

PARISH OF ST LAWRENCE



Minutes of the Parish Assembly	
<p>Monday 24th September 2018 at 7.00 p.m.</p> <p>Assembly Room, St Lawrence</p>	
Present	64 Principals and Electors
	Welcome & Apologies
	<p>Mr Bruce Harrison, the Senior Procurer du Bien Public, welcomed all present and Peter Noble led the Assembly in prayer.</p> <p>Apologies: Connétable Deidre Mezbourian, Mr David Mezbourian, Reverend Phil Warren, Centenier Mike Haden</p> <p>Deputies in Attendance: Deputy Kirsten Morel</p>
	Convening Notice
	<p>The Parish Secretary Mrs L Nozedar read the convening notice as advertised in the Church Box and the Jersey Gazette on 14th September 2018.</p> <p>An Assembly of the Principals & Electors of the Parish of St Lawrence will be held in the Parish Hall on Monday 24th September 2018 at 7pm for the following business:</p> <p>1) To receive the minutes of the Parish Assembly held on 23rd July 2018. 2) To consider and, if agreed, to adopt a recommendation of the Connétable and Procureurs du Bien Public that the Parish enter into a Contract of exchange and counter exchange of land known as Clos de Pauvres, Field No. L36, Le Clos de Marie, measuring 4 vergées and 10 perch for Field No.386 measuring 6 vergées and 14 perch and owned by Mr A Maclean. If so agreed, the Assembly to authorise the Connétable and Procureurs to pass the said Contract before the Royal Court on behalf of the Parish, noting that all reasonable costs and legal expenses of the Parish pertaining to this transaction will be settled by Mr A Maclean.</p> <p>Reverend Phil Warren, Rector of St Lawrence, had certified that the above notice had been duly placed in the Parish Box in accordance with the provisions of the Law.</p> <p>Deidre Mezbourian</p> <p style="text-align: center;">Connétable de St Laurent 14th September 2018</p>
1	1. To receive and if agreed, approve the Minutes of the Act of the Parish Assemblies held on Tuesday 20th March and Monday 23rd July 2018, these are on display at the Parish Hall.
	<p>Minutes of the 20th March were; Proposed: Mr Duncan Baxter Seconded: Mr Sid Simkin</p>

	<p>Minutes of the 23rd July 2018 were: Proposed: Peter Noble Seconded: Duncan Baxter All were in favour with none against; the Minutes were duly approved and signed by Mr Bruce Harrison, the Senior Procureur du Bien Public.</p>
2	<p>2. To consider and, if agreed, to adopt a recommendation of the Connétable and Procureurs du Bien Public that the Parish enter into a Contract of exchange and counter exchange of land known as Clos de Pauvres, Field No. L36, Le Clos de Marie, measuring 4 vergées and 10 perch for Field No.386 measuring 6 vergées and 14 perch and owned by Mr A Maclean. If so agreed, the Assembly to authorise the Connétable and Procureurs to pass the said Contract before the Royal Court on behalf of the Parish, noting that all reasonable costs and legal expenses of the Parish pertaining to this transaction will be settled by Mr A Maclean.</p>
	<p>Mr Bruce Harrison, Senior Procureur du Bien Public, addressed the Assembly with an introduction of the proposed Contract of Exchange and counter exchange of land.</p> <p>Mr Harrison informed the Assembly that initially Mr Maclean had approached the Connétable with a view to purchasing field L36 which is situated alongside his property.</p> <p>The Connétable was not inclined to sell but would consider a land swap.</p> <p>Mr Maclean approached the Connétable and Procureurs again in the Spring of 2018, advising them that Tommy A'Court of Maillards Estates had a field available for sale, which might be of interest.</p> <p>Following a site visit, the Connétable and Procureurs reached the conclusion that this was a much better field for the Parish than the present one and were comfortable taking the proposal to a Parish Assembly.</p> <p>Mr Harrison then invited Mr Maclean to explain the proposed exchange.</p> <p>Mr Maclean thanked the Connétable and Procureurs for bringing the proposal to the Assembly.</p> <p>He informed the Assembly that he had lived at his property Maison du Haut for ten years, he loves the Parish and is currently extending his family property, their home for life.</p> <p>The field in question is to the North of his property, the border of which consists of a row of pine trees which have been neglected and are in poor condition and often shed branches onto Mr MacLean's land causing concern for his family's safety.</p> <p>Legal advice had been sought in the past and the trees were identified as being the responsibility of the Parish. The Maintance cost of which would be costly to the Parish.</p> <p>Mr Maclean explained the limitations of access to field L36, which current occupier Mr Carter accesses from his own land. Mr Carter will continue to farm this land, which will remain as Agricultural land. Mr Harrison had met with Mr Carter who confirmed he would be happy if the exchange were to go ahead.</p> <p>Mr Maclean informed the Assembly that the proposed field is almost 50% larger than the current field, has better access and higher value and rentable return to the Parish.</p> <p>Mr Harrison then opened the floor to questions.</p> <p>David Vibert remarked on the present rental being received by the Parish was misleading as the Parish did not charge commercial rate for the field and questioned the fact that it may not always be farmed, adding a private driveway which would add considerable value to Mr MacLean's property.</p> <p>Mr Harrison felt this was not a question, more a statement of personal opinion and informed Mr Vibert that all neighbouring properties have access to the track, which was confirmed by Mr Boxall of a neighbouring property.</p>

Mr Vibert continued that in his opinion should this transaction receive approval the Parish should be offered a higher premium for this field. He also believes that the pine trees in question do not belong to the Parish. Mr Harrison in reply informed the Assembly that legal advice had been taken.

Norman Le Riche, speaking as a former guardian of Clos des Pauvres, told of his discuss at the condition of the field at present, as there appeared to be a hogging pathway through the field already.

Mr Harrison explained that this had been done with the permission of the Parish and Mr Carter so Mr Maclean could have access for heavy plant and machinery to access his property to carry out the current renovations and would be restored to its former state.

Mr Le Riche encouraged the Assembly to vote against the proposition.

Stephen Cohu commented that it is interesting to see that this has come to Parish Assembly with little or no information made available for Parishioners to help understand the proposals. He also suggested that should this transaction go ahead, there should be a covenant put in place to stop any future change of use of this field.

Mr Harrison said that this is not necessary as this field is subject to agricultural law, to which Mr Cohu commented that the Island Plan was to be reviewed at the end of the year, so things could change.

Mr Cohu then asked Mr Maclean how much he had paid for field 386, to which Mr Maclean answered £48,000 for the six vergee field.

Mr Cohu enquired what the cost of maintaining the field would be to the Parish to which Mr Harrison answered that any lease drawn up would state that all maintenance would be the responsibility of the tenant.

David Vibert said that he believes that this is not about purchasing the field, it is about Mr Maclean protecting his property and as Mr Maclean is an Estate Agent he would be aware that massive amounts are paid for the privacy factor.

Mr Maclean had a valuation from Saville's showing the value added to his property by adding field L36 with an estimated value of £11,400.

Mark Bingle asked if it is Parish land then the public have access to the footpath. Mr Boxall informed the Assembly that the track from Ville es Gazeaux is known as a Chemins du Voisin (a right of way to neighbouring properties) not a public right of way. Mr Boxall asked Mr Winston Le Brun to confirm the translation and he confirmed that it was correct.

Jason Cronin believes that a covenant should be placed on the field. He noted that fresh information had come from the Assembly and suggested an adjournment of the Assembly to allow time for people to consider all factors.

Ian Le Brun informed the Assembly that both fields are rentable fields. He asked if the Parish maintained the tree's, would Mr Maclean still want to go ahead with the land exchange? Mr Maclean said that the trees were one of the reasons he had suggested purchasing the field but he would also like to protect his property.

Bruce Thomas asked if the measurement of field L36 included the trees. Mr Harrison confirmed that it did.

Mr Thomas commented that he had no way of locating the fields from the Parish notice and could not find any information online. He cannot vote on something where information is unavailable.

Ian Kenny said Parishioners needed further information before they can make a decision and suggested that the meeting be adjourned to gather further information including an independent valuation of Mr MacLean's property inclusive of the field. Mr Kenny also questioned if rates payer's money should be used for such valuations.

Martin Sabey pointed out that as per the convening notice, Mr Maclean would meet any reasonable expenses.

	<p>Mr Kenny proposed the meeting be adjourned and this was seconded by Major Stephen Coleman.</p> <p>Mr Harrison asked for a show of hands for those in favour of an adjournment. This resulted in 34 in favour and 16 against the adjournment.</p> <p>Motion to adjournment carried to reconvene at a later date.</p>
3	Meeting Closed
	There being no further business the Procurer closed the meeting at 8.11pm

Signed:.....

Date.....

Mr Bruce Harrison, Procurer

President of the Assembly

K/Parish assemblies/24.09.18 Clos des Pauvres