

# Comité des Connétables

Minutes of the meeting held on  
**Monday 16<sup>th</sup> January 2017**  
at the Town Hall, St Helier.

## **Present:**

Connétable de St Clément - L. Norman, Chairman  
Connétable de St Pierre - J. M. Refault, Vice Chairman (not present for item 8)  
Connétable de St Hélier - A. S. Crowcroft  
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 Martin - M. P. S. Le Troquer  
Connétable de St Sauveur - Mrs S. A. Le Sueur-Rennard  
Connétable de St Jean - C. H. Taylor  
Connétable de la Trinité - P. B. Le Sueur

Apologies for absence were received from the Connétable de St Brélade - S. W. Pallett 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**

Minutes

1. The minutes of the meeting held on 12<sup>th</sup> December 2016, having been previously circulated, were taken as read and were confirmed.

Road Works  
and Events  
(Jersey) Law  
2016 –  
licensing of  
events

2. The Comité, with reference to its minute no. 2 of 24<sup>th</sup> October 2016, received the Director – Engineering and Infrastructure and the Manager – Street Works, Department for Infrastructure (DfI); the Chief Officer, Bailiff’s Chambers; and the Policy Manager, Department for Economic Development, Tourism, Sport and Culture (EDTSC), to discuss the licensing of events under the Road Works and Events (Jersey) Law 2016 (RWEL). The Comité was reminded that the new provisions enabled the relevant highway authority to licence an event and, in so doing, it could set conditions with respect to safety measures, material on roads, public insurances and publicity; the highway authority and police could also recover basic expenses. The Comité was informed that the Minister for DfI was proposing to delegate to the parochial highway authority the responsibility for events in that authority’s parish and it then considered the following:

- a) Progress update: DfI officers had met with Parish Secretaries to discuss the administrative process and the proposed use of TrafficWorx to manage the licensing of events. The Comité des Chefs de Police would also be briefed on the proposed law change.
- b) Arrangements with respect to ‘Public Entertainment’ events: DfI officers had liaised with the Bailiff’s Chamber to ensure appropriate consultation where an event for which a licence was sought would also require approval from the Bailiff’s Panel as public entertainment. The Chief Officer confirmed the proposed system of notifications was acceptable and suggested the timescale for handling a request for an event licence under the RWEL should mirror that for a public entertainment permit from the Bailiff’s Panel.

- c) Arrangements with respect to sea beaches: events on sea beaches might require the approval of the Minister for Economic Development, Tourism, Sport and Culture pursuant to the Policing of Beaches (Jersey) Regulations 1959. DfI officers had liaised with EDTSC regarding events which would require the Minister's approval and the Policy Manager confirmed the proposed system of consultation was acceptable. It would be appropriate, in due course, to consider whether any amendment to the 1959 Regulations might be required.
- d) Trans-parish Events: a number of events each year took place across parish boundaries. Whilst the RWEL allowed each relevant highway authority to issue a licence for the event as it affected them, it also allowed a joint licence to be issued. This might be suitable for events such as the Battle of Flowers, the Air Display, the Marathon and Half Marathons, the Triathlon, the Car Rally and Cycle club ad-hoc races. The Comité agreed that for 2017 each Parish would issue its own licences, following consultation with other highway authorities as required, and it might review whether a joint licence would better suit some events for future years.
- e) Extent of delegation regarding public spaces: Article 2 of the RWEL provided a broad definition of 'road' and it extended to a park within the meaning of the Policing of Parks (Jersey) Regulations 2005 and any other open space not in private ownership to which the public had access, including a beach (examples might be a square or promenade such as St Aubin's Promenade etc.). DfI proposed that the Minister would not delegate to the parochial highway authority the licensing of events in a park which DfI administered although there would be consultation with the Connétable of the parish in which the park was situated. The Comité was informed that EDTSC was considering setting up a body to coordinate events in public spaces (though it would not have authority to give permission for an event) and noted the request of a Connétable to be informed of private events being held in a park. The Comité agreed that as each highway authority could choose whether or not to issue a licence for an event, and to impose conditions thereon, it was a decision for each parish to make.
- f) Draft process diagrams for the RWEL: the Comité discussed diagrams outlining the proposed processes under Parts 12 and 13 of the RWEL and was informed that the Minister for DfI could set out codes of practice for the purposes of giving guidance on any matter (Article 66). The Policy Manager referred to Article 49(3) and the need for clarity as to how "reasonably unlikely to affect the reasonable use or enjoyment of ..." would be determined.

Following discussion, the delegation was thanked for attending and then withdrew from the meeting.

States of Jersey  
Law 2005:  
proposed  
amendment –  
States  
Members'  
qualifications  
for election  
P.138/2016

3. The Comité, with reference to its minute no. 3 of 20<sup>th</sup> June 2016, considered the proposition "States of Jersey Law 2005: proposed amendment – States Members' qualifications for election" (P.138/2016) due for debate by the States on 17<sup>th</sup> January 2017.

The Comité considered that paragraph (a) of Deputy M. R. Higgins' proposition P.138/2016 was almost identical to that in the Deputy's proposition "States of Jersey Law 2005: Proposal to Amend Bankruptcy Provisions" (P.55/2016 but subsequently withdrawn) which sought to standardise the requirements relating to the disqualification for election for all members of the States Assembly. In view of the limited time available, the Comité decided to re-present the comments made in relation to P.55/2016.

Jersey Road  
Safety Action  
Plan

4. The Comité, with reference to its minute no. 15 of 12<sup>th</sup> December 2016, noted that the Minister for Infrastructure had presented to the "States the Jersey Road Safety Action Plan 2017 – 2019" (R.132/2016). The Comité agreed it would be useful to meet with the Minister in due course to discuss the report.

Explosives (Jersey) Law 1970 - retail sale of fireworks 2017 dates

5. The Comité, pursuant to the provisions in the Explosives (Jersey) Law 1970 requiring a Connétable to licence the retail sale of fireworks, approved the dates for the retail sale of fireworks in 2017. The Comité agreed that, in addition to the other standard conditions, every permit issued would specify that the retail sale of fireworks was only permitted from 27<sup>th</sup> October to 5<sup>th</sup> November 2017 inclusive unless the sale was of a pyrotechnic intended for use as a marine flare; or the order for the purchase and contract of sale was conducted through a website and the fireworks so purchased were delivered by the retailer to the address provided by the purchaser.

Next meeting

6. The Connétable of St Helier was thanked for his hospitality and the Comité noted the next meeting would be on 6<sup>th</sup> February 2017.

Chairman .....*L. Norman*..... Date .....6/02/2017.....