



<b>Minutes of the Shadow Conseil Municipal</b>	
<b>Wednesday 20 May 2020 at 1.00 p.m.</b>	
<b>Meeting held electronically by ZOOM during COVID19 Pandemic</b>	
	<b>Item 1: Welcome, Apologies, Scene Setting and Overview –</b>
	<p><b>Present:</b> Constable Simon Crowcroft (SC)            Procureur Peter Pearce (PP)            Procureur Geraint Jennings (GJ)            The Very Revd Mike Keirle (MK)            Mr Julian Rogers (JR)            Mr John Baker (JB)            Mr Barry Le Feuvre (BLF)            Mr Bernie Manning (BM)            Mrs Lyndsay Feltham (LF)            Mrs Barbara Corbett (BC)            Mr Mario Pirozzolo (MP)</p> <p><b>In Attendance:</b> Mr Jason Turner, CEO (JT)            Mrs Alison Sweeney, Parish Secretary (AS)</p> <p><b>Apologies:</b>            Mr Robert Le Brocq (RLB)            Mr Malcolm L’Amy (ML)</p> <p>The Constable extended a warm welcome to the first Shadow Conseil Meeting held electronically.</p>
	<b>Item 2: Approve the minutes of the last meeting</b>
	The minutes of the meeting 12 <sup>th</sup> February 2020 were approved unanimously (SC,PP,GJ,MK,JR,JB,BLF,BM,LF,BC,MP)
	<b>Item 3: Declaration of Interests</b>
	There were no interests declared by members
20/015	<b>Item 4: Senator Steve Pallett, Assistant Minister for Economic Development, Tourism, Sport and Culture. Retail &amp; Hospitality, Licensing Approval and Events.</b>
	<p>Members were asked to discuss retail, hospitality, licensing approval and events with Senator Steve Pallett, Assistant Minister for Economic Development, Tourism, Sport and Culture</p> <p>The Shadow Conseil Municipal welcomed Senator Pallett to the meeting. The Constable outlined the purpose behind the Shadow Conseil Municipal, explaining its aim was to take work from Central Government by devolving aspects that could be dealt with more expediently at local level.</p> <p>The Minister supported the idea in principle and understood the synergies around licensing and event planning in a large town like St Helier. He believes that opportunities already exist for the Parishes to have a say in licensing, but can understand that the area which is missing is the decision making process. Senator Pallett stated that a review was undertaken in relation to licensing, but the matter was not progressed. The review highlighted opportunities for independent parties, possibly the Parishes or a panel of lay people to make decisions. Safeguards would need to be put in place to ensure the process was fair and transparent, by having a judicial appeal system. One of the reasons the retail and hospitality sector feel the current system doesn’t work is because there is little divide between the decision makers and the appeal body. Senator Pallett believes the public would support change.</p> <p>Senator Pallett can understand why St Helier would want more decision-making powers, as it has over 50% of licence categories in the Island. He did have slight concerns about how this would work for other Parishes, who</p>

may require the support of a larger Parish like St Helier; possibly some of the smaller Parishes could work together in this respect.

The current States Assembly have made no progress with changes to the licensing law. Senator Pallett met with the Bailiff, Ministers and the, Attorney General at the end of last year to seek a view as to how to get the debate moved forward. At present, he has not been allocated any resources to restart this process, or to achieve it in the current term.

The Constable reported that other Constables could see the sense in the Parishes making licensing decisions and that it didn't appear too onerous to them. The Constable asked Senator Pallett if he thought the Licensing Bench would be willing to relinquish the process, Senator Pallett believed they were open to discussion. The Constable stated currently the income for licensing goes to the Government Treasury and if the Parish took on the process it would expect to see most, if not all monies going to Parish. Senator Pallett stated it had been the intention had plans progressed, for the independent body to administer licensing applications and be allocated the money; he believed Treasury would be open to discussion.

JR asked for Senator Pallett's views in relation to events and the Bailiff's Entertainment process, as there is currently a lot of to and froing. Senator Pallett said his personal view when he was Constable, is he would have been comfortable to approve events as long as safeguards were in place, although it could be seen as eroding the powers of the Bailiff, so he would want to comment. It seems a sensible solution as the Parish are in the best place to know what suits each Parish and what parishioners want.

The Dean felt that if the appeals process for licencing stayed with the Bench or a secondary body, it could come to a stop; he asked who does it at present? Senator Pallett advised the Court does it themselves, the Licensing Bench hear the application and then the appeal goes to the Court. Parishes would still need in his view a judicial review, but it would only be on legal or technical issues. The Constable recommended an appeal to other Constables, as a judicial review is expensive and this process could reinforce the role of Parishes and Constables.

JB stated the importance of the Parish taking responsibility for location and permissions for events; he provided examples where due to the current process organisers had pulled out. Senator Pallett agreed the current system is unwieldy and unhelpful and could be simpler; maybe Deputy Tadier who has responsibility for culture could assist the Conseil further.

MP commented on the transfer of licence process, stating he had never received the licence before the event had taken place. He has experience of Guilford Council, where organisers apply to the city and pay their fee to the city. If the application is straight forward then it is approved, if there are concerns in relation to safety or public order, it is progressed to the SAG (Safety Advisory Group) chaired by one of their own, who is elected each year. Decisions are made by SAG who advises the Council, they then produce the permits with the relevant caveats. Jersey has a number of young entrepreneurs who are restricted by the current Bailiffs application process. MP also has concerns in the relation to late liquor licence renewals and lack of transparency as to where the money goes. Senator Pallett said he heard the concerns and agreed there needs to be more transparency and an online application process. In relation to changes to the Licencing Law, the only dispute had been who the decision-making body should be and this was the reason behind the new law being pulled. It was explained the new law is ready to go and maybe the Parishes are the way forward

BM raised the matter of the frequency of the Bailiff's panel, as one could waste months getting an application agreed. Senator Pallett said he wasn't sure about the Bailiff's panel, but he knew the Licensing Bench had made a commitment to being more flexible in regards to timescales.

JB stated the Parish is very good at organising and encouraging young people in the community with their ideas and feels they are equipped to take on the process. St Helier has great expertise and a supportive Constable, the Parish is a great resource that the States need to lock in too. The Government Civil Service should be encouraged to liaise with Parish and Council, in doing so we can achieve many things

Senator Pallett said the Parishes have a large role to play in the community and could see some areas where the States could devolve responsibilities back to the Parishes.

The Constable suggested the Conseil look to JT to organise to move the matter on at Officer Level.

	<b>Item 5: Matters Arising</b>
	There were no matters arising
20/018 20/019	<b>Item 6: Road / traffic / transport opportunities to support parishioners through and out of the current 'lockdown' and Item7: Roads Committee to be asked to desist from requiring one parking space per dwelling.</b>
	<p>JT explained that these matters had already been discussed at an informal meeting on the 5<sup>th</sup> May, the notes from which had been circulated to members.</p> <p>JB stated that before the Conseil gets into discussing Items 6 and 7, he view was whilst one could give a quick overview of what was discussed and vote for or against; he could not agree to this as he felt more discussion was required with Government and Planning. He is aware that planning is reviewing their policy in relation to parking spaces and therefore he proposed to postpone both of these items.</p> <p>JR's his views were sought as Item 7 was his proposition. JR stated he was willing to postpone as it made sense and offered the opportunity for more engagement.</p> <p>A postponement was put to the vote and it was approved unanimously (SC,PP,GJ,MK,JR,JB,BLF,BM,LF, BC, MP)</p>
f20/017	<b>Item 8: Community Services -Recommend for Approval Portfolio Committee plan</b>
	<p>JR explained him and his fellow portfolio members wished to present the Community Services Portfolio Plan. He explained the Community Services Portfolio Plan remained as it was immediately before lockdown, the investigation and documentation elements are still relevant post-lockdown and the information sharing meetings were still appropriate as they were, but they may require altered subject matter.</p> <p>The weekday published list of activities is in urgent need of update and republication. The website has more than 100 obsolete 'What's On panels', which it is hoped will be removed.</p> <p>The Community Services plan was approved unanimously (SC,PP,GJ,MK,JR,JB,BLF,BM,LF, BC, MP)</p>
	The date of the next scheduled Parish Assembly is Wednesday 24th June 2020.