

STATES OF JERSEY



REG'S SKIPS LIMITED – PLANNING APPLICATIONS (R.118/2010): COMPENSATION AND FURTHER ACTION (P.130/2010) – THIRD AMENDMENT

**Lodged au Greffe on 19th October 2010
by the Minister for Planning and Environment**

STATES GREFFE

REG'S SKIPS LIMITED – PLANNING APPLICATIONS (R.118/2010):
COMPENSATION AND FURTHER ACTION (P.130/2010) –
THIRD AMENDMENT

1 PAGE 2, PARAGRAPH (a) –

After the words “to approve” insert the words “, and therefore provide the legal authority for,”.

2 PAGE 2, PARAGRAPH (b) –

After the words “to approve” insert the words “, and therefore provide the legal authority for,”.

MINISTER FOR PLANNING AND ENVIRONMENT

REPORT

I have carefully considered the findings of the Committee of Inquiry (R.118/2010) received on 16th September 2010 and the recommendations for compensation contained therein.

I accept the recommendations for making an *ex gratia* payment of £157,000 to Mr. and Mrs. Pinel, the proprietors of Reg's Skips Ltd. and for making an *ex gratia* payment of £3,347, to Mr. C. Taylor, the owner of Heatherbrae Farm, St. John.

I have written to both Mr. and Mrs. Pinel and to Mr. Taylor on stating my intent and this was discussed in person with them by the Chief Officer of Planning and Environment on 8th October. I have signed a Ministerial Decision dated 7th October 2010 to give effect to this decision.

The Planning and Building (Jersey) Law 2002 sets out what the Minister can and cannot pay in terms of compensation that might arise in a planning case. It is clear that the principle of making an *ex gratia* payment in compensation to cover legal costs as outlined in the Committee of Inquiry report would not fall within the provisions of that Law and therefore I am seeking the formal approval of the States Assembly before making this type of payment.

I am therefore lodging this amendment seeking the approval of the States to enable the payment of the two *ex gratia* payments specified above.

Financial and manpower implications

The sum of £160,347 will be initially sought from within existing Planning and Environment revenue budgets for 2010. I have instructed the Chief Officer for Planning and Environment to affect the necessary reprioritisation changes within the budgets for 2010.