

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 24 June 2014 commencing at 19.00 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 Thursday 29 May 2014, were adopted, and signed, following a proposition by Senator Sarah Ferguson, which was seconded by Mr Derek Wallis.

Election for one Officier du Connétable for Vingtaine de Noirmont:

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

Mr Ian Le Sueur proposed Mr Ewan James Haywood to be elected to the position. This nomination was seconded by Centenier George May.

There were no other nominations.

The Connétable declared Mr Haywood elected as Officier du Connétable for the Vingtaine de Noirmont for a term of three years. The Connétable congratulated Mr Haywood and advised that the date to appear before the Royal Court of Jersey to take the Oath of Office was Friday 4 July 2014 at 10.00 hours.

Discuss the Notice of Intent received from the Minister of Planning to list the Parish Hall building:

Connétable Pallett advised the assembly of the background to the current position. The Parish had been sent a Notice of Intent from the Planning Minister in 2013, a Parish Assembly was then held on the 22 October 2013 to discuss the Parish's concerns, at which Mr Kevin Pilley, Director of Policy, Projects and Historic Buildings was present.

Further to the outcome of the assembly the Connétable and Procureurs met with Mr Pilley, Mr Roger Hills of Jersey Heritage who had produced the report on the Parish Hall and the Minister for Planning and Environment Deputy Duhamel. It was advised at the meeting that the Minister has an obligation to list any building of public importance and that there was no discretion available to him. This had been proven by a recent Royal Court case in which an appeal was heard with

regards to the listing of a private residence. The Minister is required by Law to list any building with a heritage value and any planning or financial implications of the listing are not relevant.

The Connétable advised that the department had now revised their proposed listing of the building as a grade 3, down to a grade 4 which only provides for the exterior of the main building, no interior or more modern extensions to the building are included.

The Connétable and Procureurs felt that this listing was suitable. The Connétable then introduced Tracey Ingle, Principal Historic Environment Officer to talk about the proposal and answer any questions.

Ms Ingle advised that the Parish Hall has been listed as a Building of Local Interest since 1992, more recently the listing process has removed SSI, BLI and SLI's and replaced them all with a graded listing of 1 – 4, 1 being of National interest such as Elizabeth Castle, 2 being of local historical importance such as an original Jersey farmhouse, 3 being a Victorian building with some internal factors remaining and 4 being an external façade only.

Deputy Sean Power asked if the listing would have impact over the maintenance of the building such as redecoration. Ms Ingle advised that as the building is painted already this will not have any impact, the Parish Hall could be painted whatever colour was liked. Any repairs would also not be a problem but when any item is replaced this must be a like for like.

Mr Michael Jackson asked what effect the listing would have on future ownership. Ms Ingle answered none.

Mr Richard Haycock referred to the vote cast at the Assembly held last October and he felt that the Planning Minister was “riding rough shod” over the Parish decision. Ms Ingle replied that she respected his opinion however the Minister has no choice or discretion to change the listing as the building does have an historical importance, although as the interior has changed drastically from its original form it is only of external interest. As previously referred to with regards to the Royal Court case and also that the building has been listed since 1992 as a Building of Local Interest, a grade 4 listing will change nothing. The Connétable replied that nothing had changed since last year except being downgraded from a grade 3 to 4, but that metaphorically speaking they have put “meat on the bones”. Mr Haycock felt that the Law should be changed and contested by Parish Officials. The Connétable stated that changing of the Law was not for this meeting and Deputy Power stated that it seemed Planning were damned either way and that he would be happy to listen to any Parishioner who has issue with the Planning Law as he himself has agreed and disagreed with Ms Ingle over the years but felt they have always come to an amicable decision where planning is concerned.

Mrs Enid Quenault stated that the Parish were lucky to have such a unique building as the Parish Hall, she remembered during the modernisation in 1992 the

**Approve the sale
of a certain
footpath in Park
Estate**

original arches of the train station being discovered behind a wall.

There being no further questions or comments the Connétable thanked Ms Ingle for attending.

The Connétable advised that a letter had been received from a Mr John Kempson dated 28 February 2013, asking if the Parish would consider selling the footpath that borders their property and which is disused.

The footpath has been closed off for a number of years and is in poor condition. In some areas it could be classed as too dangerous for public access.

The Connétable replied to Mr Kempson advising that he would first visit the path before meeting with the Procureurs to discuss the request and asked under what terms Mr Kempson proposed. Mr Kempson then replied in a letter dated 27 March 2013 that after speaking with their neighbours Mr & Mrs David Garton they would be jointly prepared to pay £20,000.00. The Connétable spoke with the Procureurs and then advised Mr Kempson that his Lawyers should consult with the Parish Lawyers regarding the sale.

The boundaries have now been established, Transport and Technical Services have also been involved as the Parish land also borders their land. Contracts are now being finalised and all major investigation has been done by the other parties lawyers, the Parish only being responsible for its own reasonable legal fees.

Deputy Power asked if the Connétable could explain where the pathway is, which he did. A copy of the plan is attached to and forms part of these minutes.

Mr Arthur Morley stated that it seems the path is a liability to the Parish as it stands.

Mr Peter Warren asked why the pathway was allowed to get into such a state of disrepair. Mr Jackson advised that the pathway was closed due to Policing issues with groups of youths in Winston Churchill Memorial Park as there being so many exits to the park youth were able to disperse without being caught. He also advised that the previous Lieutenant Governor wished for the path not to be sold as it held access to a Battery, a resident in the estate at the other end of the footpath also did not wish for the Parish to sell it at the time. However, Mr Jackson stated that the other footpath and steps which access Winston Churchill Park are in a much better order and that the cost to reinstate the path would far exceed the cost of this sale.

Mr Haycock then proposed that the Parish sell the land as stated and for the Connétable and Procureurs to pass the said Contracts before the Royal Court which was seconded by Mr Morley. A vote by show of hands was then taken with 13 persons voting for and 0 against, with 1 abstention.

**Accept the gift
and transfer of La
Pulente car park**

The Connétable introduced Mr Ray Foster, Director of Estates, Jersey Property Holdings who would be able to answer any questions regarding the land in question.

Firstly the Connétable explained that the States had tendered to sell the toilet block at the top of La Pulente slipway for redevelopment as a café and toilet block. Originally the car park area had been included in this tender however the Connétable was concerned that if the car park became private this would hold many problems for beach goers and the Honorary Police. The Parish have been advised by the Law Officers Department that the Parish own the roadway from the top of the slipway (cobbled area), to the main road (Route de la Pulente) and therefore it was felt that to take over the car park area would be logical.

Mr Jackson mentioned that he believed that the Parish might own the car park already and asked when the transfer of the roadway that the Parish own originally occurred as he believed this was included. Mr Foster was unable to answer with the date although he mentioned that it had taken some time to legally identify the ownership of the surrounding area as States and Parish (the yellow area highlighted on the attached map being in Parish ownership).

Mr Le Sueur asked if the area of scrubland to the sea side of the slipway was Parish land, but this was not.

Deputy Power asked for confirmation that it was the area highlighted in red which was proposed to be transferred. This was confirmed.

Mr Haycock supported the wish to regularise the situation and asked how this would be enforced if it were contested. Mr Foster advised that Contract would be passed by the Royal Court and therefore legalised.

There being no further questions or comments the recommendation was proposed by Mr Jackson and was seconded by Mr Derek Wallis. A vote by show of hands was then taken with 14 persons voting for and 0 against.

**Adopt the
recommendation
to add Rue du
Cimetiere to the
list of Parish By
Roads**

The Connétable advised that there have been queries brought up a little while ago regarding roads that are not included under the Road Traffic Law. Certain roads that were transferred to Jersey Property Holdings from the States of Jersey became private roads and not Grande Route's, when some of the smaller roads were then transferred to Parishes they became private/parish roads and not Parish By Roads. St Brelade has 8 roads in this category there are many more throughout the Island all of which are not policeable at present.

Therefore the request is to adopt Rue du Cimetiere which currently falls into this category, as a Chemin Public/Parish by road, therefore allowing active policing. This is of particular concern due to the two Belle Vue phases being developed.

Deputy Power commented that St Helier is in a predicament in the same way and recently had the road leading to the cinema complex transferred to allow policing. Parishes need to have jurisdiction.

The Connétable advised that there is currently a document being prepared which could suggest an additional “type” of road, as these certain roads under JPH ownership could be transferred to the States but would not be classed as Grande Routes.

Mrs Quenault asked if Rue du Cimetiere is the only road into the new estate. The Connétable advised that the first phase access will be via the current Belle Vue entrance but that Rue du Cimetiere would be access to the second phase. The second phase being 35 units of accommodation.

Mr Jackson asked if this proposition included the Chemin de Cimetiere and its car park. The Connétable replied that the proposition did not include the Chemin du Cimetiere and that the car park had itself recently been listed in the Public Parking Places Order.

There being no further questions or comments the recommendation was proposed by Mr Jackson and was seconded by Senator Sarah Ferguson. A vote by show of hands was then taken with 14 persons voting for and 0 against.

All voting was by a show of hands.

In thanking the remaining 16 persons for their attendance the Connétable declared the meeting closed at 19.58 hours.

Signed: _____
Steve Pallett
Connétable

Dated: _____