



Jersey construction industry update: Operation of non-essential sites during COVID-19

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Jersey's construction industry has received updated guidance on operational restrictions during the period of disruption caused by the COVID-19 outbreak. The Government of Jersey advice applies to non-essential construction sites, and outlines the conditions that apply for continuation of work on such sites. A permit system will eventually be introduced to allow other sites to restart work, once the Government's medical guidance supports such a move. A limited number of essential sites have already been granted permits enabling construction work to continue; this guidance only relates to non-essential construction sites.

What is the guidance?

The guidance should be welcome clarification for small-scale construction work sites – it applies only to activities which involve one or two people. The updated guidance confirms that non-essential construction activities, involving only one or two people, are able to operate without any requirement for express permission from the Government, subject to certain conditions being met. Those conditions which must be adhered to are:

- strict adherence to Government guidelines on social distancing and good hand hygiene, at all times (including travel to site)
- no more than 2 people undertaking the work
- the work must not be within an occupied dwelling
- adherence to safety guidelines relating to lone working
- no worker undertaking such work should carry documentation asserting they are engaged in essential work (these updated guidelines applying only to non-essential work)

While these conditions will undoubtedly rule out works progressing on many larger on-going projects until a more expansive permit system is introduced, or the restrictions relaxed or lifted entirely, it is positive for industry that certain smaller worksites will be able to move forward pursuant to the guidance which has been issued.

Essential work?

While such small-scale construction work is not categorised as "essential", some other building work is. When issuing the above guidance, the Government of Jersey reconfirmed that emergency home and building repair and maintenance remains "essential" (in accordance with the Government's advice for businesses during the Stay at Home restrictions) and can therefore be carried out within homes, provided that the person undertaking the work is well and not symptomatic. Work should not be undertaken, however, in an isolating household or where an individual is being shielded, save where such work is to remedy a direct risk to that household's safety.

As will be seen above, the guidelines for non-essential work make its clear that such activities do not include works inside an occupied dwelling, and as such will ordinarily be limited to exterior works to the building or garden works (unless the property is unoccupied).

Regulation and change

The above guidelines, and the monitoring of essential worker status, will be regulated by the police and other enforcement agents. As with all guidance issued in response to COVID-19, the Government will keep all matters under consideration, and

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may restrict the scope of authorised works if it considers that there are health concerns with the level of activity and consequently the extent of social contact.

Once the broader permit system is introduced to enable work to progress on larger sites, it will be important for businesses to understand how they can apply for such permits, and what they need to do to ensure compliance with applicable conditions and operational restrictions.

[Here to help](#)

Carey Olsen's property and construction team remains available to assist our clients in the construction industry in navigating the regulations and guidance affecting construction works. We recognise the challenges facing the industry at the present time and understand that now more than ever there is a need to have a clear and straight-forward understanding of applicable regulations. If you have any questions about the guidance and how it may apply to you or your business, please get in touch.



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