

**WRITTEN QUESTION TO THE MINISTER FOR PLANNING AND ENVIRONMENT
BY SENATOR B.E. SHENTON
ANSWER TO BE TABLED ON TUESDAY 9th MARCH 2010**

Question

“Following the loss of a Third Party Planning Appeal in respect of the Westmount Quarry application, what was the total cost to the taxpayer, including legal costs and third party costs, in respect of this judgement and from which budget will it be paid?”

Answer

At this moment in time it is not possible to inform the States what the final costs are.

The Third Party Appeal against the Minister’s decision to grant permission to the Westmount Quarry application was successful, and the Royal Court awarded costs against the Minister.

The effect of the Court’s decision is that the Minister is required to obtain further detailed information to assess the impact of loss of light on adjoining properties and relates only to a small part of the development. The Court did not quash the decision, as such. Rather, the decision needs to be reconsidered taking into account the accurate information. The required information has been submitted and advertised, and the Minister will be dealing with it soon.

The Minister is not in a position to advise what the costs are as there is still a process to go through before there is a final figure.

The Minister will inform States members of the actual level of costs, either when they are agreed by the parties or following an oral taxation hearing of the Court.

There is no specific budget to cover the award of costs against the Minister, and it is envisaged that the costs in this case will be absorbed within the Department’s total budget for 2010.