

## PARISH ASSEMBLY

An Assembly of the Principals and Electors of the Parish of Trinity was duly convened and held in the Parish Hall on Tuesday 5<sup>th</sup> December 2023 at 7:00 pm for the following business:

1. In accordance with Article 5 of the Loi (1914) sur la Voirie, elect three Principals (members of the Roads Committee) for a three-year term.
2. In conformity with Article 5 of the Loi (1914) sur la Voirie, elect two Roads Inspectors for each of the five Vingtaines of the Parish for a three-year term.
3. To agree that all legal costs and disbursements, incurred by the Parish and Connétable, of and incidental to a branchage issue in Rue Becq, followed by the raising of a Clameur de Haro by a parishioner be met from reserves. (Prior to seeking the Assembly's approval an update will be provided by the Connétable about the litigation and costs position, including recovery of costs).
4. To agree that a sum of £25,000 be transferred from reserves to the Roads account to meet all costs resulting from storm Ciaran and to meet other unexpected expenditure on Parish roads.

The Connétable welcomed everyone to the Assembly. Apologies were received from Deputy H Jeune, Mrs A Pryke and Mrs S Stein.

The Convening Notice was read.

It was noted that the Minutes of the previous Parish Assembly held on 9<sup>th</sup> November 2023 had been made available to the Assembly in accordance with the terms of the Notice. The Minutes of the Assembly on 9<sup>th</sup> November 2023 were adopted on the proposition of the Procureur P Williams and seconded by Mr C Bray.

1. Elect three Members of the Roads Committee

Before inviting nominations, the Connétable thanked Mr B Fossey, Mr A Dunford and Mr N Le Maistre for their hard work during the past three years.

On the proposition of Mr J Le S Gallichan and seconded by Mr L du Feu, Mr Barrington Charles Fossey, Mr Alan Dunford and Mr Norman Edward Le Maistre were proposed. On the proposition of Mrs Margaret Rault (read by Mr Martin Rault) and seconded by Mr Alan Rault, Miss Nicola Roselle de Gruchy was proposed.

There being more candidates than vacancies, the meeting proceeded to hold a secret ballot. The Connétable appointed Deputy K Morel and Centenier O Simmons (both who resided outside the Parish) to count the votes.

63 electors voted as follows:

60 votes were cast for Mr Alan Dunford  
59 votes were cast for Mr Norman Edward Le Maistre  
56 votes were cast for Mr Barrington Charles Fossey  
8 votes were cast for Miss Nicola Roselle de Gruchy

The Connétable declared that Mr Dunford, Mr Le Maistre and Mr Fossey had been elected as Members of the Roads Committee and warned them to present themselves at the Royal Court on Friday 15<sup>th</sup> December 2023 to take their oaths of office.

## 2. Elect two Roads Inspectors for each Vingtaine

Before inviting nominations, the Connétable thanked all Roads Inspectors for their work during the past three years, in particular Mr C Bright and Mr J Drelaud who had decided not to seek re-election.

For the Vingtaine of Ville a L'Eveque, on the proposition of Mr N E Le Maistre and seconded by Mrs M Fossey, Mr John Edward Le Maistre and Mr Laurence Edward Agnes were re-elected unopposed.

For the Vingtaine of Rozel, on the proposition of Procureur J Moulin and seconded by Mr R Allo, Mr Basil Maurice Jeanne was re-elected unopposed and Mr Peter Ivor Barette was elected unopposed.

For the Vingtaine of Rondin, on the proposition of Procureur J Moulin and seconded by Mrs A Le Sueur, Mr Maurice Louis Le Var and Mrs Sally Ann Stein were re-elected unopposed.

For the Vingtaine of Augres, on the proposition of Mr D Hinault and seconded by Mrs L Allo, Mr Barrie Dorrington and Mr Barry Clement Rondel were re-elected unopposed.

For the Vingtaine of Croiserie, on the proposition of Mr C Bright and seconded by Procureur P Williams, Mr John Le Sueur Gallichan Jnr was re-elected unopposed and Mr Jonathan Norman Renouard Le Maistre was elected unopposed.

The Connétable warned all Roads Inspectors to present themselves at the Royal Court on Friday 15<sup>th</sup> December 2023 to take their oaths of office.

3. Legal costs and disbursements incurred by the Parish and Connétable, of and incidental to a branchage issue in Rue Becq, followed by the purported raising of a Clameur de Haro by a parishioner.

The Connétable addressed the meeting and explained the background to the branchage issues in Rue Becq which had commenced in 2021 and led to Miss de Gruchy purporting to raise a Clameur de Haro on 5<sup>th</sup> October 2023. The Connétable further explained that, due to the nature of its communications with Miss de Gruchy and her legal representatives, in mid-August 2023 it had become necessary for the Parish to instruct its own law firm and Viberts was engaged. It was noted that Viberts agreed to discount its legal fees by 25%.

Following Miss de Gruchy purporting to raise a Clameur de Haro on the morning of 5<sup>th</sup> October 2023, the Royal Court had sat at 3:00pm on the same day to give directions and the Court ordered that the substantive hearing take place on 22<sup>nd</sup> November 2023. It was noted that the Connétable and His Majesty's Attorney General were also convened as parties to the proceedings on 22<sup>nd</sup> November 2023. At the November hearing, the Royal Court heard submissions of all parties and agreed with the Parish, Connétable and Attorney General that the Clameur de Haro had been raised incorrectly by Miss de Gruchy. It was noted that a reasoned judgment of the Royal Court is to follow.

It was noted that, to date, the Parish had paid two invoices totalling £78,750 from Viberts. It was further noted that, of these costs, approximately £10,000 related to branchage issues in Rue Becq with approximately £70,000 relating to the Clameur de Haro and subsequent proceedings.

It was noted that an application had been submitted to the Court on behalf of the Parish and the Connétable that their legal costs of and incidental to the incorrect raising of the Clameur de Haro and subsequent proceedings be paid by Miss de Gruchy. However, it was further noted that while the Parish will do its utmost to recover legal costs, pursuant to any order in its favour, some costs would inevitably be irrecoverable and, in any event, it may take months to realise the payment of any recoverable costs awarded by the Court.

The Connétable informed the Assembly that no provision for such costs had been made in the 2023-2024 budget approved by the Parish Assembly in July 2023 and that he was seeking the approval of this Assembly that these costs and any future related costs be met out of reserves. It was noted that any costs recovered would be transferred back to reserves.

Advocate Christopher Scholefield of Viberts who had represented the Parish and Connétable since mid-August explained the work that his firm had been required to carry out and also addressed the Assembly on the way forward in relation to costs, explaining the options of the Court in awarding standard costs or indemnity costs.

Following questions and discussion, on the proposition of Mr D Hinault and seconded by Mrs M Fossey, it was agreed by the majority (one elector dissented) that the legal costs and disbursements incurred by the Parish and Connétable, together with future legal costs and disbursements, in relation to this matter, should be met from Parish reserves.

4. Storm Ciaran and unexpected expenditure on Parish roads

The Connétable informed the Assembly that unexpected expenditure had been incurred in repairing Parish Roads following Storm Ciaran. While the Parish had attempted to identify landowners to rectify the damage caused by their property, this had not been possible in all cases and, in the interests of clearing Parish roads, providing access for all emergency services, it had been necessary for the Parish to incur additional expenditure. The Connétable informed the Assembly that no provision for such costs had been made in the 2023-2024 budget and that he was seeking the approval of the Assembly to transfer £25,000 from reserves to the Roads account.

Prior to proposing the transfer of £25,000 from reserves, Mr D Hinault praised the relentless work of the Honorary Police during and after Storm Ciaran in clearing the Parish roads for emergency services. The proposition was seconded by Mr M Le Var and agreed by the majority (one elector dissented).

There being no further business, the Connétable took the opportunity to wish all parishioners a Happy Christmas. He thanked the Parish staff, the Honorary Police, Roads Committee Members, Roads Inspectors, Rates Assessors and all volunteers in the Parish for their work during the course of the year. The meeting was declared closed at 7:58pm.

P Le Sueur  
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21<sup>st</sup> December 2023  
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**Connétable of Trinity**

**Date**