

Comité des Connétables

Minutes of the meeting held on
Monday 17th November 2014
at the Parish Hall, St Peter.

Present:

Connétable de St Clément - L. Norman, Chairman
Connétable de St Pierre - J. M. Refault, Vice Chairman
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 Brélade - S. W. Pallett
Connétable de St Martin - M. P. S. Le Troquer
Connétable de Grouville - J. E. Le Maistre
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 Ouën - M. J. Paddock and the Connétable de St Sauveur - Mrs S. A. Le Sueur-Rennard.

In attendance:

Mrs S. R. de Gruchy, Secretary

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

Chairman and
Vice Chairman,
Comité des
Connétables

1. The Connétable of St Clement welcomed all Connétables to the first meeting of the Comité following the swearing-in of those recently elected to office.

The Comité received, for information, the rules of the Comité des Connétables which were approved at the meeting on 21st March 2011 and, in accordance with the rules, appointed the Connétable of St Clement as Chairman (proposed by the Connétable of St Lawrence and seconded by the Connétable of St Peter) and appointed the Connétable of St Peter as Vice Chairman (proposed by the Connétable of Trinity and seconded by the Connétable of Grouville). The Comité authorised the bank mandate to be amended accordingly (two signatories were required for all transactions; the signatories being the Chairman, Vice Chairman, and Secretary of the Comité and of the Comité des Chefs de Police).

Minutes

2. The minutes of the meeting held on 20th October 2014, having been previously circulated, were taken as read and were confirmed.

Connétables –
oath of office

3. Arising from the swearing-in of Connétables, Senators and Deputies on 3rd November 2014, the Comité discussed the oath of office sworn by the Connétables (prescribed in the Code of 1771) and that of the Senators and Deputies (prescribed in the States of Jersey Law 2005) and agreed there was merit in respective duties to the States Assembly being similar in both oaths.

The Connétable of St Helier also raised the anomaly of the Parish of St. Helier (Qualifications for Office) (Jersey) Law 1976 whereby no person being a rate payer in the Parish of St. Helier should be disqualified for being elected to, or being the holder of, any honorary office in the Parish of St. Helier, by reason only of the fact that the person did not reside therein (a person was be deemed to be a rate payer if the person was on the list of representatives of bodies corporate kept by the Connétable under

Article 29(3) of the Rates (Jersey) Law 2005) as he considered the position for St Helier should revert to that of the other parishes.

The Comité decided to write to the Privileges and Procedure Committee accordingly.

Parish roads – scenic lane competition

4. The Comité discussed the Inter Parish Scenic Lanes Competition organised by the Société Jersiaise in conjunction with the Environment Department and the Rotary Club de la Manche which sought to benefit the Island's ecology and general well-being. Having congratulated the Connétable of St Lawrence as the 2014 winning lane was Rue Ville Gazeaux in St Lawrence, the Comité decided to write to the organisers asking that they review certain aspects of the format so as to facilitate more entries from parishes.

Jersey Gazette – cost of notices

5. The Comité discussed concerns about the cost of notices placed in the Jersey Gazette given the falling circulation of the Jersey Evening Post and queried the effectiveness of such notices in communicating with parishioners. The Comité, having been reminded that the Official Publications (Jersey) Law 1960 provided that certain notices need not be placed in the Jersey Gazette if reasonable steps were taken to bring the purport of the notice or other matter to the attention of the public or of persons likely to be affected by it, agreed that this was a matter which must be addressed with the Council of Ministers and requested the Chairman to write accordingly.

Comité des Connétables – representatives on various groups

6. The Comité appointed or confirmed its representatives to the following:

- a) Bailiff's Consultative Panel - the Chairman of the Comité was an ex officio member of the Panel but it was noted that the Chairman of the Privileges and Procedure Committee was also a member and, as the Connétable of St Clement held both positions, the Comité decided to enquire whether the Connétable of St Helier might act as the Comité's representative when the Panel considered arrangements for Liberation 70 and, otherwise, that the Vice Chairman should be its representative.
- b) Emergencies Council - in accordance with Article 1(1)(c) of the Emergency Powers and Planning (Jersey) Law 1990 the Connétable of St Lawrence was nominated to serve on the Council.
- c) Justice System Board – the Connétable of St Ouen would continue as its representative on the Board.
- d) Firearms Law Liaison Group – the Connétable of St Martin would continue as its representative on the Group.
- e) Early Learning and Childcare Partnership “Panel for Play” – the Connétable of St Brelade would continue as its representative on the Partnership.

The Comité noted that the Chairman and Vice Chairman would also meet on a regular basis with the Chairman and Vice Chairman of the Comité des Chefs de Police (CCP) and the President and Vice Presidents of the Honorary Police Association (HPA). There was no change to the sub-committees/panels which had been established to oversee tenders relating to Honorary Police insurance and to the collection and housing of stray dogs.

Freedom of Information (Jersey) Law 2011

7. The Comité considered a briefing paper on the Freedom of Information (Jersey) Law 2011 (FOI) and:

- a) Noted forthcoming debates by the States of the draft Freedom of Information (Schedule 1 to Law) (Amendment No. 2) (Jersey) Regulations 201- (P.154/2014); the draft Freedom of Information (Costs) (Jersey) Regulations 201- (P.155/2014) and the draft Freedom of Information (Jersey) Law 2011 (Appointed Day) Act 201- (P.153/2014).

*Also recorded
in the
Supervisory
Committee
minutes*

- b) Noted the training being provided to parish staff in preparation for the introduction of the law and its application to parishes from 1st September 2015 (subject to approval of P.154/2014).
- c) Decided that, although the parishes and associated bodies would not come under the FOI law until 1st September 2015 (subject to approval of P.154/2014) it would wish to apply the proposed Law voluntarily to the Comité des Connétables and to the Supervisory Committee with immediate effect so that the minutes, once approved and signed, might be made available for inspection and accordingly requested that the minutes and agendas should be prepared to facilitate this decision.

Public
Elections
(Jersey) Law
2002 – annual
statement

8. The Comité was informed that the Public Elections (Jersey) Law 2002 required each parish to send not later than 1st June each year an ‘annual statement’ to every unit of dwelling accommodation so that the electoral registers might be brought up to date. The Law was amended in July 2014 so that persons might register up to 3 months in advance of meeting the age or residence criteria to be registered as an elector. The forms used were prescribed in the Public Elections (Jersey) Regulations 2002. The ‘registration form’ was amended in September 2014 but the ‘annual statement’ had yet to be amended to gather information about those wishing to register in advance. The Comité approved an amended ‘annual statement’ and requested the Law Draftsman to prepare the necessary amendment to the Regulations to prescribe this statement.

Dogs (Jersey)
Law 1961 –
contract for
collection and
housing of stray
dogs 2014-2017

9. The Comité recalled that it had accepted the tender submitted by the Jersey Society for the Prevention of Cruelty to Animals / Animals Shelter (JSPCA) for the collection and housing of stray dogs from 1st December 2014 and:

- a) Agreed that the contract should be based on the standard contract used by the States of Jersey amended as required to relate to this specific service.
- b) Approved the terms to be contained in the specification schedule, pricing schedule and monitoring schedule to be included in the contract and noted that, following discussion with the Chief Executive Officer of the JSPCA it was agreed there was no commercially sensitive information to be specified.
- c) Approved, subject to comments from the Comité des Chefs de Police, a record sheet which would provide information sufficient to monitor the contract.
- d) Approved, subject to comments from the Comité des Chefs de Police, an application form for a dog licence which also provided information on dog ownership in Jersey.

The Comité requested that the various documents be finalised accordingly so that the contract might be signed by the end of the month.

Loi (1914) sur
la Voirie –
increase in
administrative
penalty

10. The Comité considered the administrative penalty under Article 45 of the Loi (1914) sur la Voirie and discussed a briefing paper setting out the background to the penalty and the provisions in the Law to ensure branchage was cut and removed. The Comité noted that the penalty was last amended from 16th June 1995 and that an administrative penalty might be imposed under the following Articles of the Voirie law

- a) Article 41(1)(c) – failure to comply with notice to cut branchage prior to the Visite du Branchage (the penalty was “*n’excédant pas £50 pour chaque défaut*”); and
- b) Article 45 – failure to comply with an order of the Connétable (at all times and irrespective of the Visites) to have branchage cut and obstructions removed (the penalty was “*n’excédant pas la somme de £50*”).

Following discussion, the Comité agreed the administrative penalty under Articles 41 and 45 of the Law should be increased to £100 (the retail price index having increased by 92.2% between June 1995 and September 2014) and requested the Law Draftsman to prepare the necessary draft Regulations to give effect to this decision prior to the first Visites du Branchage in 2015 (which might be held from 24th June 2015).

Rural Economy
Strategy (RES)
2016

11. The Comité received correspondence from the Director, Environmental Management and Rural Economy, Economic Department, concerning the development of the Rural Economy Strategy (RES) 2016 and inviting businesses and organisations to participate in the forthcoming consultation process. Having noted that in due course a draft consultation document would be issued, the Comité decided individual Connétables should contribute to the consultation process should they so wish and it should consider making comment, as a body, on the consultation document.

Honorary
Police –
warrant cards

12. The Comité was reminded that following the coming into force of the Connétables (Miscellaneous Provisions) (Jersey) Law 2012, the Regulations issued by H M Attorney General relating to Honorary Police warrant cards had been amended as the Connétable was no longer entitled to hold such a card.

Honorary
Police –
December 2014
Centeniers
swearing-in

13. The Comité considered a letter from the President of the Honorary Police Association inviting all Parishes to a reception, to be held at the Town Hall, on 12th December 2014 following the swearing in of the recently elected Centeniers. The President reminded that it had been the practice for several years for the Parish of St Helier to host such an event but some Parishes preferred to make their own arrangements and did not support the event. Whilst the Honorary Police Association considered it was an ideal opportunity for the Parishes and their officers to gather to mark the occasion if the Connétables did not share this view then a decision would be made as to whether to continue with such arrangements.

The Comité agreed that it was for each Parish to decide whether or not to attend and that reasons for not attending included that an officer might be sworn on another day. Accordingly it seemed unnecessary to continue with the receptions and the Chairman was requested to reply accordingly.

Honorary
Police and
SOJP –
policing plans

14. The Comité was reminded that following the coming into force of the States of Jersey Police Force Law 2012 the Jersey Police Authority (JPA) was required, under Article 19 of that law and after consultation with the Chief Officer, before 1st December to prepare the Annual Policing Plan for the States of Jersey Police (SOJP) for the following financial year and to present this to the Minister for Home Affairs. The Comité had previously enquired of the Chairman of the JPA whether it might have the opportunity to approve the Honorary Police content in the SOJP Policing Plan prior to its publication and this was agreed. The Comité considered it would be fitting for the role of the Honorary Police to be acknowledged in that plan and agreed the Chairman and Vice Chairman should raise the subject at the forthcoming joint meeting.

Arising from this, the Comité recalled that the States had agreed that the JPA would only have oversight of the States Police and that the Connétables would exercise oversight of their Honorary Police and act in relation to the policing role of the Honorary Police in their Parish in the same way as the Minister for Home Affairs now acted in relation to the SOJP. The Comité asked that a policing plan template be circulated to all Connétables so that each might prepare and publish a policing plan for his/her parish (whilst such plans might follow a standard format, the details would vary from Parish to Parish according to the specific parochial demands).

- Andium Homes Ltd - discussion 15. The Comité received a delegation comprising the Chairman, Chief Executive and Finance Director of Andium Homes Ltd and was reminded that the Housing Department was incorporated on 1st July 2014 and was now a wholly States owned but separately managed Company, which no longer reported directly to the Housing Minister, but had its own Board of Directors. The Board has asked to meet with the Comité des Connétables to discuss the changes that had occurred and how Andium Homes Ltd could work more closely with the Parishes, and had provided the Strategic Business Plan 2014-2019 for Andium Homes Ltd and a summary of new build and refurbishment projects by Parish. The discussion included the following:
- a) Andium Homes Ltd collected water charges from tenants on behalf of Jersey Water (in return for a discount) and would be interested in offering a similar service to parishes in relation to occupier's rates. The Comité considered this would be of interest to tackle the issue of non-payment of rates particularly by those in receipt of Income Support but did not consider a discount could be given under the law.
 - b) Andium Homes Ltd was the largest landlord on the island and had a good administrative system for property maintenance which might also be made available to parishes.
 - c) The future housing strategy for the island should consider the life cycle of individuals to provide flexibility to meet changing personal and family circumstances. Eligibility for social housing currently excluded many people but might need to include some provision for 'life long' renters on a higher income and there was also a need for leasehold properties. Andium Homes Ltd was continuing with the scheme to sell some housing units each year.
 - d) Andium Homes Ltd supported mixed developments, for example providing a mix of owner-occupied, rental and social housing units and hoped to work with parishes to determine the best mix for specific sites. The development options for some specific sites were considered and the Comité highlighted the importance to parishioners of 'community' and the need to preserve this when persons down-sized or up-sized.
- The Comité thanked the delegation for a useful discussion and welcomed the opportunity for future meetings, at least annually. Having been thanked for attending the delegation then withdrew from the meeting.
- Royal London Asset Management (RLAM) 16. The Comité noted that representatives of Royal London Asset Management (RLAM) would be attending a meeting on 18th November 2014 to meet with Connétables and Procureurs du Bien Public of parishes interested in learning more of the investment opportunities available.
- David Kirch Charitable Trust: vouchers 17. The Comité approved a media release to announce the dates for distribution of the Christmas vouchers to be issued to those over 70 years of age by the David Kirch Charitable Trust.
- Multi-agency Consumer Roadshow 18. The Comité noted that Trading Standards was co-ordinating a multi-agency Consumer Roadshow on 24th, 26th and 29th November 2014 to raise awareness and offer advice on a number of day-to-day consumer issues and welcomed any feedback from Connétables.
- Next meeting 19. The Connétable of St Peter was thanked for his hospitality and the Comité proposed to meet on the following dates:
8th December 2014
12th January 2015

9th February 2015
16th March 2015
20th April 2015
18th May 2015
8th June 2015
6th July 2015
14th September 2015
12th October 2015
9th November 2015
7th December 2015

Chairman*L Norman*..... Date08/12/2014.....