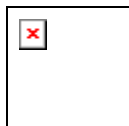


**LE ROCQUIER SCHOOL: FIELD NOS. 131 AND 131A, LA RUE DU PONTLIETAUT, ST. CLEMENT -  
PROPOSED CHANGE  
OF USE**

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**Lodged au Greffe on 6th June 2000  
by the Planning and Environment Committee**

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**STATES OF JERSEY**

**STATES GREFFE**

180

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## PROPOSITION

### THE STATES are asked to decide whether they are of opinion -

- (a) to rezone Fields 131 and 131A, La Rue du Pontlietaut, St. Clement, as shown on drawing no. 626/1, from the Agricultural Priority Zone to use for school playing fields;
- (b) to authorise the Planning and Environment Committee, on behalf of the Education Committee, to negotiate with the owners for the purchase of the land at a fair and proper price to be agreed with the Finance and Economics Committee;
- (c) to agree in the event of it not being possible to reach agreement on a fair and proper purchase price, the Planning and Environment Committee should be empowered, in exercise of the power confirmed by Article 4 of the Island Planning (Jersey) Law 1964, to acquire the land by compulsory purchase on behalf of the public in accordance with the provisions of the Compulsory Purchase of Land (Procedure) (Jersey) Law 1961, as amended;
- (d) to authorise the payment or discharge of the expenses to be incurred in connection with the acquisition of the said land and all interest therein and the repayment of all legal expenses from the Land Acquisition vote CO904;
- (e) to authorise the Planning and Environment Committee to transfer the administration of the land described in paragraph (a), once acquired, to the Education Committee;
- (f) to authorise the Attorney General and the Greffier of the States to pass, on behalf of the Public, any contracts which might be found necessary to pass in connection with the said properties and any interests therein.

### PLANNING AND ENVIRONMENT COMMITTEE

Note: The Finance and Economics Committee supports the proposition on the basis that the land in question is of strategic importance in view of its proximity to Le Rocquier School and the role it will play in facilitating the redevelopment of the School to meet current and future needs, although the question of recourse to compulsory purchase powers is a matter for the States.

## REPORT

### Le Rocquier School - playing field requirements

1. Le Rocquier School, St. Clement, has to be redeveloped in order to cater for projected increases in school numbers. States members will recall that, following completion of a feasibility study in 1998, the Education Committee proposed the construction of a new school on the existing school playing field. This proposal was supported by the States and funding, by way of a loan sanction arrangement, has been included in the capital programme for 2001.
2. The 1998 feasibility study identified that the acquisition of Fields 131 and 131A is imperative if the school is to expand as required. The fields are capable of being developed as playing fields and it is envisaged that these would consist of a senior football pitch and a junior football pitch, with alternative running track and athletics facilities for the summer.
3. An application has been submitted to the Planning and Environment Committee to change the use of Fields 131 and 131A, St. Clement from agricultural to playing fields. The area is approximately 17 vergées. In consideration of the application, the Planning and Environment Committee has taken into account the policies contained in the Island Plan, and the impact the loss of land would have upon the viability of the agricultural holding which currently leases the land.

### Island Plan policies

4. The Island Plan policies relevant to the proposals are policy CO25 and policy CO26.

#### POLICY CO25

“There will be a presumption against the permanent loss of agricultural land for development or other purposes, and positive support will be given to the agricultural industry.”

There is, however, a recognition in the Island Plan that community needs may be such that the Committee may find it necessary to override the general. This is set out in paragraph 2.65 of the Island Plan presumption against the loss of agricultural land.

“2.65 It must, however, be accepted that in some circumstances the need to meet other community requirements may be over-riding and agricultural land will be lost. Whenever this is likely to be the case, full account will be taken of the likely agricultural impact. In particular, account will be taken of agricultural land quality based on the soil classifications devised in the survey stage of plan preparation, and the impact on the economics and viability of individual farm holdings. This policy will be implemented in close consultation with the Committee of Agriculture and Fisheries.”

Policy CO26 states -

#### POLICY CO26

“When considering development proposals, full account will be taken of the agricultural land affected and the impact on the economics and viability of individual farm holdings.”

### Comments of the Agriculture and Fisheries Committee

5. The Planning and Environment Committee, before considering the application, consulted with the Agriculture and Fisheries Committee and received a report which expressed the view of the Agricultural Land Sub-Committee that it did not wish to see the fields taken out of agriculture, for whatever reason. The report advises that the land is easily worked and is ideal for today's large machinery. However, its loss would not have a significant impact on the agricultural operations of Fairview Farm Limited, who currently lease the land and have other significant land holdings.

The Agricultural Land Sub-Committee, while resisting the loss of land, for whatever reason, also expressed a view that a corporate approach should be taken via a States debate.

### Planning issues

6. The Committee decided that, in the circumstances, the needs of Education outweighed the presumption against the loss of agricultural land. It was also mindful that as the land was to be used as playing fields, it could feasibly revert back to agricultural use some time in the future. The Planning and Environment Committee are fully aware of the proposals to rebuild Le Rocqier School in order to increase its capacity, and that an essential element of this is the provision of playing field facilities commensurate with its size. The Planning and Environment Committee supports the proposal.

### **Implementation**

7. As the use of Fields 131 and 131A are critical to the further development of the school, the Committee is seeking from the States the power to compulsorily purchase the land if agreement cannot be reached with the owner on a fair and proper price.

