

Comité des Connétables

Minutes of the meeting held on
Monday 10th April 2017
at the Parish Hall, St Clement.

Present:

Connétable de St Clément - L. Norman, Chairman
Connétable de St Pierre - J. M. Refault, Vice Chairman
Connétable de St Laurent - Mrs D. W. Mezbourian
Connétable de Ste Marie - Mrs J. Gallichan
Connétable de St Ouën - M. J. Paddock
Connétable de St Brélade - S. W. Pallett (present for items 1, 2, 16 - 18 only)
Connétable de St Martin - M. P. S. Le Troquer
Connétable de St Sauveur - Mrs S. A. Le Sueur-Rennard
Connétable de Grouville - J. E. Le Maistre
Connétable de St Jean - C. H. Taylor
Connétable de la Trinité - P. B. Le Sueur

An apology for absence was received from the Connétable de St Hélier - A. S. Crowcroft.

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

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

Planning &
Environment:
infrastructure
levy and
planning
obligation
agreements

1. The Comité received the Minister for Planning and Environment, the Planner (Policy) and the Principal Planner – Island Plan Review, Planning and Environment Department, to discuss Planning Obligation Agreements and the proposed Jersey Infrastructure Levy.

Planning Obligation Agreements (POAs): were already in the Island Plan but had not always been applied consistently. The POA was a legal agreement under Article 25 of the Planning and Building (Jersey) Law 2002 and was usually used when a planning condition was not appropriate, the required works needed to happen outside of the development site and/or when there was a financial commitment made by the developer (for example the voluntary percentage for art scheme). Planning obligations should only be sought where they met all the following tests:

1. necessary to make the development acceptable in planning terms, meeting the objectives of the Island Plan;
2. directly related to the development; and
3. fairly and reasonably related in scale and kind to the development.

The parochial Roads Committees were statutory consultees and were invited to consider how the draft guidance could influence and support planning decisions for developments that affected Parish Roads. The consultation paper set out indicative costs of travel and transport infrastructure obligations which might be imposed. Comments were invited by 10th May 2017 following which the Minister would consider the adoption of the Supplementary Planning Guidance Note.

Jersey Infrastructure Levy: whereas POAs were limited and only affected larger developments, the Jersey Infrastructure Levy was intended to be spread across more and smaller developments. The plans were for a possible levy on land development to help fund community infrastructure and encourage affordable housing. This would help with the regeneration of St Helier, making it a more attractive place to live, work and visit. It was believed the benefits of a charge could include:

- More certainty to developers about what they would have to pay for infrastructure, which would help them to decide on an appropriate price to pay for development land
- More transparency - the public and developers would be able to see how funds had been spent
- More fairness – any charge would apply to all developments. To date, few sites and especially smaller developments, had contributed towards new infrastructure in the area.

A pre-requisite for any new policy was its viability and examples of costs had been included in the consultation paper; the Department was working closely with the construction industry to ensure that any charge was viable, would not restrict appropriate development, and also provided more certainty and clarity.

The meeting discussed the proposed use of funds raised through the levy to fund infrastructure and community initiatives, including the eastern cycle track, and that these funds would be ring-fenced. The Department had engaged with the construction sector over a number of years and further consultation would be undertaken before taking recommendations to the States for approval later in 2017. The parochial Roads Committees were invited to consider the application of POAs and the levy in relation to planning applications in the parish and the Department's officers were available to provide further information about the schemes. Following discussion the delegation was thanked for attending and then withdrew from the meeting.

Minutes

2. The minutes of the meeting held on 6th March 2017, having been previously circulated, were taken as read and were confirmed.

Honorary Police Association – accounts and budget

3. The Comité discussed the accounts for 2016/17 and budget for 2017/18 of the Honorary Police Association (HPA) which had been submitted for its consideration, and noted apologies from the President and Honorary Treasurer of the HPA who were unable to attend the meeting. The Comité noted the accounts for 2016/17 showed income of £4,118 and expenditure of £2,876 resulting in a surplus of £1,242 with a balance carried forward of £4,209. The Comité then approved the proposed budget expenditure for 2017/18 of £3,800 and decided that the parishes would fund a subscription of £17 per officer (based on the number of officers at 1st May) but, as this committed members of the Comité to expenditure and its rules required the assent of all members on the first occasion, the Comité agreed it should be further considered at the next meeting.

Road Works and Events (Jersey) Law 2016 - Jersey car rally 2017

4. The Comité received Mr M Cotillard, Chair of the Jersey Car Rally, and the Transport Planner, Department for Infrastructure (DfI), to discuss the application under the Road Works and Events (Jersey) Law 2016 for the car rally to be held in October 2017.

Mr Cotillard informed the Comité that, as the newly appointed Chair, he had sought the meeting to discuss the first application for the car rally under the 2016 law. He had already spoken with the Connétables of those parishes in which a stage was planned so that the public relations exercise could commence and he welcomed advice as to the application format and information which Connétables wished to receive when considering the grant of a licence for the rally. The rally was being held with the approval of the Motor Sports Association (MSA) and it was proposed, subject to agreement, to provide for online feedback from residents in the vicinity of the proposed stages and to provide for an information leaflet to be delivered to every home in the Island rather than a notice in the Jersey Evening Post. The Transport Planner advised that a licence must be issued to enable the event to be held on the roads; assistance with the drafting of the licence and relevant conditions could be provided by DfI and it should refer to the event plan/MSA requirements.

Following discussion the Comité noted that Connétables would prefer one application which could be shared with all parishes; that each Connétable of a parish hosting a stage should sign the licence and that online parishioner feedback was acceptable. Mr Cotillard and the Transport Planner were thanked for attending the meeting and then withdrew.

TUO –
registration of
births/deaths

5. The Comité, with partial reference to its minute no. 8 of 14th November 2016, discussed the presentation to Registrars and parish officers about TUO (“Tell Us Once”) and the registration online (as an online copy register) of births and deaths. The Comité noted that all parish Registrars continued to personally write in the parish paper registers and this aspect of the service was unchanged. Currently six parishes were part of TUO online registration and the Superintendent Registrar was assisting other parishes using the system that best suited them and their requirements. Almost all parishes had applied for a licence for the parish secretary as this was by far the most cost effective option as only one licence was required for the parish. The licence fee was to run a system that would be used in due course for other online services.

Stray dog
contract –
collection and
housing service

6. The Comité, with reference to its minute no. 8 of 6th March 2017, received a report from the panel following the meeting with the Chief Executive of the Jersey Society for the Prevention of Cruelty to Animals (JSPCA) to review the 3-year service level agreement (SLA) for the collection and housing of stray dogs which would end on 30th November 2017. Having noted that the Centeniers and the JSPCA were satisfied that the agreement was working well, and that the SLA provided for the authority (the Comité) to extend the Agreement at its discretion on an annual basis for up to a maximum of 2 years (with revised collection and housing charges applying to years 4 and 5) the Comité confirmed that the SLA should be so extended to cover the two year period 1st December 2017 to 30th November 2019. The Chairman was requested to write to the Chief Executive, JSPCA, to confirm the extension.

Firearms
(Jersey) Law
2000

7. The Comité, with reference to its minute no. 15 of 6th February 2017, noted that the Assistant Minister for Home Affairs, in her capacity as Chair of the Firearms Liaison Group (FLG), had replied regarding the proposed increase in fee for a firearm certificate. The FLG, at its meeting on 13th January 2017, acknowledged the fee had not increased since 2011 and agreed, in principle, that an increase should now be considered by the Comité. The Minister had therefore been asked to ensure the increase proposed by the Comité was made in time to take effect from 1st May 2017.

Parish
boundaries –
research by
Jurat Henry
Perrée and Mr
R Long

8. The Comité received Mr R Long who outlined the research undertaken by Jurat Henry Perrée to correct some known errors in the positioning of parish boundaries on the Ordnance Survey map. This was completed in 1982 and Mr Long, who had received a copy of the original research, was working with the Publications Committee of the Société Jersiaise to publish the work with the consent and encouragement of all relevant States officers and departments. Some revision of Jurat Perrée’s work had been necessary to accommodate new and altered structures, and changes to the topography which affected his description of the lines taken by boundaries, but any changes to the text had been made solely to describe these lines with the boundaries remaining totally unaltered. Mr Long said that Jurat Perrée had consulted several hundred property deeds in the *Registre Public* to confirm anomalous situations spanning parish boundaries and he expected that the research might be published later in the year. Following discussion Mr Long was thanked for attending the meeting and then withdrew.

States
Chamber: 130th

9. The Comité received the Assistant Greffier of the States who outlined the proposed States Chamber 130th anniversary tour around the parishes following a launch event on 21st June 2017 (the date of the anniversary itself) and exhibition in the Court Building.

- anniversary
tour
- The parishes were asked to provide a suitable area accessible to the public for the display of the information panels. The Assistant Greffier was asked to provide an article for inclusion in parish magazines to publicise the tour. Following discussion the Assistant Greffier was thanked for attending the meeting and then withdrew.
- Honorary
Police (Jersey)
Law 1974 –
requests for
assistance
under Article
5A for 2017
events
10. The Comité considered a paper setting out the events in 2017 for which Connétables of various parishes requested the assistance of the Honorary Police of other parishes pursuant to Article 5A of the Honorary Police (Jersey) Law 1974.
- The Comité discussed the new provisions in the Road Works and Events (Jersey) Law 2016 for the licensing of events on a road and, with reference to its minute no. 8 of 16th January 2017, recalled that it had noted that a Connétable requesting assistance from another parish for an event should be asked to specify the number of officers required; if officers were not available the parish should consider whether it was able to assist with the event (there should not be an expectation that the Honorary Police would provide resources but the organiser should expect to provide all support necessary to ensure an event could be safely managed).
- The Connétables, subject to the aforementioned matters, pursuant to Article 5A of the 1974 Law signed a document to confirm their permission for Honorary Police officers of their Parish, subject to the operational requirements of their home Parish as determined by the Chef de Police or the Duty Centenier, to assist at any of the events and requested that a copy of the document should be circulated for the information of the Honorary Police in all parishes.
- Honorary
Police –
safeguarding
issues
11. The Comité, with reference to its minute no. 11 of 6th March 2017, received a report from the Chairman and Connétable of St Lawrence on their meeting with the Independent Chair for Children and Vulnerable Adults Safeguarding to discuss matters arising from the recent serious case reviews. The Connétables had explained that, although not all parishes had community support teams, all were available to assist vulnerable persons who were brought to their attention but they were unable to provide assistance if not notified of a need. The Independent Chair had also been invited to contribute articles on safeguarding for adults and children for publication in parish magazines.
- Driving
licences – issue
of provisional
licence to
person holding
a foreign
driving licence
12. The Comité was reminded that Article 4(2) of the Road Traffic (Jersey) Law 1956 provided that a person wishing to apply for a licence should make a declaration in a form approved by the Minister that the person was a permanent resident of Jersey. Upon making such a declaration, an applicant who had hitherto benefitted from Article 2(1) of the Motor Vehicle (International Circulation) (Jersey) Regulations 1958 confirmed in effect that he or she was no longer temporarily in Jersey, hence the normal provisions of the Road Traffic (Jersey) Law 1956 applied to that applicant, and he/she could no longer drive on the foreign permit/licence.
- Liberation Day
service and re-
enactment
- 13 The Comité noted that a notice had been placed in the Jersey Evening Post on 31st March 2017 advising that applications for tickets could be made to the parish halls.
- Draft Public
Elections
(Amendment of
Law) (Jersey)
Regulations
201-
(P.13/2017)
14. The Comité, with reference to its minute no. 1 of 20th February 2017, noted correspondence from the Deputy Viscount expressing concern about the proposed change to the date for sending and returning electoral statements (if the draft Public Elections (Amendment of Law) (Jersey) Regulations 201- P.13/2017 was approved by the States) as the dates clashed with the requirement for each Connétable to provide a list of parishioners suitable for jury service (*état nominative*). The lists were drawn down electronically from each parish on the second Monday of November in accordance with Article 1 of the Loi (1912) sur la Procédure devant la Cour Royale, the Loi (1864) réglant

la procedure criminelle and the Criminal Procedure (Tirage) Rules 2002. The Chairman had replied that the proposed change was a direct result of the change in date of the 'general election' for States members and the parishes would expect that annual statements might be completed and returned, and the ERS updated, before the date when the *tableau général* was drawn. All parishes would be asked to ensure the work was completed, as far as practicable, prior to mid-November each year.

Next meeting

15. The Chairman was thanked for his hospitality and the Comité noted the next meeting would be on 15th May 2017.

Chairman*L Norman*..... Date ...*15/05/2017*.....