

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 Wednesday 10 May 2017 commencing at 19.45 hours.

President of Assembly:

Connétable, Mr Steve Pallett, presided.

Convening Notice:

The Convening Notice was read by the Parish Secretary.

1. Minutes of Previous Assembly:

The minutes of the previous Assembly of Principals and Electors of the Parish of St Brelade held on 1 February 2017, were adopted, and signed following a proposition by Mrs Enid Quenault which was seconded by Deputy Graham Truscott.

2. Election of Vingtenier

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

Centenier Michael Jackson proposed Mr Ewan James Haywood to be elected. This nomination was seconded by Mr Raoul Gear. There were no other nominations.

The Connétable declared Mr Haywood duly elected as a Vingtenier for the Vingtaine des Quennevais 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 would be on the 30 June 2017.

3. Bailiffs Annual Entertainment Permit – Kismet Cabana

An application for a Bailiffs Annual Entertainment Permit by Miss Summer Parkin and Mr Christopher Lister of Kismet Cabana, St Brelade was considered.

The Connétable explained that he had received a letter from the Bailiff's Office asking that the Connétable seek the views of a Parish Assembly with regard to the application.

Mrs Natalie Duffy spoke on behalf of the applicants and Mr Christopher Lister, one of the applicants, was in attendance. Mrs Duffy advised that Mr Lister had worked at the Salty Dog and El Tico previously but decided to set up on his own last year. Miss Parkin had written a short statement which Mrs Duffy then read out. It advised that their aspiration was to offer light entertainment at Kismet for

their customers, the specifics being enjoyment of low key acoustic performances during May to September at the weekends between 4.00-8.00pm. Neighbours are their priority and as such sound levels will be kept low for the diners only to enjoy, the music will only be acoustic. They are looking to support local talent and are not wishing to hold any large public events with it being purely light entertainment for diners, with no festivals or rock concerts. They are looking to work with the Jersey Songwriters Society and currently play an active role in looking after the area in which they work being the beach clean reps for Ouaisne Bay and also being members of the Beach Watch Association. Notice of the events would be by email, to those registered and you can register via their website www.kismetcabana.com/tribe . Any concerns or complaints should be made to Chris or Summer via phone, in person or by email.

The Connétable then asked for any comments or questions.

Deputy Graham Truscott asked whether the applicants had contacted the neighbours. Mr Lister advised that he had walked from the top of Ouaisne to the bottom and has knocked on doors and given letters out, he stated that 99% of the residents were happy, 1 resident was unhappy as they wouldn't be able to hear the music from their garden.

Centenier Michael Jackson commented that the proposal will be likely to draw more people to the area and as it is already a challenge driving up the hill he asked if they had any proposals to manage this. Mr Lister advised that they are not expanding and only have 64 seats, therefore only people eating will be able to sit down and enjoy the music. The Connétable asked if music would only be played whilst people are eating, this was confirmed. Mr Lister advised that the local talent could be videoed and blogged.

Centenier Michel Bougeard asked if there will also be singing, this was confirmed but advised that the singing would also be acoustic only with no amplification.

Centenier Bougeard asked what the average number of covers was, he was advised that they can seat 64, but as people don't always like to share tables they often have less.

Senator Sarah Ferguson asked if they would play groups. She was advised no and that only 1 person would be playing music with possibly another person singing.

There were no further questions or comments.

Following a vote by a show of hands the item was supported by 33 votes in favour with 0 votes against.

**4. Consider
adopting La
Rue Voisin**

The Connetable introduced Mr Sinclair Forrest and Mr Philip Ahier from Jersey Property Holdings (JPH), who were in attendance to answer any questions from the public ownership perspective and thanked them for their attendance.

He was pleased that Centenier Jackson was in attendance as the history on the matter of this transfer goes back to 2011 when he was Connetable. On the 26 April 2011 it was first minuted in a Roads Committee meeting that JPH would be interested in transferring Rue Voisin to Parish ownership. The matter had arisen as it had been noted that the road was not a public road but it was in fact a public/private road (publicly owned by JPH but a private road) and therefore any parking restrictions placed on the road were not legal. Over a period of time the Parish had received various complaints of people parking inconsiderately causing a danger to other road users. JPH and the Parish have both worked tirelessly to find a solution and to bring the matter to an Assembly.

After various communications between late 2011 and early 2015 negotiations continued with JPH regarding who owned what section of the road and what would be included in the transfer with the Connétable also meeting with JPH to check the road surface. In 2016 boundaries were looked at and it was agreed that the pavements would not be considered as part of the transfer to the Parish from the current private ownership. Areas of the road requiring attention would be highlighted by the Roads Committee for repair prior to the transfer and agreed with JPH. Portelet Bay Management Limited (PBML) own a small section of road outside of the “Dandara” development and they had advised that they wish to retain ownership of their area of the road. The Parish Roads Committee still wished to transfer the remaining area of the road from JPH. PBML confirmed today that they definitely wish to retain their own section and therefore only the JPH section of road is being taken to the Parish Assembly.

If PBML’s area is not included in the transfer then that area will remain unpoliceable, but the wider benefit to the residents of the transfer of the road are that it can be managed and policed once restrictions are placed in the Order and signage is improved. All repairs will need to be carried out prior to the transfer. This has been a long saga which the Roads Committee will be pleased to finally put to bed. Both Connétable Pallett and the previous Connétable felt that taking over this road was the right way forward due to all the prevalent issues. It will only be taken over once in good order but obviously there will be a longer term liability.

Centenier Jackson thanked the Roads Committee for proceeding the matter to this stage as it has been a long journey. He asked if the boundary with the PBML section could be confirmed and was advised that the private road begins about 30m short of the entrance to the Dandara development and that a kerb line will be put in the road as clear demarcation once the boundaries have been agreed. Centenier Jackson was concerned that the Parish would not be taking over pavements as this has caused confusion in other estates such as Elizabeth Avenue. He was advised that the pavements are paved and are owned by the developments. Mr Ahier advised that as the properties were mostly flying freehold it would be extremely problematic to take over these small areas of land.

Mr Michael Videgrain clarified that Elizabeth Avenue did not have defined pavements as they are grass verges and footpaths. Rue Voisin does have defined pavements however these are brick pavements not tarmac and therefore the Roads Committee did not want to get involved with these pavements. He confirmed that the Roads Committee will agree the areas that require resurfacing prior to any contract being passed.

Mr Jeremy Harris was pleased that the parish were taking over the road and that policing would then be possible and asked if the yellow line would be lengthened or shortened. The Connétable advised that they cannot make any decisions yet but the Roads Committee will consider the necessary requirements which can then be enforced.

Mrs Margaret Roberts asked if the Roads Committee visit on day to day basis as parking is an issue on a daily basis. The Connétable advised that currently this was a no as the Parish is unable to police the road but he offered an ongoing commitment from the Parish, Honorary Police and Traffic Warden to ensure it is effectively policed. He also stated that unfortunately implementing Traffic Orders will take time.

Mr Peter Drew understood that the details need to be worked out but was concerned where any yellow line would be. Residents of The Palms and the “Dandara” estate know the road and problems shared by all residents and asked if the Roads Committee could consult with the Honorary Police and residents as to where the lines should go. The Connétable stated that a plan could be put together by the Roads Committee and a consultation evening held before the plan being considered at a Parish Assembly.

Mrs Jean Baird, Chairman of PBML, would be happy to work closely with the Parish and Roads Committee as they have been trying to get the parking problems sorted for a long time.

Centenier Bougeard offered the commitment from the Honorary Police however he needs Officers to police it and therefore asked the residents present to encourage their friends to join and then he would be only too happy to police the area.

There were no further questions or comments.

The recommendation was proposed by Mr Videgrain with the condition that repairs are to be agreed and made prior to the transfer, this was seconded by Centenier Jackson with the motion carried by 33 votes in favour and 0 votes against.

5. Consider adopting land at Greenvale

Firstly the Connétable explained that Solicitors Benest and Syvret had agreed to prepare contracts for both the Parish and Mrs Buckingham. The Parish lawyers, Le Gallais and Luce would then only have to review the contracts before going to Court. The location of the land was then explained for those that might not be aware of it. The land owned by Canterside Ltd is consistently untidy and at

nearly every Branchage a fine is levied. Canterside Ltd was the company which originally built Greenvale estate but the company have no funds and this land is their only assets and wished to wind the company up. The Roads Committee are recommending this item not because they feel sorry for them but in the hope that eventually the Parish might own all 5 areas of land and be able to build a pavement or at least make the area look better. There will of course be a small liability for maintenance which the Parish Foreman sees as 5 minutes work, twice a year. Two other owners have declined to sell, however new owners in the future may feel different. It is believed that the land was originally meant as a pavement but Canterside Ltd were not in a position to transfer the land at that time. It is now felt that the Parish cannot reasonably continue to fine a company that has no funds.

Mr Videgrain stated that the former Connétable Enid Quenault was in office when the development was built and had tried to obtain the strip of land, however one of the developers at the time did not wish to sell and therefore it remained with the company. He agreed that there was no point taking the company to Court which would cost the Parish money. He could not remember if the whole strip was subsequently offered to the Parish but believed it was and that at that time the Parish had turned it down which he felt was a shame.

The Connétable then asked for any questions or comments.

Centenier Jackson was pleased that another “festering sore” was being dealt with.

Senator Ferguson asked how the company kept going if didn't have any money. This was not known but the Connétable felt that if the company has no assets they cannot be fined. Mrs Quenault commented that it was understood that when the estate was built there were some problems and therefore Canterside Ltd was kept going in case anything went wrong with the houses in order to be able to pay for repairs.

Centenier Bougeard asked if the Parish had checked with JFSC to make sure it is a live Company. Benest and Syvret had confirmed it is a live company. Mr Videgrain confirmed that the only asset they have is these areas of land but they are unable to dissolve the Company as they still own the land.

There were no further questions or comments.

Mr Arthur Morley proposed the item which was seconded by Deputy Truscott with the motion carried by 16 votes in favour and 0 votes against.

In thanking the remaining 18 persons for their attendance the Connétable declared the meeting closed at 20.45 hours.

Signed: _____

Dated: _____

Steve Pallett
Connétable