

Comité des Connétables

Minutes of the meeting held on
Monday 12th April 2021
at the Parish Hall, St Mary.

Present:

Connétable de St Laurent - Mrs D. W. Mezbourian, Chairman
Connétable de St Sauveur - Mrs S. A. Le Sueur-Rennard (present for items 1-12; 17-21)
Connétable de St Brélade - M. K. Jackson
Connétable de Grouville - J. E. Le Maistre
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 1-9; 17-20)
Connétable de St Martin - Mrs K. Shenton-Stone
Connétable de St Jean - A. N. Jehan

Apologies for absence were received from the Connétable de St Hélier - A. S. Crowcroft, Vice Chairman, and 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

H.R.H. the
Duke of
Edinburgh

1. The Comité observed one minutes silence to mark the death of His Royal Highness, The Prince Philip, Duke of Edinburgh.

The Chairman had accepted the invitation to represent the Comité at the ceremony to be held in the Royal Square on 17th April 2021 which would coincide with His Royal Highness's funeral.

Connétable of
St John –
welcome

2. The Comité extended a warm welcome to Mr A. N. Jehan who had been elected as Connétable of St John and had taken his oath of office in the Royal Court on 9th April 2021. The Connétable thanked the Comité for its welcome and outlined his involvement with the Parish over many years.

The Comité recalled that the swearing-in date for the Connétable had originally been set by the Court as 30th April 2021 but had been brought forward. The Chairman informed the Comité that, as the former Connétable of St John would not be attending this meeting as had initially been expected, she had written to him to acknowledge his years of dedication and commitment to his Parish and to wish him well for the future.

Minutes

3. The minutes of the meeting held on 15th March 2021, having been previously circulated, were taken as read and were confirmed.

Draft
Constitution of
the States and
Public
Elections Law

4. The Comité, with reference to its minute no. 1 of 24th November 2020, discussed the proposition of the Privileges and Procedures Committee (PPC) entitled "draft Constitution of the States and Public Elections Law 202- (P.17/2021)" and the two amendments of Senator I. J. Gorst (P.17/2021 Amd. and P.17/2021 Amd.(2)) which had been lodged "au Greffe" for debate on 20th April 2021. The proposition would give effect to some of the decisions on P.139/2020 "Composition and Election of the States: proposed changes" and would make other changes to the 2022 election date and processes. The

202-
(P.17/2021)

Comité decided it wished to present comments to the States Assembly on the following proposed amendments to the Public Elections (Jersey) Law 2002 (PEL) and requested that a draft be circulated for approval:

- a) Election date: the report of PPC could be read as implying the Parishes preferred a June election date whereas it had informed the President of PPC (minute no. 20a of 9th November 2020 refers) that a June election date would present difficulties for Parishes given the annual financial year end and the cycle for setting budgets and rates. The Comité had also questioned the proposal to extend the term of office of current members. It was of the opinion that the electorate had voted in 2018 for Senators, Connétables and Deputies to serve a fixed term of office knowing that this would expire in May 2022 and considered it was not appropriate for the Assembly to now extend its term of office.

The proposed insertion of paragraph (2AA) in Article 17 of the PEL would dis-apply Article 17(2)(a) which fixed the election day as Wednesday where the States by act appointed the election day. Currently the PEL provided for the taking of a poll to be on a Wednesday or such other day of the week as the States might prescribe by regulations.

The Comité noted that the amendment of Senator Gorst (P.17/2021 Amd.) addressed some of the concerns about the Election Day proposals as he did not consider it appropriate for any Parliament to extend its own period of office beyond that which the public believed it was voting for at the election which put that Parliament into office, except for in periods of crisis. Alternatively, voting against Schedule 2 Article 8(2) and 8(4) would retain the status quo for the election date.

- b) Cost of election: it was proposed that Article 15(2) of the PEL should be deleted. This provided for the expenses relating to the office of Senator, except those for setting up, should be met by the States. Whilst the proposed changes to the constitution of the States would abolish the role of Senator, a number of those elected as Deputy would in future represent a constituency which would be wider than a Parish or a part of a Parish. The Comité was reminded that the contribution by the States to the costs for the election of Senator in 2018 was £2,300 per polling station. As the arrangements for polling within each Parish were likely to be impacted by the proposed changes to the constitution of the States, including in relation to the provision of polling stations, the Comité considered the States should make a contribution to the cost of each polling station required for the election of Deputies. The Comité agreed it should seek confirmation that funding would continue to be provided rather than, at this stage, seek an amendment to P.17/2021.

The Comité commented that P.17/2021 did not address all the decisions of the States on P.139/2020, for example there was no provision for the inclusion of ‘None of the Above’ on a ballot paper. It was understood that there was ongoing work in connection with further amendments to the PEL to cover this and therefore consideration would be given, at a later date, to other arrangements relating to public elections such as nomination meetings, ballot papers etc.

Honorary
Police
Association –
accounts,
budget and
2021/2022
subscription

5. The Comité received correspondence from the Honorary President of the Honorary Police Association enclosing the unaudited accounts for the year ended 28th February 2021 and the proposed budget for 2021/2022. The Comité noted the accounts showed income of £3,538 but no expenditure due to the coronavirus pandemic which had prevented any events being arranged. As a result the balance carried forward was £5,575.

The Comité then approved the proposed budget expenditure for 2021/2022 of £3,600 and, noting that the Association wished to consider the possibility of an additional event as a thank you to members of the Honorary Police for the sterling support they had provided over the last year, decided that the parishes would fund a subscription of £17 per

officer (based on the number of officers at 1st May). The Chairman was requested to reply and to convey the Comité's appreciation to all members of the Honorary Police for their service during the extraordinary last year.

Dogs on beaches

6. The Comité, with reference to its minute no. 21 of 14th September 2020, recalled that it had discussed correspondence regarding a number of dog walkers who allowed their dogs to wander without leads during the restricted times set out in the Policing of Beaches (Jersey) Regulations 1959. The Comité noted that the Comité des Chefs de Police would be considering, at its next meeting on 19th April 2021, the requirement for an education campaign and publicity for May 2021.

Democratic Accountability and Governance Review

7. The Comité received an invitation from the Chair of the Democratic Accountability and Governance Sub-Committee of the Privileges and Procedures Committee inviting it to submit a collective response to the Democratic Accountability and Governance Review by 16th April 2021. The Chairman was requested to reply that, having only received the invitation on 29th March 2021, the Comité would be unable to meet that deadline but would respond following its next meeting.

Motorhome and Campervan use in Jersey

8. The Comité, with partial reference to its minute no. 2 of 15th March 2021, received via a virtual link a presentation from the Minister for Infrastructure; the Head of Transport, Highways and Infrastructure; the Private Secretary to the Minister and the Projects Manager; Infrastructure, Housing and Environment Department (IHE) on proposals to introduce an overnight motorhome and campervan permit scheme in Jersey. This followed from the States decision on 21st May 2019 to adopt parts (b) and (c) of the proposition of Senator S W Pallett "Le Port Car Park, St. Peter: rescindment of parking restrictions" (P.33/2019 - part (a) was withdrawn).

The Comité was informed that the principles for the proposed scheme included that it would only be for Jersey residents with campervan or motorhomes for personal use which were registered with Driver and Vehicle Standards (DVS). The scheme would be limited to designated sites and each site would have a maximum (limited) number of spaces. Overnight stays would need to be booked (on the day) via an existing Planning Department web site using the online application process; the scheme would be on an annual renewable basis and there would be an annual fee for issuing the permit. Permits would be displayed in the vehicle window and would be subject to conditions; any breach of the conditions would result in the cancellation of the permit. A number of potential sites had been identified and assessed for feasibility; all were in car parks where there was currently a restriction on parking for 12 hours in any 24 hour period. There were also challenges around the use of barbecues close to vehicles. Before introducing a scheme there would need to be a consultation process, law drafting instructions and approval by the States Assembly.

The meeting discussed the introduction of a scheme and noted the following comments:

- i. A pilot scheme might be useful prior to introduction on a wider basis; issues to be considered included the need for the vehicle to be suitably equipped e.g. fire extinguisher, a functioning WC etc.
- ii. A fee should be payable; the scheme should not under-cut local campsites which currently provided sites for camping.
- iii. A gas certificate would be required and a minimum distance maintained between vehicles.
- iv. Policing might be required and would need to differentiate between persons who had fallen asleep in a vehicle and those staying overnight. It would still be legal to park a vehicle overnight.

- v. Difficulties were identified with a number of the possible sites due to the narrow access road, peak season demands in popular areas and environmental issues.

Following discussion, the meeting decided that a pilot scheme should be considered before introducing a wider scheme. The Connétables of St Peter and St Ouen offered to identify suitable sites for a pilot scheme and IHE officers were asked to enquire with the Planning Department about the proposals. It was accepted that the work to provide even a pilot scheme would take several months and the earliest this was likely to be possible was 2022. The Minister and IHE officers were then thanked for attending the meeting and withdrew.

Honorary
Police – group
insurance
policies
renewal

9. The Comité considered the recommendations of the Honorary Police Insurance Panel regarding the renewal of the Honorary Police group insurance policies from 1st May 2021 (the polices covered 11 Parishes excluding St Helier which had separate cover).

Islands Insurance, the broker, had provided renewal terms for several policies but concern had been expressed about the lack of cover for illness (the Personal Accident policy only covering accidents but not illness arising either from an accident or separately) and that the use of PAVA spray should be covered in the Public Liability and Torts policy (the current insurer had to date declined to provide cover). Following discussion, the Comité confirmed the renewal of the following policies:

- Personal accident policy (Chubb): no change to the terms including the core benefit of £700,000; premium details were awaited. No claims had been made or reported in the last year.
- Personal accident – dental top-up policy (NFU Mutual Insurance Society Ltd): premium of £821.41 based on 271 officers but this to be revised based on actual members (the 2020 premium was £691.51 based on 220 members) for indemnity limit of £20,000. No claims had been made or reported in the last year.
- Legal expenses policy (DAS): unchanged premium of £9,951.16 for indemnity limit of £250,000. There had been no use of the helpline/counselling line in the last year; one claim had been paid for legal defence costs.

The Comité deferred a decision on the renewal of the following policies and agreed to consider the renewal terms at a further meeting prior to 1st May 2021 -

- Public Liability and Torts Policy (Insurance Corporation)
- Public Liability Excess Layer Policy (Incepta).

Political
Awareness
Education sub-
committee

10. The Comité heard from the Connétables of Grouville, St Peter and St Helier, members of the Privileges and Procedures Committee Political Awareness Education sub-committee, that at a recent meeting it discussed whether formal arrangements should be made for primary and secondary school students to visit the Parishes. The sub-committee's terms of reference were:

To facilitate closer co-operation between the work of the Privileges and Procedures Committee relating to raising political awareness and engaging with the public about the work of the Assembly. It also engages with other bodies working with young people to encourage an interest in politics, particularly Education.

The Comité heard from Connétables of the current arrangements between Parishes and their primary schools which helped to ensure young people were aware of the parochial structure and process.

- Covid-19 issues – relaxation of restrictions
11. The Comité, with reference to its minute no. 6 of 11th January 2021, noted the following in relation to the further relaxation of restrictions relating to coronavirus:
- a) Parish Assemblies – arrangements for postponed elections of Roads Committee members were being made by Parishes.
 - b) Parish Hall room hire – was recommencing in some Parishes taking into account the current public health guidance.
 - c) Planning road shows – requests to hold displays at Parishes were being considered subject to the usual room hire charges (and other public health guidance).
- Planning issues – St Martin query
12. The Comité was asked whether any Parish had made a submission in relation to a planning application which had been taken to appeal by a third party. In a recent instance an applicant's representative had taken exception to the involvement of the Parish and suggested that a Parish should not comment on any planning application save on matters involving the Parish highways. The Comité considered that the planning process was an open and transparent process in which all might participate.
- Liberation 76 – 2021
13. The Comité noted that the Bailiff had written to all States Members to provide an overview of the plans for Liberation Day 2021 which would be virtual. Public events, including parish events, would be limited until June at the earliest due to ongoing coronavirus restrictions.
- Children and Young Persons Law / Adult Safeguarding issues
14. The Comité was informed that requests had been received for presentations to be made on the following –
- Draft Children and Young Persons Law 202-: to discuss the main provisions of the law and what the role of Corporate Parent would involve.
- Making Safeguarding Personal (MSP): this related to safeguarding adults at risk.
- Lions Club – afternoon tea parties
15. The Comité noted that every Parish had been invited to assist the Lions Club of Jersey to offer an afternoon tea party to a limited number of persons who were living alone and had been unable to meet with family and friends due to the coronavirus pandemic restrictions but who would enjoy the opportunity to socialise. The Club had asked for responses by 31st May 2021.
- Next meeting
16. The Connétable of St Mary was thanked for his hospitality and the Comité noted the next meeting was on 17th May 2021.

Chairman Date

