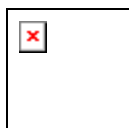


FIELD 790, L'AVENUE DE LA REINE ELIZABETH II, ST. PETER (P.240/2002)- COMMENTS

**Presented to the States on 4th February 2003
by the Harbours and Airport Committee**



STATES OF JERSEY

STATES GREFFE

150

2002

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Comments

The Committee has considered the Report and Proposition of the Deputy of St. John "Field 790, L'Avenue de la Reine Elizabeth II" (P.240/2002) regarding the sale of Field 790, St. Peter.

Members should be aware of the history of this site -

- For some time during the 1980s the Public Services Department was permitted to take turf from the field and did so until there was insufficient topsoil to continue.
- In 1993 the Jersey Rugby Club made an approach to acquire Field 790 for use as a practice pitch.
- The Committee of the day was minded to consider a sale rather than a lease and agreed in principle with the Rugby Club that it would sell.
- Negotiations were deferred because, at that time, the go-kart track at Belle Vue closed and there was much activity to find a new base for the Jersey Kart Club.
- The Committee of the day acceded to the wish of the Sport, Leisure and Recreation Committee and agreed not to oppose kart use on Field 790.
- Through 1994 to 1996 there was an impasse as the Kart Club, supported by the Sport, Leisure and Recreation Committee, made a planning application to use the field as a kart track.
- This was rejected and the Sport, Leisure and Recreation Committee persuaded the States to ask the Planning and Environment Committee to overturn its decision - it did not.
- The Kart Club use of the field ultimately fell from the frame.
- Negotiations with the Jersey Rugby Club resumed.
- Field 790 was by then being held in reserve in case it was needed for vehicle parking during the major Airport redevelopment project.
- Coincidentally, the Rugby Club had entered into a major project to secure the re-location and enhancement of its Clubhouse.
- Because of the substantial delays, their interest was put on hold.

Since that time the field has been used as a store for material from the Alpha Taxiway and associated reed bed projects. Early in 2001 the Rugby Club renewed its interest in the field and the Property Services Department has acted for the Committee in the negotiations and valuation of the field. The field could not be accurately valued until late summer 2002 because of the mountain of material stored on it and the need to establish how much of the eastern end would be absorbed by the reed bed system. Ultimately the saleable area of the field has reduced from 6.7 to 5.2 vergées.

At the meeting of 28th August 2002, the Committee agreed the sale of Field 790 to the Jersey Rugby Football Club Limited for £11,000, for use as a sports field. The Deputy of St. John dissented and subsequently asked, by fax of 29th August 2002 that Members consider a number of points. Consequently, at the meeting of 25th September the Committee requested a delay to the sale until points raised by the Deputy of St. John had been answered.

By letter of 6th November 2002, the Property Services Department provided information which covers all of the issues raised

"Proposed Sale – Field 790, St. Peter to Jersey Rugby Football Club

I am now in receipt of Deputy Rondel's fax of the 29 August 2002 to the President and Harbours and Airport Committee in relation to the above matter which asked for the Committee to reconsider its decision in relation to the sale of the above-mentioned field.

He raises five points which I have provided comments on below. As I am sure both you and the Committee are aware this field has had some past history with regard to existing and future uses and I can confirm that all of

these factors had a bearing on the recommendation made by this Department to Committee. I can also confirm that I believe the existing recommendation to be the correct and I have set out the reasoning.

- (a) *The suggestion of a transfer of administration of the land to the States land bank. Unfortunately there is no such thing as “the States land bank”, as all property must be administered by a Committee. The closest thing to a holding Committee in this respect would be the Planning and Environment Committee who take on the administration of property/land until development can take place.*

In this case the field was originally acquired for road widening and then held by the Harbour & Airport Committee for strategic reasons. Now those plans have been fulfilled the land is surplus to their requirement and unless another Committee can be identified to take on the responsibility of the administration or a strategic reasons can be identified for it to be held then the land should be sold.

Due to limited rental return and the high cost to return the land to a usable condition the Department of Property Services were not able to find another Committee willing to accept the transfer of administration, nor was a strategic purpose for the land identified.

- (b) *The lease of the land to the Rugby Club was a considered option but the rental return to the Public would have been minimal due to the fact that the capital costs of the development work and the ongoing maintenance would have been the Tenants responsibility and as such all the Tenants improvements could not be taken into account as part of the rental and as there would remain a cost element to the Harbour & Airport Committee in the management of the lease agreement it was not believed to be a viable option.*

- (c) *The lease of the land to another sports club was also considered, but due to the fact that an entrance, parking facilities, a clubhouse facility and all other associated services would need to be created it would not leave much land in the way of usable space. The main problem is however that the land lies in the Countryside Zone, (Policy C6) of the Planning Law, which means it is given a high level of protection and there is a general presumption against all forms of new development for whatever purpose.*

Access and aggress from the field to the main road would also be a problem, in terms of sight lines and from an engineering point of view due to the height difference between the field and the main road. The only real access is through land owned by the Rugby Club. The Department of Property Services has been working with the Sports Development Officer and no alternative sporting uses were put forward as part of the discussions.

- (d) *The sale of the land by tender would result in similar problems as stated above in relation to the construction of facilities and the provision of access.*

It should also be noted that the Agriculture & Fisheries Committee did not object to the loss of this field from agricultural use due to its poor quality and therefore when taking into account all the above it is believed that as the Jersey Rugby Club already have the necessary facilities built on an adjacent site which in turn also provides the access they are really the only party with a workable and achievable interest in the land.

Therefore the Department of Property Services believes that the current recommendation of sale should stand.

In relation to the value of the land advice was sort from both the Agriculture & Fisheries Department and from the Sport Leisure and Recreation Department in relation to end value and to the cost of reinstatement of the land to the respective uses. Both confirmed that it was unlikely within the current state of the market that any private individual would be prepared to take on the land in its current state.

The Department of Property Services has been acting on behalf of the Education Committee to acquire operational agricultural fields for use as school playing fields and this work has indicated that the existing use value of the field is higher than the value as a sporting field there for the agricultural value is being paid to the owners. In this case the fields are not operational and therefore the agricultural value has had to be discounted by the reinstatement costs.....”.

Property Services also explained that a recent sale of land to the Bosdet Foundation also involved the purchase by them of land from the Public which was effectively an exchange with both parties paying the same sum for the other’s land. It was therefore, not comparable to the proposed sale of Field 790.

On the strength of this advice the Committee, at its meeting of 22nd November 2002, decided to proceed with the sale on the

same terms as agreed at the meeting of 28th August 2002.

The Harbours and Airport Committee has also received comment from the Chairman of the Jersey Rugby Football Club (Mr. Chris Scott) -

“We want the field to use as a pitch and training ground for or “mini” section.

- *Following the H & A approval to sell it to the JRFC at a price that was agreed, a lot of time, effort and money has been spent on making the field into a mini rugby pitch.*
- *Other States Committees have been closely involved with the sale and have agreed with the price.*
- *They have been supportive in helping in whatever way they could to make the field into a mini rugby pitch.*
- *They acknowledge the benefits to Jersey, in many ways, of the Club using/buying the field as a mini rugby pitch, rather than it remaining as an unused field.*
- *I thought one of the States priorities was to promote sport and recreation.*
- *The area is far too small for a full size pitch and could only ever be used for mini rugby.*
- *We have, over some 20 years, built up our mini rugby section to involve over 180 youngsters from U7 to U17 who train at the club.*
- *We are providing a means for youngsters to learn a sporting skill, to keep fit and healthy and make new friends (as do their parents) - this is a benefit to the Island as a whole.*
- *Lack of space is not allowing us to develop the mini section.*
- *All the local Rugby Clubs benefit in due course by the development that we do to produce senior players which is vital to the future of rugby in Jersey - not all the mini's end up playing for the JRFC.*
- *The JRFC has currently 2 full pitches which are over used.*
- *In particular the pitch that is used for training is very difficult to maintain.*
- *The JRFC and 2 other local rugby clubs, train 4 evenings per week for 9 months every season.*
- *On average there are 2 games each weekend on both pitches.*
- *The Island also benefits by having a successful Jersey team competing regularly against English teams which results in our bringing 1,000s of sports “tourists” to Jersey.*
- *There is a covenant on the sale of the field to the JRFC that it will only ever allow the field to be used as a sports field.*
- *We have seeded the existing playing area at a cost of £2,685.*
- *The Sport Leisure and Recreation Committee committed £6250 to help the JRFC pay for the field in recognition of the value of the scheme to their aims.*
- *The Club could not afford to pay more than the £11,000 plus the other costs of about £8,000 to make the field into a sports ground.*
- *If it was sold for say £15k, is the difference of £4,000 worth the cost/loss to the overall benefit to the Island of not having a mini rugby pitch?*
- *The proposed price is now made known £11,000 and any entrepreneur/speculator can buy it at a price that is not too much more to make a quick profit.”*

On the latter point the President of the Committee received the opinion of the Property Services Department on 16th January

“Dear Senator

I will, if you wish me to, provide you with any more information you require on this matter. However at this stage I would like to expand on one point made Mr Scott.

He rightly points out the issue of potential speculation on the field. The main point here is the simple fact that the press have published the exact figure agreed between the Public and JRFC in relation to the sale so it would now be wholly inappropriate to tender the land. The whole point of the tender process is that when there are a number of parties willing to buy but the value that they are prepared to pay for it is unknown then closed bids are invited. Clearly this can't be the case here anymore. Therefore the options are;

- either continue as is and sell to JRFC,*
- leave the field vacant under the administration of the H & A Committee (no other Committee wished to accept the administration),*
- a States Committee take on the administration of the field and then pay for its redevelopment and run it as what ever use the field could be used for.*

As stated in my letter to Committee, as a stand alone field with no potential for development, no current access or parking the only other real viable option would be for the field to be leased to JRFC, as the adjacent land user, with all the required facilities in place. This is an option that had been looked into and already disregarded in favour of a sale.”

The Harbours and Airport Committee believes that the valuation and advice it has received from the Property Services department is sound. The Committee remains of the opinion that the sale of Field 790, St. Peter to the Jersey Rugby Football Club should proceed on commercial grounds alone at the agreed price of £11,000 with each party being responsible for its own legal costs. The Committee is pleased that the sale will enhance the Island's sports facilities and, in particular, enhance the ability for young people to learn new skills and engage in a physical activity.