

Comité des Connétables

Minutes of the meeting held on
Monday 5th September 2022
at the Parish Hall, St Ouen.

Present:

Connétable de St Brélade - M. K. Jackson, Chairman
Connétable de la Trinité - P. B. Le Sueur
Connétable de St Pierre - R. P. Vibert
Connétable de St Martin - Mrs K. Shenton-Stone (present for items 18-20)
Connétable de St Jean - A. N. Jehan
Connétable de St Clément - M. O'D. Troy
Connétable de Grouville - M. Labey
Connétable de St Ouën - R. Honeycombe
Connétable de St Sauveur - K. C. Lewis

Apologies for absence were received from the Connétable de St Laurent - Mrs D. W. Mezbourian, Vice Chairman; the Connétable de St Héliier - A. S. Crowcroft and the Connétable de Ste Marie - R. D. Johnson.

In attendance:

Mrs S. R. de Gruchy, Secretary
Mrs J A Bertram, Secretary (for part of the meeting)

The meeting was held in public but those attending withdrew prior to the discussion of item(s) considered to be exempt under the Freedom of Information (Jersey) Law 2011. Where any part of such item(s) is subsequently considered not to be exempt, it is recorded in the 'public' part of these minutes with the remainder recorded in the section of the minutes which is exempt under the Freedom of Information (Jersey) Law 2011.

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

Guidelines for open meetings

1. The Comité, with reference to its minute no. 5 of 18th July 2022, at which it was agreed that when items which would not be exempt under the Freedom of Information (Jersey) Law 2011 (FOI Law) were considered the meetings should be open for any person to attend, considered and approved the guidelines "Admission of the public and press to meetings – September 2022" and agreed that these should be published.

Minutes

2. The minutes of the meeting held on 18th July 2022, having been previously circulated, were taken as read and were confirmed.

Minister for Infrastructure

3. The Comité received the Minister for Infrastructure, the Minister's Private Secretary and the Head of Transport, Highways and Infrastructure, Department of Infrastructure, Housing and Environment (IHE), to establish a regular dialogue on a range of issues. The following were considered:

- a) JURAF (Jersey Utility and Road Authority Forum) meetings: the Comité asked that JURAF meetings should not coincide with its meetings as the Connétables found the Forum most useful and would wish to attend.
- b) Designated roads P.79/2020: the meeting discussed the work undertaken to date and recent changes, for example to the Highway Code to prioritise vulnerable users. The meeting agreed that further discussion should be exempt as "policy

- formulation” and that its sub-committee should consider this further with the Minister (minute no. 20 of 11th October 2021 refers).
- c) Jersey Law Commission: the Comité noted that, further to the case of Dobson v Public Services regarding the non-repair of a main road, the Commission was undertaking a review of the law. The issues of mal-feasance and non-feasance were explained and the meeting noted the Love Jersey app could be used to report issues with roads to IHE and the Parishes. IHE carried out periodic inspections of roads and the Chairman commented that it would be useful to Connétables to know when work was being undertaken as they were often asked by parishioners.
 - d) Active Travel Plan for Jersey/Cycle Friendly Jersey Event: the Comité recalled that IHE had organised an event in March/April 2022 and had asked to make a presentation (minute no. 10 of 4th April 2022 refers). The Comité had expressed a wish to learn more of the Government’s transport policy when considering the next steps in relation to P.79/2020 and it was referred to the Government’s website for an overview and further details about the active travel plan.
 - e) Branchage/Loi (1914) sur la Voirie: the maintenance of Government roads and footpaths was raised as it appeared that some road edges were neglected by IHE. The Comité was informed that a road sweeper was used to clear the base of roadside walls but that footpaths were cleared by hand. The comments regarding responsibility for footpaths would be fed back to the Roads Law Review given the possible extension of footpaths into the country areas.
 - f) Parishes’ Green Waste (P.73/2022): recycling/refuse proposals would be considered further at a future meeting (minute no. 11 of 16th May 2022 refers).
 - g) Green Lanes and speed limits: several Connétables spoke of the possibility, subject to approval by their Parish Assemblies, of extending the Green Lane network (these roads being limited to a maximum speed of 15 m.p.h) and it was suggested that isolated Green Lanes could become commuter routes for walkers and cyclists as they were often parallel to a main road. IHE considered it was for the Connétables to decide and set policy about the connectivity of Green Lanes. IHE had completed a speed limit review in a number of Parishes, though some had requested these be revisited, but explained that adherence to speed limits by local motorists was very much informed by the character of the road and that traffic calming measures should be considered. The Comité said there was no collective policy on traffic calming which was, instead, driven by individual circumstances. The officers said that IHE was very keen to work with the Connétables on the Parish ‘villages’ but funding and resources were an issue.
 - h) RWEL (Road Works and Events Law): the definition of an ‘embargo’ on road works and the potential for future utility works, particularly in relation to a greater reliance on electricity supplies, was discussed.

Following discussion, the Minister and officers were thanked for attending the meeting and then withdrew.

Jersey Access
Service
Providers
(JASP) and
Countryside
Access

4. The Comité, with reference to its minute no. 4 of 18th July 2022, agreed that the Connétable of St Clement should be its representative on the Jersey Access Service Providers (JASP). The Comité noted that meetings were held quarterly with the next scheduled for 13th October 2022.

The Comité, with reference to its minute no. 12 of 18th July 2022, noted that the Steering Group for the Countryside Access Project had been established and included the Connétables of St Peter, St Martin, St Helier and Grouville.

The Comité further noted that information had been issued to potential applicants including Parishes and Government Departments as well as to members of the Jersey Access Service Providers and the Jersey Access Forum regarding short term funding for the creation of new access paths as well as the rehabilitation, or bringing back into use, of

former paths, for example historic *chemins*. The funding allocated to the Countryside Access project as agreed by the Political Oversight Group (POG) under the COVID Health and Social Recovery Fund was £750,000 over 2022 and 2023.

Office accounts
and budget

*This is also
recorded in the
minutes of the
Supervisory
Committee*

5. The Comité, with reference to its minutes nos. 9 and 10 of 18th July 2022, received and approved the audited accounts for the Comité des Connétables/Supervisory Committee for the year ended 30th April 2022 and noted expenditure of £121,565 (2021 - £113,414) and income of £118,204 (2021 - £115,508) thus resulting in a deficit of £3,361 for the year (2021 - surplus of £2,094). The Comité des Chefs de Police income was £1,500 with expenditure of £1,009 so a surplus of £491. The balance sheet, which included the Comité des Chefs de Police, showed net current assets of £24,550 (2021 - £27,420). The auditors Alex Picot had reported that they would be issuing a clean audit report. The accounts were adopted with all in favour.

The Comité then considered the budgets for 2022/2023, including for the Comité des Chefs de Police, which it had approved at its previous meeting, the costs of which would be shared equally. However, the Comité recalled its rules on voting required that where the matter would commit either the Comité or any of its members to any expenditure, the matter should be done and decided by 10 votes in favour on the second occasion and, as 10 members were not present, it agreed the matter should be considered again at the next meeting.

Parish
Ecclesiastical
property –
guidelines

6. The Comité, with reference to its minute no. 17 of 16th May 2022, received the ‘Guidelines for Connétables and Rectors on Ecclesiastical matters in the Ancient Parishes of Jersey’ which had been further amended following comments from the Comité and from the Dean. The Comité deferred consideration to its next meeting so that Connétables might have the opportunity to discuss the document with their Procureurs du Bien Public.

Island Identity
project -
Minister for
International
Development

7. The Comité, with reference to its minute no. 17 of 14th February 2022, considered a letter from the Minister for International Development in which she welcomed the opportunity to meet with the Comité to discuss the recommendations of the island identity project. The Comité decided to invite the Minister to attend a meeting in late 2022/early 2023.

Liberation 2022
& the Queen’s
Platinum
Jubilee 2022

8. The Comité, with reference to its minute nos. 4 and 5 of 16th May 2022, noted correspondence from the Bailiff thanking the Comité for the feedback and comments on the celebrations to mark Liberation 77 – 2022 and to celebrate Her Majesty’s Platinum Jubilee 2022.

2022 elections
– CPA report

9. The Comité, with reference to its minute no. 13 of 18th July 2022, was informed that the Commonwealth Parliamentary Association elections observers report was expected to be published in late September 2022 (the preliminary statement had already been published). The Comité also noted the review and recommendations of the Electoral Administrators.

Organised
motorbike rides

10. The Comité, with reference to its minute no. 7 of 18th July 2022, recalled that it had discussed organised motorbike rides and that the advice to organisers was that they must ensure that riders taking part were reminded that all road laws must be obeyed including speed limits, road signs and traffic lights; that it was an offence to use motorbikes at junctions to stop oncoming traffic so that the cavalcade could ride through and that riders must have general consideration for other road users. The Comité noted correspondence from a company which confirmed it continued to promote road safety and

adherence to the law at every opportunity and its rules included that it was against the law to block other traffic at junctions.

Loi (1914) sur la Voirie - Visite des Chemins, Visite du Branchage and landslides

11. The Comité was reminded that Article 12 of the Loi (1914) sur La Voirie specified that each Roads Committee should make an annual inspection of the by-roads of its parish in the month of September, and more often if necessary, accompanied by the Inspectors in their respective Vingtaines; this was known as the Visite des Chemins. This Visite was usually undertaken in conjunction with the September Visite du Branchage.

The Comité then discussed the Visite du Branchage. The requirement to cut extended over the entire width of a road including the *relief* to a height of 12 feet, and 8 feet over a footpath, and the enforcement of penalties was as follows -

- a) Failure to cut the branchage and/or failure to clear cuttings from the road/footpath prior to the Visite du Branchage – an administrative penalty could be imposed; if not paid this was recovered as a civil penalty though the Petty Debts Court (Article 43(1) of the Loi).
- b) An order directing branchage to be cut might be given (Article 42(4)(b) of the Loi); failure to comply with an order was a criminal offence and dealt with in the Magistrate’s Court (Article 43(2)) although a person might accept the jurisdiction of the Centenier at a Parish Hall Enquiry (Article 43(3) of the Loi).

Arising from this the Comité discussed the issue of debris on roads which had fallen from adjoining walls and hedges above a road. This was often as a result of the method employed to cut the branchage and a contractor not being properly directed, and could lead to a bank being undermined at the base particularly if road cleaners’ used wire brushes. Several Connétables gave examples of subsidence they were aware of and the Comité recalled that such issues had been addressed at various Visites Royales with the Court being advised by the Law Officers on specific instances. The “Landslides: report” (R. 39/2001) presented to the States had set out several established principles based on legal advice.

Covid-19 review - reports

12. The Comité, with reference to its minute no. 17 of 18th July 2022, noted the report of the Review Panel was expected to be issued on 21st September 2022 and there would be a briefing for States members prior to its issue.

The Comité also noted that the Public Accounts Committee report “Response to the COVID-19 Pandemic by the Government of Jersey” had been published on 12th April 2022 (PAC.3-2022).

Procureurs du Bien Public – training

13. The Comité, with reference to its minute no. 5 of 14th February 2022, was informed by the Connétable of St John of the proposed training opportunity which had been arranged for the Procureurs du Bien Public on 7th October 2022. All Connétables were also encouraged to attend.

Ferry services to France / Jersey Twinning Associations

14. The Comité, with reference to its minute no. 3 of 16th May 2022, noted that the Manager (Directrice) of Maison de la Normandie et de la Manche had spoken with the Twinning Committees from Normandy who shared the Comité’s concerns about the current Manche Iles Express timetables. The timetable had provided very few opportunities for a day trip to France from Jersey and it was understood the company was already organising its schedule for 2023 having regard to tour operators and group bookings. The number of visitors from France had also been impacted by Brexit and the requirement to hold a passport rather than an identity card; the company had lost some 50% of passengers as a result. This issue had been raised with the Minister for Economic Development, Tourism, Sport and Culture, the Minister for Home Affairs and the Minister for External Affairs though it was recognised to be a complex issue. The Comité discussed

the opportunity for the Twinning Associations to work together to co-ordinate and plan day trips for 2023 thus making the best use of the limited ferry service on offer.

Honorary
Police - thanks

15. All Connétables were asked to convey the thanks of the Connétable of Trinity, and the Connétable of St Martin, for assistance provided with policing the Weekender event in Trinity and Gorey fete in St Martin, respectively.

Next meeting

16. The Connétable of St Ouen was thanked for his hospitality and the Comité noted the next meetings would be 13th September, 5th and 10th October 2022.

Chairman Date