

Proposal for a Conseil Municipal and Municipal Reform for St Helier

For consideration by the Parish Assembly
on Wednesday 27 April 2022 at 7pm

PARISH OF ST HELIER

P.01/2022



PROPOSITION

THE PARISHIONERS are asked to take into consideration and if deemed advisable to approve

the recommendation of the Connétable and Procureurs du Bien Public that the proposition requesting that proposals to form a Conseil Municipal for St Helier are included in the new Government Plan is lodged by the Connétable in the next States Assembly for debate later this year.

REPORT

This proposition is the culmination of a great deal of work by the staff and elected members of the Parish of St Helier over several years, in particular, by the Parish's Roads Committee, which has met in open session since the early 2000s, and which has sought to provide the kind of transparency, accountability and practical support to parishioners and ratepayers that is commonly found in local government bodies across the world.

More than two centuries ago it was recognised that the challenges and opportunities facing the Island's capital could best be met by creating a new elected body to share the work carried out by the Connétable and Municipality and, indeed, a proposition to that effect was approved by both the Parish Assembly and the States Assembly at the turn of the 20th century, although for reasons which are as yet unclear no progress was made on the project.

The central argument for Municipal Reform is that there are numerous functions and measures of local administration which are at present carried out by the Government of Jersey which could be delegated to a new elected body in St Helier, allowing Government to concentrate on its core business, while the Parish of St Helier focusses on providing more efficient and timely administrative services to both the residents and the business community. Although there are a number of administrative functions that are already delegated to the Connétable, examples of those which are not so delegated are legion, and some of these have been the subject of study during the period of the trial Shadow Conseil Municipal, approved by the Parish Assembly in December 2019.

Perhaps the best example is in respect of alcohol licensing which is a complex, lengthy and costly process, involving not only attendance at a Parish Licensing Assembly, but also applications made through the planning and treasury departments, with the final decision being taken by the Licensing Bench. With Government plans in recent years to reform the Licensing Law having made little progress there is an ideal opportunity for the application process and decision making to be transferred to the Parish, freeing up the time of both Government departments and the judiciary. It is expected that the Government would wish to continue to set the overall policies in respect of such matters, as would be the case if the Conseil Municipal were to administer certain planning applications, with an appeal process involving the Minister of the relevant department.

The proposal to create a new elected body for St Helier is not only driven by the need for a more efficient delivery of administrative functions at the local level: the Trial Shadow Conseil Municipal indicated that there are many areas of opportunity for the

enhancement of the Parish's role in serving not only the residents and business community of St Helier but also the Island as a whole, by opening up local administration to a greater number of elected members than is currently possible. A Conseil Municipal would attract parishioners wishing to be involved in the improvement of their quality of life and environment, but who have for whatever reason concluded that membership of the States Assembly is not for them.

The operation of the Parish Assembly is already the subject of a review by the Comité des Connétables and it is hoped that the reforms of this pillar of local democracy in Jersey will run in parallel with the work being requested of Government by this projet. However, the feedback received during the Trial Shadow Conseil Municipal has included the express wish that the primacy of the Rates Assembly should not be affected by the creation of a new elected body for St Helier. It is, therefore, intended that ratepayers should continue to be able to examine the accounts of the Parish and to determine its budget were a Conseil Municipal to be established in the coming years.

It is recognised that further work will need to be done before the next States Assembly is asked to include the development of the project in the new Government Plan, in particular, on how the ancient roles and composition of the St Helier Roads Committee will be changed by enshrining its evolution over the past two decades in law, and on how to ensure the Parish would not be disadvantaged financially by taking on, for example, some functions currently carried out by Government such as alcohol and event licensing, and planning.

The in principle proposal for the creation of a new elected body, provisionally named a Conseil Municipal, was presented to the Roads Committee on 23 February, the Parish Deputies on 2 March and the Comité des Connétables on 7 March, and it has been supported at each stage, with much useful feedback received. The Parish Assembly is asked to give its support to the proposal so that it lodged for debate later this year, on the understanding that once it has been developed and a more detailed programme of law changes and delegations agreed, these will be brought back to the Parish Assembly for approval.

Please note: a detailed report on the background and development of this proposition ([Report on St Helier's Trial Shadow Conseil Municipal and Municipal Reform](#)) has been published separately and is available online or in hard copy from the Town Hall.