

PARISH OF ST BRELADE

PARISH ASSEMBLY

Minutes of an Assembly of Principals and Electors of the Parish of St Brelade held at the Parish Hall, St Aubin, St Brelade on Tuesday 19 November 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 22 October 2013, were adopted, and signed, following a proposition by Mr Michael Videgrain, which was seconded by Deputy Montfort Tadier.

Election of Roads Inspector – Vingtaine de Noirmont

The Connétable called for nominations to fill the position of Roads Inspector for the Vingtaine de Noirmont to complete the term of office of Mr John Michael Le Bas.

Mr Michael Jackson proposed Mr Andrew Peter Hamon to fill the position. The nomination was seconded by Mr Peter Hamon. There were no other nominations.

The Connétable declared Mr Andrew Peter Hamon elected as a Roads Inspector for the Vingtaine de Noirmont to complete a term which will expire on 31 December 2014 and to appear before the Royal Court of Jersey on Friday 22 November 2013 at 10.00 hours prompt to take the Oath of Office.

The Connétable then recorded his thanks to Mr John Michael Le Bas for his service and wishes him luck in the future.

Election of Officier du Connétable for the Vingtaine des Quennevais

The Connétable called for nominations to fill the position of Officier du Connétable for the Vingtaine des Quennevais for a term of three years.

Centenier Michel Bougeard proposed Mr Adam Hall to be elected to the position. This nomination was seconded by Vingtenier Christopher Clement-Jones.

There being no other nominations the Connétable declared Mr Adam Hall elected as an Officier du Connétable for the Vingtaine des Quennevais for a period of three years and to appear before the Royal Court of Jersey on Friday 22 November 2013 at 10.00 hours prompt to take the Oath of Office.

Mill Holdings Ltd – Bailiffs Annual Entertainment Permit

An application for a Bailiffs Annual Entertainment Permit by Mill Holdings Ltd, holder of a 1st and 3rd Category (Taverners and Restaurant) Liquor License in respect of The Boat House, St Aubin was considered.

The Connétable explained that Mill Holdings Ltd had been asked by the Bailiffs Office to apply for an Annual Entertainment Permit. The Boat House application was to include

bands up to a maximum of 4 piece playing music from Jazz to Pop. The hours requested were 9pm -1am on a Friday and/or Saturday, with the right to play music on a Sunday between 4.30pm – 7.30pm. A Quiz Night would also be offered on a Monday evening between 8pm and 11pm. There will be no outside entertainment.

Mr Nigel Godfray, Managing Director of The Boat House then spoke reiterating that the Bailiffs Office had requested them to apply for the Annual Permit due to the number of functions held upstairs in The Boat House in the previous year. Mr Godfray explained that under their 1st Category license a band of two members could play on the premises without the need for a Permit, previously if a larger band had been requested a single permit was applied for.

The Connétable then asked the Assembly for any relevant questions or comments.

Senator Sarah Ferguson asked how many times in the previous year an application had been made and also what sort of functions they were for and whether they had taken into account the travel of sound and what assurances would be made to prevent sound disturbance. Mr Godfray replied that 10 events had been held in the previous year, one wedding had a 10 piece band and to his knowledge there were no complaints.

Deputy John Young asked on those 10 occasions how many had gone on until 1.00am. Mr Godfray replied that all had ended at 1.00am and that he had received no complaints.

Mr Christopher Austin commented that he had complained about noise several times as living at the Parish Hall with no double glazing noise is a problem as well as other nuisances. He stated that in the summer even with windows closed he cannot hear his television due to the general noise and music.

Centenier Susan Fox stated that she had received several complaints regarding music often on a Sunday, on one occasion a singer was on the balcony. Mr Godfray queried the date as he stated that no music had been held on a Sunday for approximately 3 years.

Mrs Linda Tomkins of Market Hill said that she had complained in the past about bands playing towards St Aubin rather than into The Boat House.

Mr Godfray stated that it was prudent to note that both the Environmental Health Department and Fire Service deemed the property fit for purpose.

Centenier George May stated that he had no issue except for when people leave, although this isn't the concern of the establishment. His concern was to do with the time as 9.00pm – 1.00am is too late, there are no buses around at this time and fewer taxis for what could be a greater number of people than those who are currently in the area at this time. Mr Godfray stated that since The Boat House opened 7 years ago they have held music events occasionally and all until 1.00am, he was only aware of one complaint which was on a Sunday when the music finished at 8.00pm. Centenier May advised that the Honorary Police have received more than one complaint but on many occasions they must advise the complainant that there is nothing that can be done as a Permit had been granted.

Centenier Bougeard reiterated what Centenier May had said in that they have received complaints, he has however been in to the premises and asked for the music to be turned down which the staff have complied with. He stated that unfortunately windows do not stay shut even with the best of intentions. His concern was that if there were only 10 occasions last year this could now be increased tenfold and the Honorary Police do not

have enough Officers to deal with the increase in events if you are then asking for Officers to stay up and around until 1.00am every Friday and Saturday night.

Mrs Fiona Baldwin who lives in the High Street stated that the noise was not just from The Boat House, the Trafalgar and Wine Bar are the noise that she has to deal with however, it is not fair to say that the Trafalgar can have a Permit but The Boat House cannot. The Policing concerns are also not all due to patrons exiting The Boat House as there are a number of other establishments open until 1.00am.

Mr Ian Le Sueur asked if Mr Godfray could allay the fears that this application is a stepping stone to The Boat House becoming a night club. Mr Godfray replied that it was definitely not going to become a night club that this would never happen. He also stated that The Boat House had employed doormen and consulted with the States Police for help in the Village on a Friday and Saturday evening but nothing has happened.

Mr Austin stated that he felt coach parties were a problem. Mr Godfray stated that The Boat House do not accept coach parties.

The Connétable suggested that the liaison meetings held this year with all the establishments were successful and he hoped this would happen again next year.

Mr Andrew Hamon commented that The Boat House was a good place to go for people of his age and suggested that the noise is monitored. Mr Godfray replied that the noise can be monitored as there is a noise abatement order, Environmental Health could come to test the decibel of the music and if deemed too loud a notice would be served. Mr Hamon asked if they would consider extra security to move people along home however Mr Godfray felt it was not his responsibility once people were off the premises.

Deputy Montfort Tadier asked what the current arrangements were with the 1st category license. Mr Godfray advised that they were able to play music until 1.00am as long as there were a maximum of two musicians. Deputy Tadier advised the Assembly that this meant two musicians whether they were two violinists or two electric guitarists, he also stated that The Boat House establishments are all very professional and that the Assembly need to strike a balance between encouraging interest and keeping residents happy, of course there will be a case of NIMBY'ism, however possibly reducing the hours until midnight would be a good idea as this seems to be felt by the Assembly to be late enough. He feels it is good to promote live music and local musicians.

Deputy Young said that he came to listen to the responses this evening and the problem appears to be the intensification regarding the increase from 10 events a year to over 100. The Connétable asked Mr Godfray if it was their intention to hold events every weekend. Mr Godfray replied not every weekend. Deputy Young commented that it should state in their application how often. The area is densely populated and is right on the harbour where visiting yachtsmen moor and would be affected by the noise, he felt it would be interesting to hear the views of Harbours and Tourism. On this occasion he felt that an occasional permit is acceptable but a regular occurrence was not. He felt that if The Boat House wished to restrict the hours and the frequency then it could be reconsidered. The Connétable stated that the Bailiffs Office were able to issue restrictions on Annual Permits and would take all comments into account. Deputy Young replied that he felt there needs to be a balance between the residents, Tourism and economy.

Deputy Power felt that St Aubin is a wonderful waterfront village, with many food and drink establishments, sailors anchor up for a weekend and no matter where you are in the world there will be radiated noise as drinking will always be an issue. He felt that the

<p><u>Salty Dog Bar & Bistro Ltd - Bailiffs Annual Entertainment Permit</u></p>	<p>Bailiffs Office has asked The Boat House to apply for this Permit and he disagrees with Deputy Young as he feels that visitors will anchor and enjoy the atmosphere and the establishments, the village is a victim of its own success, he wished to record his support.</p> <p>Mr Richard Haycock asked if acoustic music only had been considered as it appeared to be the noise levels which were of concern, could this be a restriction in the Bailiffs Permit. Mr Godfray said he would leave this to the Bailiff to decide but as previously stated he had had a 10 piece band with no complaints so they will not be looking for any restrictions.</p> <p>Centenier Bougeard stated that if The Boat House were not applying for every weekend would they be happy to have a permit which allowed them to double on the previous year's events being a permit for 20 occasions a year. Mr Godfray agreed this would be acceptable.</p> <p>Mr Videgrain commented that it appeared Mr Godfray was not aware of any complaints although the Honorary Police have stated they have had numerous. He asked if the Assembly accepted the Permit and it was granted would the Bailiff Office be able to revoke or withdraw it if numerous complaints were received following its issue. The Connétable advised that yes a Permit can be reviewed at any time if felt necessary and/or revoked. Mr Videgrain then suggested that concerned Parishioners through the proper channels could request that the Permit be re-evaluated. The Connétable agreed. Mr Videgrain then stated that he has always found The Boat House Group to be receptive and professional.</p> <p>Mrs Terry Bond then commented, as the mother of a musician, that you cannot hear acoustic music in a noisy area, however amplified music is able to be turned down. The Boat House cannot be blamed for all the noise and trouble and that this is what happens when we want a place to have an atmosphere.</p> <p>Centenier May stated that both establishments applying for a Permit this evening are well run but he asks for the music to be stopped at midnight to help the Honorary Police and residents.</p> <p>After a count by a show of hands 28 members of the Assembly voted for the request for a Bailiffs Annual Entertainment Permit to be issued with 12 voting against.</p> <p>The Connetable then read a few items of a letter from the Salty Dog Bar & Bistro Ltd to the Bailiffs Office in respect of their application for an Annual Entertainment Permit. The company have requested a permit as from time to time they receive requests from customers wishing to book the premises for a special occasion who would like to have entertainment for their party. Space is limited and it would be impractical and not in the interest of the restaurant to allow entertainment that may have a negative impact on their guests. The request was for 5 events per annum for a DJ or small band maximum of 3 or 4 musicians to take place generally inside the building but outside could be considered if it was deemed acceptable for the area. The music would be turned down after 11.30pm and off by 12.30 if inside, and if outside would stop at 11.00pm. Their request finished by stating that the business is first and foremost a restaurant not a nightclub or bar and the application was simply to be able to accommodate the request of customers.</p> <p>Mrs Natalie Duffy, Restaurant Proprietor, was then invited to address the Assembly. She first explained that their application differed to that of The Boat House as the only reason they are applying for a permit was due to a few requests. Seating inside only caters for 60 persons. They are only applying for 5 nights per year. Mrs Duffy gave an example</p>
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Install traffic calming on La Petite Route des Mielles (phase one) for a sum not to exceed £67,000

that a father was holding party and wanted his son's band to play and they were unable to accommodate them. The Salty Dog also do not hold wedding receptions as The Boat House do.

The Connetable then asked the Assembly if there were any questions or comments.

Mr Jackson asked given the surroundings what the views of the neighbours are. Mrs Duffy advised she had spoken to direct neighbours and that they are very mindful of the residents in the area and currently always turn down piped outside music at 11.00pm. The music is not intended to be loud and intrusive, more along the lines of low key Jazz etc.

Deputy Power commented that to put this request into context this establishment is in competition to a number of other restaurants but they all add to the village and its atmosphere, this is why people come here.

Centenier Bougeard stated that this is a well-run establishment and that the Honorary Police do not have any concerns as they are requesting such few occasions per year, although if a band were to play outside this may be of concern.

Mr James Lane who lives near to the restaurant mentioned that last year he had his second double glazing removed as he doesn't hear anything. He feels the area is not that noisy and supports the application.

Vingtenier Ian Le Sueur asked if these were the only establishments in the area that would hold a permit if approved. The Connetable stated that he believed the Trafalgar held one.

Deputy Tadier stated that any establishment can play loud music, what we are asking for at the Assembly is to hold good live music which doesn't have to mean loud.

Mr Videgrain commented that the Trafalgar do hold a Bailiffs Permit as he and the Connetable had visited the Royal Court to discuss what acceptable background music was.

Centenier May stated that both establishments were good but that if this application was for the Trafalgar he would be saying no. He then asked The Boat House to consider time restrictions to match the Salty Dog.

Deputy Young voiced his support for the application due to the times and frequency.

The Connetable then asked for a vote by a show of hands. The Assembly voted with 40 in favour and no persons voting against.

The Connetable then thanked both representatives for attending in person and not being represented by Lawyers and advised that a copy of the minutes would be passed to the Bailiffs Office in respect of their applications.

The Connetable explained the background to the proposition which arose in 1995 when a letter was received requesting something be done to ensure the safety of pedestrians and reduce speeders in the area. In 2011 the previous Connetable, Mr Jackson had suggested Traffic Calming to the Roads Committee who agreed that a scheme and plans be professionally produced to the sum of £5,000. In 2012 plans were given to the Parish by Transport and Technical Services and have been reviewed and discussed, various

drainage issues arose and have been looked into by an independent engineer. In 2013 plans were brought to the Committee and it was agreed to carry out phase one with the approval of a Parish Assembly. Costs have been looked into at approximately £60,000 for road humps and highlighted walkways and an additional £5,000 for drainage.

The Connetable then asked for any questions or comments.

Mr Videgrain asked if the Committee had considered reducing the speed limit on this road first and if there was an estimate for traffic calming for the complete road. The Connetable advised that the speed limit will be reduced to 20mph whether or not this proposition was passed, but that no price for the complete road had been requested however he thought it would be in the region of £200,000.

Mr Jackson was delighted that the Connetable had got the planning to this stage, he felt it would greatly improve the quality of life of residents and pedestrians and he congratulated the Connetable for achieving this. The Connetable replied that the thanks go to Mr Jackson who inaugurated the scheme. He also stated that along with the cost the reason for introducing the scheme in phases would be so that if something needs to be altered or changed this can be amended during the 2nd phase, but that hopefully the installation of road humps and speed limits will cut off the roads use as a rat run.

Deputy Power wished to point out his observation that there are over 200 houses in this road and the people who live there and in the estates are culprits as much as others as he had nearly been knocked off his scooter near to Maison St Brelade.

Vingtenier Clement-Jones asked what the feedback on this proposal was from residents. The Connetable replied that no consultation had been carried out with residents per se however several were in attendance this evening and that years of letters and a survey in 1999 asking residents for their ideas, including countless phone calls of complaint and the Public Meeting held the previous week would have made most residents aware and gave them an opportunity to voice their opinion. He also stated that not all residents will come out whether they are in support or not, he is aware that this is a huge amount of money and that is why it must be phased in.

Mr Haycock was curious as to why they had not trialled simply reducing the speed on the road before spending this amount of money. The Connetable replied that in his experience lowering a speed limit will not stop the speeders, a deterrent being placed in the road will. Mr Haycock felt that the smiley face signs help, the Connetable did not feel that they would work. Dropping the speed would allow the Police to catch the speeders but not enough to deter them altogether.

Mr James Caunce commented that he had moved to the area six months ago and that he was shocked at the danger of the road which was something he had never experienced before in Jersey. He stated that even workmen working at his property were scared to exit onto the road, he welcomed anyone to witness the speed from his property. He also felt that lowering the speed limit would not stop the speeders but that speed humps would.

Vingtenier Clement-Jones advised that it was hard to speed check on this road due to the corners, speed limit and road safety of Officers as well as road users.

Deputy Tadier used to deliver papers years ago to this area and wished it had been changed to a 20mph back then, he hoped the speed limit would run from the Synagogue to Pont du Val, the Connetable confirmed it would be the entire road. Deputy Tadier

<p><u>Vote a sum not to exceed £31,000 from the Motor Vehicle Reserve Fund for a new Honorary Police Vehicle</u></p>	<p>advised that despite Clos des Sables and Les Quennevais Park being reduced to 20mph zone he still receives numerous calls about speeders and this may be a possible future expense for the Parish. The Connétable stated that any installation of traffic calming such as this has to be established on a need basis, as it is very expensive and in this case has only been brought to the Assembly as it is possible to carry out within the existing budget.</p> <p>Centenier Bougeard agreed with Deputy Tadier that the 20mph zone in Les Quennevais Park does not work, in order to slow traffic down in La Petite Route des Mielles humps need to be installed.</p> <p>Mr Videgrain stated that the best traffic calmers he had experienced were on West Hill, St Mary and St Martin and asked if it was thought that a similar give/take installation might work better. The Connetable replied that professional advice had been sought and that this is the proposal which was thought most appropriate for the area, a mix of give/take and road humps would not work together.</p> <p>Mr John Trafford was not a lover of humps and felt that they did not always slow down boy racers who tried to take off over them, he asked if rumble strips had been considered. The Connétable replied that rumble strips would be too noisy in such a built up area and that the humps are to be platforms rather than smooth. All emergency services had been written to and Chief Officer Bowron had written back to support the scheme. Mr Peter Norman asked if Chief Officer Bowron was prepared to contribute to the costs from his budget. Mr Derek Wallis felt that wealthy residents should contribute.</p> <p>Vingtenier Clement-Jones felt that as the project would be in several phases the first phase could be monitored for its effectiveness.</p> <p>Senator Sarah Ferguson asked not to use this amount of money as an experiment. The Connetable replied that this is not an experiment, this is the Engineers advice for the best possible solution.</p> <p>Mr Jackson proposed to adopt the recommendation as drafted, the proposition was seconded by Deputy Power. The Connetable then asked for a show of hands. 32 persons voted in favour with no persons voting against the proposition.</p> <p>A resident of La Petite Route des Mielles then asked for work to be carried out as soon as possible before a person is killed.</p> <p>The Connétable then asked Chef de Police, Centenier Bougeard to advise the Assembly on the next proposition.</p> <p>Centenier Bougeard explained that the Honorary Police have looked to find a new vehicle suitable for their use, specifically for Friday and Saturday nights. The current Peugeot is 8 years old and is costing money on a regular basis for repairs, it has driven over 57,000 miles by multiple users and is currently not what is considered roadworthy. Several years ago it was agreed at an Assembly that one Police vehicle would be replaced every 3 years. The £31,000 was to purchase and fully equip a Volkswagen Transporter to Police standard, other options were looked at but it was felt that a cell in the rear would be extremely useful to transport both people and cones/signs etc., which wouldn't fit in the current vehicles, it is also able to be hosed out.</p> <p>Deputy Power asked if there were looking at a crew van with seats in the rear. Centenier Bougeard confirmed the vehicle had rear seats as well as front seats and the cell. He</p>
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stated that it isn't safe to expect Honorary Police to drive a suspect to Police Headquarters with only another Officer in the backseat of a regular car, you feel very exposed.

Senator Ferguson asked if they had looked into the cheaper VW range such as the Skoda. Centenier Bougeard replied that the Skoda do not do full size vans and that they had taken advise of the States Police. Senator Ferguson then asked if a cell was required as how often are people taken into town by the Honorary Police. Centenier Bougeard replied that it was hard to give a number however the Officers need to be safe.

Mrs Terry Bond commented that the Rector wished to speak in support of the Honorary Police however he had to leave the meeting early due to work commitments. She advised the Assembly that Reverend Bond felt that the Honorary Police do a lot for the Parish and we owe it to them to be safe at all times, having been a visitor to Police Headquarters he knew what they had to deal with and felt that they deserved the best.

Deputy Power felt exactly the same that we owe it to the Honorary Police as they deal with horrid situations and need the tools.

Senator Ferguson stated that she knew this but it was her money.

Vingtenier Le Sueur replied that it was also his money but also his life and the lives of other Honorary Police. He further commented that during the snow he, Mr Jackson and the Connetable had used their own vehicles to help parishioners as the Police vehicles were unusable and unsafe in the conditions. A trailer had been discussed but again this would not be feasible in harsh weather when road signs are required. He felt that this was the most practical vehicle and as it was already a standard fit out it would be a cheaper option.

Senator Ferguson asked if this new vehicle was a 4 wheel drive to which Centenier Bougeard confirmed it was.

Mr Trafford stated that they need a vehicle fit for purpose, in his experience of being a member of the Honorary Police you can ask the States Police to send a vehicle on a Friday or Saturday night to collect an offender but one will not always be available, in the current vehicles you cannot even collect a stolen bicycle, he felt the Assembly should give them what they want. Centenier Bougeard advised the Assembly that the vehicle book price was circa £40,000 therefore they were getting a deal going through the States Police.

Mr Jackson asked how much money was in the Vehicle Reserve Account, the exact figure wasn't recalled however it was known that there was enough to purchase the vehicle and for money to be left in the account. Mr Videgrain confirmed there was enough as he had previously checked.

Mr Videgrain then asked if all Officers were happy to drive this vehicle. Centenier Bougeard replied that 15 Officers have been asked out of 16 and only 4 were not in favour.

Mrs Julie Le Sueur asked out of those 4 how many didn't like the vehicle they otherwise drove. Vingtenier Clement-Jones replied one, Centenier Bougeard replied that he would not like to comment. The Connétable asked if the four Centeniers were happy to drive the vehicle. Centenier Bougeard responded that initially one Centenier was not in favour as his team were not all in favour, however he himself would be happy to drive the

vehicle, he was just supporting his team.

Senator Ferguson asked if the Officers would be trained to drive the vehicle if it was a 4x4. Mr Trafford replied that he was now retired and so could not assist in training.

Being no further questions or comments the Connetable asked for a proposer. Centenier Susan Fox proposed the recommendation, which was seconded by Mr Norman. Following a vote by a show of hands 25 persons were in favour with no members of the Assembly voting against.

Centenier Bougeard thanked the Assembly for their support.

The Connétable then thanked the remaining 29 persons for their attendance, and declared the meeting closed at 21.00 hours.

Signed: _____

Dated: _____

Steve Pallett
Connétable