

# STATES OF JERSEY



## **DRAFT POLICING OF BEACHES (AMENDMENT No. 10) (JERSEY) REGULATIONS 201-**

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**Lodged au Greffe on 20th December 2011  
by the Minister for Economic Development**

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**STATES GREFFE**





Jersey

## **DRAFT POLICING OF BEACHES (AMENDMENT No. 10) (JERSEY) REGULATIONS 201-**

### **REPORT**

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#### **Background**

##### Parking on slipways

Regulation 3(1)(c) of the Policing of Beaches (Jersey) Regulations 1959 requires written permission from the Minister to park or cause to be parked any vehicle on any slipway or part thereof not listed in the Schedule to the Regulations. Those slipways listed within the Schedule to the Regulations do not require ministerial permission and therefore may be parked upon at any time.

Currently the only restriction on parking on these slipways is that parking is only permitted within the designated area, no time restrictions have ever been imposed.

Following problems experienced in a number of Parishes, vehicles and/or vessels have been left on slipways for substantial periods of time (sometimes even abandoned), and it has come to light that the relevant authorities have no power to remove such vehicles or vessels unless they are causing an obstruction.

##### Inclusion of Dicq Slipway, St. Saviour, in the Schedule to the Regulations

Following problems experienced by St. Saviour Parish authorities, involving vehicles being illegally parked at the top of the slipway, blocking access for emergency services, it was suggested that one solution to this problem would be to allow parking on the western side of the slipway, from a point south of the existing beach concession.

Parking is currently permitted on all slipways listed in the Schedule to the Regulations but not the Dicq (La Montée du Dicq Slipway). The Dicq slipway is particularly wide and parking could be accommodated on one side without a problem.

All relevant authorities have been consulted on these matters (Fire Service, etc.) and no objections were received.

##### To permit, with ministerial permission, the riding of horses and ponies on beaches in equine events held at times when riding is otherwise prohibited

The current Regulations prohibit the riding of horses and ponies on a beach between the hours of 10.30 a.m. and 6.00 p.m. during the period of the year commencing on 1st May and ending on 30th September. To facilitate a proposed major equine event in

2012, it has become necessary to make a provision to permit the riding of horses and ponies on beaches in equine events held at times when riding is otherwise prohibited.

### **Changes to Regulations**

#### Parking on slipways

This particular change to the Regulations will see a time restriction on parking on slipways. This will be effective by imposing a 12 hours in 24 hours parking restriction.

To assist the Parish authorities in policing the above restriction, powers will be given to remove illegally parked vehicles. This will include the recovery of any expense incurred in the removal and its possible custody.

#### Inclusion of Dicq Slipway, St. Saviour, in the Schedule to the Regulations

The inclusion of the Dicq Slipway within the Schedule to the Regulations will allow parking on the western side of the slipway, from a point south of the existing beach concession.

#### To permit, with ministerial permission, the riding of horses and ponies on beaches in equine events held at times when riding is otherwise prohibited

This particular change to the Regulations will allow horses and ponies to be ridden in equine events, providing permission has been granted by the Minister, at times when riding is not normally permitted.

### **Summary**

These changes to the Regulations will –

- limit parking on a slipway to 12 hours in any 24 hours;
- give the same power to remove boats from slipways as to remove vehicles;  
and
- permit parking on the west side of La Montée du Dicq slipway.

The amendment also allows the Minister to permit the riding of horses and ponies on beaches in equine events held at times when riding is otherwise prohibited.

### **Financial and manpower implications**

A financial implication will arise from these changes. The production and erection of the 12 hours in 24 hours signs will be required for each of the 24 slipways listed in the Schedule to the Regulations. The total cost of this work has been estimated at £3,200. This work would be undertaken by the Transport and Technical Services Department, with the cost to be borne by the Economic Development Department.

No other resource implications will arise.

## **Explanatory Note**

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These Regulations amend the Policing of Beaches (Jersey) Regulations 1959 to limit parking on a slipway to 12 hours in any 24, to give the same power to remove boats from slipways as to remove vehicles, and to permit parking on the west side of La Montée du Dicq slipway. The amendment also allows the Minister, with the Connétable's consent, to permit the riding of horses and ponies on beaches in equine events held at times when riding is otherwise prohibited.





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## **DRAFT POLICING OF BEACHES (AMENDMENT No. 10) (JERSEY) REGULATIONS 201-**

### **Arrangement**

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#### **Regulation**

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Jersey

## **DRAFT POLICING OF BEACHES (AMENDMENT No. 10) (JERSEY) REGULATIONS 201-**

*Made* [date to be inserted]

*Coming into force* [date to be inserted]

**THE STATES**, in pursuance of the powers conferred upon them by the Order in Council of the 26 December 1851<sup>1</sup>, Article 92 of the Road Traffic (Jersey) Law 1956<sup>2</sup>, and the Policing of Roads, Parks and Sea Beaches (Application of Fines) (Jersey) Law 1957<sup>3</sup>, have made the following Regulations –

### **1 Interpretation**

In these Regulations “principal Regulations” means the Policing of Beaches (Jersey) Regulations 1959<sup>4</sup>.

### **2 Regulation 2 amended**

For Regulation 2(2) of the principal Regulations there are substituted the following paragraphs –

“(2) Paragraph (1)(h) shall not apply –

- (a) to a dog that is being worked under the control of a police officer or an officer of the Impôts in the course of the officer’s duty; or
- (b) to a horse or pony that is being ridden in a permitted equine event.

(3) An event is a permitted equine event for the purpose of paragraph (2)(b) if the person holding the event has the written permission of the Minister to arrange for horses and ponies to be ridden in the event despite paragraph (1)(h).

(4) The Minister –

- (a) shall not grant permission under paragraph (3) except with the consent of the Connétable of the parish (or of each parish, if more than one) in which the event is to be held;
- (b) may grant that permission subject to such conditions as the Minister may think fit to impose; and

- (c) may at any time withdraw that permission.”.

### 3 Regulation 3 amended

In Regulation 3 of the principal Regulations –

- (a) for paragraph (1)(c) there is substituted the following sub-paragraph –

“(c) park, or cause to be parked or to remain at rest, any vehicle or boat –

- (i) on any slipway, or part of a slipway, not listed in the Schedule, or  
(ii) on any part so listed, for more than 12 hours in any period of 24 hours;”;

- (b) after paragraph (2) there is added the following paragraph –

“(3) An authorized person has the same power to remove any boat remaining at rest on a slipway in contravention of paragraph (1)(c) as the person has to remove a vehicle from the slipway under the Road Traffic (Removal of Vehicles) (Jersey) Order 1963<sup>5</sup>.”.

### 4 Schedule amended

In the Schedule to the principal Regulations –

- (a) at the end of the sub-heading there are added the words “**FOR UP TO 12 HOURS**”;  
(b) after the item relating to St. Peter there is inserted the following item –

“ST. SAVIOUR

La Montée du Dicq (West side)”.

### 5 Citation and commencement

These Regulations may be cited as the Policing of Beaches (Amendment No. 10) (Jersey) Regulations 201- and come into force on 1st March 2012.

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- <sup>1</sup> *chapter 23.350*
  - <sup>2</sup> *chapter 25.550*
  - <sup>3</sup> *chapter 22.600*
  - <sup>4</sup> *chapter 22.600.25*
  - <sup>5</sup> *chapter 25.550.40*