

**THE STATES assembled on Tuesday,
25th May 1999 at 9.30 a.m. under
the Presidency of the Bailiff,
Sir Philip Bailhache.**

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

All members were present with the exception of-

Senator John Stephen Rothwell - out of the Island
Senator Jeremy Laurence Dorey - ill.
Harry Hallewell Baudains, Deputy of St. Clement - out of the Island
Henry George Coutanche, Deputy of St. Lawrence - out of the Island
Evelyn Mabel Pullin, Deputy of St. Saviour - out of the Island
Ronald Winter Blampied, Deputy of St. Helier - out of the Island

Prayers

Subordinate legislation tabled

The following enactments were laid before the States, namely-

Diseases of Animals (Importation of Miscellaneous Goods) (Amendment No. 16) (Jersey) Order 1999 R & 9393.

Road Traffic (Saint John) (Amendment No. 5) (Jersey) Order 1999 R & O 9394.

Road Traffic (Saint Lawrence) (Amendment No. 12) (Jersey) Order 1999 R & O 9395.

Public Services Committee - appointment of President

There were nominated for appointment as President of the Public Services Committee -

Senator Stuart Syvret - proposed by Senator Wendy Kinnard
Connétable of St. John - proposed by Senator Leonard Norman.

THE STATES, having proceeded to a secret ballot, the Bailiff declared that the Connétable of St. John had been elected as President of the Public Services Committee.

The result of the ballot was as follows -

| | |
|------------------------|----------|
| Senator S. Syvret | 21 votes |
| Connétable of St. John | 25 votes |

Public Services Committee - appointment of members

The Connétable of St. John, President of the Public Services Committee, nominated for appointment as members -

Connétable of St. Mary
Connétable of St. Helier
Connétable of St. Saviour
Deputy of St. John
Deputy A.S. Crowcroft of St. Helier
Deputy M.R. de la Haye of St. Brelade

Senator Stuart Syvret was nominated by Deputy Robert Charles Duhamel of St. Saviour.

THE STATES, having proceeded to a secret ballot, the Bailiff declared the following results -

| | | |
|--------------------------|---|----------|
| Senator S. Syvret | - | 28 votes |
| Connétable of St. Mary | - | 38 votes |
| Connétable of St. Helier | - | 36 votes |
| Connétable of Saviour | - | 25 votes |
| Deputy of St. John | - | 39 votes |
| Deputy A.S. Crowcroft | - | 37 votes |
| Deputy M.R. de la Haye | - | 36 votes |

The Bailiff accordingly declared that the following had been elected members of the Committee -

Senator S. Syvret
Connétable of St. Mary
Connétable of St. Helier
Deputy of John
Deputy A.S. Crowcroft
Deputy M.R. de la Haye

Telecommunications Board - appointment of member

THE STATES appointed Deputy Gerard Clifford Lemmens Baudains of St. Clement as a member of the Telecommunications Board.

Matters presented

The following matters were presented to the States -

Housing strategy 1998-2003 (P.201/98): comments -P.201/98. Com.
Presented by the Establishment Committee.

Prison Board: report for 1998 - R.C.20/99
Presented by the Prison Board.

Social rented and first-time buyer housing: proposals for future funding (P.74/99): comments - P.74/99 Com.
Presented by the Establishment Committee.

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

Matters noted- land transaction

THE STATES noted an Act of the Finance and Economics Committee dated 17th May 1999 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 Public Services Committee, the purchase from Mr. Godfray Benett Amy, of an area of land (measuring 860 square feet) at the property known as L'Avenir, La Route de la Haule, St. Lawrence, for £1,720 (representing a rate of £2 per square foot), required for road improvement purposes (Road Scheme Project 452), on the basis that the Committee was to undertake the necessary associated accommodation works to the road alignment, which had been agreed with Mr. Amy, and that it would also be responsible for both parties' legal costs involved in this transaction;
- (b) as recommended by the Planning and Environment Committee, the inclusion of S.G. Hambros Bank and Trust (Jersey) Limited as a party to the 99-year lease agreement between the public and the Jersey Electricity Company Limited in respect of Sub-Station No. 129, Morier House, Halket Place, St. Helier, which had been notified to the States on 9th December 1997, with the Committee to be responsible for both parties' legal costs involved in this transaction;
- (c) as recommended by the Public Services Committee, the lease to Pegasus Limited of the property known as The Bunker, L'Etacq, St. Ouen, for a period of 21 years from 1st January 1998 with an option to renew for a further period of 21 years, at an annual rent of £2,500 subject to triennial reviews in line with open market values, with Mr. Sean Anthony Heatley Faulkner to act as a personal guarantor, and on the basis that each party would be responsible for its own legal costs arising from this transaction. (The Committee accordingly rescinded its Act No. 2(h) of 5th

March 1998, by which the abovementioned premises had been let to Mr. S.A.H. Faulkner personally);

- (d) as recommended by the Planning and Environment Committee, the lease to the Jersey Electricity Company Limited of electricity sub-station No. 615 situated at Maritime House, La Rue de Por Elizabeth, St. Helier, for a period of 99 years at an annual rent of £1 payable in full upon signing the relevant contracts, and the granting of standard wayleave rights free of charge to the Company (in accordance with Plan No. 21M dated 25th January 1999), with each party to be responsible for its own legal costs arising from the transaction;
- (e) as recommended by the Planning and Environment Committee, the grant to the Jersey Electricity Company Limited of cable wayleave rights free of charge, in accordance with the terms and conditions set out in a letter, dated 4th August 1998, from the Director of Property Services, in connexion with the lease to the Company of an area of land on the site known as the Island Site, Weighbridge, St. Helier, for a period of 99 years from 1st January 1994, at an annual rent of £6,932 to be reviewed on 1st January 2004 and every five years thereafter on the basis that the lessee company would be responsible for the lessor's reasonable legal costs arising from the transaction.

THE STATES noted an Act of the Finance and Economics Committee dated 27th May 1999 showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved, as recommended by the Planning and Environment Committee, and with the support of the Housing Committee, the purchase of the Sunshine Hotel and Sunshine Cottage, Marett Road, St. Helier, required for the development of social housing, for a consideration of £1,975,000, with each party being responsible for its own legal costs arising from the transaction.

Matters lodged

The following matters were lodged "au Greffe" -

Draft Proceeds of Crime (Jersey) Law 1999 (Appointed Day) Act 199 P.68/99.

Presented by the Finance and Economics Committee.

Draft Regulation of Undertakings and Development (Amendment No. 10) (Jersey) Regulations 199 P.69/99.

Presented by the Finance and Economics Committee.

Marine leisure industry: lease of land to Channel Islands Marine Limited - P.70/99.

Presented by the Harbours and Airport Committee.

Marine leisure industry: lease of land to GT Marine Limited - P.71/99.

Presented by the Harbours and Airport Committee.

Mr. D.L. Manning: grant of a loan (Field 1007, St. John) - P.72/99.

Presented by the Finance and Economics Committee.

Draft Statutory Nuisances (Jersey) Law 199 . (P.40/98): second amendment- P.73/99.

Presented by Deputy G.C.L. Baudains of St. Clement.

Social rented and first-time buyer housing: proposals for future funding - P.74/99.

Presented by the Housing Committee.

The following matter was lodged on 18th May 1999 -

Regulation of public sector employment - P.67/99.

Presented by the Establishment.

Arrangement of public business for the next meeting on 8th June 1999 -

THE STATES confirmed that the following matters lodged "au Greffe" would be considered at the next meeting on 8th June 1999 -

Housing modifications for disabled people - P.259/98.

Lodged: 1st December 1998.

Housing Committee.

Housing modifications for disabled people (P.259/98): comments - P.259/98.

Presented: 12th January 1999.Com.

Finance and Economics Committee.

Agricultural Loans and Guarantees Advisory Board: appointment of members - P.57/99.

Lodged: 27th April 1999.

Agriculture and Fisheries Committee.

Outsourcing policy - P.59/99.

Lodged: 11th May 1999.

Policy and Resources Committee.

Regulation of public sector employment - P.67/99.

Lodged: 18th May 1999.

Establishment Committee.

Draft Proceeds of Crime (Jersey) Law 1999 (Appointed Day) Act 199 - P.68/99.

Lodged: 25th May 1999.

Finance and Economics Committee.

Mr. D.R. Manning: financial assistance (Field 1007, St. John) - P.220/98

THE STATES granted leave to Deputy Alan Breckon of St. Saviour to withdraw paragraphs (2) and (3) of the proposition on Mr. D.R. Manning: financial assistance (P.220/98 lodged "au Greffe" on 2nd November 1998), the Finance and Economics Committee having lodged a proposition proposing the grant of a loan to Mr. D.R. Manning at the present meeting (P.72/99).

Application of Regulation of Undertakings and Development Law - question and answer (Tape No. 510)

Deputy Terence John Le Main asked Senator Frank Harrison Walker, President of the Finance and Economics Committee the following question -

"On 27th April 1999 the President informed the Assembly that 299 three-year agreements had already been granted in respect of businesses in the finance industry and other enterprises. Would the President inform members of the number of extra staff approved under these agreements?"

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

"Of 302 three year licence agreements analysed, staffing rose from 18,963 to 20,323 - an increase of 1,360 over three years, comprising 1,106 locally qualified and 254 non-locally qualified staff. Of the 254 non-locally qualified the biggest increases were in the retail and tourism sectors (80 and 68 respectively). Banking and financial services undertakings only increased by 9, but the "other professions" category, including legal services, I.T., etc. increased by 42.

Ignoring the initial increases allowed, if year three is compared with year one, the increase is 502, made up of 567 additional locally qualified staff and a decrease of 65 in non-locally qualified staff.

Nearly 50 per cent of jobs in the Island are now covered by three year licence agreements and in this way the Committee is ensuring that the proportion of locally qualified staff is being maintained at a high level.

So, whilst the Committee has allowed a modest increase in the proportion of non-locally qualified staffing initially where it has been in the Island's best interests, either economically and socially, it has sought to reduce this proportion over the long term.

The changes to the Regulation of Undertakings and Development Law will have been in effect for one year on 1st June. It is my Committee's intention to bring a detailed progress report to the States soon thereafter."

Road checks conducted by the Driver and Vehicle Standards Department - questions and answers (Tape No. 510)

Deputy Gerard Clifford Lemmens Baudains of St. Clement asked Deputy Michael Adam Wavell, President of the Defence Committee the following questions -

- “1. Would the President inform the Assembly -
 - (a) how many road checks were organised by the Driver and Vehicle Standards Department between January and May during the years 1997, 1998 and 1999?
 - (b) whether a cross section of vehicles was stopped for examination in all these tests, or were certain types of vehicles targeted?
2. Would the President inform the Assembly whether the number of vehicles impounded this year as a result of these road checks materially exceeds the number in the corresponding period for 1997 or 1998, and, if so, would the President advise members of the reasons for this increase?
3. Would the President inform Members of the qualifications possessed by those DVS officers involved in road checks and any subsequent testing at the DVS Department?”

The President of the Defence Committee replied as follows -

- “1. (a) The amount of roadside checks organised between 1st January and 31st May, in conjunction with the Police by the Driver and Vehicle Standards Department, was as follows - 1997 - 8, 1998 - 8, 1999 - 9.
- (b) all roadside checks encompass a cross section of vehicles. However, it is dependent as to location and time of the check as to the amount of different classes of vehicles which are examined.

There have, however, been two recent road checks in 1999 which have been conducted near the entrance to the La Collette reclamation site, specifically for goods vehicles entering that site.

Those vehicles suspected of being defective were subjected to a more thorough test using the equipment in the test station at the Driver and Vehicle Standards Department.

2. There has been a rise in the numbers of vehicles impounded in the first five months of this year over the same corresponding period for the previous two years - 1997 - 14, 1998 - 19, 1999 - 44. This is due in part to the more focused and targeted approach now adopted by the Driver and

Vehicle Standards Department. Another factor affecting these figures is the condition of those goods vehicles stopped in recent checks. The condition of this type of vehicle has been an area of concern for some time and this has now been borne out by the findings of these checks.

The department will continue to focus its attention on all classes of vehicles when conducting roadside checks, but will from time to time target specific classes of vehicle.

3. Motor traffic officers are time-served technicians and require wide technical knowledge and experience of all classes of vehicles. They also require knowledge of motor vehicle and road traffic legislation relating to Jersey, the United Kingdom and Europe.

These officers are members of the Institute of the Motor Industry and the Institute of Road Transport Engineers and have achieved qualifications in BTech National Certificate and City and Guilds. It follows that due to the technical nature of their position these officers have had to achieve a high degree of experience within the motor industry.

Once appointed further training is provided by other organisations including the Vehicle Inspectorate in Bristol, tyre manufacturers and brake manufacturers like Girling and KnorrBremse. Training takes the form of vehicle examination for PSV and Heavy Goods Vehicles, tyre recognition and fault diagnosis, steering geometry checking, brake overhaul and fault diagnosis for both hydraulic and full air systems. Training is also undertaken in the use of all test station equipment.

The technical staff employed at the Driver and Vehicle Standards Department are well qualified to carry out their duties to the highest standard and have to be conversant with all types of motor vehicle.”

Cycling at night - question and answer - (Tape No. 510)

The Deputy of St. John asked Deputy Michael Adam Wavell, President of the Defence Committee, the following question -

“Given that some cyclists are using their bicycles at night without front or rear lights, thereby causing a danger to themselves and other road users, would the President advise members whether the powers available to the police are sufficient to rectify the problem, and if not, what action his Committee intends to take?”

The President of the Defence Committee replied as follows -

“The legislation dealing with lights on vehicles was updated in 1998. Article 19 and 25 of the Road Traffic (Lighting) (Jersey) Order, 1998, require cycles used on a road during the hours of darkness, to have lights fitted and to have them lit and unobscured.

At a time when there is a will to encourage car users to look at alternative means of transport, the Police will be working with cyclists and other road users to ensure they comply with all relevant legislation. In respect of lights on pedal cycles, the concept of education and encouragement, with enforcement as a last resort, is something with which the Committee would wish to be associated. The States Police already have plans to look at lights on all vehicles as part of their road safety work during 1999, which accords with one of their strategic aims, namely to improve road safety.

In my opinion, the powers available to the Police are sufficient and any change to legislation is not thought necessary at this point in time.”

Registration of illegitimate children - question and answer (Tape No. 510)

The Deputy of St. John asked Connétable Edwin Le Gresley Godel, President of the Etat Civil Committee the following question -

“Would the President inform members whether the Committee has any proposals to amend the 150 year old law on births, marriages and deaths, the *Loi (1842) sur l’Etat Civil*, so that unmarried parents wishing to register a child do not have to face the embarrassment of declaring that the child is illegitimate?”

The President of the Etat Civil Committee replied as follows -

“The Etat Civil Committee is currently in the process of replacing the *Loi (1842) sur l’Etat Civil* with two new pieces of legislation, a Marriage law, governing the conduct of marriages in the Island, and a Registration law, governing the registration of births, deaths and marriages that occur in the Island. The laws are in the process of being drafted and the first draft of the Marriage law is expected to be submitted to the Etat Civil Committee very shortly.

The question of legitimacy is a matter of fact. The legal definitions of legitimacy and illegitimacy are contained in the Legitimacy (Jersey) Law, 1973. Articles 2 and 3 clearly state whether a child is legitimate or illegitimate. Article 4 makes it possible to re-register the birth of a child as legitimate if the parents marry each other after the birth. Article 13 refers to the consequential effect on the *Loi (1842) sur l’Etat Civil* in that there is a requirement to register a birth according to law. Registration of a birth does not in itself confer legitimate or illegitimate status on a child. Birth registration is merely a record of fact, i.e. that a child was born and its parentage.

The wording that appears on the form that the Registrar for the Parish of St. Helier asks parents to complete when registering a birth is only an administrative requirement, which provides the Registrar with the information that she is obliged to record. This form is a parish document and not a requirement of the Etat Civil Committee.

The use of private security firms at the harbours and airport - question and answer (Tape No. 510)

Deputy Paul Vincent Francis Le Claire of St. Helier asked Deputy Derek Ryder Maltwood, President of the Harbours and Airport Committee the following questions -

“Would the President give members details of the arrangements that are in place with private security firms to provide supplementary security at the Island’s Harbours and at the Airport. Would he also inform members of the cost involved at -

- (a) St. Helier Harbour;
- (b) other harbours;
- (c) the Airport?”

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

“There are two aspects to this question.

The first is to confirm that the following companies are employed to conduct different security operations at the Harbour and the Airport.

Aviation Defence International Limited

Securicor (Jersey) Limited

However, I am not prepared to divulge the nature of the security arrangements in place at the different locations for obvious reasons.

The costs involved are as follows -

- (a) St. Helier Harbour £ 70,334.00 per annum
- (b) other harbours £ NIL
- (c) the Airport £ 666,979.55 per annum”

Senator Richard Joseph Shenton, having declared an interest in the matter, withdrew from the Chamber prior to the President’s reply.

The cost of removing asbestos from the airport building - questions and answers (Tape No. 510)

Senator Stuart Syvret asked Deputy Derek Ryder Maltwood, President of the Harbours and Airport Committee the following questions -

- “1. Would the President inform members of the range of cost estimates received by the Committee for the removal of asbestos from the 1937 Airport building, and will he explain how these figures have been estimated?
- 2. Would the President inform members when the Committee was first informed that the removal of asbestos might be necessary and whether the Committee has previously received any indication of the likely cost of such an operation?”

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

- “1. I am afraid that I cannot be very helpful to the Senator at this point in time. The Public Services Department has just produced a report on asbestos in all of the buildings at the Airport. It consists of four thick volumes and I have to admit to not having had time to read them yet.

The Senator’s question, I assume, is asked following the publication of the details contained in a letter from the Airport Director to the Corporate Strategy Officer. The figures of £8 to £12 million do not relate solely to the removal of asbestos from the 1937 building. These figures include both Hangar No.4 and the Freight building together with the possible consequential costs.

The Committee has not yet had the opportunity to read these reports, which were received by us a week ago, let alone have an opportunity to receive a presentation or discuss the various options. I do not intend to allow my Committee to be rushed into hasty decisions on such a serious matter. When we have had time to consider all the implications, all the scenarios and their consequences, then we will formulate a strategy to tackle the problem. I undertake to inform the States at the appropriate time of our proposals; this may take some time, as there are significant issues to be addressed.

I am not able to state how these figures have been estimated because at the moment I do not know.

- 2. My Committee was informed at its first induction meeting that there were potential problems relating to asbestos. However, as a Working Group had been studying the problem since March 1998, there was no action to be taken until such time as the report on the investigation by professionals was completed.

No details relating to potential costs of remedial action were given to my Committee other than a comment that they were likely to be significant.”

Cost of personnel services in States’ departments - questions and answers (Tape No. 510)

Senator Stuart Syvret asked the Deputy of Trinity, President of the Establishment Committee the following questions -

- “1. Would the President inform the Assembly of the overall cost per annum and the cost by Department of the provision of personnel services in the public sector?
2. Would the President inform members of the number of staff employed in providing personnel services to States’ Departments?”

The President of the Establishment Committee replied as follows -

- “1. I should like to answer the Senator’s two questions together by submitting the following spreadsheet showing numbers employed (full-time equivalent) and costs in the provision of personnel services by Department and for the States as a whole.

I should first like to make the following comments -

- the costs are remuneration costs, consisting of salary, pension and social security contributions based on the April 1999 payroll;
2. a number of departments do not have personnel staff as such. Instead they rely on the States Personnel Department, to assist them in this respect, though it is common in such departments for a line manager to include a personnel responsibility in the exercise of his or her line management duties. These line managers are not included in the figures submitted below which relate to personnel staff only.

The figures are as follows -

| Department | Personnel Staff F.T.E. | Estimated Remuneration including Soc. Sec. and Pension |
|--------------------------------|------------------------|--|
| Education | 4.20 | 149,593 |
| Employment and Social Security | 2.00 | 60,229 |
| Fire Service | 1.00 | 34,197 |
| Health and Social Services | 11.78 | 395,983 |
| Planning and Environment | 0.20 | 8,396 |
| Police | 2.50 | 96,199 |
| Public Services | 3.50 | 116,772 |
| Sport, Leisure and Recreation | 0.68 | 14,608 |
| States Personnel | 23.99 | 917,203 |
| Tourism | 0.50 | 20,989 |
| Non-Traders Total | 50.35 | 1,814,170 |
| Airport | 2.00 | 68,495 |
| Harbours | 1.00 | 68,495 |
| Postal | 5.00 | 158,646 |
| Telecoms | 8.00 | 275,091 |
| Traders Total | 16.00 | 525,353 |
| Grand total | 66.35 | 2,339,523 |

I think it might be helpful if I took this opportunity to give the Assembly some idea of the responsibilities of my own Department, the States Personnel Department. It provides a corporate and central Human Resource service to all other States departments including the following -

development of HR/personnel strategies and policies for the entire public sector;

provision of personnel services to individual departments, especially those which do not have their own personnel practitioners;

negotiating pay and terms and conditions of employment throughout the public sector, e.g. Manual Workers, (including Parish Manual Workers); Civil Servants, Teachers, Lecturers, Nurses, Police, Fire and Prison Officers;

resolution of disputes arising throughout the public sector, including Parish Manual Workers;

control of manning levels in all States departments;

provision of generic training and development for all States departments;

provision of corporate training schemes, e.g. trainee secretaries, apprenticeships and graduate trainee scheme;

administration of Job Evaluation schemes on which the major pay group salary structures are based, e.g. Manual Workers, Nurses, Civil Servants;

provision of pensions policy for the public sector;

resolution of individual grievance and disciplinary problems where these are not resolved in States departments;

provision of corporate "temp" service for the whole of the public sector;

recruitment of Chief Officers and other senior officers; and,

promotion of health, safety and well-being of all public sector employees, including provision of Occupational Health Service to all States departments."

The redevelopment of the former Postal Headquarters - questions and answers (Tape No. 510)

Deputy Michael Edward Vibert of St. Brelade asked Deputy Shirley Margaret Baudains, President of the Housing Committee the following questions -

- "1. Would the President outline the comparative costs between the original scheme approved for the development of the Postal site at Mont Millais and the revised scheme approved by the Committee on 6th April 1999, and would she also provide -
 - (a) the overall costs of the two developments;
 - (b) the average unit costs of the two developments;
 - (c) the cost of providing the further 8 units planned for the site under the revised scheme, in total and per unit;
 - (d) the cost of providing the 105 underground parking spaces associated with the new scheme?

- (e) the estimated minimum total of abortive costs and delay in completion associated with abandoning the previously approved scheme in favour of the revised one?"

The President of the Housing Committee replied as follows -

- “1. The previous housing scheme for the Postal Site at Mont Millais comprised 27 three-bedroom houses, four two-bedroom houses, four two-bedroom maisonettes, eight two-bedroom flats and two one-bedroom flats, a total of 45 dwellings. The current proposal is for a scheme of 12 three-bedroom houses, 32 three-bedroom flats, three two-bedroom flats and six one-bedroom flats, a total of 53 dwellings, plus a small community facility.

The three-bedroom flats in the current proposal measure about 100 square metres in area, which is 25 per cent above minimum standard, compared to 130 square metres for the standard three-bedroom houses in the previous scheme. The 12 three-bedroom houses in the current scheme measure 150 square metres and could, in theory, house six persons compared with the standard five person house.

The schemes are quite different and therefore comparisons in terms of cost are not straightforward. Demolition and enabling works remain the same for both schemes at about £200,000.

- (a) Overall Costs

The overall costs of the two developments are as follows -

Previous scheme - £6,290,000 plus fees at 11 per cent

Current scheme - £7,995,000 plus fees at 11 per cent

The cost of delay and abortive fees is not included in these figures.

- (b) Average Unit Costs

The average unit costs, including fees, of the two developments are as follows -

Previous scheme - £155,000 per dwelling

Current scheme - £168,000 per dwelling

However, if the cost of abortive fees and inflation, assuming a twelve months delay, is included, the cost of the current scheme rises to £182,000 per dwelling.

(c) Cost of Providing Additional Units

The cost of providing the additional eight units, inclusive of fees, abortive fees and the inflationary aspect of a twelve month delay is £2,686,000. If the cost of the community facility is deducted from the current scheme the cost reduces to £2,511,000. However, it should be noted that the current scheme provides 44 three-bedroom dwellings compared to just 27 three-bedroom dwellings with the previous scheme, it is not just a matter of eight additional units.

It is possible that there will be a 25 per cent increase in the number of persons accommodated in the current scheme. There will be an additional cost per unit, as already stated, of between £13,000 and £27,000 depending on how quickly the current scheme can be commenced.

(d) Cost of Providing Underground Car Parking

The cost of providing 105 underground car parking spaces is £1,837,000. This is not a net additional cost as parking provision for the previous scheme is included within the cost of the houses and associated external works. While underground car parking is more expensive, there are obvious advantages in terms of the environment and the safety of children on the estate. All cars will have to use the underground car park, freeing up a considerable area of amenity space for all residents to enjoy.

(e) Write-off Costs and Delay

The previous scheme was ready to go out to tender and it is estimated that it will be about twelve months before the current scheme reaches a similar stage. Allowing for an increase in building costs of 5 per cent over the twelve month period there will be an additional project cost of £400,000. If the delay in reaching tender stage is reduced to six months, the additional cost will reduce to £200,000.

The cost of fees written off is estimated at £350,000 as the new scheme is completely different to the previous scheme.”

Housing Strategy 1998-2000 - statement

The President of the Housing Committee made a statement in the following terms -

“Since taking up office in December 1998 my Committee has spent considerable time reviewing the Housing Strategy Project 201/98 put forward by the previous Committee.

From the start the Committee has expressed the view that the rented housing stock administered by the Committee should not be sold to housing trusts and, as a result, paragraph 4 of the Proposition was withdrawn several weeks ago. However, this should not be interpreted as a sign that my Committee is against the involvement of housing trusts in the provision of social rented housing. Quite the contrary, we believe that Trusts have a very important role to play both now and in the future and we are delighted to see projects such as Christian Science, Sacre Coeur and Belle Vue under construction.

The withdrawal of paragraph 4 left a gap in the Housing Strategy in terms of how the development programme would be funded and I am pleased to report that, after discussions with the Finance and Economics Committee, we believe that we have a way forward which is described in the Housing Committee’s funding Proposition lodged today (P.74/99).

The Committee, in reviewing the remaining proposals in the Housing Strategy, has found itself broadly in agreement with the previous Committee. However, in recent months, various initiatives have developed

which have prompted the Committee to decide to defer debate on certain paragraphs of the Proposition and I thought it would be helpful to Members to identify these paragraphs, and the reasons for deferment, prior to the main housing debate.

Firstly, the Committee has welcomed the most recent progress made by the Planning and Environment Committee in identifying a number of sites considered suitable for rezoning and the action being taken by the Planning and Environment Committee to bring these sites forward for development with either first-time buyer or social rented housing. This positive action leads my Committee to defer the debate on paragraph 2 in the belief that appropriate sites will come forward within a reasonable timescale.

Secondly, my Committee, like the previous Housing Committee, has been frustrated by the apparent lack of positive action by the Policy and Resources Committee over population and immigration control. Most recently, as an amendment to the Housing Proposition, paragraph 6A, my Committee put forward a proposal that the Housing Regulation by which people arriving in the Island qualify through length of residence, the twenty year rule, should be discontinued for people arriving after 27th April 1999.

Nevertheless, having received assurances that the Policy and Resources Committee will bring forward a comprehensive Report and Proposition on population and immigration policy for debate by the Assembly before the end of July, my Committee has decided that paragraph 3, which refers to occupancy control, and paragraph 6A, which I have already referred to, are best left for debate at the same time as the Policy and Resources Committees' proposition. The Committee does not, however, wish to delay any further debate on reducing the twenty year rule for those people already living and working in the Island, many of whom live in extremely difficult and distressing conditions and who are entitled to a decision on their future.

The Housing Strategy debate, we hope, will now proceed on the basis of paragraph 1 (as amended), 5, 6 (a), 6(b), 7, 8 and 9. Paragraphs 2, 3 and 6A are deferred until further notice and paragraph 4 has been withdrawn."

Debate in camera

The Bailiff, in accordance with Standing Order 46(2) ordered the withdrawal of strangers and the closing of the doors of the Chamber in order that the appointment of a Magistrate and the Treasurer of the States be debated in camera.

Magistrate: appointment

THE STATES, having deliberated thereon in camera, proceeded to vote in public assembly and adopting a proposition of the Establishment Committee, appointed Advocate Bryan Ian Le Marquand to the post of Magistrate with effect from 1st November 1999.

Members present voted as follows -

“Pour” (41)

Senators

Shenton, Horsfall, Le Maistre, Stein, Quérée, Bailhache, Syvret, Norman, Walker, Kinnard,.

Connétables

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

Deputies

Wavell(S), Le Sueur(H), St. Mary, S. Baudains(H), Le Geyt(S), Trinity, Johns(H), Duhamel(S), Routier (H), Layzell(B), Breckon(S), Grouville, St. Martin, St. John, Le Main(H), Rabet(H), Vibert(B), de la Haye(B), St. Peter, Dubras(L), St. Ouen, G. Baudains(C), Le Claire(H).

“Contre” (1)

Deputies

Huet(H).

Treasurer of the States: appointment

THE STATES, having deliberated thereon in camera, proceeded to vote in public assembly and, adopting a proposition of the Establishment Committee, appointed Mr Ian Black to the post of Treasurer of the States with effect from 1st July 1999 in accordance with Article 3 of the Public Finances (Administration) (Jersey) Law 1967.

Draft Community Provisions (Prohibiting the Sale and Supply of Petroleum and Certain Petroleum Products to the Federal Republic of Yugoslavia) (Jersey) Regulations 199 - P.63/99

THE STATES, in pursuance of Article 2 of the European Communities Legislation (Implementation) (Jersey) Law 1996, made Regulations entitled the Community Provisions (Prohibiting the Sale and Supply of Petroleum and Certain Petroleum Products to the Federal Republic of Yugoslavia) (Jersey) Regulations 199 .

Draft Community Provisions (Prohibition on Flights of Yugoslav Carriers) (Jersey) Regulations 199 - P.64/99

THE STATES, in pursuance of Article 2 of the European Communities (Implementation) (Jersey) Law 1996, made Regulations entitled the Community Provisions (Prohibition on Flights of Yugoslav Carriers) (Jersey) Regulations 199 -.

Millennium licensing hours - P.55/99

THE STATES, adopting a proposition of the Tourism Committee -

- (1) agreed to amend further the Licensing (Jersey) Law 1974, to enable premises in respect of which an 'On' licence was held to remain open from their normal permitted opening hours on Friday, 31st December 1999, through to 9 a.m. on Saturday, 1st January 2000;
- (2) charged the Tourism Committee to prepare the necessary legislation.

Jersey Heritage Trust: new constitution - P.44/99

Jersey Heritage Trust: new constitution (P.44/99): amendments - P.65/99

Jersey Heritage Trust: new constitution (P.44/99): second amendments - P.66/99

THE STATES commenced consideration of a proposition of the Finance and Economics Committee regarding the Jersey Heritage Trust: new constitution and accepted an amendment of Deputy Alan Simon Crowcroft of St. Helier that at the end of the proposition there should be added the words -

“with the exception that -

On page 8, at the beginning of paragraph 5.3.3. of the Constitution, insert the words ‘a member for the time being of the States of Jersey who is committed to the objectives of the Jersey Heritage Trust as set out in paragraph 3 of the Constitution, and’

In paragraph 5.3.5. for the word “eight” substitute the word “seven”.”

Members present voted as follows -

“Pour” (24)

Senators

Horsfall, Le Maistre, Stein, Quérée, Bailhache, Syvret, Kinnard.

Connétables

St. Lawrence, St. Mary, St. Peter, Grouville, St. Ouen, Trinity.

Deputies

Wavell(S), Le Sueur(H), Le Geyt(S), Duhamel(S), Layzell(B), Grouville, St. Martin, Crowcroft(H), Vibert(B), St. Ouen, Le Claire(H).

“Contre” (17)

Senators

Norman, Walker.

Connétables

St. Martin, St. John, St. Saviour.

Deputies

St. Mary, Trinity, Johns(H), Routier(H), Huet(H), St. John, Le Main(H), Rabet(H), de la Haye(B), St. Peter, Dubras(L), G. Baudains(C).

THE STATES commenced consideration of an amendment of the Finance and Economics Committee that at the end of the proposition there should be added the words -

“with the exception that -

Page 5, in paragraph 3.1 delete the words ‘and culture’ in line one and in line four, for the words ‘that we’ substitute the words ‘as to’.”

After discussion the amendment was withdrawn by the Vice-President of the Finance and Economics Committee.

THE STATES, adopting a proposition of the Finance and Economics Committee as amended, referred to their Act dated 16th March 1982 adopting a Law to grant an Act of Incorporation to the Jersey Heritage Trust, and approved a new constitution for the Jersey Heritage Trust as set out in the Appendix to the report dated 22nd March 1999 of the Jersey Heritage Trust with the exception that on page 8, at the beginning of paragraph 5.3.3. of the Constitution, there should be inserted the words ‘a member for the time being of the States of Jersey who is committed to the objectives of the Jersey Heritage Trust as set out in paragraph 3 of the Constitution, and’ and that in paragraph 5.3.5. for the word “eight” there should be substituted the word “seven”.

Field 921, Rue à Georges, St. Mary: residential development within the agricultural priority zone - P.17/99
Field 921, Rue à Georges, St. Mary: residential development within the agricultural priority zone (P.17/99) - report -P.17/99. Rpt.

THE STATES, adopting a proposition of Senator Leonard Norman, expressed their support for the grant of permission by the Planning and Environment Committee for the construction of a bungalow on Field 921, Rue à Georges, St. Mary, which is situated within the Agricultural Priority Zone.

Members presented voted as follows -

“Pour” (24)

Senators

Shenton, Le Maistre, Stein, Bailhache, Norman, Walker.

Connétables

St. Lawrence, St. Mary, St. Helier, St. Ouen, St. John, Trinity, St. Saviour.

Deputies

Wavell(S), St. Mary, Trinity, Routier(H), Breckon(S), St. Martin, St. John, Rabet(H), de la Haye(B), G. Baudains(C), Le Claire(H).

“Contre” (16)

Senators

Horsfall, Quérée, Syvret, Kinnard.

Deputies

Le Sueur(H), Johns(H), Duhamel(S), Layzell(B), Grouville, Huet(H), Le Main(H), Crowcroft(H), Vibert (B), St. Peter, Dubras(L), St. Ouen,

Draft Protection of Children (Amendment No. 2) (Jersey) Law 199 - P.50/99

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Protection of Children (Amendment No. 2) (Jersey) Law 199 .

Draft Affiliation Proceedings (Prescription) (Jersey) Law 199 - P.52/99

THE STATES, subject to the sanction of Her Most Excellent Majesty in Council, adopted a Law entitled the Affiliation Proceedings (Prescription) (Jersey) Law 199 .

Public Finances (Administration) (Jersey) Law 1967: capital expenditure - P.58/99

THE STATES, adopting a proposition of the Policy and Resources Committee -

- (a) agreed that the Public Finances (Administration) (Jersey) Law 1967 should be further amended to provide for the States programme of capital expenditure to be approved by the States at the time of considering the States' Resource Plan each year, instead of during consideration of the Budget;
- (b) charged the Finance and Economics Committee to prepare the draft amendment and agreed that the drafting of the amendment should be included in the 1999 Legislation Programme.

Summerland Factory, Thorp House and Broadcasting House, St. Helier: acquisition - P.62/99

THE STATES, adopting a proposition of the Planning and Environment Committee -

- (a) authorised the purchase on behalf of the public from Sangan Properties Limited of the property known as Summerland Factory site, Rouge Bouillon, St. Helier (shown marked A on Drawing No. 609/2) in the sum of £2,250,000 (two million two hundred and fifty thousand pounds) with each party being responsible for their own legal costs in respect of the transaction;

- (b) authorised the granting of a licence on behalf of the public to Sangan Properties Limited to occupy the Summerland Factory, Rouge Bouillon, St. Helier, (shown marked A on Drawing No. 609/2) for a total fee of £10 from the date of passing contract for a period not extending beyond 25th October 1999, for the purpose of operating the company's business prior to relocation;
- (c) authorised the purchase on behalf of the public from St. Saviour's Realty Limited of Thorp House, Rouge Bouillon, St. Helier (shown marked B on Drawing No. 609/2) in the sum of £1,100,000 (one million one hundred thousand pounds) with each party being responsible for their own legal costs in respect of the transaction;
- (d) authorised the purchase on behalf of the public from St. Saviour's Realty Limited of Broadcasting House, Rouge Bouillon, St. Helier (shown marked C on Drawing No. 609/2) in the sum of £1,100,000 (one million one hundred thousand pounds) with each party being responsible for their own legal costs in respect of the transaction;
- (e) authorised the Attorney General and the Greffier of the States to pass on behalf of the public any contracts which it might be found necessary to pass in connection with the purchase of the said properties and any interest therein;
- (f) authorised the payment or discharge of the expenses to be incurred in connection with the acquisition of the said purchases.

THE STATES rose at 5.07 p.m.

G.H.C. COPPOCK

Greffier of the States.