

St Helier Municipal Reform: establishment of a shadow Conseil Municipal for St Helier during 2020

For consideration by the Parish Assembly
on 6 November 2019 at 7.00pm

PARISH OF ST HELIER

P.06.2019



PROPOSITION

PARISHIONERS are asked to take into consideration and if deemed advisable to approve the establishment of a shadow Conseil Municipal for St Helier during 2020.

REPORT

Background

Procureur du Bien Public, Geraint Jennings, has been asking the Parish of St Helier to consider the establishment of a Conseil Municipal for many years, recommending that the informal arrangements introduced by the Constable of St Helier in 2002 to develop the role of the Roads Committee should be put on a more formal footing. These arrangements, including the holding of regular monthly meetings in public, the publication of agendas and minutes, the holding of public consultations and presentations (both on matters of local interest and on wider issues such as the development of Island Plans), and the discussion of strategies and policies that are outside the remit of the Committee, have enabled individual members to take on responsibility for particular areas of interest, such as tackling the problems of speeding and littering, encouraging recycling, advising on legal aspects of the purchase and sale of Parish property, and so on. The Constable has welcomed the greater involvement of the Roads Committee, together with that of the Procureurs du Bien Public in the running of the Parish, and believes that the evolution of the Committee into a Conseil Municipal, with additional members elected including a youth representative, would allow the expertise and interest of more parishioners to be harnessed for the benefit of all. At the same time, the formation of a Conseil could enable the Parish of St Helier to add to the list of delegated responsibilities it already has with respect to the administration of Jersey's capital and to negotiate with the States the transfer of various additional responsibilities which, it is believed, could be more effectively managed at the local level.

The Municipal Reform Working Group

In order to develop this idea further the Constable of St Helier set up a working group on 13th March 2019 consisting of the St Helier Roads Committee and Procureurs du Bien Public and a representative of the Parish Deputies and the Comité des Connétables, with the purpose of establishing how the elected local administration of the Parish of St Helier could be adapted to meet the needs of the Parishioners more efficiently and effectively.

The group met on seven occasions and agreed its first report on 24th September (Refer to: **Parish of St Helier Municipal Reform Working Group Report**). This was presented to the Comité des Connétables on Monday 14th October where it received unanimous in principle support. The monthly meetings held by the Constable with the Parish Deputies have also been kept updated with the working group's progress.

The working group's starting point was to agree the aim of the Parish's operations as making St Helier 'a vibrant, safe, engaging and attractive Parish where people choose to live, work and visit',

with the specific objectives of:

1. delivering a safe, clean, attractive, environmentally friendly, natural and built environment;
2. facilitating and promoting a vibrant, inclusive, engaging, accessible capital;
3. enabling and facilitating social inclusion, well-being and community engagement for all Parishioners;
4. providing modern, pro-active services whilst retaining and promoting local traditions, culture, arts and history;

5. facilitating and promoting a town where businesses can flourish and parishioners are able to participate in economic activity;
6. delivering value for money to rate payers while keeping the Parish Rate low.

In carrying out its work, the group agreed to:

- a. identify and consider what works well and what could be improved, i.e.,
 - areas where the current arrangements effectively support and enable the Parish to deliver its objectives,
 - areas where the current arrangements hamper the delivery of the Parish's objectives, and
 - changes that would further support the delivery of the Parish's objectives;
- b. research principles of good local government and how other jurisdictions operate, i.e.,
 - the principles of effective devolved local government, and
 - how other jurisdictions deliver devolved government at a similar level;
- c. identify feasible changes / options to improve delivery of Parish objectives, i.e.,
 - options for different arrangements,
 - options in terms of benefit, cost and risk, and
 - a preferred option.

The working group's objectives set out above were considered within the context of the existing Parish structure with the clear intention of considering matters and identifying proposals that would work within and support the overall Parish system, structures and traditions; and that would not, if implemented, require other Parishes to change the way they are governed, operated, or function. The role of the Parish Assembly, in particular, its qualities of transparency and accountability, was considered vital, and it was agreed from the outset that it would remain the ultimate decision-making authority of the Parish.

The working group went on to identify which elements of the current arrangements support and enable the delivery of Parish objectives and which hamper their delivery, by examining a number of areas where the Parish operates or other bodies operate, where those operations have a major contribution to the successful delivery of Parish objectives. The areas of operation are: town and transport planning, parking, road management, environment, policing, licensing, housing, town vibrancy, accountability, engagement and administration. The working group found that the delivery of the Parish's objectives is hampered in a number of areas and that there is often a mis-match between accountability and authority, where the Parish finds itself held to account but lacking the authority to address or resolve a particular issue; the working group believes that fuller responsibility for certain administrative functions, therefore, should be sought from the States of Jersey in certain areas. There are many examples contained in the working group's report of administrative functions which could be carried out by the Parish rather than by the States of Jersey; in general terms, the devolution of certain administrative functions to the Parish from the States would achieve such benefits as:

- improved customer service and responsiveness that matches Parishioners' expectations with the Parish's ability to meet those expectations;
- removal of duplication of activity, with improved consistency, efficiency and cost control of administrative activities;
- clearer lines of communication resulting from a single point of administrative contact;
- reduction in administrative burden on the States of Jersey and other public authorities, allowing them to focus their energy and resources on the pressing affairs of state and the judiciary;
- greater influence for the Parish on Island policies that impact St Helier;
- enhancement of the Parish system;
- increased opportunities for involvement by Parishioners in local government;
- maintaining the primary role of the Parish Assembly.

The working group believes that its proposals are achievable without any increase in Parish rates, as any new, transferred or expanded services would be funded through existing user pays fees or sources other than rates. Funding and resourcing will, however, be a key consideration as each area of administration is discussed and as any developments or changes are taken forward.

The Constable and Procureurs du Bien Public are currently elected in public elections on four-year and three-year terms of office respectively, while the members of the Roads Committee are elected by the Parish Assembly on three year terms. The working group sees merit in retaining the electoral procedures in respect of the Constable and Procureurs du Bien Public as this is consistent with the way their counterparts in other parishes are elected; it suggests that the aim would be, subject to a successful outcome to the operation of a shadow Conseil during 2020, and the approval of the Parish and States Assemblies, to ensure that the law by which the Parish's administration will function in future will be modern, accessible, clear, understandable and tailored to the needs of our community; this might be effected by amendments to existing laws, or involve a standalone law.

A shadow 'Conseil Municipal' for St Helier

At present the authority of the Constable and Roads Committee comes from legislation. The working group realises that the opportunities for administrative changes and certain devolved responsibilities outlined in its report, if deemed desirable by Parishioners, would need to be agreed by the Parish Assembly and the States Assembly. However, the Group decided that operating a shadow form of the Conseil in the first instance, for a period of one year, would provide an excellent opportunity to test and develop the proposals in terms of feasibility, practicality and impact of the Parish's objectives, before seeking legislative change. The shadow Conseil de St Helier would meet monthly in public on Roads Committee meeting days during 2020, with the intention of preparing a final report and recommendations at the end of the year. In the meantime it is possible that there may be some 'early wins' that can be agreed with the States of Jersey via memorandums of understanding, as have been used successfully in the past. If the next stage of the municipal reform process is successful and meets with the agreement of the Parish Assembly and the States of Jersey, it is anticipated that any necessary legislative changes could be made in 2021 and beyond.

Composition of the shadow Conseil

Having reviewed the operation of local government in a number of jurisdictions, the working group has concluded that a shadow Conseil Municipal for St Helier for 2020 should consist of fourteen members: the Constable, the two Procureurs du Bien Public, the six members of the Roads Committee and five other Parishioners, one of whom should be a youth representative. Subject to the agreement of the Parish Assembly to this proposal, it is anticipated that the five new members of the shadow Conseil could be elected by the Parish Assembly before the end of 2019.

Timetable for Municipal Reform of St Helier

The following timetable is proposed:

November 2019:

- Parish Assembly debates proposal to establish a shadow Conseil Municipal for St Helier;
- States Assembly debates amendment to the Government Plan seeking in principle support for the proposal;

December 2019:

- Parish Assembly elects five members to join the Constable, Procureurs du Bien Public and Roads Committee in a shadow Conseil Municipal;

January to November 2020:

- Shadow Conseil Municipal meets monthly on Roads Committee days, its business being conducted directly after that of the Roads Committee;

December 2020:

- Parish Assembly debates Report and proposition setting out detailed proposals for a Conseil Municipal;

2021:

- States Assembly debates detailed proposals for a Conseil Municipal;

2022:

- Conseil Municipal for St Helier established.

Conclusion

The working group considers that the Parish could deliver its aim and objectives more effectively through the evolution of the current Parish system, retaining traditional administration where it works well, but adapting other procedures and seeking devolved powers where necessary, through negotiation with the States of Jersey, to meet the changing demands and needs both of Parishioners and of Islanders as a whole.