

Comité des Connétables

Minutes of the meeting held on
Monday 13th November 2023
at Maison des Landes Hotel, St Ouen.

Present:

Connétable de St Brélade - M. K. Jackson, Chairman
Connétable de St Laurent - Mrs D. W. Mezbourian, Vice Chairman
Connétable de la Trinité - P. B. Le Sueur
Connétable de St Pierre - R. P. Vibert
Connétable de St Martin - Mrs K. Shenton-Stone
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 Ste Marie - R. D. Johnson
Connétable de St Sauveur - K. C. Lewis

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

Minutes

1. The minutes of the meeting held on 9th October 2023, having been previously circulated, were taken as read and were confirmed.

Statistics Jersey
- Census
'Parish profiles'

2. The Comité accepted an invitation for Connétables to contribute a short forward to the "mini" Census reports which Statistics Jersey proposed to issue for each of the Island's 12 Parishes.

Explosives
(Jersey) Law
1970 – retail
sale of
fireworks 2023

3. The Comité, with reference to its minute no. 2 of 9th January 2023, recalled that the Managing Director of Starburst Fireworks had, at the request of retailers, written on 31st October 2023 to ask that the retail sales date should be extended from 5th November to Saturday 11th November 2023. The Government of Jersey had announced that the public should not travel due to the forecast of Storm Ciarán; public displays were therefore likely to be postponed and retail sales had been affected. In these exceptional circumstances, and not wishing to prevent families from enjoying smaller private displays at home, the Comité had agreed to extend the retail sales period by 6 days. Those planning to use fireworks had been asked to be considerate as the Connétables were mindful that fireworks could cause distress to neighbours (including those suffering from post-traumatic stress disorder) and animals.

The Comité considered correspondence querying the decision to override the existing time restriction on the selling of fireworks and asking for an assurance that the legislation would be robustly enforced in the future. The Comité recalled that the retail sales dates were not set in legislation but were limited by virtue of a condition imposed on a permit issued by a Connétable pursuant to Article 8 of the Explosives (Jersey) Law 1970. The extension had been to assist smaller retailers sell the stock held, rather than additional stock, and the Comité decided to ask Starburst Fireworks to advise on sales prior to replying.

Citizenship Day and information pack to parishioners

4. The Comité considered a letter from Deputy C Alves, Political Awareness and Education Sub-committee of the Privileges and Procedures Committee (PPC), raising two matters which the Sub-committee had discussed. The Sub-committee was also aware of discussions with the Comité through the work on the Island Identity Project (minute no. 6 of 5th December 2022 refers).

The Sub-committee enquired whether each Parish could hold a Citizenship Day or event to bring parishioners together on a set day to enhance community engagement and awareness of the States Assembly. This would also enable the Parish to welcome people to the community, provide an opportunity to meet their elected representatives and discover what they had access to and information on how to vote. It was also suggested that an educational information pack should be sent to all parishioners turning 16 to complement proposals of organising a Citizenship Day/event.

The Comité discussed the opportunities for enhancing community engagement but was mindful that Parishes were unlikely to hold data on those under 16 years of age. The exceptions would be those within 3 months of that age who applied to register as an elector or those applying for a moped driving licence at age 16; however the use of personal information was controlled under the Data Protection (Jersey) Law 2018. The Comité considered that greater engagement with Year 11 students would be achieved through the schools and youth clubs across the island and that this could be supported by Connétables. Several Connétables spoke of their own links and work with the youth projects and schools in their Parish, an example included a youth club proposal to hold a ‘parish assembly’. The Chairman agreed to contact the Director for Education to seek assistance with contacting schools to discuss the opportunities and the Comité would then invite the Sub-committee to attend a future meeting.

Driving licence category dates policy: oral question OQ.217/2023

5. The Comité recalled that the Chairman had, on 7th November 2023, replied to the following oral question (OQ.217/2023) asked in the States Assembly –

“Will the Chair advise whether driving licences in Jersey are issued with the date on which an individual passed their driving test rather than the date of the licence renewal or the date of when a foreign licence was exchanged for a Jersey licence; and, if not, why not?”

The Comité recalled that, with certain exceptions, the date next to a category in column 10 on the reverse of the driving licence would be the date on which the driver’s entitlement started. Entitlement started on the date the driver surrendered a test pass to obtain a full licence and was not necessarily the date on which the individual passed their driving test. The exceptions were an individual who had held a full driving licence since before 1994 (when records were computerised), or who did not apply to renew until after their licence had expired, or who had exchanged a foreign licence for a Jersey licence before June 2021 and had not already had their licence re-issued (minute no. 5 of 12th July 2021 refers).

However, Parish officers had recently been in touch with officers from Driver and Vehicle Standards (DVS) for advice and, having regard to Jersey legislation and to the 2006 3rd EU Directive on Driving Licences, DVS had amended the previous advice and had confirmed the date in column 10 should be when the entitlement to that category started. That entitlement remained regardless of any driving ban imposed by a Court or by failure to renew before expiry, though a person would be driving unlawfully if their driving licence had expired. The Comité confirmed the anomalies identified would be addressed as follows –

- With immediate effect, all licences issued would show in field 10 the date on which entitlement started (or the date in 1994, if later).
- On next renewal, all existing licences would be checked and, where necessary, corrected free of charge.
- Every Parish would offer, at no cost to the driver, confirmation that the entitlement started earlier than that shown on the licence, this might be used

as proof of the length of driving experience e.g. to hire a vehicle or when exchanging a Jersey licence for a foreign licence.

- Should a driver wish the licence to be corrected prior to renewal, the minimum charge would be made (currently £15).

Funds for repatriation of a body: oral question OQ.215/2023

6. The Comité recalled that, on 7th November 2023, the Minister for Social Security had replied to the following oral question (OQ.215/2023) asked in the States Assembly –

“Will the Minister advise whether there is any Government funding available, other than the death grant, to repatriate the body of a person, with no personal assets, who passes away in Jersey, to their country of origin?”

The Minister informed the States Assembly that funding of up to £2,800 was available and she had Ministerial discretion to increase that further. In reply to a supplementary question from the Connétable of St Lawrence, the Minister confirmed she would work with the Connétables and had invited the Comité to contact her if they had concerns about a lack of published guidelines when it came to funding the funeral and/or repatriation of an Islander who passed away without any personal assets. The Comité agreed to invite the Minister to attend a future meeting to discuss the issue.

Jersey in Transition – amendments proposed to the Loi (1914) sur la Voirie

7. The Comité considered a document sent by Jersey in Transition (JiT) to all States members proposing amendments to the Loi (1914) sur la Voirie. JiT had also provided the Comité with the draft minutes of the meeting when the proposals were agreed. The proposed amendments sought to improve the wildlife and biodiversity of banques and verges and to clarify that any action taken to meet the branchage requirements should also meet the detailed requirements of the Wildlife (Jersey) Law 2021. JiT therefore proposed that financial penalties should be imposed where the vegetation was cut or destroyed to less than a depth of 10 cms from the soil surface.

The Comité discussed the proposals but considered it was not practical, given the undulating nature of banks, to set a minimum depth for cutting with machinery. The proposals also risked encouraging occupiers to cut the branchage earlier, thus ensuring at least 10 cms growth when the Visite du Branchage took place, and this could adversely affect the flora and fauna on hedgerows. The Chairman was requested to reply thanking JiT for its suggestions but explaining the Comité could not support the proposed amendments and it considered the issue of the guidelines and education of those responsible for cutting was more beneficial in enhancing and protecting the wildlife.

Statistics Jersey - future joint working/data sharing

8. The Comité decided to invite the Chief Statistician to attend a future meeting to start the discussion on joint working with data and data sharing more generally (this would be arranged in early 2024).

Loi (1884) sur le Prêt sur Gages

9. The Comité considered correspondence from the Associate Director of Financial Services, Jersey Financial Services Commission (JFSC), advising that as part of the proposals to regulated consumer credit in Jersey, JFSC were considering whether the *Loi (1884) sur le Prêt sur Gages* (the Pawnbrokers Act) might need amending, repealing or replacing altogether. However, before taking any further action in this regard, JFSC asked how many pawnbrokers were currently registered with each Connétable in accordance with the 1884 Law. The Connétables confirmed they had received no notice of the intention to exercise the office of ‘pawnbroker’ and requested the Chairman to reply accordingly.

Next meeting

10. The Comité noted the next meeting would be on 4th December 2023.

Maison des
Landes Hotel

11. The Comité received a short presentation from Mr P Tabb, MBE, President of the Council of Trustees of Maison des Landes Inc., outlining the background to the establishment of the hotel and the recent refurbishment project, at a cost of almost £4 million, to create a Community Hub which was available on weekdays to local people who were elderly, infirm, disabled or otherwise disadvantaged to enjoy all the facilities which included lunch, leisure activities and the use of the Hotel's hydrotherapy pool. The Comité expressed its appreciation to the management and staff of the Maison des Landes Hotel for hosting its meeting and then concluded with a tour of the premises.

Chairman Date