

Price : £1.00

THE STATES assembled on Tuesday,
18th January 1994 at 10.15 a.m. under
the Presidency of the Bailiff,
Sir Peter Crill, C.B.E.

His Excellency the Lieutenant Governor,
Air Marshal Sir John Sutton, K.C.B.,
was present.

All Members were present with the exception of -

Senator Richard Joseph Shenton - out of the
Island.

Prayers

Subordinate legislation tabled

The following enactment was laid before the
States, namely -

Advocates (Examinations) (Amendment)
(Jersey) Rules 1993. R & O 8639.

Committee of Inquiry into circumstances leading
to the release from contract of former Chief
Executive Officer of Sport, Leisure and
Recreation Department: appointment of members.

THE STATES, on the proposition of Deputy Robin
Ernest Richard Rumboll of St. Helier, President
of the Committee of Inquiry into circumstances
leading to the release from contract of the
former Chief Executive Officer of Sport, Leisure
and Recreation Department, appointed the
following as members of the Committee -

John Pepin Le Sueur, Connétable of St. John
Terence Augustine Le Sueur, Deputy of St.
Helier
Evelyn Mabel Pullin, Deputy of St. Saviour
Frederick John Hill, B.E.M., Deputy of St.
Martin.

Matters noted - land transactions

THE STATES noted an Act of the Finance and Economics Committee dated 11th January 1994, showing that in pursuance of Standing Orders relating to certain transactions in land, the Committee had approved -

(a) as recommended by the Sport, Leisure and Recreation Committee, the lease to Sanchez Holdings of the Fort Regent Swimming Pool catering concession for a period of two years, commencing 1st January 1993, at an annual rent of £14,095, subject to a period of notice of six months from the date of termination of the agreement, with any works required to maintain the premises in its current or an improved condition to be subject to negotiation as to the responsibility for their funding;

(b) as recommended by the Harbours and Airport Committee, the amended rent for office accommodation leased to Aviation Beauport in the Airport Terminal following the reduction of the area involved by 116 square feet to 1,005 square feet, as follows -

(i) Year 1 - from £11,210.00 to £10,050.00

(ii) Year 2 - from £13,205.38 to £11,838.90

(iii) Year 3 - from £15,200.76 to £13,627.80;

(c) as recommended by the Harbours and Airport Committee, the lease to British Midland Airways of 593 square feet of ticket desk and office accommodation at Jersey Airport (Lettings Nos. B10 and B10A), from 1st October 1993 to 31st March 1995, at an annual rent of £4,390.24;

(d) as recommended by the Harbours and

Airport Committee, the renewal of the lease to St. Helier Port Services, of 241 square feet of office accommodation on the New North Quay (Letting No. N.17) for a period of three years commencing 1st October 1993, at a rental of £2,731.60, subject to annual review;

(e) as recommended by the Harbours and Airport Committee, the transfer of the lease from P.J.N. Fishing Tackle to Mrs. Deanna Catherine Burton, née Barker, in respect of 158 square feet of the premises known as The Alcove, St. Catherine's Breakwater, for the period from 1st October 1993 to 12th April 1995, at a rental of £920.80, subject to annual review;

(f) as recommended by the Harbours and Airport Committee, the renewal of the lease to Channel Island Handling Limited of 529 square feet of offices at the Albert Pier (Lettings A11-A19) for a further period of three years, commencing 1st November 1993, at an annual rent of £4,338.04, subject to annual review;

(g) as recommended by the Harbours and Airport Committee, the renewal of the lease to Mr. Gary Smith of 100 square feet of premises at the Elizabeth Terminal kiosk (Letting E13), for a further period of nine years, commencing 1st January 1994, at an annual rent of £1,260, subject to annual review;

(h) as recommended by the Public Services Committee -

(i) the acquisition from Mr. Paul Anthony Grieve and Mrs. Maiza Mansfield Grieve, née Vincente, of 140 square feet of land at the property Ker-Maria, La Route Orange, St. Brelade, free of charge, with the Committee being responsible for all reasonable legal fees involved in the transaction and the cost of the accommodation works involved;

(ii) the passing of a Contrat de

Bornement between the public of the Island and Mr. Paul Anthony Grieve and Mrs. Maiza Mansfield Grieve, née Vincente, to clarify the southern boundary of the property Ker-Maria, La Route Orange, St. Brelade, and an Agreement regarding certain drainage service rights in connexion with the public sewer laid at the rear of the property, with each party being responsible for its own legal costs;

- (i) as recommended by the Public Services Committee, the passing of a Contrat de Bornement between the public of the Island and Mr. Deryk Anthony Haithwaite and Mrs. Diana Margaret Haithwaite, née Eastwick, to clarify the eastern boundary between Mont Orgueil Castle and the property Le Quatorze, 14 Gorey Pier, St. Martin, with Mr. and Mrs. Haithwaite being responsible for all legal fees involved in the transaction;
- (j) as recommended by the Public Services Committee, the sale of 2,070 square feet of land at the junction of Bath Street and Phillips Street, St. Helier, as outlined in Plan No. PS.325, to the Parish of St. Helier, for a nominal consideration of £10, with each side being responsible for its legal costs involved in the transaction;
- (k) as recommended by the Public Services Committee, the extension of the lease to the Jersey Sea Cadet Corps of the German bunker at St. Aubin's Fort until 30th November 2000 at an annual rent of five pence;
- (l) as recommended by the Public Services Committee, the renewal of the lease to Mr. Anthony George Benest of the stonemason's yard, Mont Mado, St. John, for a period of three years from 1st November 1993, at an annual rent of £500, payable in advance and subject to annual reviews;
- (m) as recommended by the Harbours and Airport Committee, the renewal of the lease to Mr. Graham Philip Holley, of

an area of land measuring three vergées 10 perch at Field No. 270, Mont à la Brune, St. Peter (Letting No. 68) for a period of one year commencing 1st January 1994, at an annual rent of £185;

(n) as recommended by the Public Services Committee, the lease to Mr. Justin Richard Lloyd-Jones, of a site measuring approximately 4,200 square feet on which his timber bungalow "Ramadi", was erected, adjacent to the Beaumont pumping station, St. Peter, for a period of three years from 1st January 1993, at an annual rent of £683.80 paid half-yearly in advance on 1st January and 1st July each year;

(o) as recommended by the Island Development Committee, the lease from the National Trust for Jersey of the North Barrack Room, Grève de Lecq, St. Ouen, for a term of nine years, commencing 13th August 1993, at an annual rent of £400, payable annually in advance.

Matters noted - financial transactions

THE STATES noted Acts of the Finance and Economics Committee dated 17th December 1993 and 11th January 1994, showing that in pursuance of Rule 5 of the Public Finances (General) (Jersey) Rules 1967, as amended, the Committee had noted that -

(a) the Housing Committee had accepted the lowest of five tenders, namely that submitted by A.C. Mauger and Son (Sunwin) Limited in the sum of £3,269,325 in a contract period of 72 weeks, for the development of 40 dwellings on the Gas Works 'E' site, St. Helier, which site had been acquired over a number of years for a total cost of approximately £600,000. This cost includes the purchase of Wesley Lodge, which is to be refurbished in due course to provide a further two units of accommodation, and for which tenders will be invited separately;

(b) the Education Committee had accepted

the lowest of nine tenders, namely that submitted by J.F. Marett and Son, in the sum of £1,325,960, in a contract period of 78 weeks, for the extension of Les Landes School, St. Ouen.

Matters lodged

The following subjects were lodged ``au Greffe" -

1. Draft Health Insurance (Amendment No. 8) (Jersey) Law 199 . P.5/94.
Presented by the Social Security Committee.
2. Les Sillettes, La Ruelle Vaucluse, St. Helier: development of hospice in Green Zone. P.6/94.
Presented by the Island Development Committee.
3. South View, La Rue de Val de la Mare, St. Peter: development in Airport Safety Zone. P.7/94.
Presented by the Island Development Committee.
4. Field 153A, La Rue des Niemes, St. Peter: agricultural buildings in Green Zone. P.8/94.
Presented by the Island Development Committee.
5. Draft Criminal Justice (Standard Scale of Fines) (Jersey) Law 1993 (Appointed Day) Act 1994. P.9/94.
Presented by the Legislation Committee.
6. Draft Departments of the Judiciary and the Legislature (Amendment No. 2) (Jersey) Law 1993 (Appointed Day) Act 1994. P.10/94.
Presented by the Legislation Committee.

The following subjects were lodged on 4th January 1994 -

1. Nicholson Park - Phases III and IV: approval of drawings. P.1/94.
Presented by the Housing Committee.

2. Draft Public Finances
(Appointment of Investment Managers)
(Jersey) Regulations 199 . P.2/94.
Presented by the Finance and
Economics Committee.
3. Draft Electricity Link with
France (Protection of Submarine Cable)
(Jersey) Regulations 199 . P.3/94.
Presented by the Harbours and
Airport Committee.
4. Draft Harbours (Vehicle Ramps)
(Jersey) Regulations 199 . P.4/94.
Presented by the Harbours and
Airport Committee.

Open government: freedom of information.
P.151/93. Withdrawn

THE STATES noted that Senator Stuart Syvret had
withdrawn the proposition regarding open
government: freedom of information (lodged on
28th September 1993).

Telecommunications (Telephones) (Amendment
No. 21) (Jersey) Order 1993: annulment.
P.205/93. Withdrawn

THE STATES noted that Senator John Stephen
Rothwell had withdrawn the proposition regarding
the Telecommunications (Telephones) (Amendment
No. 21) (Jersey) Order 1993: annulment
(lodged on 7th December 1993).

Responsibility for Equal
Opportunities. P.198/93. Withdrawn

THE STATES noted that Senator Corrie Stein had
withdrawn the proposition regarding
responsibility for equal opportunities (lodged
on 23rd November 1993).

Arrangement of Public Business for the present
Sitting

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

Overseas Trading Corporation site, First Tower, St. Helier: approval of drawings. P.201/93.
Lodged: 7th December 1993.
Housing Committee.

Les Quennevais Swimming Pool, St. Brelade. P.208/93.
Lodged: 7th December 1993.
Sport, Leisure and Recreation Committee.

Nicholson Park - Phases III and IV: approval of drawings. P.1/94.
Lodged: 4th January 1994
Housing Committee.

Draft Public Finances (Appointment of Investment Managers) (Jersey) Regulations 199 . P2/94.
Lodged: 4th January 1994
Finance and Economics Committee.

Draft Electricity Link with France (Protection of Submarine Cable) (Jersey) Regulations 199 . P.3/94.
Lodged: 4th January 1994
Harbours and Airport Committee.

Draft Harbours (Vehicle Ramps) (Jersey) Regulations 199 . P.4/94.
Lodged: 4th January 1994
Harbours and Airport Committee.

Arrangement of Public Business for the next Sitting on 1st February 1994

THE STATES confirmed that the following subjects lodged ``au Greffe" should be considered at the next Sitting on 1st February 1994 -

Parish rates review. P.124/93.
Lodged: 24th August 1993.
Connétable of St. John.

Draft Health Insurance (Amendment No. 8) (Jersey) Law 199 . P.5/94.
Lodged: 18th January 1994
Social Security Committee.

Les Sillettes, La Ruelle Vacluse, St. Helier: development of hospice in Green

Zone. P.6/94.
Lodged: 18th January 1994
Island Development Committee.

Draft Criminal Justice (Standard
Scale of Fines) (Jersey) Law 1993
(Appointed Day) Act 1994. P.9/94.
Lodged: 18th January 1994
Legislation Committee.

Draft Departments of the Judiciary
and the Legislature (Amendment No. 2)
(Jersey) Law 1993 (Appointed Day) Act
1994. P.10/94.
Lodged: 18th January 1994
Legislation Committee.

Mobility allowance for disabled people.
Question and answer. (Tape No. 219)

Senator Stuart Syvret asked Deputy Terence
Augustine Le Sueur of St. Helier, President of
the Social Security Committee, the following
question -

``When will the mobility allowance
for disabled people come into effect?''

The President of the Social Security Committee
replied as follows -

``I am unable at the present time to say
when the proposed Disabled Transport
Allowance will come into effect.

The subject of a Disabled Transport
Allowance was debated in the States in
November 1992 when my Committee's proposals
were amended in line with a proposition by
Deputy (now Senator) Syvret. The Social
Security Committee was charged to prepare
the necessary legislation, and a brief was
sent to the Law Draftsman in December 1992.
In the Strategic Review and Action Plan for
1993 this legislation was included as
No. 39 out of 40 items in the Law Drafting
Requests priority programme. I am hopeful
therefore that the draft law will be
available for consideration and approval,
first by my Committee and then by the
House, in the latter part of this year.

There is however a potential problem
with funding this allowance, the cost of

which has to come from General Revenues. When the original proposition, involving considerably less costs, was brought to the House in 1992 the Finance and Economics Committee commented `...whilst recognising the worth of the scheme, because there are insufficient funds available to pay for everything Committees wish to do, implementation will depend on its priority ranking in comparison with other demands on States' funds'. The implications of the present policy of cash limits are that my Committee has no funds available within its budget for 1995, and this allowance will have to be funded from other sources. I hope that the readiness with which several Members, at the time of the debate, accepted these funding implications, is maintained when the law is in place and funds are being sought.

It has been suggested that the allowance could be funded from the Contributory Social Security Scheme, and indeed this is an alternative which has been examined, although I should point out that the annual expenditure on this scheme already exceeds its income. Nevertheless, if funds are not otherwise available, this is a route we may well wish to adopt, but this Scheme is not discretionary, and the contribution conditions would inevitably exclude some persons who would otherwise qualify under the existing proposals. I should also advise Members that the previous Social Security Committee did meet Senator Syvret last year to consider proposals for introducing this allowance in phases, but the conclusion then reached was that we should continue to abide by the decision of the States and implement the proposals in full.

Finally I should thank Senator Syvret for bringing this matter to the attention of the House, because I am conscious of the eagerness with which this allowance is awaited by many people, and the question enables me to give this detailed progress report. I hope that Members will continue to maintain their previous support when the issues come back to this House".

THE STATES, adopting a proposition of the Social Security Committee, made the Social Security (Amendment No. 10) (Jersey) Law 1993 (Appointed Day) Act 1994.

Ecclesiastical District of Saint Luke with Saint James (Jersey) Law 1993 (Appointed Day) Act 1994

THE STATES, adopting a proposition of the Legislation Committee, made the Ecclesiastical District of Saint Luke with Saint James (Jersey) Law 1993 (Appointed Day) Act 1994.

Overseas Trading Corporation site, First Tower, St. Helier: approval of drawings. P.201/93

THE STATES, adopting a proposition of the Housing Committee -

- (a) approved drawings Nos. 92-558/09, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 showing the redevelopment of part of the Overseas Trading Corporation site, First Tower, to provide 12 three-bedroom houses;
- (b) authorised the Greffier of the States to sign the said drawings.

Les Quennevais swimming pool, St. Brelade. P.208/93

THE STATES, adopting a proposition of the Sport, Leisure and Recreation Committee -

- (a) approved drawings Nos. AL(-0)02, AL(-1)01,02,03, AL(-2)01,02, AL(-3)01,02, AA(21)01,02,03, showing the proposed construction of a municipal swimming pool, a learner/disabled pool, a health complex and ancillary facilities at Les Quennevais, St. Brelade, and authorised the Greffier of the States to sign the said drawings on behalf of the States;
- (b) approved a fixed price contract with the Warner Group Limited for the construction of the said buildings in the sum of £3,921,300 subject to the necessary bond being obtained, and authorised the Greffier of the States to sign the necessary contract.

Members present voted as follows -

``Pour" (49)

Senators

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

Connétables

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

Deputies

Rumboll(H), Wavell(S), Norman(C), St. John,
St. Peter, H. Baudains(C), Le Sueur(H), St.
Ouen, Coutanche(L), Huelin(B), St. Mary, S.
Baudains(H), Le Fondré(L), Le Geyt(S),
Walker(H), Crespel(H), Pullin(S), Trinity,
Carter(H), Johns(H), Duhamel(S),
Matthews(B), Routier(H), Layzell(B),
Breckon(S), Grouville, Huet(H), St. Martin.

``Contre "(3)

Senators

Quérée, Syvret.

Deputy

Dorey(H).

Nicholson Park Estate - phases III and IV:
approval of drawings. P.1/94

THE STATES, adopting a proposition of the
Housing Committee -

(a) approved drawings Nos. 1615/20, 21, 22,
23, 24, 25, 26, 27, 28, 29A, 30A, 31A,
32, 33A, 34A, 35, 36A, 37A, 38A, 39A,
40A, 41, 42A, 43A, 44A, 45A, 46A, 47A,
48, 49, 50, 51, 52, 53, 54, 55, 58, 59,
60, 61 and 115/1, 2 and 3, showing the
redevelopment of Phases III and IV of

the Nicholson Park Estate;

(b) authorised the Greffier of the States
to sign the said drawings on behalf of
the States.

Public Finances (Appointment of Investment
Managers) (Jersey) Regulations 1994. P.2/94

THE STATES, in pursuance of Article 26A of the
Public Finances (Administration) (Jersey) Law
1967, as amended, made Regulations entitled the
Public Finances (Appointment of Investment
Managers) (Jersey) Regulations 1994.

Electricity link with France (Protection of
Submarine Cable) (Jersey) Regulations 1994.
P.3/94

THE STATES, by virtue and in exercise of the
powers conferred upon them by the Order in
Council of the fourteenth day of April 1884,
made Regulations entitled the Electricity link
with France (Protection of Submarine Cable)
(Jersey) Regulations 1994.

Harbours (Vehicle Ramps) (Jersey) Regulations
1994. P.4/94

THE STATES, by virtue and in exercise of the
powers conferred upon them by the Order in
Council of the fourteenth day of April 1884,
made Regulations entitled the Harbours (Vehicle
Ramps) (Jersey) Regulations 1994.

THE STATES rose at 12.45 p.m.

G.H.C. COPPOCK

Greffier of the States.