

2024.09.10

**2.13 Deputy J. Renouf of St. Brelade of the Minister for Infrastructure regarding the toilets that are part of the former Nude Food development at La Pulente (OQ 158/2024):**

Will the Minister explain what work, if any, is being undertaken to ensure the toilets that are part of the former Nude Food development at La Pulente are kept open to the public?

**Connétable A.N. Jehan of St. John (The Minister for Infrastructure):**

I thank the Deputy for his question. I am told that the toilets at the former Nude Food site have been opened sporadically over the course of this summer. I understand the company, which owns the former Nude Dunes restaurant at La Pulente, has gone into liquidation and that the handling of claims against the company is with a liquidator. Under instruction from Jersey Property Holdings, litigation has commenced against the company for failure to operate the toilets for regular use by the general public. The liquidator has informed Property Holdings that the company has no funds with which to open and operate the toilets, and officers are meeting on 19th September to discuss the matter.

**2.13.1 Deputy J. Renouf:**

If I hear correctly, the Minister said that the owner had said there was no funds to open the toilets. My understanding is that during the recent filming of '*Bergerac*', the toilets were opened for the purposes of the use of extras and so on, so clearly it is possible to open them. The planning condition stated that they should be open to all members of the public between the hours of 0900 and 2100 during B.S.T. (British Summer Time) and 0900 and 1700 during G.M.T. (Greenwich Mean Time) in a manner fit for purpose and maintained in perpetuity. Can he confirm therefore that that planning obligation, which normally falls on the Minister for the Environment, has been taken over and is being enforced by Jersey Property Holdings?

**The Connétable of St. John:**

As I mentioned earlier, I understood that the toilets had been open sporadically. I could not confirm if they were, or they were not, open for '*Bergerac*'. I understand that question was asked on social media last night and got mixed responses. The Property Holdings Department are working on this. As the Deputy rightfully says, the terms of the use of that site includes in perpetuity toilets to be open to the public during the hours that the Deputy mentions. It is a legal obligation and we are pursuing that.

**2.13.2 Deputy H.M. Miles of St. Brelade:**

Would the Minister explore the possibility of allowing the previous very popular refreshment kiosk to begin operating again until owners find a new buyer and are ready to trade? Any agreement could include maintaining and monitoring the toilet facilities.

**The Connétable of St. John:**

It is not something I have considered, but I am happy to take that away and give that further consideration.

**2.13.3 Deputy M. Tadier of St. Brelade:**

The Minister talked about the owners not having any money to keep the toilets open, but can he clarify how much money it costs to unlock a door?

**The Connétable of St. John:**

I dare say that depends on who is unlocking the door. I dare say my rates would be cheaper than yours, Sir. Opening a toilet is not just about unlocking a door. If you open public toilets, you have got to maintain them. You have got to ensure that they are clean. You have got to ensure that they have got appropriate consumables there as well.

**2.13.4 Deputy M. Tadier:**

Can the Minister give us any indication about what he means when he says litigation has been started against the owners for not keeping the toilets open? When can we expect to see this litigation come to fruition and what form will it take?

**The Connétable of St. John:**

I am not aware of the full details. What I am aware of is that there is a meeting scheduled for next week and hopefully I will be able to update Members following that meeting.

**2.13.5 Deputy P.F.C. Ozouf of St. Saviour:**

Following on from that, is the Minister aware whether or not he is dealing with what is called a planning obligation, which would be a matter that is a legal requirement as part of a planning consent which the questioner asked and, if so, if it is a planning obligation, it is enforceable against that entity and it is the planning authority that would enforce it? So perhaps it is his colleague, the Minister for the Environment, that may well be able to assist in getting these toilets open and the enforcement made.

**The Connétable of St. John:**

I have not seen the contract, but I understand it was part of the contract of sale, which required the same requirements as the planning obligation.

**2.13.6 Deputy P.F.C. Ozouf:**

Just to confirm then, it was contemporaneous. It was the planning obligation that came first, but it is a planning obligation so it is enforceable. But he will advise.

**The Connétable of St. John:**

I would need to go away and come back and advise the Deputy.