

STATES OF JERSEY

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No. 2 LA CROIX CRESCENT, LA RUE À DON, GROUVILLE: REMOVAL OF RESTRICTIVE COVENANT

**Lodged au Greffe on 29th April 2003
by the Home Affairs Committee**

STATES GREFFE

PROPOSITION

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

- (a) to authorise the entering into of an agreement on behalf of the public as owner of No. 2 La Croix Crescent, La Rue à Don, Grouville with the owners of Nos. 1, 3, 4, 5, 6, 7 and 8 La Croix Crescent, La Rue à Don, Grouville, to permit the complete removal of the restrictive covenant contained within the contracts relating to each of the properties as shown on Drawing No. 586/03/56, which restricts any alteration, development or building without the formal agreement of each and every owner, with each of the parties being responsible for their own legal fees;
- (b) 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 transaction; and
- (c) to authorise the Greffier of the States to sign the said drawing on behalf of the States.

HOME AFFAIRS COMMITTEE

Note: The Finance and Economics Committee notes that the proposal to remove the restrictive covenant at No. 2 La Croix Crescent, La Rue à Don, Grouville does not have a significant financial impact on the finances of the States.

REPORT

On 24th April 1992 the Home Affairs Committee acquired the property No. 2 La Croix Crescent, La Rue à Don Grouville from Mr. Henry Hugh Goldsmith for occupation by a serving officer of the Territorial Army posted to the Island for a tour of duty with the Jersey Field Squadron.

This property, along with the 7 others in the estate, is subject to the same restrictive covenant that prevents any alterations or development taking place at any of the properties without the consent of each owner. A deed of arrangement must then be passed before the Royal Court to allow those alterations or development to take place. This process is extremely costly and time-consuming to the parties involved. To date the Public have participated in this process in 1992, and were approached again in 2002. In the last instance the matter was not concluded due to cost and time delays. More recently, the owner of No. 1 La Croix Crescent, who wishes to undertake minor alterations to his property, has made a request to all parties for their consent.

All the parties concerned are in agreement that it would be more beneficial for the restrictive covenant to be totally removed. Any alterations or development would still be controlled under the Planning and Building (Jersey) Law 2002. Negotiations have taken place and agreement reached for the removal of the restrictive covenant with all interested parties at La Croix Crescent who are as follows –

Number 1 La Croix Crescent is owned by Mr. Anthony Graham Day, in his sole name

Number 2 La Croix Crescent is owned by The Public of the Island

Number 3 La Croix Crescent is owned jointly by Mr. Derek Ferguson and Alice Davidson Maxwell, his wife

Number 4 La Croix Crescent is owned by Kathryn Ann Caldwell, former wife of David Dutson, in her sole name

Number 5 La Croix Crescent is owned jointly by Mr. Richard John Le Seilleur and Jennifer Laura Hayes, his wife

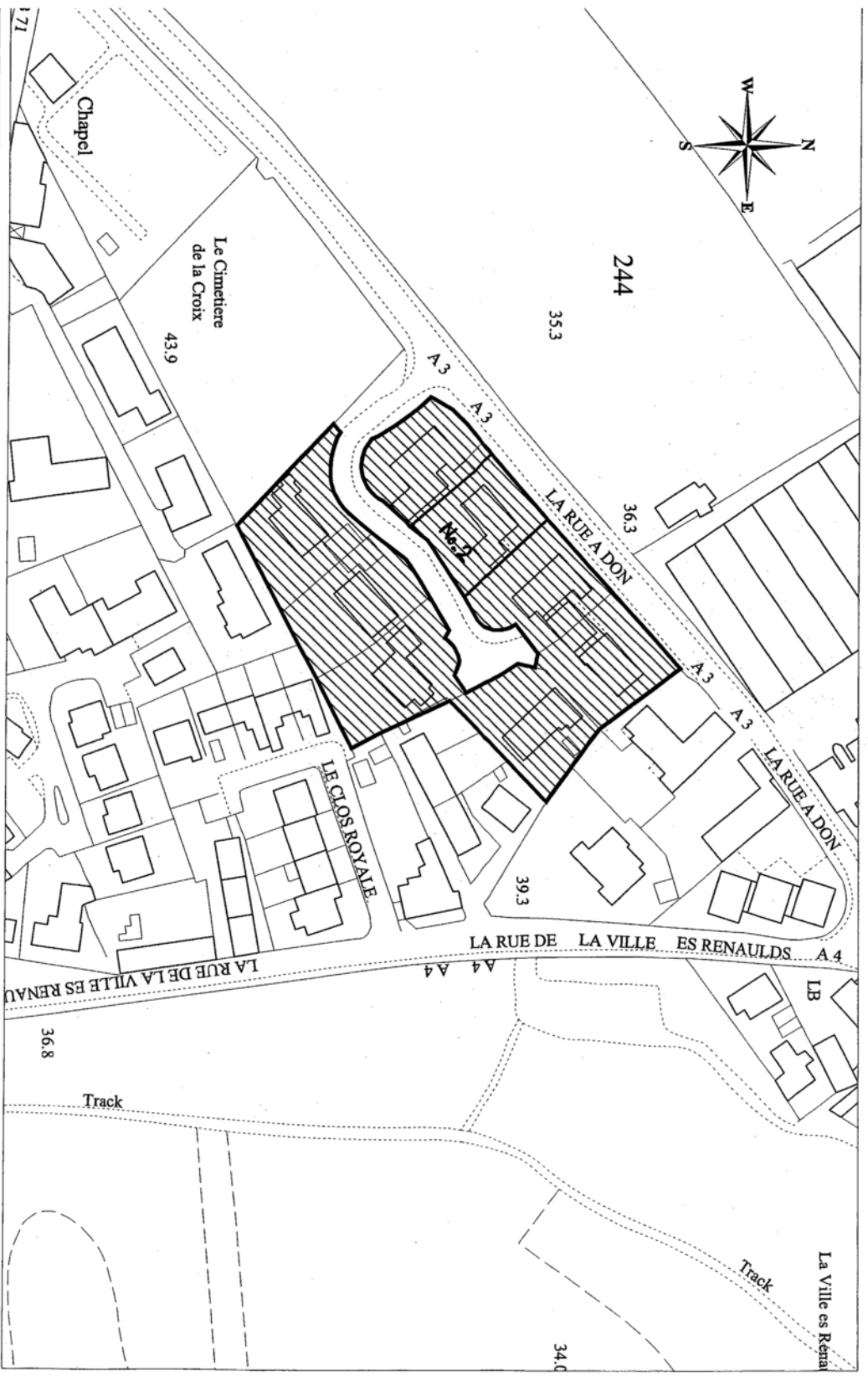
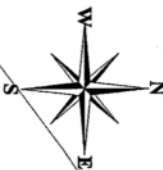
Number 6 La Croix Crescent is owned jointly by Mr. Grant Ingram Stenhouse and Nicola Diane de Gruchy, his wife

Number 7 La Croix Crescent is owned jointly by Mr. Robert John De La Haye and Susan Norah Herivel, his wife

Number 8 La Croix Crescent the reversionary ownership is held in the joint names of Messrs Charles Peter Carlton Dix, John David Carlton Dix, William Tage Edward Carlton Dix and Robert George Carlton Dix. The property is also subject to life enjoyment of Peter Carlton Dix and Maj Gunvor Lincblom, his wife (jointly and for the survivor of them)

It is beneficial for each party is to be responsible for their own legal costs.

There are no other financial or manpower implications for the States.



Drawing No:
586/03/56

1 - 8 La Croix Crescent Grouville

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



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COMMITTEE