

Comité des Connétables

Minutes of the meeting held on
Monday 14th February 2022
(virtual meeting conducted online).

Present:

Connétable de St Laurent - Mrs D. W. Mezbourian, Chairman
Connétable de St Sauveur - Mrs S. A. Le Sueur-Rennard
Connétable de St Brélade - M. K. Jackson
Connétable de la Trinité - P. B. Le Sueur (not present for items 12-19)
Connétable de St Pierre - R. P. Vibert
Connétable de Ste Marie - J. M. Le Bailly
Connétable de St Ouën - R. A. Buchanan (not present for items 3, 4, 14-19)
Connétable de St Martin - Mrs K. Shenton-Stone
Connétable de St Jean - A. N. Jehan
Connétable de St Clément - M. O'D. Troy

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

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

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

Island Plan
2022-2025:
Approval
Seventy-Sixth
Amendment -
Visitor Parking
(P.36/2021
Amd.(76))

1. The Comité received Deputy J Maçon of St Saviour to discuss his proposition the "Island Plan 2022-2025: Approval (P.36/2021) – Seventy-Sixth Amendment", which related to the provision of visitor parking. Deputy Maçon explained that whilst the Island Plan sought to reduce the use of the private vehicles, it nonetheless should be noted that some services would need to be delivered to properties in vehicles of various sizes including deliveries, trades people and care services. The lack of availability of parking spaces, particularly in urban areas, either caused a nuisance to residents by blocking roads (causing enforcement problems for the Parish authorities) or prevented these services being delivered thus causing significant problems for those working in the care sector. Visitor parking was essential for the successful provision of Island-wide health and social care. The proposed amendment was designed to ensure the protection of visitor parking provision for services which were temporary in nature or could not practically be supplied without close parking provision.

The Comité heard from Connétables of the difficulties in their own Parishes and that the availability of visitor parking was an issue in both the urban and countryside areas of the Island. Many Parishes now employed traffic wardens or parking control officers to police the limited parking which was available. Whilst there remained a reliance on car use, whether this was petrol and diesel vehicles or more carbon-neutral electric vehicles, there would continue to be a need for adequate parking provision. This included for residents and also for deliveries, trades people and care services. The Comité, having noted the amendment was supported by all Connétables, agreed it should present comments to the States Assembly on this amendment as the issue was a matter of concern for all Connétables. Deputy Maçon was thanked for attending the meeting and then withdrew.

Jersey Royal
potato growing
competition –
Occ. VIPs

2. The Comité, with reference to its minute no. 5 of 10th January 2022, noted that just over 100 Occupation VIPs had requested a Jersey Royal potato kit to take part in the 2022 potato growing competition. The Comité decided the weigh-in arrangements (venue, date etc) would be agreed at its next meeting.

- Property search fee – review of
3. The Comité recalled that a fee was charged by each Parish for a response to a ‘Property search’ enquiry made by legal practices in connection with the conveyance of property. This was not a statutory charge but an administrative charge imposed by every Parish. The Comité recalled that the fee increased to £40 (inclusive of GST) on 1st May 2017 based on the change in the retail price index (RPI) to December 2016. The RPI increase from December 2016 to December 2021 was 15.5% and the Comité therefore decided to increase the fee to £50 from 1st May 2022 (£47.62 fee plus GST of £2.38). The Secretary was requested to inform all legal practices of the forthcoming increase.
- Jersey Tree Strategy
4. The Comité, with reference to its minute no. 7 of 6th September 2021, was reminded by the Connétable of St Brelade that he had been the Comité’s representative on the stakeholder group as part of the “Species and Habitat Protection” project aiming to protect, maintain and enhance Jersey’s current and future trees, though due to sittings of the States Assembly he had been unable to attend the meetings. He had been kept informed of proposals and a draft Jersey Tree Strategy had now been prepared – this would be circulated once it had been finalised. The recommendations might have some implications for Parishes but it was possible these could fall within the remit of an existing Parish group, for example Parish in Bloom.
- Procureurs du Bien Public - training
5. The Comité, with reference to its minute no. 11 of 6th December 2021, received proposals from the Connétable of St John for training for the Procureurs du Bien Public. The Comité recognised the importance of the role of the Procureurs within the Parish system and, with continuing changes to legislation, it was important for the Procureurs to know and understand their responsibilities and how to access support when required. It was proposed that, on a fairly regular basis, a briefing session open to all Procureurs would be held at which issues including data protection, employment legislation, health and safety, finance issues and property management could be addressed by guest speakers. The aim was to raise awareness of the subjects and assist in terms of networking. The Comité, having recalled that some Procureurs had many years’ experience in the role, recognised that guidance was always helpful and therefore, whilst not mandatory, it was hoped all Procureurs would be encouraged to attend such sessions which might also be of interest to newly elected Connétables. The Connétable of St John, having been thanked for his work on preparing the proposal, was asked to liaise with the Secretary with a view to arranging a first session at the earliest opportunity.
- Procureurs du Bien Public – role description
6. The Comité, with reference to its minute no. 19 of 6th September 2021, was informed that the Superior Number of the Royal Court had on 3rd February 2022 approved the role description for the Procureur du Bien Public, and agreed that it should be circulated to all Procureurs, Parish Secretaries and auditors and published on Parish websites.
- Procureurs du Bien Public – Parish of St Mary
7. The Comité was informed by the Chairman that on 4th February 2022, H. M. Attorney General had presented to the Royal Court a Representation regarding the resignations requested by the two Procureurs du Bien Public of St Mary. In declining to accept those resignations, the Court had adjourned the matter for two months and had invited the Chairman to contact the Procureurs to seek to resolve the matter. The Chairman reported she was awaiting formal instructions and would then act accordingly.
- Explosives (Jersey) Law 1970 – dates permitted for retail sale of
8. The Comité, with reference to its minute no. 2 of 10th January 2022, received representatives of Starburst Fireworks Ltd and the Area Commander – Fire Safety, Jersey Fire and Rescue, to discuss the conditions and dates for the retail sale of fireworks in 2022. The Comité had indicated that it was minded to approve the proposed retail sale dates of 28th October to 6th November 2022 but to prohibit the sale of Category 3 (also known as

fireworks in
2022

F3) fireworks which were display, rather than garden, fireworks but, before reaching a decision, had invited comments thereon.

The Comité was informed by Starburst Fireworks representatives of their concern at the impact the proposed prohibition of the sale of Category F3 fireworks would have on his business and commenting that both Categories F2 and F3 were ‘garden fireworks’. For ease of reference the trade and UK Government had labelled them “Garden” for Category F2 (up to 8 metres safety distance) and "Garden display” for Category F3 (up to 25 metres safety distance) which were suitable for families with larger gardens. Starburst Fireworks was an extremely responsible business and actively promoted the safe and considerate use of its products, especially with the Jersey demographics, and tried to encourage people to let their neighbours know if they were holding a family event, especially if there were elderly residents or animals close by. However there would always be complaints and he asked to understand the volume and the timeframe in which they were received. There were no fireworks on the market that exceeded 120 decibels and, in reply to questions, he assured that ‘silent’ fireworks did not exist as an explosive charge was required; quiet fireworks existed but these were c. 95-103 decibels.

The Comité explained it did not wish to prevent families from enjoying smaller private displays at home but it was always mindful of the complaints received when fireworks cause distress to neighbours (including those suffering from post-traumatic stress disorder) and animals. The Area Commander was invited to provide an update on the drafting of new legislation and advised that it was likely to be brought forward later in 2022. Following discussion the delegation was thanked for attending and then withdrew from the meeting.

The Comité then considered the issues raised and, in relation to the availability of silent or quiet fireworks, considered there was merit in seeking independent advice. Following discussion the Comité supported (8 in favour) the retail sale of categories 2 and 3 fireworks in 2022 but agreed this should be reviewed for 2023. The retail sale dates of Friday 28th October to Sunday 6th November 2022 inclusive were also agreed.

2022 Elections

9. The Comité, with reference to its minute no. 21 of 10th January 2022, considered the following in relation to the elections to be held in 2022:

- a) Amendments to the Elections (Jersey) Law 2002 – it was noted these were now in force and the Parish Secretary was the ‘electoral administrator’ for the Parish, unless another employee was so appointed. It was noted that the Law did not provide for an elected officer to undertake the role of electoral administrator (as had been the case when a Procureur du Bien Public would undertake the role should the Connétable be a candidate in an election) and it was suggested that this should be reviewed at a future date.
- b) Polling stations – the Judicial Greffier was not supportive of providing more than one polling station within any one electoral district as the wider use of postal voting was likely to reduce footfall on polling day and, in the absence of a digital electoral register able to provide contemporaneous updates regarding who had voted, there was a concern about the potential for multiple voting by a single voter.
- c) Notice of Registered Voters – a revised template was circulated and approved which included suggestions from the States Greffe; the Notices would be sent out between 1st – 15th March 2022 with costs met by the States in accordance with the Law. The Notice would include details of the polling station for the electors to whom it was sent and these were being confirmed with the Judicial Greffe.
- d) Adjoints – the Comité approved a draft letter which might be sent to invite persons to assist as an Adjoint at the elections, the letter made reference to the Standards in Parish Service, the need to be impartial (not to align/support candidates/political parties), about training/briefing and data confidentiality.

- e) Jersey Electoral Authority (JEA) – the Comité noted the members of the JEA had been appointed pursuant to the Elections (Jersey) Law 2002. The Parish Secretary of St Clement had been appointed as the representative of electoral administrators and was an ex officio member of the JEA.
- f) Election materials – the Comité noted that the Department for Infrastructure, Housing and Environment was in the process of updating guidelines for candidates about the placing of election materials on the public highway and these would be circulated for consideration by Parishes in due course.

Data Sharing Agreements – DVS and Ports of Jersey

10. The Comité noted that the Data Sharing Agreements with the Ports of Jersey and with Driver and Vehicle Standards (DVS) were due for renewal and would be circulated for the next meeting.

Draft Marriage and Civil Status (Amendment No. 5) (Jersey) Law 202- (P.6/2022) – notice periods

11. The Comité, with reference to its minute no. 16 of 10th January 2022, considered correspondence from the Minister for Home Affairs proposing the notice period which would be prescribed under the amendments proposed in the draft Marriage and Civil Status (Amendment No. 5) (Jersey) Law 202- (P.6/2022) which was to be debated on 1st March 2022. If approved, the draft would make amendments in respect of civil registration and the roles of Parish Registrars and the Superintendent Registrar. The Superintendent Registrar might then hold the statutory function and associated liability for civil registration for those Parishes who wished for that to be the case, and Parishes would retain the ability to have the function returned to them, subject to providing a period of notice. The Minister's proposals in respect of the notice periods were as follows, the different arrangements for St Helier taking into account that the overwhelming majority of registrations were conducted in St Helier and to commence, or cease, fulfilling this function would require significant planning for the Parish and for the Superintendent Registrar –

- For Parishes wishing the Superintendent Registrar to commence undertaking the function, a notice period of 3 months for all Parishes except for St Helier, which should be required to provide 6 months' notice.
- For Parishes wishing the Superintendent Registrar to cease undertaking the function, a notice period of 6 months for all Parishes except for St Helier, which should be required to provide 12 months' notice.

The Comité supported the proposed notice periods and requested the Chairman to reply accordingly.

Jersey Police Dependents Trust

12. The Comité noted that the Jersey Police Dependents Trust was established to benefit any police officer, any dependant of a police officer or deceased police officer, and any person (and any dependant of any such person) who had sustained injury in rendering assistance to a police officer acting in the execution of his duty. 'Police Officers' included members, whether paid or honorary and whether serving or retired, of the Police Force in the Island of Jersey.

Big Ride Out Sunday 29th May 2022

13. The Comité, noted correspondence regarding proposals for the Big Ride Out to be held on 29th May 2022 in support of Holidays for Heroes with over 1,000 motorcyclists from the UK, France and Guernsey expected to take part. The Comité recalled that in previous years the response of Connétables was that they did not permit the event as a 'convoy' under the Policing of Roads (Jersey) Regulations 1959 and permission was not being given for a parade or procession in their parish as the primary concern had to be for the general safety of all road users and ensuring the flow of traffic was not impeded. However, assistance might be provided by the Honorary Police, including with traffic management at traffic junctions without impeding emergency vehicles. Further, a risk

assessment should be undertaken and the route times carefully considered and publicised in advance. The Comité requested Connétables of the Parishes through which the route was proposed to pass to discuss the proposal with their Chef de Police.

Platinum
Jubilee/
Liberation 2022

14. The Comité, with reference to its minute no. 6 of 10th January 2022, noted –
- a) Each Parish had been allocated £1,000 from the Bailiff’s Chambers for Liberation 77 as a catch-up fund to Liberation 75. This amount was not a recurring amount, however it was appropriate for Liberation 77 in order to enable parish activities.
 - b) The Jersey Community Foundation link for applications for funding from the Platinum Jubilee Lottery Fund.

Draft Children
and Young
People (Jersey)
Law 202-
P.107/2021

15. The Comité, with reference to its minute no. 19 of 11th October 2021, noted that the coming into force date of the Draft Children and Young People (Jersey) Law 202- (P.107/2021) which was approved by the States on 8th February 2022, would be set by Appointed Day Act rather than commence on 22nd June 2023, as originally intended. Under the Law, the Corporate Parents included “the Parishes” as Public Authorities and, when discharging functions under this Law, the Parishes must have regard to the overriding objective and four principles founded in the United Nations Convention on the Rights of the Child (UNCRC). The term ‘children’ and ‘young people’ in the Law applied to all children up to the age of 18. Where young people were referred to, this meant young people who were aged 18 up to (but not including) the age of 25 and were care leavers or who had a disability.

Jersey Door
Registration
Scheme –
Licensing Law

16. The Comité noted the act of the Licensing Assembly in respect of the Representation of Her Majesty’s Attorney General and in the matter of Article 9 of the Licensing (Jersey) Law 1974 and in the matter of the Jersey Door Registration Scheme ordering that the Business Support Unit of the Justice and Home Affairs Department was to take responsibility for the scheme.

Island Identity
project

17. The Comité, with reference to its minute no. 8 of 6th December 2021, noted a reply from Deputy C Labey, Minister for International Development, thanking it for the update on the recommendations of the Island Identity project and advising that progress could be shared on the Island Identity website.

Arising from this, the Comité noted the “Amendment To Standing Orders – Inclusion Of Island Identity Statement” (P.17/2022) lodged by the Minister for International Development proposing Standing Orders be amended so that a “draft must be accompanied by the proposer’s statement of how the proposition, if adopted, would either enhance or diminish the Island identity and the international reputation of Jersey”.

JE Parish Earth
Partnership

18. The Comité, with reference to its minute no. 7 of 10th January 2022, noted that the Chairman had written to the Chief Executive, Jersey Electricity plc, regarding Parishes and the Parish Earth Partnership project and explaining that since JE’s original proposal, the Parishes had also been asked to support the Queen’s Canopy initiative which marked Her Majesty’s platinum jubilee in 2022. Some of the micro forest proposals were therefore evolving and might now be developed for this wider purpose with private donations rather than solely under the sponsorship of the JE Parish Earth Partnership. Nevertheless, it was hoped that JE would wish to continue its support of these carbon neutral projects and might be able to offer sponsorship to those Parishes pursuing such a wider project.

Next meeting

19. The Comité noted the next meeting was on 7th March 2022.

Chairman Date