

PARISH OF ST BRELADE

PARISH ASSEMBLY

Minutes of an Assembly of Principals and Electors of the Parish of St Brelade held at the Communicare Centre, La Rue Carrel, St Brelade on Tuesday 22 October 2013 commencing at 19.10 hours.

President of Assembly:

Connétable, Mr Steve Pallett, presided.

Convening Notice:

The Convening Notice was read by the Parish Secretary.

Minutes of Previous Assembly:

The minutes of the previous Assembly of Principals and Electors of the Parish of St Brelade held on Tuesday 6 August 2013, were adopted, and signed, following a proposition by Mr Peter Norman, which was seconded by Mr Roger Tanner.

Accept the gift and transfer of land and new roadway at Clos des Sables / Quennevais Park

The Connétable explained the background to the proposition being put forward and how the Parish had developed to the present stage of discussions with Jersey Property Holdings (JPH). This included a Traffic Survey in 2009, JPH's proposition in 2010 to build on green areas in Clos des Sables and Deputy Tadier's counter proposition opposing this.

Following the request for a new road within the estate by several residents, JPH and the Parish Roads Committee commenced discussions. JPH stated that if they were going to pay for the new road they would require the Parish to take over all other areas of land within the estate currently owned by JPH. An agreement was made that this could be put to a Parish of St Brelade Assembly for approval if all land to be transferred to the Parish of St Brelade was maintained to an agreed standard that would ensure no work would be required for at least another 15-20 years. A table of the current condition of all of these areas was drawn up and agreed. The only negative being the cost incurred by the Parish of St Brelade in continuing manual labour required to maintain the green areas. The Connétable advised the Assembly that he had been assured by the Parish Foreman that this could be achieved within the current budget and workloads, therefore this would not have a detrimental effect on the Parish rate.

Mr Ray Foster, Director of Estates for JPH then introduced himself and Mr Philip Ahier, Principal Property Manager for JPH. He noted the apologies of the Assistant Treasury Minister, Deputy Eddie Noel, who is responsible for JPH, was unable to attend due to a meeting at his home Parish. Mr Foster reiterated the idea that the land would be better off being owned by the Parish as the Parishioners then gain control over what can be carried out due to one body administering all public areas. He advised that the resurfacing of the garage and other areas had been budgeted for and following approval at this Parish Assembly would go out for tender.

Deputy Tadier then introduced himself and stated that he had nothing further to add other than there has always been an issue in the Clos des Sables/Les Quennevais Park estates and the Parish taking ownership of the areas not already under their administration will greatly assist with easing these problems.

The Connétable then asked the Assembly for any questions.

Mrs Melanie Luce voiced her concern that there was no Parish budget for the roads as the road outside her house was cracked and would not last another 15 years. The Connétable advised that this road as with the majority of other roads within the estate was a Parish road and therefore monies for repair were within the existing budget, as with all Parish roads. Deputy Tadier stated that with the three current different owners of Parish of St Brelade, TTS and JPH it was often difficult to know who owned what but if this proposition is passed then it would simply be all Parish owned.

Mr Michael Videgrain stated that there are no roads within the estate owned by TTS. Deputy Tadier replied that he was referring to La Route Orange and La Route des Quennevais.

Mr Videgrain thanked the Connétable for the assurance that there would be no change to the Parish Rate and that the additional work could be carried out under the current staffing regime. He stated that the issue of parking that was being mentioned was not part of the convening notice and also enquired about the Survey that was carried out in 2009. Deputy Tadier advised that the Traffic Survey was issued to all households in Quennevais Park hand delivered by the Deputy himself, over 50 % were returned and the results were presented to the public at a meeting at Communicare. The Connétable confirmed this Assembly was not to talk about parking but to confirm that if all areas were owned by the Parish they could be policed accordingly. Deputy Tadier suggested that the new road to be built would assist with parking problems as those cars ordinarily parked on the road/car park would now be parked on their own premises.

Mr William Shanks asked JPH how many men maintain the land at the moment, he believed it was 4-5, Mr Ahier was unsure as this work was carried out by Parks and Gardens but he believed it to be more like 2-3. The Connétable stated that the Parish Foreman and Deputy Foreman were satisfied that it would take 5-7 days p/month for 2 persons, and that he has also spoken to a member of the current TTS staff who maintained the areas who confirmed the average time taken to be as stated by the Connétable. Mr Shanks asked if all manual staff had been consulted and were happy with the additional work. The Connétable confirmed all staff were aware of the current proposals and the Parish of St Brelade Foreman agreeable that this extra work was achievable within the current work streams. Mr Ahier commented that as the blocks have been transferred to private ownership the land surrounding these areas were not being transferred to the Parish and therefore less work would be required of Parish staff than that currently of TTS.

Mr John Bailey was concerned over how many other estates/properties were owned by JPH and when they will be offloaded onto the Parish? The Connétable stated that other estates such as Clos Orange were not currently being considered and if approached each would be taken on a case by of any benefit to the Parish and that things would only be considered on a case by case basis. Mr Foster stated that this process had been an extremely long saga, and this was a one off solution to a one off problem.

<p><u>Discuss the Notice of Intent received from the Minister of Planning to list the Parish Hall building</u></p>	<p>Mr Roger Le Roy commented that it had been suggested that there would be no cost, however how much would the lawyer’s fees be. The Connétable advised that there was the amount of £12500 put aside in the present budget for professional fees and that for this case our Lawyer’s had agreed the sum of £5000 as a one off fee.</p> <p>Mr John Bailey asked how the freehold areas would be policed with regards to keeping the grassed areas properly maintained and tidy. Mr Ahier advised that this would be the responsibility of the Association. Mr Van Neste of Brunel Management, management company for the Associations confirmed this would be each Associations responsibility and monies are set aside for gardening maintenance, however this horse has, in effect, already bolted as the land has already been sold to the individual Associations. The Connétable advised that problems with vehicles parking on the grassed areas to be transferred to the Parish will also become the responsibility of the Parish to administer.</p> <p>Mr Michael Videgrain commented that in his view the land owned by the Housing Trust will be better maintained than that maintained by TTS or the Parish. The Connétable stated that he has no doubt the Parish work force will maintain the land to a better standard than it is currently at. Deputy Tadier wished to confirm that the purple areas were privately owned areas and not to be confused with the Housing Trust which are properties generally rented to those tenants on States Housing lists.</p> <p>Centenier Michel Bougeard commented that the word “Policing” was being used a lot and as the St Brelade Honorary Police are currently very understaffed he is happy to assume that lots of residents of Clos des Sables/Les Quennevais Park will sign up!</p> <p>There were no further questions.</p> <p>The proposition to adopt the land only once work has been carried out and all areas are up to a satisfactory standard was proposed by Mr Michael Videgrain, the Connétable confirmed that this was the agreement on the table, and the proposal was seconded by Mr Edward Cuthbert.</p> <p>Following a show of hands there were 60 votes in favour and 2 votes against.</p> <p>Deputy John Young thanked JPH and Deputy Tadier for their time taken on this scheme.</p> <p>The Connétable explained that the Parish had received a Notice of Intent from the Planning Minister, advising that he intended on listing the Parish Hall building and certain interior furnishings. The period of consultation had been extended to enable the Connétable to bring the proposition to the Parish Assembly.</p> <p>Mr Kevin Pilley, Director of Policy Projects and the Historic Environment was then introduced. He advised that the Minister has a statutory duty to identify heritage assets in the Island so that these can be considered in regards to any planning application. Jersey Heritage have been tasked with preparing recommendations for the Minister. Parish Halls are seen to have significant heritage value, the only Parish Halls which have not been proposed to be listed are St Martin, St Clement and Trinity.</p> <p>He further explained that St Brelade Parish Hall was originally a station and hotel for the Western Railway line, in 1948 it became the Parish Hall after the station and hotel closed in 1936. The façade is late Victorian style, internally of interest are several doors, panelling, the main staircase and the cellar. It is a landmark building of scenic value. Listing of the Parish Hall basically means that the heritage must be considered and protected when considering any planning application, this also means that some things</p>
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which would not generally require planning approval then would.

The Connétable then asked for any questions or comments.

Deputy John Young asked what grade has been proposed to be assigned as he is aware there are several grades, he also asked what internal restrictions would be placed. Mr Pilley advised that there are 4 grades with 1 being great importance such as places like Mont Orgueil, and 4 being a building already considerably altered such as some of the town houses in St Helier. The Parish Hall would be listed at a grade 3, four of the other Parishes would be listed at a grade 2, the others at grade 3. Internally the items that would be listed would not normally be subject to planning application and restrictions but if listed they would be, however no charge would be made for an application.

Deputy Young was concerned about listing the staircase as in the future the Parish may require a lift. Mr Pilley was not able to confirm whether this would be a problem or not.

Senator Sarah Ferguson was concerned that the listing would limit the buildings functionality. If the Parish Hall Offices were to move to Les Quennevais the use of the building would be restricted. She felt it was “pickling in aspic” and that it was unnecessary to list the inside of the building. Mr Pilley advised that the intent was not to prevent any changes, other listed buildings such as the Abattoir had been able to be developed and St Clement Parish Hall had moved to their current location from Caldwell Hall which is still used. Mr Pilley could make no guarantees but advised that there was a process to be taken to determine the interest if changes to a listed building were proposed.

Mrs Margaret Holland Prior stated that she felt the charm of the Parish Hall was its location and that the whole of St Aubin needs preserving. Mr Pilley replied that conservation areas were being proposed in order to be able to designate “Areas of Special Interest”.

Mr Richard Haycock commented that the Parish Hall is currently in good care and functions well, he felt nothing needed to be changed, it would be easy for the Assembly to agree to the listing but that they should say NO as listing is not time limited, why should the people of today burden the generation of tomorrow. He suggested that listing should be limited to 25 years in order that the next generation could agree if something should remain listed or not. He further stated that in 25 years the current building might not meet the requirements of a Parish Hall and listing it could hinder the process of change. Mr Haycock felt that the proposal should be rejected. Mr Pilley advised that there was not a time limited review process in place, however the Minister did review his list every so often with new buildings being placed on the list and others which are on the list being removed, he reiterated that listing does not preclude change. Mr Haycock then commented that the railway functioned perfectly well until someone made the bus!

Mr Roger Tanner queried that the listing lasted only 4 years which is the term of the Minister? As a disabled person he has difficulty accessing the upstairs meeting rooms at the Parish Hall and asked if doors and staircases were taken down could they be reinstated in a different place. He too felt we shouldn't tie up future generations. The Connétable agreed that disabled access was a very real factor that could affect the Parish Hall and needed to be dealt with. Mr Pilley replied that the listing does not only survive the length of the term of the Minister, it is until the next review. Mr Tanner was concerned that one man can decide to list a building despite 12000 parishioners being against it. Mr Pilley advised that the challenge of accessibility was not just a problem at St Brelade Parish Hall.

Deputy Montfort Tadier stated that as a member of the National Trust and Jersey Heritage he felt that as long as the building was held in esteem by its public there was no danger of demolition. Although Mr John Bailey suggested that this hadn't stopped Janvrin's Farm being demolished. Deputy Tadier felt that the Parish's reply should be "No, thank you very much, but please do not list at this time" and await the Minister's reply. He felt the Hall should be free to be used as a centre for its community and not covered in red tape or bureaucracy.

Mr Tom Atkinson commented that the staff at Planning were the problem, and would be a problem if the building was listed and any work was required to be carried out. He stated that the Parish Hall is excellent and agreed that there is no reason to worry about it being demolished as it is owned by the Parish any changes to be carried out are required to be brought before the Parish Assembly anyway.

Mr Michael Balston asked what is in it for us. He reminded the Assembly that not all Planning Ministers have been successful! The Connétable asked Mr Pilley if the Minister is aware that no alterations can be made to the building without Parish Assembly approval. Mr Pilley believed the Minister was aware, however, he has a statutory duty to maintain the list and is just doing his job.

Deputy John Young worried about the effect of listing. Restrictions that can be placed are difficult to overcome, he did not disagree that it is a lovely building but did not want any bureaucracy surrounding it. He felt that the importance of its status and landmark importance could be recognised as part of the area being made a conservation area, but felt that internal listing was unnecessary. He further stated that we must look to the future, whatever is done now must work well, he did not want to say no completely but felt listing the interior was unnecessary and felt this should be submitted to the minister and seek a response.

Mr Guy de Faye, who is an ex-parishioner, asked what does "Statutory Duty" mean which Mr Pilley keeps advising us the Minister is obliged to do. Mr Pilley replied that the Minister is required to seek the views of the owner and decipher whether the building is not of interest or has extensive interest. The Minister will take into account the view of the owner and other representation such as the Parish Assembly. Mr de Faye asked when listing does this apply to the entire building as understandably the frontage with its Victorian architecture is of interest however the rear is unsightly. Mr Pilley advised that generally and in this instance it is the whole building which has been proposed to be listed, it is proposed to the Minister to be the entire structure.

Mr John Bailey then asked a question off subject with regard to what had happened to new gate prison which had been taken down piece by piece to be re-erected and so far has not been rebuilt.

Mr Michel then remarked about what had happened to Portelet House despite being listed.

Centenier Michel Bougeard asked if the Parish offices and main hall are included in the proposed listing. The Connétable advise that it is the whole site including the two rear yards. Mr Bougeard suggested that this would mean that if the Parish requested a new extractor fan then this would require planning approval. Mr Pilley agreed but commented that it would be exempt from planning fees. The Connétable asked if general maintenance to the building would require approval. Mr Pilley advised that the Department would assist in drawing up a schedule of works of agreed maintenance.

Mr Michael Videgrain stated that it is important not to rush on a decision such as this and asked the Connétable if the Procureurs had been advised, the Connétable replied that they had been advised of the letter and the meeting. Mr Videgrain then suggested the Connétable and Procureurs meet with the Minister to go over matters in person rather than replying to a letter. Mr Pilley advised that if the Minister receives a letter of representation against the listing then a public meeting is usually held but that in this instance he believes the Minister would be happy to meet with the Connétable and Procureurs.

Deputy John Young asked what the minimum period for reply was as he was concerned this had been breached. The Connétable advised that the Minister had extended the period to enable the Connétable to convene a Parish Assembly. Mr Pilley advised that the listing process had temporarily seized as a challenge over the listing of a private property had resulted in the Minister being taken to Court.

Mr Tom Atkinson was concerned that if the building is listed and then any applications made to change or maintain the building had to go to the Planning Department, that this would slow down the process as the Planning Department were unable to keep up with their workloads. Mr Pilley stated that the department endeavour to turn applications around within the 8-13 week process.

Deputy Montfort Tadier advised that the States old building had been listed and that the meeting room there is extremely noisy from being able to hear people passing outside, they are now unable to install double glazing. He asked if the Planning Department or Jersey Heritage would contribute to the increased costs of keeping an old listed building warm and again suggested the “thank you very much but no thanks” route. Mr Pilley advised that energy efficiency in old buildings is difficult to maintain and that there is no current grant scheme in place to assist with this.

Mr Richard Haycock asked what date the consultation was over. The Connétable replied that we are currently well past the initial advised date. Mr Pilley advised that the Minister is happy to extend the response time, the procedure is a Notice of Intent, followed by a Notice of Decision and the Right of Appeal to the Royal Court.

Mr Roger Tanner stated that an appeal to the Royal Court would just mean more cost to the Parishioners and that hopefully the process will not get to that point as the tone of the Assembly was clearly not an agreeable one. The Connétable stated that he would write to the Minister stating the view of the Assembly so that a consultation can take place.

An unnamed gentleman then asked if the Minister can decide regardless. The Connétable commented that he was sure the Minister would listen but if not he would be challenged.

Deputy Montfort Tadier suggested the Connétable first suggests that we do not list at all and then if the Minister is looking to oppose this then suggest listing the outside of the building only but not the inside, or just the front of the building only.

The Connétable then asked for a vote on the primary proposal - that the Parish Hall building is not listed whatsoever. After a count by a show of hands 26 members of the Assembly voted for this proposition.

Deputy John Young then asked for the second primary proposal - that only certain parts of the building be listed and that this listing is reviewed. Following a count by a show of hands 16 members of the Assembly voted for this proposition.

The third proposition - to go ahead and list the building including internal specifications - as per the Notice of Intent was then voted for by a show of hands, there were no votes in favour of this proposition.

The Connétable then advised the Assembly that he would write to the Minister to advise him of the Assemblies decision and request to meet with him to discuss proposals. He then thanked Mr Pilley and also the remaining 36 persons for their attendance, the Connétable declared the meeting closed at 21.09 hours.

Signed: _____

Dated: _____

Steve Pallett
Connétable