



14 October 2024

Request

I would like to ask for information regarding the Choses Publiques Al Fresco License issued by Parish of Saint Helier to Colmar on Broad Street - both on King Street and Broad Street side of premises. I'm interested in when this has been approved, has there been an extension request to it and what are terms and conditions attached to it. This usually is listed in the liquor license document from Bailiff's Office. If there are minutes from Licensing Assembly during which this has been discussed I would like to be able to have a look at these as well. I am specifically interested if there is any mention of which permanent structures are allowed to be installed on the land covered by the al fresco license. Finally I would like to know if the annual fee per square foot is exactly the same as all other al fresco licenses in Saint Helier.

Response

1. **Alfresco areas approved:** King Street and Broad Street alfresco area were approved on 30 September 2021.

2. **Extension approved:** request for Broad Street alfresco was approved in April 2022.

Fixed screens were subsequently approved by the former Minister of Infrastructure (as owners of the land) and by the Constable of St Helier 1 September 2022.

There has been no request for an extension to King Street alfresco.

3. **Alfresco terms and conditions:** see below.

4. **Licencing minutes of Parish Assembly:**

The initial application for Colmar can be found in the minutes of the Parish Assembly 24th November 2021 Item 5: 73/21 [Parish Assembly Minutes 24 November 2021](#).

The extensions to the alfresco area can be found in the minutes of 23rd February 2022 Items 4&5: 10/22 [Parish Assembly Minutes 23 February 2022](#).

The application for Café Colmar is in the minutes of 31st May 2023 [Parish Assembly Minutes 31 May 2023](#)

5. **Fee applied:** The fee applied for both the King Street and Broad Street alfresco areas is £19.13 per square foot, the same as for other locations in the town centre.

Note – permits are issued pursuant to the [Customary Law \(Choses Publiques\) \(Jersey\) Law 1993](#) (jerseylaw.je)

PARISH OF ST HELIER

From the Office of the Connétable

CUSTOMARY LAW (CHOSÉS PUBLIQUES) (JERSEY) LAW 1993

Townhall
PO Box 50
St Helier
Jersey
JE4 8PA



ALFRESCO PERMIT CONDITIONS – JANUARY 2024

1. The permit is issued subject to the overall condition that the permit holder shall be responsible for strict compliance with the conditions below. Failure to comply may result in the permit being withdrawn without notice. 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 not exceeding £500.
2. Tables and chairs etc must be removed from the designated area outside the approved hours unless otherwise approved.
3. Tables and chairs etc must not be permitted to encroach beyond the designated area. The permit holder must provide weighted posts and chains/ropes to delineate the area or other barriers/screens to be approved by the Parish. There will be certain occasions when tables & chairs cannot be allowed on the designated area (e.g. Remembrance Sunday and other formal occasions). These will be notified to the permit holder in advance.
4. The area must be kept clean and free from litter (any litter to be collected and disposed of correctly) and must be washed down weekly using a suitable detergent as agreed with the Parish of St Helier.
5. No amplified or live music to be played in the designated area without prior approval.
6. The permit holder must hold a Public Liability insurance with a limit of indemnity of not less than £1 million extended to indemnify Growth, Housing & Environment or the Parish against all claims arising from the operation of the designated area.
7. The permit must be on display at all times when the designated area is in use.
8. The permit may not be assigned to another party.
9. Advertising on parasols or elsewhere connected with the designated area to have the prior approval of the Constable. Umbrellas which project beyond the designated area must be above 2.10m (7ft) and must not encroach over the carriageway.
10. One menu board is permitted, maximum size 2ft wide x 4 ft high, and this must be sited within the designated area. Any additional boards require a separate application to be made to the Parish.
11. The permit holder is responsible for obtaining Planning approval for perimeter screens, decking and any other related matter under the Planning Law.
12. The permit will not automatically be transferred should the ownership of the business change.
13. The permit is only valid if the appropriate fee has been paid. Non-payment of the fee will result in the Parish requesting tables and chairs be removed from the area until satisfactory payment is received. Any default in Direct Debit payments will incur a £25 administration fee.
14. The permit holder is to designate a minimum of 50% of the alfresco area as 'smoke-free' for patrons who do not smoke. No smoking seating is to be clearly identified for patrons. Suitable receptacles must be provided for the disposal of cigarette ends and be emptied regularly.

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15. Permit holders have a legal requirement to allow the statutory undertakers access to their underground services at all times. Any decking which has been approved must have access hatches incorporated into the decking at all road and footpath manholes, valve boxes and access chambers. 24 hours notice for access to underground apparatus will normally be given, but if emergency access is required a proprietor may be asked to remove tables and chairs etc without notice. If decking, support timbers, barriers and alfresco furniture have to be removed in cases of emergency access (particularly out of hours) any costs incurred in this activity must be borne by the permit holder. It should be understood that service companies have statutory rights to their apparatus at all times and cannot be refused access at any time. The Parish will not be held responsible for any loss of income by the permit holder as a result of work carried out by statutory undertakers. Payment of the permit fee is deemed to be acceptance of the conditions in this clause.
16. The Parish needs access to clean alfresco areas on a regular basis and will from time to time ask for tables, chairs, planters and canopies etc to be removed temporarily whilst the cleaning is carried out.
17. As part of the Parish of St Helier's commitment to "Plastic Free Jersey" we request that alfresco permit holders do not use single use plastic in their alfresco areas. Permit holders are encouraged to join "Plastic Free Jersey" <https://plasticfreejersey.com/>, which demonstrates your commitment to improving the environment.
18. The alfresco charges for 2024 are £19.13 per square foot for properties within the central alfresco area and £9.56 per square foot for properties outside the central alfresco area.

A S Crowcroft
The Constable of St Helier