committee.

**Parish Rate Appeal Board: appointment of member – P.68/98.**  
Presented by the Finance and Economics Committee.

**Draft Company Securities (Insider Dealing) (Amendment No. 2) (Jersey) Law 199 – P.69/98.**  
Presented by the Finance and Economics Committee.

**Transport policy strategy – P.70/98.**  
Presented by the Public Services Committee.

**States members’ income support and expense allowance (P.207/98): second amendments – P.71/98.**  
Presented by Senator J.A. Le Maistre.

**States members’ income support and expense allowance (P.207/98): third amendment – P.72/98.**  
Presented by Deputy S.J. Le Cornu of St. Clement.

**Traffic calming within Jersey (P.32/98): amendment – P.73/98.**  
Presented by Deputy P.J. Rondel of St. John.

**Public Services Committee: vote of no confidence – P.74/98.**  
Presented by Deputy I.S. Nicholls of Grouville.

**Committee of Inquiry: Elizabeth marina (P.63/98): amendment P.75/98.**

Presented by Deputy T.J. Le Main of St. Helier.

**Draft Limited Liability Partnerships (Jersey) Law 1997 (Appointed Day) Act 199 (P.54/98) amendment P.76/98**

Presented by Deputy A.S. Crowcroft of St. Helier.

**Lodged on 7th April 1998 –**

**Committee of Inquiry: Elizabeth Marina, St. Helier– P.63/98.**

Presented by the Finance and Economics Committee.

**Arrangement of public business for the present meeting**

THE STATES acceded to the request of the Vice-President of the Finance and Economics Committee that consideration of the proposition regarding a Committee of Inquiry: Elizabeth Marina, St. Helier (P.63/98– lodged “au Greffe” on 7th April 1998), as amended, be considered as the first item of matters lodged “au Greffe” listed under Public Business today.

THE STATES acceded to the request of the President of the Legislation Committee that the three items of legislation relating to public elections (P.55/98 – lodged “au Greffe” on 31st March 1998) be considered today.

THE STATES acceded to the request of the President of the Defence Committee that consideration of the proposition regarding policing of the Island (P.49/98 – lodged “au Greffe” on 17th March 1998) be deferred from the present meeting and considered as the first item of matters lodged “au Greffe” listed under Public Business on 19th May 1998.

THE STATES acceded to the request of the Vice-President of the Finance and Economics Committee that consideration of the following proposition be deferred from the present meeting to 12th May 1998 –

Draft Limited Liability Partnerships (Insolvent Partnerships) (Jersey) Regulations 199 – P.53/98.

Lodged: 24th March 1998.

*Finance and Economics Committee.*

Draft Limited Liability Partnerships (Jersey) Law 1997 (Appointed Day) Act 199 – P.54/98.

Lodged: 24th March 1998.

*Finance and Economics Committee.*

Draft Limited Liability Partnerships (Jersey) Law 1997 (Appointed Day) Act 199 (P.54/98) amendment.

*Deputy A.S. Crowcroft of St. Helier.*

**Arrangement of public business for the next meeting on 12th May 1998**

THE STATES confirmed that the following matters lodged “au Greffe” would be considered at the next meeting on 12th May 1998 –

States members’ income support and expense allowance – P.207/97.

*House Committee.*

*(Remuneration Board report refers – R.C.42/97).*

States members’ income support and expense allowance (P.207/97): amendments – P.58/98.

Lodged: 31st March 1998.

*Senator R.J. Shenton.*

States members’ income support and expense allowance (P.207/97): second amendments – P.71/98.

Lodged: 21st April 1998.  
*Senator J.A. Le Maistre.*

States members' income support and expense allowance (P.207/97): third amendment – P.72/98.  
*Deputy S.J. Le Cornu of St. Clement.*

Traffic calming within Jersey – P.32/98.  
*Senator R.J. Shenton.*

Traffic calming within Jersey (P.32/98): amendment – P.73/98.  
*Deputy P.J. Rondel of St. John.*

New North Quay, St. Helier: lease of accommodation– P.66/98.  
*Harbours and Airport Committee.*

Parish Rate Appeal Board: appointment of member – P.68/98.  
*Finance and Economics Committee.*

Draft Limited Liability Partnerships (Insolvent Partnerships) (Jersey) Regulations 199 – P.53/98  
Lodged: 24th March 1998.  
*Finance and Economics Committee.*

Draft Limited Liability Partnerships (Jersey) Law 1997 (Appointed Day) Act 199 – P.54/98  
Lodged: 24th March 1998.  
*Finance and Economics Committee.*

Draft Limited Liability Partnerships (Jersey) Law 1997 (Appointed Day) Act 199 (P.54/98)  
amendment – P.76/98  
Lodged: 21st April 1998  
*Deputy A.S. Crowcroft of St. Helier.*

Public Services Committee: vote of no confidence – P.74/98.  
Lodged: 21st April 1998  
*Deputy I.S. Nicholls of Grouville.*

#### **Unspent balances of capital votes – question and answer** (Tape No. 439)

Deputy Terence John Le Main of St. Helier asked Deputy Derek Ryder Maltwood of St. Mary, Vice President of the Finance and Economics Committee, the following question –

“In view of the information given to the Assembly during the debate on Les Creux on 31st March 1998 that since 1991 the Sport, Leisure and Recreation Committee had approximately £1.2 million unspent in its capital vote of credit ‘Les Creux Golf Course’ (Vote No. C1241), would the President inform members of the unspent balances of capital votes in each Committee’s budget, how long these funds have been voted, and why these funds have not been returned to the capital fund?”

The Vice-President of the Finance and Economics Committee replied as follows –

“At the end of 1997 there was a total balance of £81.5 million remaining on Committees capital vote; (a list of individual Committee balances for each project will be supplied separately to members along with the earliest date that funds were voted.) However, members must be aware that although the funds may not have been spent at the end of 1997 they will in most cases have been contractually committed to individual capital contracts.

Funds for individual capital projects will have been voted for varying lengths of time depending on the individual contract period and the length of time a capital vote is required to be kept open to allow for retentions or contract claims. In addition, funds are advanced for planning purposes prior to the project receiving full funding in the capital budget.

The Treasury carries out an annual review of Committees' capital votes during the preparation of the States Budget, when Committees are required to notify the Treasury of any delays on projects, any projects which have been completed and any balances which may be returned to the Capital Fund. For most ongoing projects, balances are normally required to meet expected costs. Where projects are found not to have commenced, Committees need to satisfy the Treasury that either the project will commence or that the matter is being addressed by the relevant Committee (as with the Les Creux Golf Course project). Minor unspent balances are normally retained by Committees to meet increased costs on other projects with the approval of the Finance and Economics Committee."

#### **Payment to the Jersey Motor Transport Company Limited – questions and answers (Tape No. 439)**

Deputy Terence John Le Main of St. Helier asked the Connétable of St. Helier, Vice President of the Public Services Committee, the following questions –

- “1. What are the amount of payments made by the States to the Jersey Motor Transport Co., Ltd. (‘the JMT’) in respect of –
  - (a) free bus passes for senior citizens;
  - (b) the provision of a school bus service;
  - (c) reduced fares for –
    - (i) persons holding H.I.E. cards;
    - (ii) scholars and students; and
  - (d) the cost of fuel?
2. Does the Committee (or any other Committee of the States) inspect the annual accounts, or other financial information of the JMT, before making the payments outlined in (1)?”

The Vice-President of the Public Services Committee replied as follows –

- |     |                                       |  |
|-----|---------------------------------------|--|
| (a) | free bus passes for senior citizens;  | £312,942.75 a year.                                    |
| (b) | the provision of a schoolbus service; | JMT – £637,100.00 a year<br>Tantivy – £285,850 a year. |
| (c) | reduced fares for –                   |  |
|     | (i) persons holding H.I.E. cards;     | £30,000 a year (approximately)                         |
|     | (ii) scholars and students;           | Included in the provision of a school bus service.     |
| (d) | the cost of fuel?                     | This figure is not known.                              |
2. From 1st January 1998 the JMT have provided a breakdown of ticket sales and income in relation to pensioners and H.I.E. cardholders. This information will be used when reviewing the level of payments in future years.

A review of the school bus service is shortly to be undertaken that will investigate the efficiency and operational costs of the service. Any changes will be implemented at the commencement of the new academic year in September 1998.”

**Licences granted under the Regulation of Undertakings and Development (Jersey) Law 1973, as amended – questions** (Tape No. 439)

Senator Stuart Syvret asked Deputy Derek Ryder Maltwood of St. Mary, Vice-President of the Finance and Economics Committee, the following questions –

- “1. Would the President provide members with the details of the number of licences granted during 1997 under the Regulation of Undertakings and Development (Jersey) Law 1973 and Regulations in respect of the commencement of new undertakings? Would he provide a breakdown of those licences by industry, using standard industrial classification and would he provide the same information in respect of licences granted during the first three months of 1998?
2. Would the President provide members with details of the manpower returns for December 1997? Would he provide a breakdown of those returns by industry using standard industrial classification?”

The Vice-President of the Finance and Economics Committee informed the States that the questions would be answered at the next meeting.

**Income tax liability for the tax year 1995 – question** (Tape No. 439)

Senator Stuart Syvret asked Deputy Derek Ryder Maltwood, Vice-President of the Finance and Economics Committee, the following question –

“Would the President provide members with details of the total income tax liability of all registered business entities and individuals for the tax year 1995? In the case of businesses, would he provide a breakdown of this information by industry, using standard industrial classification?”

The Vice-President of the Finance and Economics Committee informed the States that the question would be answered at the next meeting.

**New marina development – questions and answers** (Tape No. 439)

Senator Stuart Syvret asked Senator Leonard Norman, Vice-President of the Harbours and Airport Committee, the following questions –

- “1. (a) Would the President inform members when his Committee first became aware that there may be a significant cost over-run on the marina development on land to the west of the Albert Pier?
- (b) Would the President inform members what explanations for the increased cost have been offered to his Committee?
2. Would the President provide members with an estimate of the internal rate of return that the public can expect on the marina investment over the forthcoming ten year period?”

The Vice-President of the Harbours and Airport Committee replied as follows –

- “1. I think that it is important in answering these questions to clarify at the outset what is meant by a “cost over-run”. This contract was the Institute of Civil Engineers (ICE) 6th edition. It is a standard form of contract which has been in use for many years. I am informed that before this form of contract was decided on, advice was sought from a firm of United Kingdom consultants



who recommended its use.

The ICE 6th edition is what is known as a re-measured contract. A re-measured contract is one in which the basic design of the works is itemised in the form of specification and bills of quantities. Contractors are invited to price the work described and tender on that basis. Detailed design is completed thereafter. The contract also contains provision allowing the contractor to apply for an extension of time if performance of the contract is delayed by unforeseen circumstances, and provision for inflation. At the completion of the project, the costs of the works as finally designed and built is determined. It is thus an inbuilt feature of the contract that the final cost may and probably will be greater than the tender cost.

For complex work particularly involving below ground and/or marine work there is a much greater likelihood of the final cost being substantially above the sum tendered because of the impossibility of determining exactly the below ground conditions.

The National Audit Office has determined that the average final cost of such projects in the United Kingdom in recent years was approximately 30 per cent above tender.

Against that background I now move to the specific questions.

- (a) At a meeting held on 28th August 1997, the Committee was told that the contractors were claiming prolongation costs, which they were entitled to do under the terms of the contract. The Committee approved the appointment of an independent expert to assess the claim. The Committee was informed that it would be difficult to assess the financial implications at that time, and decided to notify the Finance and Economics Committee that funds for prolongation costs might be requested in due course but that no figure was available at the present time.
- (b) The increased costs are due to a number of factors, significant among which are inflation and a claim for prolongation costs. The claim for prolongation costs has been the subject of an adjudication process, the purpose of which is to ensure that no prolongation costs are allowed other than those which are properly claimed under the contract. That process has not reached its final conclusion, and the Committee has been advised that it would not be appropriate to enter into a public analysis of the causes underlying the increased cost until such time as all aspects of the adjudication have been dealt with.

The causes of the increased cost will of course be fully scrutinised by the Committee of Inquiry and fully itemised in its report in due course. Perhaps I may take this opportunity of saying that the Harbours and Airport Committee heartily welcomes the holding of an impartial and dispassionate inquiry, and looks forward to the day when the overall cost of the project will be the subject of informed comment.

2. The internal return, by which is meant the income to Jersey Harbours, is estimated to be a gross of £11.3m at today's value from berths and concessions over the forthcoming ten year period."

#### **Town drainage scheme – questions and answers (Tape No. 439)**

Senator Stuart Syvret asked the Connétable of St. Helier, VicePresident of the Public Services Committee, the following questions –

- “1. Would the President inform members of the current status of claims arising under the contract for the town drainage scheme?
2. Is the President able to inform members when he expects negotiations with the contractor to be concluded and the final cost of the project known?”

The Vice-President of the Public Services Committee replied as follows –

- “1. In response to this question, I would like to inform members that the civil engineering work on the storage tank part of the project, or, as it is more popularly known, ‘the Cavern’, was completed in February 1997, and that work on the tunnels and shafts part of the contract was completed in August 1997. The mechanical and electrical contract, to install the operational equipment in the Cavern, commenced on site in August 1997 and is nearing completion. It is anticipated that the Cavern will become fully operational in May 1998.

Since leaving the site in August 1997, the civil engineering contractor has continued the process of preparing all the necessary documentation in an attempt to substantiate his various claims for delay and extra costs. The contractor has confirmed that he intends to submit 22 fully documented claims covering the various areas of work. The process is ongoing, and the contractor has indicated that the first of his fully documented claims will be submitted to the Public Services Committee’s Engineer in July 1998, with the last of his claim documents being submitted in February 1999.

Once each claim is received, the Engineer and his team will assess the content of the document and the validity of the claim will be determined. I would point out that all of the claims relate to the civil engineering contract and that no claims are anticipated with regard to the mechanical and electrical contract.

2. In response to the second question, as I explained earlier, the civil engineering contractor expects to submit the first of his fully documented claims in July 1998 and the last of his 22 claims in February 1999.

The Engineer and his team will then require a reasonable period of time to assess the contents of each of the contractor’s claims, which will no doubt involve complex technical and contractual matters, and to determine their validity.

Until such time as the fully documented claim is submitted by the contractor, it is difficult to estimate how long the assessment of each claim will take. However, at the present time, the Engineer expects that this assessment process will not be completed until at least the summer of 1999. The final cost of the project can only be established once the claims have been settled, and from what I have just said this is unlikely to be prior to the summer of 1999.

I would like to say that the full details of the costs on this project will be reported to the States at the appropriate time. This has already been agreed by the Committee and by the Finance and Economics Committee. The Public Services Committee has been kept informed of progress and costs at regular intervals, and is fully briefed on this matter. The Treasury and the Finance and Economics Committee have been kept informed of costs and potential costs. The Audit Commission has been monitoring this project, and will produce a report on it, but at an appropriate time. The Commission, along with the States bodies which are required to be kept informed, appreciates the need for confidentiality, when sensitive contractual issues are being discussed and negotiated. It is not in the best interests of the Committee or the States to have

these matters discussed in public, as this could prejudice negotiations.”

**Cost of policing the recent Institute of Animal Technicians Congress – questions and answers** (Tape No. 439)

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

- “1. Would the President inform members of the costs involved in policing the recent Congress of the Institute of Animal Technicians?
2. Would the President inform members if his Committee would be prepared to consider the possibility of requiring the organisers of such private events to pay the costs involved in providing policing above and beyond that which may be considered normal?”

The President of the Defence Committee replied as follows –

“Before I answer, it is important that I give members some of the background surrounding this conference.

**IAT**

The Institute of Animal Technology is a fully accredited professional body, which has been in existence for some forty years, and represents the technicians who work in the scientific research community. It has world-wide membership and recognition.

In the past, their annual conference has become the focus for protest. Most protest has been peaceful. However, it has also attracted the attention of the more radical opponents to their work, which has led to violence, damage to property and threats to lives, as the incidents in Witney in Oxford last week have shown (violent protest – three arrests – several injuries).

In February of 1998, the Institute was informed that its conference, planned to be held at Swansea, had been cancelled due to police fears of the disorder it would attract, and the difficulty that the South Wales Police would experience in guarding the conference site at a university which is not an enclosed area.

**CONFERENCE AND POLICE STRATEGY**

The States of Jersey Police were advised at about this time that the conference was to be held in Jersey, and senior officers took the operational decision that public safety could be maintained.

I was informed of the conference on the Monday prior to its commencement, by the Chief Officer, who also outlined his policing strategy for this event. On that same day, the Island’s media were informed by the Police of the forthcoming conference. Prior to that they had no knowledge of it. The editors were asked for their co-operation in order to reduce the possibility of attracting to Jersey the more hardcore radical protesters and therefore minimising the risk of violent protest and serious public disorder. This co-operation was given willingly in the interests of public safety.

There was no intention of attempting to prevent peaceful protest; however, there was a very real fear that protesters from the United Kingdom would travel to Jersey, with the attendant threat of public disorder. Serious offences have been committed in Jersey in the past by persons sympathetic to the

Animals Rights movement, and the Police strategy was designed to counter any insurgence into the Island and be in a position to deal with anything other than peaceful protest both at the conference venue and at other key-point targets. In this respect the strategy as a whole was most effective and the conference was held peacefully and public order was maintained. In the Committee's opinion the media acted in a most responsible manner, and the Chief Officer's strategy was the correct one.

The States of Jersey Police are used to responding to events organised in the Island, which make up part of their normal policing duties, whether it be security of VIPs on public or private visits, major events or any incident at which public order may be disrupted. There is no denying that this conference placed an additional burden on the States Police, both in planning and redeployment. However, that is part of their normal function, in ensuring the preservation of the peace, maintenance of law and order, and the prevention of crimes.

1. The cost of policing the recent conference of the Institute of Animal Technology to the States of Jersey Police was in the region of £10,000. This figure is made up of normal pay for officers redeployed over the three days of the conference of £6,000, overtime payments for additional duties of £3,500 and about £500 on other costs associated with the policing of the conference. Therefore, this is £4,000 additional to the policing costs for the period in question. Some 20 officers were deployed for each of the first two days of the conference. However, this number was reduced on the third day. Whilst these officers were on duty in order to be deployed should disorder occur, they were available for redeployment to other incidents should they occur as part of their normal policing duties. To put the counterpoint to that cost to the States Police, the conference attracted 560 delegates and partners to Jersey, staying in five hotels, with the attendant delegate spending in the Island that such an influx of people will attract. It would be right to state that this conference placed an additional burden on police resources and finance in relation to the figures already stated, but also that these are matters which the States Police deal with several times a year for several different types of events or incidents.
2. The Institute of Animal Technology met the cost of one uniformed police officer who was on duty for security purposes inside the conference venue. In addition, they paid for their own security within the grounds of the venue, comprising their own security officers and locally employed people.

The policing strategy at this event was to make contingency plans for any disturbance in the public area outside the conference venue or in any other public area in Jersey. This is a normal policing function which, whilst additional to other duties, takes place many times in a year for a whole host of different reasons. Again, it must be remembered that, whilst these officers were deployed to maintain the peace, should disturbance occur, they were also available for redeployment to other more pressing duties should they arise. Indeed, during the three days of the conference, officers were redeployed to other incidents totally unconnected with the conference, on more than one occasion.

Therefore my Committee considers it inappropriate to require the organisers to pay any costs other than those already mentioned. We will, of course, give consideration to the merits and circumstances surrounding any future events and make decisions as appropriate."

### **Rent Control Tribunal: appointment of members**

THE STATES, adopting a proposition of the Housing Committee, appointed, in pursuance of paragraph (1) of Article 3 of the Dwelling Houses (Rent Control) (Jersey) Law 1949, as amended, the following persons to act as Chairman and members of the Rent Control Tribunal from 21st April 1998 until 12th April 1999, namely –

Mr. Terence Lavery, Chairman  
Mrs. Jill Meredith Clapham  
Mr. Anthony Browne  
Mr. Ronald Peter Welling.

### **Jersey Consumer Council: appointment of Chairman**

THE STATES, adopting a proposition of the Policy and Resources Committee, referred to their Act dated 25th April 1995 regarding the establishment of a Jersey Consumer Council, and appointed Deputy Alan Breckon of St. Saviour as Chairman of the Jersey Consumer Council for a period of three years from 23rd May 1998.

### **Committee of Inquiry: Elizabeth Marina, St. Helier– P.63/98 and amendments.**

THE STATES commenced consideration of a proposition of the Finance and Economics Committee to appoint a Committee of Inquiry to investigate the cost of the Elizabeth Marina development, St. Helier, and accepted an amendment of the Committee that in paragraph (1) of the proposition, after the word “marina” there should be inserted the words “, trailer park, pumphouse, culvert and associated structures (Contract 620)”.

THE STATES, adopting paragraph (1) of the proposition, and in accordance with Article 30 of the States of Jersey Law 1966 –

- (1) approved the appointment of a Committee of Inquiry to investigate fully all the circumstances whereby the cost of constructing the yacht marina, trailer park, pumphouse, culvert and associated structures (Contract 620) to the west of the Albert Pier, St. Helier, has exceeded the vote of credit granted for the project and to report back to the States with such recommendations (if any) as the Committee considers to be appropriate.

Before consideration of paragraph (2) of the proposition, Senator Jean Amy Le Maistre 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.

### **Field 818, Trinity: development for aged persons’ housing – P.61/98**

THE STATES, adopting a proposition of the Planning and Environment Committee, and in pursuance of Article 3 of the Island Planning (Jersey) Law 1964, as amended, approved the designation of part of Field 818, Trinity, which is situated within an area designated as the Sensitive Landscape Area of the Agricultural Priority Zone on the Island Map as amended 1-87, for use as an aged persons’ housing development for the Parish of Trinity with car parking, as shown on drawing No 299/1; the said designation being an amendment of the Island Map.

### **Companies (Amendment No. 4) (Jersey) Law 199 – P.44/98**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Companies (Amendment No. 4) (Jersey) Law 199 .

### **Social security: reciprocal agreements – P.47/98**

THE STATES, adopting a proposition of the Employment and Social Security Committee, requested the Bailiff to inform the Secretary of State that it was the wish of the Assembly that Conventions on Social Security between the Government of the United Kingdom and the Governments of the countries listed below should apply to Jersey –

Japan	Slovenia
Korea	Czech Republic
Chile	Denmark
Croatia	Poland.

### **Road Transport Lighting (Repeal) (Jersey) Law 199 – P.51/98**

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Road Transport Lighting (Repeal) (Jersey) Law 199 .

### **Licensed Premises (Exclusion of Certain Persons) (Jersey) Law 199 – P.17/98, P.29/98, P.30/98**

THE STATES commenced consideration of the draft Licensed Premises (Exclusion of Certain Persons) (Jersey) Law 199 and adopted the Preamble and Article 1.

Article 2 was adopted, the States having accepted amendments of Deputy Jeremy Laurence Dorey of St. Helier as follows–

(a) for paragraph (1), there should be substituted the following paragraphs–

“(1) Where the court by or before which a person is convicted of an offence is satisfied that, in committing the offence, he resorted to violence or offered or threatened to resort to violence, and that his consumption of alcohol was a contributory factor in the commission of the offence, the court may, subject to paragraph (3), make an exclusion order prohibiting him from entering any specified premises.

(2) Where a person is convicted of an offence against Article 5 or 6 of the Misuse of Drugs (Jersey) Law 1978 committed on licensed premises, the court by or before which the person is convicted may, subject to paragraph (3), make an exclusion order prohibiting him from entering those and any other specified premises.”;

(b) paragraphs (2), (3) and (4) should be renumbered respectively as paragraphs (3), (4) and (5);

(c) in paragraph (5) after the words“paragraph (1)’ there should be inserted the words “or (2)”.

Articles 3, 4, 5 and 6 were adopted.

Deputy F.J. Hill of St. Martin withdrew his Amendment (P.29/98).

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Licensed Premises (Exclusion of Certain Persons) (Jersey) Law 199 .

### **Fort Regent redevelopment – P.35/98**

THE STATES commenced consideration of a proposition of the Sport, Leisure and Recreation Committee regarding the redevelopment of Fort Regent. After discussion, and on the proposition of Senator Stuart Syvret, the proposition was referred back to the Committee for further information.

Members present voted as follows –

**“Pour” (29)**

## **Senators**

Shenton, Rothwell, Stein, Syvret, Kinnard.

## **Connétables**

St. Clement, St. Lawrence, St. Brelade, St. Helier, St. John, Trinity.

## **Deputies**

Wavell(S), H. Baudains(C), Le Sueur(H), Coutanche(L), St. Mary, S. Baudains(H), Trinity, Pullin(S), Dorey(H), Breckon(S), Grouville, Le Main(H), Blampied(H), Crowcroft(H), de la Haye(B), St. Peter, Dubras(L), St. Ouen.

## **“Contre” (16)**

## **Senators**

Le Maistre, Quérée, Bailhache, Norman.

## **Connétables**

St. Mary, St. Peter, Grouville, St. Martin, St. Ouen.

## **Deputies**

Le Geyt(S), Duhamel(S), Routier(H), Huet(H), St. Martin, Rabet(H), Vibert(B).

Loi (199 ) (Amendement No. 2) sur les élections publiques- P.55/98

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted the Loi (199 ) (Amendement No. 2) sur les electionspubliques.

## **Draft Public Elections (Postal Voting) (Amendment) (Jersey) Law 199 and draft Franchise (Amendment No. 6) (Jersey) Law 199 – P.55/98**

THE STATES deferred consideration of the draft Public Elections (Postal Voting) (Amendment) (Jersey) Law 199 and the draft Franchise (Amendment No. 6) (Jersey) Law 199 .

THE STATES rose at 4.55 p.m.

**G.H.C. COPPOCK**

*Greffier of the States.*