

Comité des Connétables

Minutes of the meeting held on
Monday 17th May 2021
at the Parish Hall, St Ouen.

Present:

Connétable de St Laurent - Mrs D. W. Mezbourian, Chairman
Connétable de St Hélier - A. S. Crowcroft, Vice Chairman (present for items 1-7; 17)
Connétable de St Sauveur - Mrs S. A. Le Sueur-Rennard (not present for items 1-4)
Connétable de St Brélade - M. K. Jackson
Connétable de Grouville - J. E. Le Maistre (not present for items 1-4)
Connétable de la Trinité - P. B. Le Sueur
Connétable de St Pierre - R. P. Vibert
Connétable de Ste Marie - J. M. Le Bailly
Connétable de St Ouën - R. A. Buchanan (present for items 1-8; 17; 18)
Connétable de St Martin - Mrs K. Shenton-Stone (present for items 1-10; 17-23)
Connétable de St Jean - A. N. Jehan

An apology for absence was received from the Connétable de St Clément - L. Norman.

In attendance: Mrs S. R. de Gruchy, Secretary

Non-exempt (public) under Freedom of Information (Jersey) Law 2011

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| Connétable of St Clement | 1. The Comité was informed by the Chairman that she had conveyed the Comité's best wishes to the Connétable of St Clement. |
| Minutes | 2. The minutes of the meetings held on 12 th April, 15 th April and 30 th April 2021, having been circulated separately, were taken as read and were confirmed. |
| Liberation 76 – 2021 | 3. The Comité, with reference to its minute no. 13 of 12 th April 2021, noted correspondence from the Bailiff of Jersey which regretted that a traditional Liberation Day had not been possible again in 2021. It was hoped that 2022 should be a Liberation celebration that would go some way to commemorate the 75 th anniversary. |
| Speed limits – Parish reviews: Minister for Infrastructure letter | 4. The Comité, with partial reference to its minute no. 2 of 15 th March 2021, noted a letter from the Minister for Infrastructure advising the changes to the process for amendments to speed limits on Parish by-roads. The new process would remove the requirement to hold a Parish Assembly, though this might be held should the Parish so wish, and suggested the Roads Committee would instead make the decision on a change to the speed limit. |
| Government of Jersey – Interim Chief Executive Officer | 5. The Comité welcomed the Interim Chief Executive Officer (CEO) of the Government of Jersey. The CEO confirmed his 1-year appointment was to the end of February 2022 during which time the States Employment Board (SEB) would make a permanent appointment. The CEO spoke about his professional background and experience and his desire to ensure good communications and relationships including between Government and the Parishes. The CEO recognised the extraordinary history, tradition and sense of engagement that existed within the Parishes as illustrated by the recent turnout to elect members of the Roads Committee in the Parish of Grouville (over 250 had attended that meeting). Government officers, particularly those from outside |

Jersey, needed to understand this position. Whilst those coming from the United Kingdom would have specialist skills to offer, he wished to emphasise the differences to them so they recognised the benefits of the Parishes and created as much harmony and integrated working as possible between the Council of Ministers, States and Parishes.

The Comité discussed various issues with the CEO including the government workforce, service provision and the opportunities for joint working with other Crown dependencies. The CEO said he wished to minimise frustrations and points of friction between Government and the Parishes. As CEO he was the chief servant of Government and the public sector were public servants – senior officers should ensure that services were responsive to the community. The CEO heard from Connétables of examples where Parishioners had had to seek assistance from a Parish as they had been unable to contact the necessary States Department, particularly when services were delivered online. The CEO agreed this was unacceptable but spoke of the dilemma between efficient government (including online services) and providing a personal accessible service to members of the public. Following discussion the CEO was thanked for attending the meeting and then withdrew.

Honorary
Police and
Court
arrangements -
Centeniers role

6. The Comité, with reference to its minute no. 18 of 12th April 2021, recalled the oral question in the States on 20th April 2021 (OQ.89/2021) which was answered by H. M. Solicitor General about the role of the Centenier in the Magistrate's Court. In relation to the intention, once COVID restrictions had been lifted, to resume the normal practice of Parish Centeniers charging their own cases (including those that required a person to be charged at Police Headquarters) the Solicitor General had replied that Article 3 of the Honorary Police (Jersey) Law 1974 expressly reserved to the Centeniers the formal charging of suspects and presenting a person charged with an offence before the Magistrate's Court; there were no plans to change that law and the only considerations were practical ones as to how Centeniers could most conveniently exercise that power in future. That was the subject of consultations, which the Attorney General was having with all Centeniers.

The Comité received the Chairman and Vice Chairman of the Comité des Chefs de Police who provided an update about the evolution of the Centeniers role. The 1974 Law was now supplemented by the Criminal Procedure Law (the Criminal Procedure (Bail) (Jersey) Law 2017 and the Criminal Procedure (Jersey) Law 2018) and they assured the Comité that no powers were being removed from the Centeniers and, indeed, the Centeniers now had an extended role in certain areas, for example bail. However, they were of the view that certain cases should be presented by a professional legal adviser for example where the Magistrate wished to hear legal argument on the issue of jurisdiction. The Comité questioned the availability of the 'electronic case management system' and was informed that, during the coronavirus pandemic restrictions, all charging across the island had been undertaken by a small group of Centeniers using an Egress link but the SmartLink system would become available in the coming weeks as each Parish resumed charging.

The Comité asked that it should, as a matter of courtesy, be kept informed of all developments affecting the Honorary Police to ensure there was an understanding and awareness of issues (the Connétables were responsible for the efficient and effective policing of their Parish). The Chairman and Vice Chairman of the Comité des Chefs de Police were thanked for attending the meeting and then withdrew.

JEC micro-
forest projects

7. The Comité, with reference to its minute no. 11 of 15th March 2021, received the Head of Customer Experience and Communications and the Customer Experience Lead, Jersey Electricity plc (JE), to discuss the micro-forest projects. The scheme had initially been proposed to the Comité in September 2020 with JE offering £5,000 to each Parish to fund planting on areas of land which were the equivalent size of two tennis courts. The Parishes had been asked to identify suitable sites and could add to the funding provided by JE. Parish volunteers were also required to assist. Whilst progress had been made in a

number of Parishes the planning process had been more involved than initially appreciated but, if sites were to be planted in the next planting window, significant progress needed to be made during the summer months as there was a 3-month planning process. JE had invested time in the project and also in a brand identity which would be individual to each Parish. JE understood that the planning application fees had been waived in respect of the application by the Parish of St Clement and the Comité agreed JE should prepare a letter to the Minister for the Environment seeking agreement to fees being waived for all Parish projects.

The Comité heard from Connétables of their disappointment that Jersey Trees for Life was not involved, as originally proposed, and about the Nurture Ecology fees for the various planning application reports required and, possibly, for planting supervision. The Connétables had expected only to identify sites and find volunteers but had not anticipated or budgeted for costs which might need to be approved by each Parish.

JE had prepared a Framework Agreement which it wished to agree with each Parish and was disappointed to hear of the concerns and comments about costs and the rate of progress. JE welcomed the continued commitment of Parishes to the project and confirmed that, in relation to sites, the specification was that the site must be accessible to the public and this should be considered if the site offered was private property. The Comité then heard from each Connétable about the progress in their Parish and each confirmed their commitment to the project. JE welcomed this recommitment and its officers were thanked for attending the meeting and then withdrew.

Honorary
Police – group
insurance
policies
renewal

8. The Comité, with reference to its minute no. 1 of 30th April 2021, considered the proposal from XL Catlin for personal accident insurance from 31st May 2021 for members of the Honorary Police in all parishes except St Helier (which had its own policy). The Comité confirmed it wished to accept the policy offered by XL Catlin for personal accident cover for members of the Honorary Police of 11 Parishes.

Democratic
Accountability
and
Governance
Review

9. The Comité, with reference to its minute no. 7 of 12th April 2021, approved a response to the Democratic Accountability and Governance Sub-Committee of the Privileges and Procedures Committee on the Democratic Accountability and Governance Review. In general terms, it was not the role of the Comité to comment on the areas outlined in the terms of reference as it did not hold a ‘collective’ view or mandate (the exception being the statutory duty on Connétables when convened as the Supervisory Committee pursuant to the Rates (Jersey) Law 2005). Individual Connétables would make their own comments on Jersey’s system of government; the process (and its effectiveness) for changing ministerial portfolios and moving Ministers around and the accountability and effectiveness of systems for electing Members to ministerial office or Scrutiny. However, the Comité did consider it appropriate to comment in general terms on the convoluted management and governance structure within the Island. An example was roads and parking where the Minister for Infrastructure had responsibility in law and made subordinate legislation relating to a Parish after consultation with the Connétable.

Public
Elections
(Jersey) Law
2002 – PPC
amendments

10. The Comité, with partial reference to its minute no. 1 of 15th April 2021, was asked to consider when it might be able to meet the Chair of the Privileges and Procedures Committee (PPC) to discuss the second tranche of amendments to the Public Elections (Jersey) Law 2002. An invitation had been extended to the current meeting but had been declined as the proposed amendments would not be available until after the PPC meeting later that day. The Comité had instead been asked to consider a meeting in the week commencing 24th May 2021 as PPC wished to lodge the proposals ‘au Greffe’ on 8th June for debate on 20th July 2021. The Chair of PPC would also be seeking to meet with Parish secretaries. In the absence of a convenient date for a separate meeting, the Comité decided to invite the Chair of PPC to its next meeting on 14th June 2021.

Public
Elections
(Jersey) Law
2002 – Article
8(4) letters

11. The Comité approved a template letter to be sent under Article 8(4) of the Public Elections (Jersey) Law 2002 to persons whose names were included on an electoral register who had not, for a period of 3 consecutive years, been included in and signed a statement returned under Article 7(3). In serving this notice the electoral administrator gave notice that they would remove the person's name from the register unless the person, within 28 days, confirmed they were still eligible. Any person whose name was removed had a right of appeal and, in addition, the Annual Statement would be sent out prior to 1st November 2021 and would provide an opportunity to register as an elector.

Road issues –
tree roots on
main roads

12. The Comité discussed the issue of damage to public roads caused by the roots of trees growing on private property. The Comité noted that where trees roots were adversely impacting the surface of a road such that it was likely to cause an accident, a Connétable would contact the land-owner to advise of the damage and request the matter be addressed and the road repaired at the landowner's cost. In relation to damage to a main road, the Minister for Infrastructure would be informed of the situation and asked to contact the landowner so that the damage could be repaired.

Road issues –
roadside
mirrors

13. The Comité discussed the placement of mirrors at road junctions. Whilst a mirror might aid motorists at a junction where visibility was restricted due to the alignment of the highway, vegetation, or other impediment etc., the placing of a mirror could adversely impact on road safety for a number of reasons. These included the distortion of the reflected image or the glare from sunlight or headlamps affecting the driver's vision; visibility issues during bad weather (rain, snow, frost) and the difficulty in judging the speed of an approaching vehicle from the mirror image. Other factors were the maintenance issues (alignment and cleanliness was critical) and vandalism and that reliance on the mirror's restricted image might compromise the safety of other road users e.g. pedestrians and cyclists, who did not appear in the mirror. The Comité noted that whilst some mirrors had been erected by Parishes, it was generally not the policy to erect new mirrors and mirrors which had deteriorated were being removed and were not being replaced.

Dogs on
beaches –
summer
restrictions

14. The Comité, with reference to its minute no. 6 of 12th April 2021, noted that following the Comité decision, at its meeting on 14th September 2020, regarding an education campaign and publicity for May 2021 (that dogs must be kept on a lead between 10.30 and 18.00 hours) the Comité des Chefs de Police had issued a press release and had updated its website and social media to highlight the start of the restrictions.

States
Assembly
written
questions

15. The Comité noted that responses had been submitted to the following written questions asked in the States Assembly:

WQ.194/2021 Work undertaken to act on parts C to E of P.79/2020

WQ.211/2021 Dog licences

Next meeting

16. The Connétable of St Ouen was thanked for his hospitality and the Comité noted the next meeting would be on 14th June 2021.

Chairman Date