

Paroisse de Saint Sauveur  
Minutes of the Douzaine Meeting held in the Lihou Room at the Community Centre at  
7.00pm on Monday 31<sup>st</sup> July 2017

Present	<p>Messrs D Bertrand (DB), J Brache (JB), M de Garis (MdG), R de Garis (RdG), , Mrs A Foley (AF), Mrs K Fooks (KF), Messrs S Gibbs (SG), Messrs A Tempest (AT), N Le Poidevin (NLP) and K de la Mare (KdIM) (Senior Constable – presiding).</p> <p>Mr G Chapman (GC), Parish Secretary was present to record the minutes.</p>	
Apologies	Mr P Duquemin (PD), and Miss M Macdonald (MM).	
Remembrance	<p>KdIM reminded the Douzaine that Mr Jonathan Jorgenson-Lesbirel passed away on 7<sup>th</sup> July 2017 and that Mr Jorgenson-Lesbirel had contributed much to the debate of the Douzaine during the last 5 years. The Douzaine stood for one minute in silence to remember Mr Jorgenson-Lesbirel.</p> <p>The Douzaine wished to record their condolences to Mr Jorgenson-Lesbirel’s wife, Christine, and his family and to recognise his contribution to the Douzaine.</p> <p>It was agreed that the Dean should send a letter of condolence to Mrs Jorgenson-Lesbirel.</p>	KdIM/RdG
Billet d’Etat	<p>Deputy D de Lisle (DDL) attended the meeting to discuss forthcoming States’ business.</p> <p><b>High Hedges (Guernsey) Law, 2015.</b> DDL outlined the legislation that it is intended will be commenced in October 2017. It will allow owners and occupiers of property, who consider their property has a ‘barrier to light’ from adjacent hedges (predominantly evergreen and over 2 metres in height), to make a complaint – on payment of a fee of £350. The matter will then be determined by a panel who will consider the merit of the complaint.</p> <p><b>Social Insurance Law – Amendment.</b> DDL explained that there minor amendments to the 1978 law.</p> <p><b>Employment and Discrimination Tribunal.</b> It is proposed, and DDL supports, that members of the Tribunal should be allowed to serve beyond the current age limit of 70 years.</p> <p><b>Future States Business.</b> DDL advised the Douzaine that he has written to the States Assembly and Constitution Committee asking them to arrange States Meetings for the last Wednesday of each month so that Douzaines can have input to the various proposals to be debated (Douzaines meet on the last Monday of each month). He has yet to receive a reply.</p> <p><b>Channel Island Financial Ombudsman, (CIFO).</b> DDL reported that the CIFO has received more complaints about financial services businesses than had been anticipated. The CIFO operates from Jersey and the costs of the operation are met jointly by both islands.</p> <p><b>Deposit Compensation Scheme.</b> DB asked DDL for his views on the reported £15 million requested by Policy and Resources Committee (P&amp;R). He asked if it was a sum intended to build up cash reserves for any future needs of the scheme. DDL agreed that it was exactly that. He understood that there was a sum of £100 million that could be called upon over a period of 3 – 5 years. DB said that he understood that any sum needed for compensation was</p>	

to be provided by finance houses.

SG commented that when the scheme was set up there were in excess of 70 banking licences operating in Guernsey, - today there is about 30. He added that any request for further contributions from banks would meet resistance.

**Education.**

SG asked DDL (a member of the Committee responsible for education) what the plans were for the future.

DDL said that the States had determined that secondary education should be provided in 3 schools, St Sampson's, Les Beaucamps and a new school to be built at La Mare de Carteret. Selection at age 11 (11 plus) will not be continued, - the schools teaching all ability students with classes in all subjects being set (streamed). The Grammar school site will be used for post 16 education. The old St Peter Port School site will be for the College of Further Education.

DDL understood that there are several Deputies that might seek to refine the proposals further, suggesting that 2 bigger secondary schools should provide 11 – 19 education.

KdIM asked if removal of selection at 11 will inhibit the education of the 'high fliers'.

DDL said that the States resolution made specific reference to ensuring that such students' needs were met, but that he foresaw a larger potential problem in the ability of staff to maintain an appropriate level of discipline. The States must provide the tools for head teachers to ensure that the needs of all students are met and that appropriate discipline is maintained.

KdIM said that he was aware of many adults who had very poor ability to read and write and to do simple mathematics.

DDL said that improvements have been made within the last 7 or so years. Previously 20% of children were leaving primary school with ability lower than the level 4 that is required. Now those numbers are less than 10%.

KF asked how teachers at primary school will motivate students without the 11 plus exam to aim for, especially since Guernsey does not use the UK standard (SATS system) of assessment.

DDL agreed that this is a matter for the Department to keep on top of.

SG asked DDL if he considered it appropriate for a disruptive primary school pupil to remain in the school against the wishes of that school's head teacher. As SG understood the position, such a disruptive pupil can only be removed, at the request of the head teacher, with the agreement of the pupil's parents. If parents do not consent the disruptive pupil makes it difficult for the teacher(s) and diminishes the educational input of all other students in the class. He went on to ask DDL how he viewed this position in light of DDL's previous comment about the Department ensuring that head teachers have the tools to maintain discipline in secondary schools.

DDL agreed that this was a problem. He went on to add that there is some concern that the secondary schools should receive a 'mix' of pupils from primary schools because some primary schools are better than others – it is important that not all of the children from the poorer primary schools end up in the same secondary school. This is something that the Department will be addressing.

SG asked DDL to ensure that the Department ensures that all disruptive students, whether primary or secondary, should not be allowed to have detrimental effects on the education of other more attentive students and

	<p>to provide head teachers with whatever tools were necessary to achieve this. DDL said that this was a matter that he was aware of and that he was keen to ensure that discipline was maintained at a high level. KdIM thanked DDL for attending the meeting. DDL left at 7.22 pm.</p>	
Minutes of the Meeting held on 26 <sup>th</sup> June 2017	The minutes of the meeting held on 26 <sup>th</sup> June 2017 were agreed without alteration and signed by KdIM.	
Matters Arising	<p><b>St Saviour's Community Centre (SSCC) Trust Document and Articles of Association.</b> KdIM reminded the Douzaine that at the June meeting JB had asked what progress had been made with updating these documents. KdIM has enquired with the advocates office and been advised that the documents are in draft form and will require a partner to review and sign off.</p> <p><b>Plurality.</b> KdIM said that, as was decided at the June meeting, a draft letter has been prepared to send to the Guernsey Deanery concerning plurality, outlining the position agreed by the Douzaine at the June meeting. This draft letter had been circulated to Douzeniers by email and KdIM asked for comments. AF said that she considered the letter completely explained the position agreed and suggested that it should be sent 'as is'. This was unanimously agreed.</p> <p><b>Resignation of Douzenier M Tanguy (MT).</b> KdIM advised the Douzaine that he has received a letter from MT advising that MT is no longer living in St Saviour and under the provision of the Reform Law is no longer able to serve as Douzenier. RdG asked the Constables to write to MT thanking him for his contribution to the Douzaine.</p> <p><b>Flooding – Rue des Crabbes.</b> KdIM reminded the Douzaine that the Constables wrote to the Traffic and Highways Services in February 2017 concerning issues at Rue des Crabbes and the Department confirmed that they would investigate the matters raised and revert back. KdIM has heard nothing back and has asked for an update but because of annual holidays the Department is not able to provide further information until the week commencing 8<sup>th</sup> August.</p>	<p>KdIM/NLP</p> <p>KdIM/NLP</p>
Parish Elections	<p>KdIM explained that notices have to be published in La Gazette in early October for the Parish Elections (to be held on Wednesday 1<sup>st</sup> November) – the next Douzaine meeting is not until 25<sup>th</sup> September. KdIM reminded the Douzaine that he has previously advised the Dean that he will be standing down as Constable at the end of 2017 and that AF, PD and MM have indicated that they will not seek re-election when their terms end in December. Additionally, replacements will have to be found for JJL and MT, and probably a new school representative for La Mare de Carteret High School.</p> <p><b>Church Property Management Board (CPMB).</b> The CPMB will need 2 parishioners to be elected to it in anticipation of the commencement of the new law early in 2018. KdIM asked if any member of the Property sub-committee (who are tasked with overseeing the implementation the requirements of this legislation) was able to explain how the elections would take place and what criteria (if any) nominated persons for these roles had to fulfil. No-one was able to provide any explanation and so it was agreed that</p>	

	the Constables should write to Deputy G St Pier seeking guidance. KdIM said that all members of the Property sub-committee had been/would be sent a copy of the new legislation and asked that they make themselves aware of how it will affect the workings of the Douzaine.	KdIM/NLP
Sub Committee Memberships	<b>Property Sub Committee.</b> It was agreed that MdG should replace MT. <b>Waste Strategy Sub Committee.</b> It was agreed that, since the work of this committee was coming to a conclusion, there would be no replacement for JJL but that SG would attend any future meetings if a member was unavailable.	
Canton Memberships	It was agreed that at this time JJL and MT would not be replaced on Les Jenemies Canton. However, when necessary other Douzeniers will assist JB in carrying out the duties required.	
Waste Strategy	KdIM said that he had circulated the latest letter (dated 24 <sup>th</sup> July 2017) from the Waste Disposal Authority (WDA) via email to all Douzeniers on 25 <sup>th</sup> July. He asked if there were any elements of the implementation that the Douzaine would wish to delegate to the WDA, citing the example given in the letter that at least one Douzaine is intending to delegate the compliance monitoring and enforcement activities. JB said that he wished to see all of the responsibilities retained by the parish and that the Constables should perform any necessary tasks. AT said that he believed that there would be an increase in fly tipping when the new charges for disposal of waste are implemented and it is not reasonable to expect the Constables to go sorting through waste to try to establish the person responsible for its disposal. KdIM said that there are health and safety implications involved with searching through waste and that it is not a task that he, as Constable, would be happy to carry out. It was agreed that the Constables should write to the WDA asking for details of how any delegation might work and the costs that might be involved, and when this information was available to discuss the matter further – hopefully at the September meeting.	KdIM/NLP
Environment Department	The Douzaine asked the Constables to obtain a copy of one planning application.	KdIM/NLP
Bornement	The Douzaine agreed that the constables should issue a bornement in respect of work to be carried out to a roadside hedge/wall at Rue des Rignet.	KdIM/NLP
Guernsey Douzaine Council	The minutes of the most recent Guernsey Douzaine Council meeting (10 <sup>th</sup> July) had been circulated by email and there were no comments from Douzeniers.	
St Saviour's Tunnels	KdIM reported that GC had received a telephone call from the Mr D Perrio (DP) of the Planning Services Department (details of which are attached to these minutes) asking what was known about the construction of a wall within the tunnels. GC explained the decisions made by the Douzaine in the autumn of 2016 and subsequent construction of a wall in early 2017. DP explained that there had been a complaint (from whom he would not say) that the wall had been built without permission. GC had asked what permission was necessary to build a wall many feet underground and out of sight from any vantage point. DP said that building regulation permission was definitely required to ensure that it had been correctly constructed on appropriate foundations.	

	<p>No-one at Planning Services was currently able to say with certainty whether planning permission was in fact needed but there would be a meeting arranged within the Department to decide on the matter. When this decision had been made the Department will write to the Constables. If a retrospective planning application has to be made there will be a fee of £400 to pay.</p> <p>AT said that he could understand that it might be necessary to ensure correct construction and that he (when Constable) had not considered this would be a requirement. He never considered that the floor laid by the Germans would be anything other than sufficient foundation to allow for a block wall to be built upon it. He added that since there is uncertainty whether planning permission is necessary, if the Department decides that it is necessary, the Douzaine should challenge it. The Douzaine agreed that they would take this position if necessary.</p>	KdIM/NLP
Jurat's Election	It was agreed that RdG should represent the parish at the Jurat's election to be held on Wednesday 6 <sup>th</sup> September 2017.	KdIM/NLP
Hedges and streams Inspections	<p>Douzeniers confirmed that all hedge inspections had been completed but that since completion there had been much vigorous growth of vegetation leaving some areas overgrown. It was accepted that unless the new growth impacted on road safety the Constables could not ask for further cuts to be made before 15<sup>th</sup> September.</p> <p>MdG confirmed that the Streams Inspector at Guernsey Water had been notified of the condition of the streams.</p> <p>JB suggested that greater attention should be made to the access to streams when carrying out inspections in September because some areas were becoming difficult to reach.</p>	
Parish Rates	KdIM reported that there was approximately £20k outstanding. Reminder accounts had been sent warning that unpaid accounts would have fines applied if still outstanding on 2 <sup>nd</sup> August.	
Correspondence	KdIM said that he wished to let the Douzaine know that there had been a complaint about a private wedding reception to be held in a field at Perelle headland. The complainant did not consider it appropriate to have their peace disturbed by those attending. KdIM had referred the complainant to the relevant States Department.	
Any other Business	<p><b>Ruette de Bataille.</b> RdG said that he had received a complaint that motor bikes and horses are using the lane. AT explained that when he was Constable he had established that such lanes, although unsurfaced, are a public right of way and can be used by any who can access it. RdG said that some such lanes are signed indicating that horses and/or motor bikes cannot use them. AT said that such signs are not enforceable in law.</p> <p><b>Douzaine Photograph.</b> JB confirmed that the photograph would be taken at 6.30pm on Monday 25<sup>th</sup> September – just before the September Douzaine Meeting – inside or outside depending on the weather. It was agreed that MT should be invited to take his place in the photograph.</p> <p><b>Hedge at Frie Baton Road.</b> DB asked the Constables to view a hedge at the bottom of Frie Baton Road that was growing into the roadway and which he considered to be reducing the sight lines for traffic.</p> <p><b>Rue des Annevilles - Pothole.</b></p>	KdIM/NLP

	KF asked the Constables to report a large pothole in Rue des Annevilles to the Highways Department.	KdIM/NLP
	There being no further business the meeting closed at 9.05pm	
	The next meeting is to be held at the Douzaine Room at 7.00pm on Monday 25 <sup>th</sup> September 2017.	