

STATES OF JERSEY



FIELD 512, LA ROUTE DES CAMPS, ST. BRELADE: PROPOSED DEED OF ARRANGEMENT

Lodged au Greffe on 10th January 2007
by the Minister for Treasury and Resources

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

- (a) to agree that a deed of arrangement should be passed between the public, as the owner of the northern part of Field 512, St. Brelade and Mr. Paul Graham Thorne and Mrs. Tanya Harrison, née Thorne, as the joint owners of the southern part of Field 512, to provide that –
 - (i) the Public's existing right-of-way from La Route des Camps to the northern part of Field 512 across the centre of the southern part of Field 512, will be cancelled (which right of way was established in a contract passed on 19th November 1993 between the public and Mr. Graham Douglas Thorne),
 - (ii) the public will be granted a new right-of-way from La Route des Camps to the northern part of Field 512 across the western side of the southern part of Field 512, as shown on drawing No. 19/2/12 P1;
- (b) to agree that the public should contribute £750 towards the legal fees incurred by Mr. Paul Graham Thorne and Mrs Tanya Harrison, née Thorne in connection with passing the said deed of arrangement before the Royal Court, to be sourced from vote '*02320/IXP008/120280 – Acquisition of Land – Major Reserve*';
- (c) to authorise the Attorney General and the Greffier of the States to pass the necessary contracts on behalf of the Public.

MINISTER FOR TREASURY AND RESOURCES

REPORT

On 19th November 1993 the Public acquired from Graham Douglas Thorne the northern part of Field 512, which has since been incorporated into Les Creux Country Park.

Mr. Thorne retained ownership of the southern part of the field adjoining La Route des Camps. In selling the northern part of the field to the Public, Mr. Thorne granted a right-of-way across the centre of his field from La Route des Camps to the land being sold.

On 14th April 2000, Mr. Thorne gifted the southern part of Field 512 to his children, Paul Graham Thorne and Tania Harrison, née Thorne, but retained a life interest for himself and his wife.

To date the Public has not exercised its formal right-of-way across the centre of the southern part of Field 512 now owned by Mr. Thorne junior and his sister.

However, in recent years, members of the Public from the vicinity of Mont ès Croix Estate have been informally crossing the western side of the field as a route from La Route des Camps. In particular, children have been using this route as a safe path from their homes to La Moye Primary School, rather than using the main road, which has no continuous pavement.

In March 2006, the owners of the southern part of Field 512 terminated this informal right-of-way across the western side of the land. This led to concerns being raised by some residents of Mont ès Croix Estate about the safety of children walking to school. Property Holdings was instructed by the Minister for Education, Sport and Culture to investigate the matter.

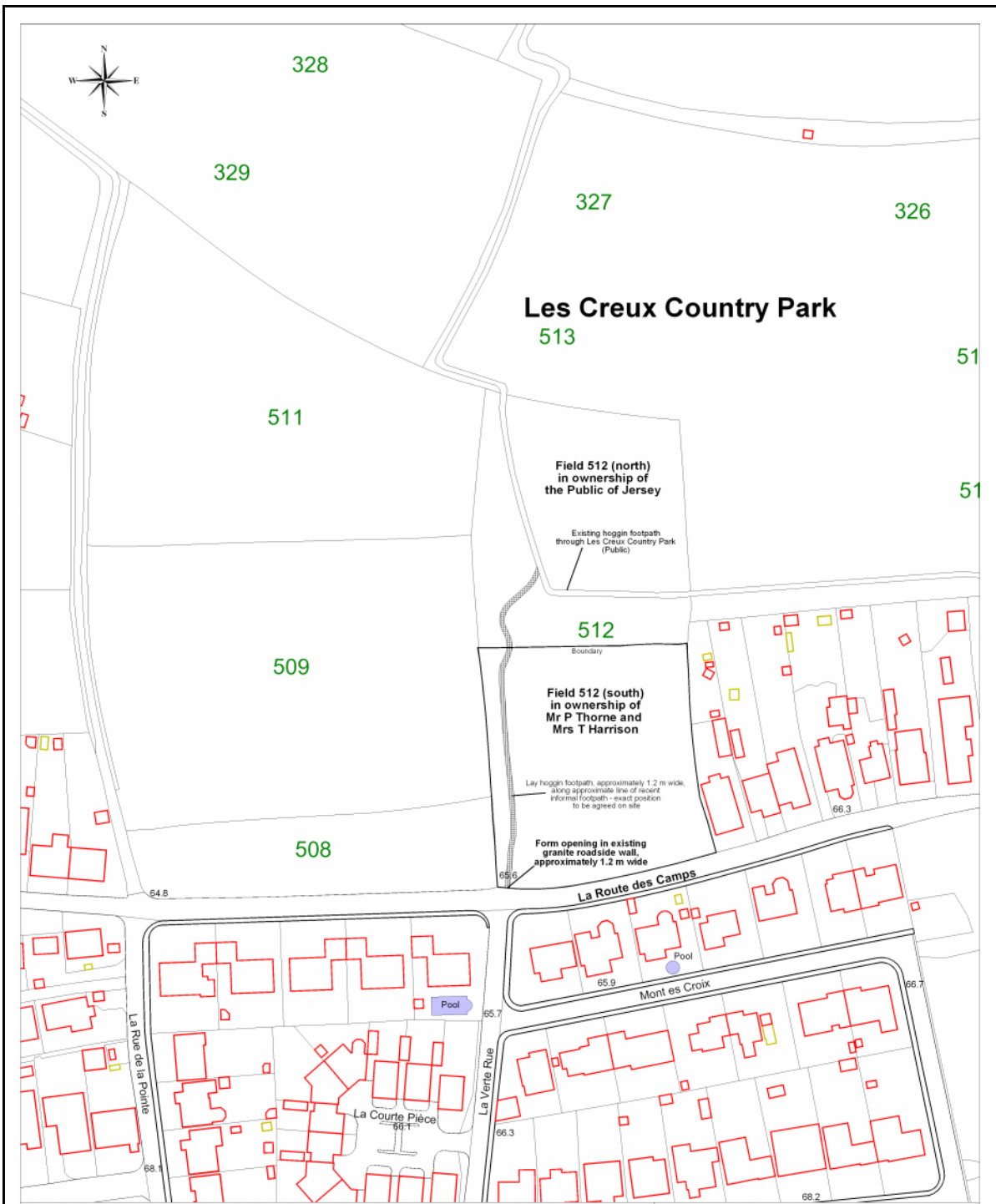
It has since been agreed with the owners of the southern part of Field 512 that the Public's existing right-of-way through the centre of their field will be cancelled in favour of a new right-of-way on the western side of the field. This proposed right-of-way is more convenient to users than the existing one through the centre of the field. It will be necessary to record this change to the right-of-way in a deed of arrangement to be passed before the Royal Court.

The Public will make-up the new right-of-way as a formal 1.2 metre-wide path in fine granite gravel to match the existing paths in Les Creux Country Park, and will form an opening through the granite roadside wall onto La Route des Camps. The public will be responsible for the maintenance of the path and will have the right to place services beneath it. These costs will be met from Property Holdings' maintenance funds.

The proposed path has been the subject of planning application, and received consent on 30th November 2006.

With regard to the legal fees associated with drafting and passing the deed of arrangement before the Royal Court, the Public will meet its own costs and will contribute £750 to the fees of Mr. Thorne junior and his sister. This £750 sum will be to be sourced from vote '02320/IXP008/120280 – *Acquisition of Land – Major Reserve*'.

There are no additional financial implications for the States, and there are no manpower implications.



Field 512 (South) Proposed hoggin footpath

Drawing No: **19/2/12 P1**

Boundary Information Supplied by the States of Jersey Planning Office, but no responsibility can be accepted for error.



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