

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

POLICY & RESOURCES COMMITTEE

RECTORIES IN PLURALITY

The States are asked to decide whether, after consideration of the policy letter entitled “Rectories in Plurality” dated 2nd October 2024, they are of the opinion:

1. To agree to amend the Loi relative à la Taxation Paroissiale, 1923 to clarify that, where a parish is in plurality, the use of parochial taxes to contribute to the costs associated with the maintenance of a rectory in a different parish, where that rectory is occupied by a rector serving their parish, is lawful.
2. To direct the preparation of such legislation as may be necessary to give effect to the above decision.

The above Propositions have been submitted to His Majesty’s Procureur for advice on any legal or constitutional implications.

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The Presiding Officer
States of Guernsey
Royal Court House
St Peter Port

2nd October 2024

Dear Sir

1 Executive Summary

- 1.1 The Policy & Resources Committee, under its duty to advise the States on matters relating to relations with the Island's parishes, undertook to help resolve a dispute between St Saviour and Torteval over contribution to the maintenance costs of the St Saviour rectory. A plurality exists whereby the two parishes share a rector who is housed in the St Saviour rectory.
- 1.2 St Saviour has always maintained that these costs should be shared between the two parishes on a pro rata basis of the number of ratepayers in each parish. Torteval has maintained that Article 1(b) of the Loi relative à la Taxation Paroissiale, 1923¹ relates only to parochial taxes being used for repairs to the rectory in that parish, and not a rectory in another parish.
- 1.3 A solution has been agreed by the Committee, which provides a potential way forward for the parishes to reach a mutually acceptable solution.
- 1.4 The Proposition is to amend the Loi relative à la Taxation Paroissiale, 1923 to clarify that, where a parish is in plurality, the use of parochial taxes to contribute to the costs associated with the maintenance of a rectory in a different parish, where that rectory is occupied by a rector serving their parish, is lawful.

2 Background

- 2.1 The question of the duty of parishes in plurality to contribute to the maintenance

¹ [Loi relative à la Taxation Paroissiale, 1923](#)

of the rectory in the parish where the rector is living was considered by the Parochial Ecclesiastical Rates Review Committee but, as it fell outside the remit of that Committee, it was not progressed, and resolving the matter was thus undertaken by the Policy & Resources Committee under its mandate.

- 2.2 There has been an ongoing and protracted dispute between the parishes of St Saviour and Torteval, which have been in plurality for a number of years, over the costs for maintaining the St Saviour rectory, which is occupied by the rector who serves both parishes.
- 2.3 Since ceasing to have its 'own' rector, Torteval has variously shared a rector with one or more other parishes. However, the parish has made no contribution from parochial taxes to the costs of maintaining the rectory.
- 2.4 Most recently, over the last decade, the parochial authorities in St Saviour have been trying to negotiate with their opposite numbers in Torteval for a contribution towards these costs. The suggestion from St Saviour has been that the maintenance costs due from parochial taxes should be paid on a pro rata basis by each of the parishes in plurality.
- 2.5 The two parishes reached an impasse whereby Torteval refused to make any contribution from its parochial taxes towards the costs of maintaining the St Saviour rectory. Torteval maintained that Article 1(b) of the Loi relative à la Taxation Paroissiale, 1923 related only to parochial taxes being used for repairs to the rectory in the particular parish and not a rectory in another parish.

3 Rectories Law, 1993

- 3.1 The Committee could request the States to make an Ordinance under section 4 of the Rectories (Maintenance and Use in Cases of Plurality) Law, 1993² applying the provisions of the Law to this plurality, which with regard to maintenance, makes the following provisions:

Maintenance of rectories in a plurality.

2. *(a) Where a plurality exists, the ratepayers of each parish shall be responsible for the appropriate proportion of the costs of maintenance, repair and insurance of each rectory in that plurality, whether or not it is occupied by the rector.*

(b) In subsection (a), the appropriate proportion shall mean such proportion as the total rateable value of the parish bears to the total rateable value of all the parishes in the plurality.

² [Rectories \(Maintenance and Use in Cases of Plurality\) Law, 1993](#)

3.2 Whilst this could resolve the dispute, it was agreed that without the agreement of both parishes in plurality it may be seen to suit one side more than the other, and this option fails to address the issue that the disputing parishes are unable to agree on a solution.

4 Conclusions

4.1 For the reason outlined in paragraph 3.2, the Committee agreed not to request the States to make an Ordinance which would direct the ratepayers of each parish in plurality to contribute to the maintenance, repair and insurance of the rectory in question.

4.2 It was felt instead that a more pragmatic and fair approach would be to amend the law to make it lawful, but not prescriptive, for parochial funds to be used toward maintenance costs of a rectory, where that rectory houses a rector who serves that parish, regardless of where that rectory is.

4.3 It is therefore proposed to amend the Loi relative à la Taxation Paroissiale, 1923 to put beyond doubt that, where a parish is in plurality, the use of parochial taxes to pay a contribution to the costs associated with the maintenance of a rectory in a different parish is lawful.

4.4 The Committee acknowledges that this amendment may not necessarily lead to agreement between the two parties, but it will open up a potential way forward for the parishes of St Saviour and Torteval to reach a mutually acceptable solution.

5 Compliance with Rule 4

5.1 Rule 4 of the Rules of Procedure of the States of Deliberation and their Committees sets out the information which must be included in, or appended to, motions laid before the States.

5.2 In accordance with Rule 4(1):

- a) In preparing the propositions, consultation has been undertaken with the Dean of Guernsey and the Law Officers of the Crown.
- b) The propositions have been submitted to His Majesty's Procureur for advice on any legal or constitutional implications.
- c) There are no financial implications to the States should the proposal be carried into effect.

5.3 In accordance with Rule 4(2):

- a) The proposition relates to the duties of the Committee “to advise the States and to develop and implement policies relating to relations with the Island’s parishes”.
- b) The propositions have the support of those Committee Members who considered the matter, with Deputy Murray having recused himself from such discussions owing to a conflict of interest as a Douzenier for St Saviour.

Yours faithfully

L.S. Trott
President

H.J.R. Soulsby
Vice President

J.A.B. Gollop
J.P. Le Tocq