

FIELD 1001, LE MONT DE STE. MARIE, ST. MARY: PURCHASE OF LAND

**Lodged au Greffe on 11th December 2001
by the Planning and Environment Committee**



STATES OF JERSEY

STATES GREFFE

150

2001

P.198

Price code: B

PROPOSITION

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

- (a) to authorise the purchase by the public of Field 1001, Le Mont de Ste. Marie, St. Mary (as shown on Drawing No. 15/669/2) measuring 4.6 vergées from Mr. Brian Denis Feldmar for the sum of £12,740, with the public to be responsible for all reasonable legal costs;
- (b) to authorise the Greffier of the States to sign the said drawing on behalf of the States;
- (c) to authorise the Attorney General and the Greffier of the States to pass on behalf of the public any contracts which it may be necessary to pass in connection with the purchase of the said land and any interests therein; and
- (d) to authorise the payment or discharge of the expenses to be incurred in connection with the acquisition of the land and all interests therein from the Planning and Environment Committee Vote of Credit C0904 'Acquisition of Land - Major Reserve'.

PLANNING AND ENVIRONMENT COMMITTEE

- Notes:
- 1. The Public Services Committee's comments are to follow.
 - 2. The Finance and Economics Committee's comments are to follow.

Report

Following a landslip in the early part of 2001, the Public Services Department undertook temporary remedial works to stabilise part of the road known as Le Mont de Ste. Marie, St. Mary, adjacent to Field 1001.

During the course of the remedial works, it was identified that further problems existed within a further section of the bank which threatened the future stability of the road.

The temporary works were undertaken in March of this year with the co-operation of the owner of Field 1001, Mr. Brian Denis Feldmar, but the scope of the work necessitated plant and equipment operating over a relatively large area of the field, rendering it unusable for a period of time.

To enable more permanent stabilisation and road improvement works to be undertaken, it is necessary to acquire approximately 11,937 square feet of Field 1001, which is in private ownership.

During negotiations between Mr. Feldmar and the Department of Property Services for the Public to acquire the further area of land, it became clear that the owner had concerns about the extent of the future work and the effect that would have on his tenant's ability to use the land during the course of the operations.

The preference was for the Public to acquire all of Field 1001 and agreement has been reached to purchase the 4.6 vergées for £12,740. This does not include the reservoir which has been constructed by others in the south-west corner of the field for agricultural irrigation purposes. The price agreed is considered fair and proper, equating well to the normal costs of acquiring the necessary land for such road improvement works.

The owner is selling the field with vacant possession on passing contract, and the Public will be responsible for the reasonable legal fees directly associated with the conveyance of the land.

The Planning and Environment Committee will, once the stabilisation and road improvement works are complete, return the field to agricultural use.

There will be a further financial implication for the States in the cost of undertaking the permanent stabilisation and road improvement works. There are no additional manpower implications.

