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THE STATES assembled on Tuesday,
27th June, 1989 at 10.15 a.m. under
the Presidency of the Bailiff,
Sir Peter Crill, C.B.E.

His Excellency the Lieutenant Governor,
Admiral Sir William Pillar, G.B.E., K.C.B.

,
was present.

All Members were present with the exception
of -

Senator Richard Joseph Shenton - out
of the Island.
Richard Winter Le Sauteur, Connétable
of Grouville - out of the Island.
Sir Martin Le Quesne, Deputy of St.
Saviour - out of the Island.

Prayers read by the Deputy Greffier

Deputy M.S.R. Beadle of St.
Brelade - welcome.

The Bailiff, on behalf of the
States, welcomed Deputy Margaret Sylvia
Rose Beadle of St. Brelade on her return to
the States after her recent operation.

H.M. Attorney General and H.M.
Solicitor General - Queen's Counsel.

The Bailiff, on behalf of the
States, congratulated H.M. Attorney
General, Mr. Philip Martin Bailhache and
H.M. Solicitor General, Mr. Terence Cubitt
Sowden, on their appointment as Queen's

Counsel.

Subordinate legislation tabled.

The following enactments were laid before the States, namely -

1. Health Insurance (Pharmaceutical Benefit List) (Amendment No. 3) (Jersey) Order, 1989. R & O 7932.
2. Social Security (Incapacity Benefit) (Amendment No. 3) (Jersey) Order, 1989. R & O 7933.
3. Invalid Care and Disability Allowances (General Provisions) (Amendment No. 6) (Jersey) Order, 1989. R & O 7934.
4. Consumer Protection (Protective Helmets) (Amendment No. 2) (Jersey) Order, 1989. R & O 7935.

Committee for Postal Administration - resignation of member.

THE STATES noted the resignation of Deputy Thomas John du Feu of St. Peter from the Committee for Postal Administration.

Oakfield Industries Limited:
report and accounts for 1988. R.C.12.

The Social Security Committee, by Act dated 22nd June, 1989, presented to the States the report and accounts of Oakfield Industries Limited for the year ended 31st December, 1988.

THE STATES ordered that the said report and accounts be printed and distributed.

Matters lodged.

The following subjects were lodged ``au Greffe" -

1. Draft Residential Care Homes (Registration) (Jersey) Law, 198 . P.98/89.

Presented by the Public Health Committee.

2. Draft Health and Safety at Work (Amendment) (Jersey) Law, 198 . P.99/89.

Presented by the Social Security Committee. The States decided to take this subject into consideration on 25th July, 1989.

3. Tenants in private sector: security of tenure. P.100/89. Presented by Senator John Stephen Rothwell.

Health Insurance Exception: criteria for claims. P.74/88 withdrawn.

THE STATES noted that in pursuance of Standing Order 17(6) the Proposition regarding the criteria for claims for Health Insurance Exception (lodged on 14th June, 1988) had been withdrawn.

9-11 Cannon Street, St. Helier: purchase. P.95/89.

THE STATES acceded to the request of the President of the Island Development Committee that the Proposition regarding the purchase of 9-11 Cannon Street, St. Helier (lodged on 20th June, 1989) be considered on 25th July, 1989.

Troy Court, Grands Vaux. Question and answer.

Deputy Mervyn Renouf Billot of St. Saviour asked Deputy Hendricus Adolphus Vandervliet of St. Lawrence, President of the Housing Committee, the following question -

``Will the President tell the House of the ways in which the Housing Committee might help the residents of Troy Court to continue to live in their flats, for example by providing assistance towards the purchase of their flats by share transfer?"

The President of the Housing Committee

replied as follows -

``At the present time there is no assistance which my Committee is able to give to people who may wish to purchase flats by share transfer. The Building Loan Regulations do not permit my Committee to advance loans, other than on the purchase of freehold property or on long leases on property owned by the Committee. However, we are currently discussing with the Crown Officers the possibility of amending the Regulations to enable the Committee to make loans on share transfer transactions, and my Committee is considering the arguments for and against doing so, bearing in mind, for example, that the Committee has no control over the price at which shares are bought and sold.

It is difficult to envisage a time-scale for these investigations, but my Committee is very hopeful that the Courts will give the tenants of Troy Court a long stay of eviction, certainly one long enough for such changes to the Building Loans Regulations to be made if that course of action is to be adopted.

Another possibility is the `flying freehold'. Members are aware that the timing of any changes to the Law enabling flats to be bought freehold, and therefore mortgaged, is outside the control of my Committee. Things appear to be happening, and here again, in the event of the new Law being operative before Troy Court evictions take effect, loans may be made on the purchase of flats.

I should add for completeness that the granting of a loan is also affected by other factors such as the ability of the applicant to make the repayments within the financial parameters of the scheme and also on the Committee being satisfied on the standard of the

property on which a loan is requested.

Whilst on the question of Troy Court, I should like to make a small digression, and refer to current developments. My Committee shares the abhorrence felt by many at the way tenants are being treated and also shares the hope expressed by some senior Members of the House recently that the Courts will grant generous stays of eviction. Every tenant seeking States rental accommodation will, on application to the Housing Department, receive the standard application form to complete. Those meeting the Committee's criteria for States accommodation will be assured of rehousing upon eviction. Those not meeting such criteria will be offered counselling from experienced members of the staff on how best they may proceed."

Norman's Timber Yard (Clos du Fort). Questions and answers.

Deputy Shirley Margaret Baudains of St. Helier asked Deputy Hendricus Adolphus Vandervliet of St. Lawrence, President of the Housing Committee, the following questions -

1. Is the President satisfied that the cost of developing the rented units of accommodation on the site of Norman's Timber Yard (average of approximately #107,000 per unit) represents good value for money and will he assure the House that the money needed to fund the total cost of this development would not have been better spent on building States loan houses on a field already zoned for development?
2. Is the President satisfied that sufficient capital funds are, or will be, made available to the Housing Committee to construct States loan houses on three fields which have been zoned for such

development?"

The President of the Housing Committee replied as follows -

1. I cannot reveal the precise estimated unit cost of building rental units of accommodation on the site of Norman's Timber Yard given that we are yet to go out to tender. However, when site acquisition, rockface stabilisation, professional fees and building costs are all taken into account, I must agree that Deputy Baudain's figure might not be far off the mark.

The States have in the past recognised that the development of outworn commercial sites in the town area will involve higher than usual construction costs, but that such sites make a valuable contribution to increasing the supply of housing units. In these circumstances my Committee is convinced that the provision of 59 urgently needed units of States rental accommodation on this site will indeed provide value for money.

The question of these funds being better spent on building States Loan houses on a field already zoned for development simply does not arise. Loan developments are funded from 'bridging-finance' made available by the Finance and Economics Committee under the Finance Law, and repaid from the Dwelling Houses Loan Fund. In paragraph 4 of my Committee's Capital Proposals for 1990 (P.87), we specifically make the point that 'loan developments have alternative funding arrangements'. The report describes how the Committee is soon to start building 40 loan flats at Le Marais; is preparing schemes yielding 70 loan houses in St. Clement and La Moye; and is

currently negotiating for further sites on which to build States Loan houses.

2. I do not know to which 'three' fields the Deputy is referring in her question, but I can assure the House that both my Committee, and private developers, are currently working on loan developments involving more than three fields. I have every confidence that the necessary finance will be made available under the arrangements described above. The current shortage of States Loan dwellings is due to a lack of zoned sites, and not to lack of funds."

Cost of houses at Les Cinq Chênes, St. Saviour and Garden Lane, St. Helier.
Question and answer.

Deputy Shirley Margaret Baudains of St. Helier asked Deputy Hendricus Adolphus Vandervliet of St. Lawrence, President of the Housing Committee, the following question -

``The States were informed on 13th June, 1989 that the Housing Committee had accepted the lowest tender in the sum of #246,700 for the construction of three detached houses at Les Cinq Chênes and on 20th June 1989 that it had accepted the lowest tender in the sum of #65,460 for the construction of one house at Garden Lane.

Will the President give a detailed breakdown of the costings for each development?"

The President of the Housing Committee replied as follows -

``I do not feel that I can give in answer to a question in the States a detailed breakdown of the building costs for the two developments in question, other than to confirm that the average building cost per house at Les Cinq Chênes would be #82,233 and the house at Garden Lane will cost

#65,460. Detailed costings are so extensive that I would need to produce pages of figures which would be of little assistance to the House, given that the two schemes are not comparable. Detailed costings for both schemes are available in my Department and I would be delighted to meet with Deputy Baudains or any other Member of the States who would wish to view these.

The prices of both schemes were produced by open competitive tender in accordance with established States procedures.

I think the Deputy is really wanting to know if there are good reasons why the houses on Les Cinq Chênes site cost significantly more than the Garden Lane house. There are indeed good reasons and they are in the main the following -

- (i) the overall site area for the Garden Lane house measures only 680 square feet, whereas each of Les Cinq Chênes houses occupies a site area at least twice as much. Consequently, external site works to the Garden Lane house are minimal (e.g. as the drawings displayed in the States showed, there is insufficient room even for one parking space to be provided) whereas at Les Cinq Chênes there are to be garden walls, parking spaces and footpaths provided, as well as alterations to the existing footpaths and parking facilities on the estate;
- (ii) the heating apparatus to be provided in Les Cinq Chênes houses will be in accordance with that provided elsewhere on the estate and will be more expensive than that provided in the Garden Lane house;
- (iii) the nature of the respective

developments was such that they understandably attracted different levels of tender. The Committee received a good response to the invitations to tender for the Garden Lane house and was delighted with the competitive tenders received. However, the three separate sites for houses at Les Cinq Chênes on different parts of the estate was not an attractive proposition for building contractors, with each site requiring considerable expense to keep secure in the middle of a family estate. It was only after inviting tenders for a second time that the tender in the sum of #246,700 was accepted. It is interesting to note that the lowest tenderer for Les Cinq Chênes scheme also tendered for the Garden Lane scheme where it was the second lowest tender, indicating that even this keen competitor recognised the difference in the two schemes."

Le Geyt Flats and Tower
Maisonettes refuse stores.

THE STATES, adopting a Proposition
of the Housing Committee -

- (a) approved Drawing Nos. 2090/100, 101, 102, 103, 104, 105, 106, 107, 108, 109 and 111 for the construction of nine new refuse stores at Le Geyt Flats and one at Tower Maisonettes;
- (b) authorised the Greffier of the States to sign the said Drawing on behalf of the States.

Victoria College/Jersey College
for Girls: development. P.79/89.

THE STATES, adopting a Proposition
of the Education Committee -

- (a) approved, in principle, the development of a new library and careers department at Victoria College;
- (b) noted that, as proposals for the long term future of Jersey College for Girls and Jersey College for Girls Preparatory School will be the subject of a detailed report and proposition to be presented to the States in 1990, the Education Committee will, as recommended by the Finance and Economics Committee, make provision in its 1990 revenue budget for the work which will be necessary to maintain the two schools on their present sites for a further five years.

Public Health Committee: capital projects for 1990. P.78/89.

THE STATES, adopting a Proposition of the Public Health Committee, approved in principle -

- (a) a new central laundry;
- (b) structural repairs and improvements to Westaway Court;
- (c) repairs, alterations and improvements to the General Hospital -
 - (i) cook-chill kitchen alterations;
 - (ii) equipment for the intensive/coronary care unit;
- (d) the improvement and refurbishment of Overdale Hospital;
- (e) the acquisition and adaptation of a property to be used as a group home for people with mental illness;
- (f) the acquisition and conversion of approximately 20 units of staff

accommodation.

Tourism (Amendment No. 5) (Jersey)
Law, 1989. P.91/89.

THE STATES, subject to the
sanction of Her Most Excellent Majesty in
Council, adopted a Law entitled the Tourism
(Amendment No. 5) (Jersey) Law, 1989.

Air Training Corps Jersey
Squadron: new headquarters. P.92/89.

THE STATES, adopting a Proposition
of the Defence Committee, approved in
principle the provision of new headquarters
for the Air Training Corps Jersey Squadron
on land in public ownership.

Ecology Trust Fund. P.90/89.

THE STATES, having accepted an
amendment of Senator Dereck André Carter
that for the words "with proposals to
establish" there should be substituted the
words "on the establishment of", adopted
the Proposition of Senator Carter
requesting the Finance and Economics
Committee to report back to the States on
the establishment of an Ecology Trust Fund,
using whatever funds are received by the
States in respect of compensation for the
Amoco Cadiz disaster, with the remit
partially or wholly to grant aid any
activity, whether by a public or private
body or individual, designed to promote or
protect the environment or ecology of the
Bailiwick of Jersey.

THE STATES rose at 12.55 p.m.

R.S. GRAY

Deputy Greffier of the States.