



**THE STATES assembled on Tuesday,
18th March, 1986 at 10.15 a.m. under
the Presidency of the Bailiff,
Peter Leslie Crill, Esquire, C.B.E.**

All members were present with the exception of –

Senator John Le Marquand – ill.

Senator Bernard Thomas Binnington – out of the Island.

Senator Anne Baal – out of the Island.

Winter Chevalier de Gruchy, Connétable of St. Martin –
ill.

Jack Roche, Deputy of St. Saviour – ill.

Robin Ernest Richard Rumboll, Deputy of St. Helier – out
of the Island.

Bertram Manning Le Maistre, Deputy of St. Mary – ill.

Dereck André Carter, Deputy of St. Helier – out of the
Island.

Henri Leon Dubras, Deputy of St. Martin – out of the
Island.

Prayers

Tribute to the late L.J. Norman, Connétable of St. Saviour.

The Bailiff paid tribute to the late Leonard James Norman, Connétable of St. Saviour and the States observed one minute's silence as a mark of respect.

Subordinate legislation tabled.

The following enactment was laid before the States, namely –

Airport Dues (Tariff) (Jersey) Order, 1986. R & O 7476.**Jersey Electricity Company Limited's fuel oil: source and price. Questions and answers.**

Deputy Corrie Stein of Grouville asked Senator Reginald Robert Jeune, President of the Finance and Economics Committee the following questions –

- “1. From whom do the Jersey Electricity Company Limited buy their heavy fuel oil?
2. What price were they paying as at 1st April, 1985 and what do they pay at present?”

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

- “1. The present contract is placed with Shell U.K. Oil Plc and is negotiated directly. The local fuel companies are in no way involved in these negotiations. The heavy fuel oil discharge loading arm is owned jointly by the Jersey Electricity Company Limited and Shell U.K. Oil and the oil is delivered via pipelines owned by the Jersey Electricity Company Limited directly to the Jersey Electricity Company Limited's own storage tanks at La Collette. There is no third party involvement.
2. The oil used by the Jersey Electricity Company Limited is a heavy residual fuel oil which is generally used in large steam generating boiler plant. Other than the occasional supply provided to the Jersey New Waterworks Company Limited by the Jersey Electricity Company Limited there is no other utilisation of this type of oil in Jersey.

The price which the Jersey Electricity Company Limited pays for its heavy fuel oil is not related to any other product which is being supplied by the oil companies in Jersey. The negotiations between the Jersey Electricity Company Limited and Shell U.K. Oil are strictly confidential. Other quotations are received by the Board on a regular basis and the Directors are satisfied that the prices being obtained are the most competitive at the time.”

Fuel storage and the La Collette premium. Questions and answers.

Deputy Corrie Stein of Grouville asked Deputy John Le Gallais, President of the Resources Recovery Board the following questions –

- “1. As the House has not yet received the report on strategic fuel storage capacity from the Resources Recovery Board, can the President tell the House what the minimum storage capacity was in 1985 of –
 - (a) petrol;
 - (b) 28 second oil (kerosene);
 - (c) 35 second oil (gas oil);
 - (d) 200 second oil (light fuel oil)?
2. Since the Energy Report, which was debated in February 1985, have further investigations taken place into Jersey’s joining the International Energy Agency (I.E.A.)?
3. If another oil company were to come in, would the extra storage they could provide remove the shortfall in our existing storage capacity so that we could be members of the I.E.A.?

4. (a) How much has been paid by way of the La Collette premium on the various grades of fuel, including petrol, to the oil companies up to date?
- (b) For how long will this premium continue to be charged?"

The President of the Resources Recovery Board replied as follows –

“1. The storage capacity is, of course, a fixed figure for the present installation and the answer to the question is –

(a) petrol	4,580 tonnes
(b) 28 second oil (kerosene)	1,450 tonnes
(c) 35 second oil (gas oil)	2,620 tonnes
(d) 200 second oil (light fuel oil)	2,330 tonnes

The storage capacity of other fuels held at La Collette is –

aviation gasoline	360 tonnes
aviation jet fuel	2,000 tonnes
paraffin	390 tonnes

TOTAL STORAGE	13,730 tonnes
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I have spoken with the Deputy for Grouville and I understand that the intent of her question relates to minimum stock levels in 1985 and these were as follows –

- (a) petrol – 2,000 tonnes in November representing 26 days of supply;

- (b) kerosene – 399 tonnes in November representing 11 days of supply;
- (c) gas oil – 1,717 tonnes in April representing 30 days of supply;
- (d) light fuel oil – 265 tonnes in September representing 10 days of supply.

It should be noted that the number of 'Days of Supply' is by International Energy Agency convention based on Annual Average Consumption Rates. Actual consumption rates will depend upon such factors as the tourist seasons, the horticultural growing seasons and climatic conditions.

Therefore, the actual days of supply position in respect of petrol in November 1985, would have been better than 26 days, and the actual days of supply of light fuel oil in September 1985, would have been better than 10 days.

Normal commercial practice would suggest the lowest stock position at a time of lowest uptake.

2. No. Membership of the International Energy Agency requires a commitment to maintain 90 days of supply in store. (This is reduced to 76½ days in the case of oil-producing countries.)

A very substantial increase of storage capacity would be needed before an application for I.E.A. membership could be seriously contemplated.

The Island's current total oil storage of 13,730 tonnes falls far short of that required to hold even 76 days supply and this fact was identified in the 1984 Energy Report.

This situation is a matter of continuing concern to my Board.

During the past twelve months discussions have taken place with a fourth oil company who are considering an application to trade in the Island. One of the advantages to accrue from an additional distributor would be the extra tankage that would be constructed. Clearly, until that level of storage has been established, the Board has felt reluctant to bring any Proposition to the States to increase storage capacity at public expense.

3. It is very doubtful whether an additional oil company would construct additional tankage to the extent that the Island's stocks could be maintained at the level of 76 days supply.
4. (a) This information has been requested of the oil companies. It will be presented to the States when it is received.

(b) The oil companies are seeking to recover the cost of their investment at La Collette on a commercial basis, over a period of 20 years."

Cook/Chill. Statement.

The President of the Establishment Committee made a Statement in the following terms –

“The House will, I am sure, have been glad to learn from reports in the Press that agreement has at last been reached between management and the Transport and General Workers’ Union for the introduction of the Cook/Chill catering system into the Hospitals.

When the President of the Public Health Committee advised the States in 1982 of his Committee’s intention to introduce the Cook/Chill catering system he explained that this system would offer better food at lower cost. The savings arise because the new technology will make it possible to produce the same number of meals of a better quality with a substantially reduced number of chefs and other

employees in the kitchens. For the chefs in particular, skilled men and women with qualifications attained after years of training, there will be very marked changes. Approximately half of the present complement will be called upon to leave the Hospital catering service and will need either to leave the public service altogether in order to pursue their chosen career elsewhere, or to retrain in new skills elsewhere in the public service, as the States have no comparable skilled employment to offer. At the same time those chefs who remain in the Hospital kitchens will need to accept changes in working practices and patterns and to develop new skills.

From the outset both the Public Health Committee and my Committee have recognised that this was an unprecedented situation which called for some special recognition of the problems it created for the chefs. It has not been easy to strike a fair balance between the interests of the public and the interests of the men and women concerned. The agreement which the Establishment Committee has, with the support of the Public Health Committee, entered into with the Transport and General Workers' Union provides a special voluntary severance package to reduce the number of chefs in the kitchen to the required number. Chefs who agree to leave the public service altogether, at a date convenient to them and to management, during the next 18 months, whilst Cook/Chill is being progressively introduced, will be paid the sum of £15,000. If an insufficient number of chefs accept that offer, the balance above the number required in the kitchens will be redeployed to other posts in the public service, with a proportion of the £15,000 related to their loss of contractual earnings – a man who earns 10 per cent less in his new post than he would have done as a chef would receive £1,500. If any member is tempted to comment that these are large sums I would ask him (or her) to reflect that the chefs who will qualify for them are people with skills acquired by special training who are giving up well-paid, pensionable employment in mid-career – and that the introduction of this new technology into the

Hospital kitchens will lead to substantial and continuing savings on the annual wage bill. I and my Committee are quite satisfied that the agreement does achieve the objective which I described of striking a fair balance between the interests of the public and its employees.

The lump sum payments which I have mentioned will of course require the provision by the House of the necessary funds, and I shall come to the House on the next supply day with a request for an appropriate vote of credit.

Meanwhile, Hospital management are now beginning the long overdue task of realising the benefits to the patients and to the Island that will be brought by this significant development.

I should like to conclude by putting on the record my own and my Committee's appreciation of the contribution made by the senior officers, some past, as well as those still present, in my own department and in the Public Health Department, to the achievement of this satisfactory outcome. The negotiations have been protracted and difficult and the House and the Island have reason to be grateful for the pertinacity, steadiness and skill which they have shown throughout."

Island Plan: Volume II. Statement.

The President of the Island Development Committee made a statement in the following terms –

"I feel it appropriate to inform the House that my Committee has now completed its deliberations on Volume II of the proposed new Island Plan.

It is estimated that printing will take about two months, and if this target is achieved, lodging 'au Greffe' should take place about 13th May and allow for debate about 17th June.

Even at this stage, I would like to express my sincere thanks to each member of my Committee, to my Officers and to the consultants for the tremendous effort that has gone into this Volume. Few Members who join the Island Development Committee can be aware at the outset of what its routine business involves, let alone also pick up a new Island Plan in mid-stream. I am grateful indeed to those who have helped me so much and so well in running both tasks together.”

Draft Queen’s Valley Reservoir (Jersey) Law, 198 . P.115/85.

Deputy Michael Adam Wavell of St. Helier declared an interest in the subject and withdrew from the Chamber before discussion of the Bill.

THE STATES resumed the debate on the Proposition regarding the draft Queen’s Valley Reservoir (Jersey) Law, 198 .

Article 2

Paragraph (1) and the First Schedule were adopted in Second Reading, the States having accepted an amendment of the Public Works Committee that after the word “Law” there should be inserted the words “of the Island Planning (Jersey) Law, 1964” and having also accepted an amendment of Deputy Norman Stuart Le Brocq of St. Helier that after the words “Law, of the Island Planning (Jersey) Law, 1964” there should be added the words “and of the ‘Loi (1934) sur la Santé Publique’ ”.

The States acceded to the request of Deputy Sir Martin Le Quesne of St. Saviour to withdraw his amendment to Article 2 (P.19/86 lodged “au Greffe” on 18th February, 1986).

Paragraph (2) was adopted in Second Reading, the States having accepted an amendment of Deputy Dereck André Carter of St. Helier

to delete the words “, maintenance and continual operation” (P.22/86 lodged “au Greffe” on 18th February, 1986).

Paragraph (3) and the Second Schedule were adopted in Second Reading.

The States rejected an amendment of Senator Jane Patricia Sandeman to add a paragraph (4) (P.30/86 lodged “au Greffe” on 25th February, 1986).

Members present voted as follows –

“Pour” (5)

Senator

Sandeman.

Connétable

Grouville.

Deputies

Le Brocq(H), Grouville, Thorne(B).

“Contre” (30)

Senators

Vibert, Jeune, Horsfall, Le Main, Manton.

Connétables

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

Deputies

Mourant(H), St. Ouen, Morel(S), Quenault(B), Perkins(C), Le Gallais(S), Trinity, Filleul(H), Vandervliet(L), Le Fondré(L), Beadle(B), Blampied(H), Billot(S), Norman(C), St. John, St. Peter.

The States accepted an amendment of Senator Reginald Robert Jeune (P.33/86 lodged “au Greffe” on 4th March, 1986) that after paragraph (3) there should be added the following paragraphs –

“(4) Where water escapes from the reservoir the Company shall be prima facie liable for the damage which is the natural consequence of its escape.

(5) Liability under paragraph (4) shall be strict and it shall not be a defence that the water escaped without the Company’s wilful act, default or neglect.”

and adopted the said paragraphs in Second Reading.

Article 3

The States having been informed by Deputy Edgar John Becquet of Trinity that he wished to withdraw his amendment (P.23/86 lodged “au Greffe” on 18th February, 1986) to add the word “or” after the words “beneficial use” in paragraph (3)(a) and Deputy Norman Stuart Le Brocq of St. Helier having been given leave to propose the amendment, the amendment was rejected and Article 3 was adopted in Second Reading.

Article 7 was adopted in Second Reading, the States having rejected an amendment of Senator Jane Patricia Sandeman that a paragraph (3) should be added after the proviso (P.30/86 lodged “au Greffe” on 25th February, 1986).

Article 9 was adopted in Second Reading, the States having accepted an amendment of Senator Ralph Vibert that in paragraph (1)(a) for the word “twenty-four” there should be substituted the word “fifty”, having also accepted an amendment (P.29/86 lodged “au Greffe” on 25th February, 1986) of Deputy Norman Stuart Le Brocq of St. Helier that after paragraph (3) there should be added the following paragraph –

“(4) Any damage or injury in the land below the main dam caused by the discharge of water under paragraph (3) or resulting from greater discharge than the amounts mentioned in sub-paragraphs (b) and (c) of that paragraph shall be the subject of compensation by the Company.”;

and having rejected an amendment (P.32/86 lodged “au Greffe” on 4th March, 1986) of Senator Jane Patricia Sandeman that there should be added a paragraph (5).

Members present voted in respect of Senator Sandeman’s amendment as follows –

“Pour” (5)

Senator

Sandeman.

Connétable

Grouville.

Deputies

St. Ouen, Le Brocq(H), Grouville.

“Contre” (32)

Senators

Vibert, Jeune, Horsfall, Ellis, Rothwell, Le Main.

Connétables

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

Deputies

Morel(S), Quenault(B), Perkins(C), Le Gallais(S), Le Quesne(S), Trinity, Filleul(H), Vandervliet(L), Farley(H), Le Fondré(L), Beadle(B), Thorne(B), Blampied(H), Billot(S), St. John, St. Peter, Mahoney(H).

Article 10 was adopted in Second Reading, the States having acceded to the request of the Public Works Committee to withdraw its amendment (P.27/86 lodged “au Greffe” on 25th February, 1986), and having accepted an amendment (P.30/86 lodged “au Greffe” on 25th February, 1986) of Senator Jane Patricia Sandeman to delete paragraph (1) and renumber the remaining paragraphs and that for the renumbered paragraph (1) there should be substituted the following paragraph –

“(1) Two copies of the plan laid before the States on the eighteenth day of February, 1986 were signed for purposes of identification by the Greffier of the States and the Managing Director of the Company on the thirty-first day of December, 1985.”.

Article 11

The States having commenced consideration of Article 11, paragraph (1) was rejected.

Members present voted as follows –

“Pour” (13)

Senators

Horsfall, Ellis, Rothwell, Le Main.

Connétables

Grouville, St. Brelade, St. Mary.

Deputies

Filleul(H), Farley(H), Grouville, Beadle(B), Thorne(B), St. Peter.

“Contre” (23)

Senators

Vibert, Jeune, Sandeman.

Connétables

St. John, Trinity, St. Peter, St. Helier, St. Clement, St. Lawrence, St. Ouen.

Deputies

Morel(S), Quenault(B), Perkins(C), Le Gallais(S), Le Brocq(H), Le Quesne(S), Trinity, Vandervliet(L), Le Fondré(L), Blampied(H), Billot(S), St. John, Mahoney(H).

The States acceded to the request of the Public Works Committee to withdraw paragraph (3) consequent upon the rejection of paragraph (1).

The remaining paragraphs having been renumbered (1), (2) and (3), Article 11 was adopted in Second Reading, the States having accepted an amendment of Deputy Edgar John Becquet of Trinity that for the renumbered paragraph (1) there should be substituted the following paragraph –

“(1) Any person –

- (a) whose property is damaged; or
- (b) who sustains damage by being disturbed in the enjoyment of any right in or over land;

in consequence of the exercise by the Company of its powers under this Law or the carrying out by the Company of its duties under this Law, shall be entitled to recover compensation from the Company in respect of that damage.”.

Article 13

The States having accepted an amendment (P.31/86 lodged “au Greffe” on 25th February, 1986) of Deputy Corrie Stein of Grouville that for paragraph (1) there should be substituted the following paragraph –

“(1) In this Article –

- (a) ‘protected source’ means any well, borehole, spring or stream, and any water supply apparatus connected therewith, within the limits of land to be acquired shown on the deposited plan, which is used at the commencement of this Law as an effective source for the supply of water to premises which are not within the said limits;
- (b) ‘unprotected source’ means any well, borehole or spring and any water supply apparatus connected therewith, not within the limits of land to be acquired shown in the deposited plan, which is used at the

commencement of this Law as an effective source for the supply of water to premises which are not within the said limits.”,

the States adopted paragraph (1) in Second Reading.

Paragraph (2) was adopted in Second Reading; the States having accepted amendments of Deputy Corrie Stein of Grouville that in paragraph (2) after the word “provided” there should be inserted the words “by the Company in accordance with the provisions of paragraph (3)” and that all the words starting from and including the semi-colon and down to and including “dangerous to health”, should be deleted.

Paragraphs (3) and (4) were adopted in Second Reading, the States having accepted an amendment of Deputy Corrie Stein of Grouville that in paragraph (4) for the word “Committee” there should be substituted the words “Royal Court”.

The States accepted an amendment of Deputy Corrie Stein of Grouville that after paragraph (4) there should be added the following paragraph –

“(5) Where it can be shown that an unprotected source has as a result of the doing of the authorised works been materially adversely affected as a source for the supply of water, paragraphs (2), (3) and (4) shall apply as though that unprotected source was a protected source.”

and adopted the said paragraph in Second Reading.

The Bill having been adopted in Second Reading was lodged “au Greffe” and the States decided to sit on 6th May, 1986, to consider the passing of the Bill in Third Reading.

THE STATES rose at 5.45 p.m.

R.S. GRAY,

Deputy Greffier of the States.