

**WRITTEN QUESTION TO THE MINISTER FOR PLANNING AND ENVIRONMENT
BY SENATOR B.E. SHENTON
ANSWER TO BE TABLED ON MONDAY 19th JULY 2010**

Question

Given that Page 53 of the Annex to Financial Reports and Accounts 2009 states that £625,618 was transferred from the contingency vote to settle a planning appeal claim, can the Minister please give full details of this claim, and the total cost?

Answer

The amount transferred from the contingency vote was not in relation to a planning appeal as stated in the reports, but relates to the negotiated compensation settlement payment to D B Cummins Ltd in the “Trinity Infill Case”, and the final payment to the lawyers acting for the Minister for Planning and Environment in the matter.

This arose from the Environment and Public Services Committee’s modification of a planning permission that would have allowed a field in Trinity to be used as an inert waste dump. Modification, or revocation, of a planning permission carries with it a right to compensation.

As previously indicated to Members on 2nd June 2009, in reply to a question from Senator Perchard, I am unable to specify an exact figure for the negotiated compensation settlement but can confirm the total cost including legal fees was in the region of £700,000.