

# STATES OF JERSEY



## **LE PORT CAR PARK, ST. PETER: RESCINDMENT OF PARKING RESTRICTIONS (P.33/2019) – COMMENTS OF THE MINISTERS FOR INFRASTRUCTURE AND THE ENVIRONMENT**

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**Presented to the States on 20th May 2019  
by the Minister for Infrastructure**

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**STATES GREFFE**

## COMMENTS

### **Ministerial response from the Minister for Infrastructure in accord with the Minister for the Environment**

Senator S.W. Pallett's proposition [P.33/2019](#) seeks to allow motorhome use in designated areas around the Island, when existing States approved policies exist in relation to the creation of such facilities.

The Minister for Infrastructure and the Minister for the Environment are in accord. Whilst there is a demand for short-term camping, using vehicles designed or adapted for this purpose, this activity has an impact upon the local environment and its enjoyment by the wider community. There is a need to ensure that land is used wisely to ensure that Jersey's unique character is protected, whilst the needs of Islanders and visitors, now and in the future, can be met. This can be a difficult process, and the [Planning and Building \(Jersey\) Law 2002](#) requires the Island Plan to provide the framework against which proposals can be fully considered.

The Planning and Building (Jersey) Law 2002 controls the habitable use of motorhomes (including caravans, campervans, and any other vehicle designed or adapted for human habitation) within the Island. In general terms –

- Residents:
  - Prior to June 2018, residents were prohibited from using their motorhome for any habitable purposes anywhere in the Island.
  - Since June 2018, residents applying for a motorhome permit can only use their motorhome for any habitable purpose on an Island registered campsite.
  - Any resident can apply to have their permit updated free of charge to allow use on an Island registered campsite.
- Visitors:
  - Can only use their motorhome for any habitable purposes on an Island registered campsite and for a maximum of 31 days.

These controls have their origins in tourism and the regulation of housing accommodation. They were not specifically designed to manage short-stay camping in the Island. There are no specific resources within the Planning regulation team to regulate this activity under the Planning Law, and at present regulation is carried out by the Parish Honorary Police.

In addition, the [Road Traffic \(Jersey\) Law 1956](#) prohibits sleeping in a vehicle that is parked in a designated public parking place.

*“(a) to request the Minister for Infrastructure to rescind his decision (MD-T-2019-0009) to amend the Road Traffic (Public Parking Places) (Jersey) Order 2006 to incorporate Le Port car park, St. Peter and introduce a maximum parking limit of 12 hours in any 24 hour period;”*

While using a motorhome for habitable use away from designated campsites is presently unauthorised, the practice of camping overnight at Le Port has been informally tolerated by the Parish authorities. However, in recent years, the popularity of camping has grown

to the point where the activities of some campers were causing problems for the Honorary Police; there was a fire safety risk, and nuisance was being caused to other beach-users. Due to these issues, the Parish of St. Peter approached the Ministers for the Environment and Infrastructure to explore options to address this growing problem.

It was agreed that adding Le Port Car Park to the [Road Traffic \(Public Parking Places\) \(Jersey\) Order 2006](#), and restricting parking for a maximum period of 12 hours in 24 would assist the Parish to control and police camping at Le Port. With the support of the Connétable and the Minister for the Environment, the Minister for Infrastructure made an Order ([R&O.23/2019](#)) to restrict the maximum permitted stay of 12 hours in any continuous 24 hour period. The Order came into force on 22nd March 2019. This Order helps restrict the use of camping at Le Port, and ensures that the car park is available to serve the needs of all users, particularly during peak summer months. This measure also assists the enforcement of Planning and Building Law restrictions concerning camping in the Island. This change benefits the wider community.

*“(b) to request the Minister for Infrastructure to consult with the Comité des Connétables and other key stakeholder groups to identify and agree a list of designated areas for motorhome use around the Island and to bring forward policy guidelines, including a potential fee structure for the use of those aforementioned designated areas, for consideration by the Assembly;”*

It would not be practical to safely provide official camping areas within the Island’s car park estate. Fire prevention guidance recommends a minimum spacing between units of 6 metres, amongst other important firefighting and prevention measures that would be impractical to provide in operational car parks. This would reduce the capacity of popular coastal car parks by up to 75%, to the detriment of all other users, tourism and the beach economy. The Minister for Infrastructure is the parking authority for public parking places, this role does not include the creation and operation of camping facilities.

As part of the preparation for the new Island Plan, the Minister for the Environment will be considering whether more suitable Island sites can be identified, such as those with the potential to accommodate a smaller camping facility that can be formally run with the right infrastructure.

It is always open to landowners to make planning applications for the establishment of suitable campsites. There may well be sites which could receive consideration, but these would need to be subject to proper site management regimes, as is the case in other jurisdictions. The potential cost implications of servicing designated short-term camping sites, were they to be permitted, would require consideration by landowners and by those proposing such a scheme.

Any proposal to create ‘designated areas for motorhome use’ and/or the creation of new campsites will require planning permission and be assessed against Island Plan policies. Proposals in the Green Zone or Coastal National Park (i.e. much of the coast and the countryside) need to ensure that they do not harm or seriously harm the landscape character of the area.

Where a business provides ‘lodging for reward’ for 6 or more people in Jersey, they need to be registered under tourism legislation. This ensures that ‘lodging places’, including campsites, are fit for purpose, and have a supply of water and appropriate waste facilities.

*“(c) to request the Minister for the Environment to review the permits relating to motorhome/campervan use to ensure that any habitable use in the Island is limited to 24 hours within any 7 day period within a designated area and in accordance with any revised policy guidelines and fees arising from paragraph (b).”*

Since June 2018, both residents and visitors are now permitted to use their motorhome on a registered campsite (designated area). The Minister will consider changes to the conditions relating to residents and visitors, such as how long they can stay on a registered campsite, during 2019/20 as part of ‘business as usual’ work.

As previously stated, it would not be practical to provide camping areas within the Island’s car park estate, and this would reduce the capacity of popular coastal car parks for use by other users.

Beyond this, any proposal to create ‘designated areas for motorhome use’ and/or the creation of new campsites will require planning permission and be assessed against Island Plan policies, and meet the necessary tourism standards.

### **Summary**

The legal position is that camping or sleeping in a vehicle parked on public land, other than on a registered campsite, is illegal. While it has been informally tolerated by the parish authorities, the growing popularity of camping in the area of Le Port has created problems. With the support of the Connétable and the Minister for the Environment, parking at Le Port has been restricted to a maximum permitted stay of 12 hours in any continuous 24 hour period. This ensures that the car park is available to serve the needs of all users, particularly during peak summer months.

Appropriate policies already exist for the creation and regulation of campsites, and it is open to landowners to make planning applications for the establishment of suitable new campsites.

### **Ministerial recommendation**

The Minister for Infrastructure, in accord with the Minister for the Environment, recommends that States Members reject this proposition.

### **Financial and manpower implications**

There are potentially significant direct and indirect costs associated in identifying and developing new camping sites on the Island on public or private land, and reducing coastal car parking capacity.