

## APPLICATION FOR A PERMIT TO OCCUPY A "CHOSE PUBLIQUE"

A "*chose publique*" means any area of land over which the public has, under the customary law of Jersey, the right to pass and repass without let or hindrance, whether on foot or with animals or vehicles, including any highway, but excluding any park or sea beach.

Written application for a permit authorising exclusive use of a Chose Publique must be made to the Connétable of the Parish in which the premises are situated. In relation to a *chose publique* which is under the administration of the Minister for Infrastructure the permit will only be issued with the consent of that Minister.

### 1. NAME and ADDRESS of applicant

Surname	Title
Forenames (in full)	
Address	
Parish:	Post Code
Telephone	E-mail

### 2. ADDRESS of land being a 'Choses Publique' for which a permit authorising exclusive occupation is sought:

Address	
Parish:	Post Code

### 3. Details of the maximum number of tables and chairs to be accommodated on the 'Choses Publique' (a plan must be submitted showing the area to be used)

Tables:	Chairs:
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### Declaration by the applicant :

I hereby apply to the Connétable of the Parish of (*enter name of Parish*) .....  
for a permit pursuant to Article 2 of the Customary Law (Choses Publiques) (Jersey) Law  
1993 for permission to occupy the land designated on the attached plan.

I confirm I will abide by any conditions and code of conduct imposed on the Choses  
Publique.

Signature:

Print name:

Date:

This form should be returned to the Connétable of the Parish in which the premises are located. Please note that before the permit is granted a fee will be payable to the Parish (for further details please contact the Parish).

## Permits issued in accordance with the Customary Law (Choses Publiques) (Jersey) Law 1993

1. The permit will expire on 31<sup>st</sup> December but may be withdrawn by the Connétable
  - (a) at any time, by giving 30 days' written notice accordingly to the holder of the permit;
  - (b) without notice, if, in the opinion of the Connétable, an emergency has arisen, or is likely to arise, which requires the immediate withdrawal of the permit.
  
2. Conditions may be imposed on the permit including relating to:
  - (a) hours of use
  - (b) location of tables and chairs
  - (c) removal of litter and cleaning of area
  - (d) limitations on advertising
  - (e) requirement to obtain change of use from the Planning Department
  - (f) responsibility for compliance with conditions, behaviour of customers and observance of code of good conduct.
  
3. A fee will be charged for the permit and applied towards the cost of maintenance of the by-roads of the parish.
  
4. A person who contravenes or fails to comply with a condition imposed in a permit under this Article shall be guilty of an offence and liable to a fine of level 3 on the standard scale (£10,000).
  
5. Abridgment of public right of access to an area of land does not apply to:
  - (a) a police officer, an officer of the Impôts or an immigration officer, acting in the course of the officer's duty;
  - (b) a member of the fire, ambulance or other emergency service, acting in the course of the member's duty;
  - (c) a person lawfully exercising any power conferred by any enactment or lawfully discharging any function or duty on behalf of a Minister or a parochial authority; or
  - (d) a vehicle or animal which is in the charge of any of the above-mentioned persons.

### **CODE OF GOOD CONDUCT for All Fresco activities**

Drink from a glass, no drinking from bottles or cans.

Shirts or similar must be worn.

No "loud" behaviour which may annoy others. Patrons should remain seated at the tables and chairs provided in the area specified.

<p><b>PRIVACY:</b> Your Parish is registered with the Office of the Information Commissioner in Jersey and is a 'controller', as defined by the Data Protection (Jersey) Law 2018 (DPJL), of the information (personal data) you provide in connection with your application for a permit for a 'choses publique' under the Customary Law (Choses Publiques) (Jersey) Law 1993.</p>		
<p><b>We collect:</b> Your personal details (name, address and contact details, signature). We record the issue of any permit granted for the 'choses publique'. All personal data is stored securely and retained in accordance with your Parish's Data Retention Policy.</p> <p><b>Our use of your personal data:</b> Your Parish requires your personal data in order to process your application for the issue of a 'choses publique' permit under the Customary Law (Choses Publiques) (Jersey) Law 1993.</p>	<p><b>Transfer of personal data to third parties:</b> The Parishes have information sharing and other agreements in place between themselves and with other Government and Law Enforcement agencies and IT service providers. These serve to protect your information in accordance with the DPJL and set out what a third party may do with your personal data including to prevent and detect crime, for law enforcement or to protect individuals from harm or injury.</p>	<p><b>Your rights:</b> You can ask us for a copy of the information we hold about you and to correct or update this. You can ask us to stop or restrict the processing of your personal data although we may need to cancel your permit to do so. You can complain to your Parish about the way your personal data is used (contact details are shown above) or to the Office of the Information Commissioner at 2nd Floor, 5 Castle Street, St. Helier, Jersey, JE2 3BT t: 01534 716530, e: enquiries@jerseyoic.org. Please refer to the Privacy Notice on our website (<a href="https://parish.gov.je">https://parish.gov.je</a>) or ask a member of your Parish Hall team for more information.</p>

Parish Hall contact details:		
The Connétable, St Brelade Parish Hall, St Brelade JE3 8BS T: 741141 E: <a href="mailto:ParishHall@StBrelade.je">ParishHall@StBrelade.je</a>	The Connétable, St Clement Parish Hall, St Clement JE2 6FP T: 854724 E: <a href="mailto:ParishHall@StClement.je">ParishHall@StClement.je</a>	The Connétable, Grouville Parish Hall, Grouville JE3 9GA T: 852225 E: <a href="mailto:ParishHall@Grouville.je">ParishHall@Grouville.je</a>
The Connétable, The Town Hall, P O Box 50, St Helier JE4 8PA T: 811811 E: <a href="mailto:TownHall@StHelier.je">TownHall@StHelier.je</a>	The Connétable, St John Parish Hall, St John JE3 4EJ T: 861999 E: <a href="mailto:ParishHall@StJohn.je">ParishHall@StJohn.je</a>	The Connétable, St Lawrence Parish Hall, St Lawrence JE3 1NG T: 861672 E: <a href="mailto:ParishHall@StLawrence.je">ParishHall@StLawrence.je</a>
The Connétable, St Martin Public Hall, St Martin JE3 6HW T: 853951 E: <a href="mailto:PublicHall@StMartin.je">PublicHall@StMartin.je</a>	The Connétable, St Mary Parish Hall, St Mary JE3 3AS T: 482700 E: <a href="mailto:ParishHall@StMary.je">ParishHall@StMary.je</a>	The Connétable, St Ouën Parish Hall, St Ouën JE3 2HY T: 481619 E: <a href="mailto:ParishHall@StQuen.je">ParishHall@StQuen.je</a>
The Connétable, St Peter Parish Hall, St Peter JE3 7AH T: 481236 E: <a href="mailto:ParishHall@StPeter.je">ParishHall@StPeter.je</a>	The Connétable, St Saviour Parish Hall, St Saviour JE2 7LF T: 735864 E: <a href="mailto:ParishHall@StSaviour.je">ParishHall@StSaviour.je</a>	The Connétable, Trinity Parish Hall, Trinity JE3 5JB T: 865345 E: <a href="mailto:ParishHall@ParishofTrinity.je">ParishHall@ParishofTrinity.je</a>