

**SALE OF LAND SURROUNDING LE TALUS, LA RUE DU NORD, ST. JOHN AND THE ACQUISITION OF
LAND AT FREMONT HEADLAND, ST. JOHN**

**Lodged au Greffe on 5th November 2002
by the Public Services Committee**



STATES OF JERSEY

STATES GREFFE

150

2002

P.200

Price code: B

PROPOSITION

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

- (a) to authorise the purchase from Mrs. Daphne Joan Tomes (née Le Brun) of an area of land of approximately 20,100 square metres (11 vergées 7 perch) at Fremont Headland, north of Field 638, St. John, as shown hatched on Drawing No. 1756/02/50 for the sum of £10;
- (b) to authorise the sale to Mrs. Daphne Joan Tomes (née Le Brun) of an area of land of approximately 2,230 square metres (1 vergée 10 perch) to the north and northwest of the property known as Le Talus, as shown hatched on Drawing No. 1756/02/50 for the sum of £10;
- (c) to authorise the Attorney General and the Greffier of the States to pass and the Greffier of the States to sign, on behalf of the Public, any contracts which might be found necessary to pass in connection with the said land referred to in paragraphs (a) and (b) and any interests therein, with Mrs. Tomes and the Public being responsible for their own legal fees in connection with the transactions;
- (d) to authorise the payment and discharge of all expenses which may be required in connection with the acquisition and disposal of the said land and all interests therein from the Planning and Environment Committee's Vote of Credit, Acquisition of Land - Major Reserve (Vote C0904).

PUBLIC SERVICES COMMITTEE

- Notes:
- 1. The Planning and Environment Committee supports the proposition but advises, however, that any extension of the garden to the property known as Le Talus and currently owned by Mrs. Tomes would be subject to planning permission.
 - 2. The Finance and Economics Committee's comments are to follow.

Report

The Department of Property Services has agreed in-principle terms with the owner of the property known as Le Talus, La Route du Nord, St. John.

Mrs. Daphne Joan Tomes (née Le Brun) wishes to acquire from the Public an area of land comprising a roadside verge and former quarry. That land has an area of approximately 2,230 square metres (1 vergée 10 perch). It is shown hatched on drawing No. 1756/02/50 for identification purposes only.

In exchange, Mrs. Tomes will sell to the Public an area of land measuring approximately 20,100 square metres (11 vergés 7 perch) with the intention that the Public will formalise its ownership of a section of the North Coast Footpath (the Public presently has a licence agreement with Mrs. Tomes for that footpath). The subject area of land is shown cross-hatched on drawing No. 1756/02/50 for identification purposes only.

In addition Mrs. Tomes has agreed to grant the Public access rights to the land which is proposed to be acquired by the Public over Field 638, to enable convenient access to the footpath for maintenance purposes. Those access rights are subject to the condition that if the Public subsequently acquires adjacent land that also permits convenient access to the footpath, then the rights over Field 638 will cease.

The land being sold to Mrs. Tomes will contain restrictive covenants to ensure that area of land in question must never be sold off separately and must always form part of the property Le Talus. Nor will there be any form of construction that can be sold or let separately. This restriction would not prohibit an extension of the existing property into this area but would be on the basis that the extension could not be separated off from the original property in any form or manner to create a separate unit of accommodation or commercial unit.

The boundaries will be as those in existing contracts save where the Public Services Committee wish to retain a small area of land on the north-east corner in order to improve the road line.

Furthermore, Mrs. Tomes will contract not to interfere with an existing brook which crosses the land being sold to her. Any proposals on the part of the owner in connection with the said brook will be subject to the approval of the Public Services Committee.

With regard to the area of land being acquired by the Public, a covenant will state that no development of any sort can take place on the land, save for ancillary items directly related to the coastal footpath, such as benches and signage.

Both parties are to be responsible for their own legal costs in relation to this transaction.

There are no additional financial or manpower implications for the States of Jersey in connection with the proposed land exchange.

