

**QUESTION TO BE ASKED OF THE PRESIDENT OF THE POLICY AND RESOURCES
COMMITTEE ON TUESDAY 8th JUNE 2004,
BY DEPUTY G.C.L. BAUDAINS OF ST. CLEMENT**

Question

With reference to the claim by Les Pas Holdings Limited, will the President inform members –

- (a) at what stage, if any, did the Les Pas claim include La Collette power station land and was this accepted as valid during any stage of the negotiations? and,
- (b) whether the Committee is intending to make a claim for compensation against the legal firm which represented the States in the legal action brought by Les Pas Holdings Limited?

Answer

- (a) The claim made by Les Pas included part of the site of the La Collette power station land from the start. It did not cover the entire site, but referred to those parts of the site which were artificially reclaimed in the 1960's and 1970's. If the part of the Power Station which was on land claimed by Les Pas had been lost, and it had become necessary to buy it back, whether by negotiation or by compulsory purchase, the compensation would have reflected not just the value of the part which Les Pas had acquired considered as an isolated site, but also the marriage value, that is, the value to the part which Les Pas had not acquired of reuniting it with the part which had been lost.

Neither this nor any part of the Les Pas claim was accepted at any stage of the negotiations.

- (b) The Policy and Resources Committee does not intend to make a claim against the legal firm which represented the States. A client can only make a claim against his legal adviser if the legal adviser has been guilty of professional negligence which has resulted in loss or damage to the client, and there is no basis upon which such an action could be brought.