

THE QUEEN'S GIFT, THE SEIGNEUR, AND THE WATERFRONT



SOS Jersey

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A modern-day true story of ancient feudal law,
modern government secrecy, and the people caught in the middle.

THE QUEEN'S GIFT

In September 2014, two weeks before the Jersey General Elections, two members of SOS Jersey were invited to a meeting with the Chief Minister, Ian Gorst, and the External Relations Minister, Sir Philip Bailhache (plus a retinue of senior officers). The meeting was occasioned by enquiries by SOS Jersey (SOSJ) relating to news of the forthcoming 'Queen's Gift' to the public of Jersey, to give to Her subjects the ownership of the Island's seabed and beaches. The Gift was finalised the following year, on 12th June 2015 by way of a Deed. The public had previously leased the Foreshore at a nominal rental of £4,500 per annum.

These events occurred at a time when SOSJ had discovered that negotiations were being conducted about land in which that they had for many years had a close interest. They made enquiries of the Receiver General and other senior government officials. The feedback received at the time was that delicate negotiations were in progress and that would they, (SOSJ) please not publicise the fact. As SOSJ did not want to cause any embarrassment to Her Majesty, they were happy to comply until more information became available.

On first sight, the reason for the 'Gift' seemed innocuous enough; Her Majesty, in her beneficence, had decided to gift to her subjects in the island of Jersey, the use of the foreshore, (the beaches and seabed) up until then owned and administered by the Crown. The message from the Lieutenant Governor General Sir John McColl was this: *Her Majesty wishes to support the interests and aspirations of the people of Jersey as expressed through their elected representatives....The government of Jersey has expressed a view that the ownership of the foreshore would assist affected management economic development particularly in the area of renewable energy projects."*

The Chief Minister, Ian Gorst said: *"It is important for Jersey to have ownership of its seabed and foreshore, and I would like to express gratitude on behalf of the public of Jersey for this decision."*

The deed makes no mention of alleged Foreshore encroachments and there are no publicly reported comments by the Crown of the States referring to encroachments.

At this point, we need to look back half a century.

FORESHORE RECLAMATION

The States began to reclaim the foreshore in earnest in the 1960s and 70s, acquiring the land from the Crown. The St Helier town beaches and the rocky outcrops of La Collette have been reclaimed and developed over several decades, and Jersey now has a port and waterfront

area which is mainly used as commercial development. Further areas (including land West of Albert and the Waterfront) were acquired from the Crown by buying the land for the public by contracts passed respectively in 1983, 1985 and 1989. Few people now think of the areas now reclaimed area as 'foreshore', but for centuries, the area was used by boats for shelter, for commerce, fishing and recreation, and at Havre des Pas, for shipbuilding.



The Reclamation at La Collette as July, 1997. Havre des Pas is below in the photo, with the Swimming Pool (bottom right). Les Pas planned to enclose the bay to form a 'Marina Village' with 700 houses.

THE 'MARINA VILLAGE'

In the early 1980's, a small commercial group led by Advocate Richard Falle had the idea of developing the bay at Havre des Pas, filling it in from the west at La Collette and as far east as the Dicq, and turning it into a 'Marina Village' with an associated 700 houses. Advocate Falle had acquired the ancient Seigneurial title, which granted the Seigneur ownership of the 'Fief de la Fosse', stretching from the Dicq as far as Payne Street. In 1986 the group published their plans and corresponded with the Receiver General in relation to the claim to the foreshore, further lodging a planning application in 1987. In 1989 they formed Les Pas Holdings, which acquired the Seigneurial rights to the foreshore. Les Pas maintained that under the customary law of the island the foreshore belonged not to the Crown but to the Seigneur of the adjoining Fief. The States maintained that the land belonged to the Crown and that Les Pas had no Rights to the foreshore.

LES PAS SUES THE CROWN

In December 1989, Les Pas commenced an action against the Receiver General on behalf of the Crown, and the Greffier of the States on behalf of the public. The action was held in abeyance by agreement of all parties, as it had been commenced to prevent it becoming time barred. Both sides continued with their plans for reclamation; Les Pas revising their plans whilst the States instructed consultants to prepare a development plan for the whole of the Waterfront between West Park and the Dicq.

The development plan created by the consultants was debated in the States in November 1991 and adopted with modifications on 10 November 1992. The following year the States approved the formation of a quango, 'The Waterfront Enterprise Board' (WEB) to oversee development of the land. Discussions were still carried out with Les Pas who had amended plans to accommodate Waterfront sites, but discussions ceased in mid-1993.

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NEWS

Yacht marina plan divides holiday isle

by Andrew Mourant

BOBBING yachts or wading birds? Jersey's southeast shore cannot have both, and a decision has to be made. The outcome will be painful.

David Cabeldu, 43, who was born in a hotel overlooking the Havre des Pas beach, has sold his share of a music business to campaign full-time against plans for a marina village on the coast that used to be playground.

On the other side of the argument, lawyer Richard Falle has spent well over six figures drawing up plans for a marina which he believes is essential to sustain the island's tourist industry.

The scheme has caused deep divisions among Jersey's 80,000 population. Mr Falle wants to build 700 low-to-medium-cost houses flanking a series of connecting harbours that could accommodate 1,200 yachts. A lock, with space for 20 boats, would ensure round-the-clock access.

The tides around Havre des Pas, however, are among the highest in the world and the area is regarded by some as an ideal breeding ground for wading birds such as the dunlin, ringed plover, turnstone and grey plover.

Mr Falle, who is quick to point out that he has fought conservation battles of his own on the island, bitterly resents accusations that he is a despoiler.

"We take the view that the beach at Havre des Pas is a relatively finite and insignificant area and that our scheme would have overriding benefits," he said. "We have taken soundings from local conservation officials

and a team of marine biologists from Portsmouth University."

Already La Collette, a chunk of shoreline next to the planned marina, has been lost. Work has just begun to reclaim land and provide a dump for Jersey's rubble and waste.

"But the back stops there," said Mr Cabeldu. "I'd tie myself to one of the rocks to stop a marina at Havre des Pas."

Since October Mr Cabeldu has been leading a pressure group, Save Our Shoreline, to lobby the States. Jersey's parliament, with increasing intensity. The States has to decide whether to grant Mr Falle planning permission.

Save Our Shoreline claims that in a recent poll 85 per cent of those asked opposed the planned marina.

Roger Long, president of the Société Jerseyaise, the island's influential body for research and investigation, says there is a pressing need for a thorough biological survey of Jersey's south-east coastline. "I personally would not like to see a marina built at Havre des Pas now," he said.

The environmental debate stoked up by Save Our Shoreline has raised a further issue. In 1991 Jersey, as a dependent territory, was included in Britain's ratification of the Ramsar Convention which is committed to protect wetlands of international importance for water fowl.

Dr Michael Romeril, conservation officer in the States' planning department, says the island development committee intends assessing the value of the coastline that includes Havre des Pas, and is likely to zone all the intertidal areas as a possible Site of Special Interest.

Campaigners to save Havre des Pas say it is the only area of beach readily accessible to local people without a car. The intertidal foreshore, which would be lost to the marina, is also beloved of fishermen.

Lifboat engineer Billy Hibbs is typical of those who derive part of their income from shoreline fishing. "The gullies around Havre des Pas are important for oyster, bass and muller," he said.

"Many full-time fishermen started out from there. It is an apprenticeship on the island and I think a marina would be a catastrophe."

But many other people, hoteliers and yachtmen among them, disagree. Mike Backhurst, commodore of St Helier Yacht Club, said: "There is a great need for a new marina in Jersey sooner rather than later. I think Richard Falle's proposal would be very attractive. At the moment we are losing out because many yachts from England can go first to Guernsey and then push over to France."

He felt Havre des Pas was preferable to the marina proposed by the States further west near Albert Pier. "There, you would not have access at all states of the tide and it faces into the prevailing wind," he said.

Mr Falle faces an imminent court battle over ownership of the shoreline, which is being contested by the Crown. His company, Le Pas Developments Ltd, is claiming a feudal title to a significant area of the foreshore beyond Albert Pier. If he wins, he hopes it will be the catalyst he has sought so long to get the Havre des Pas marina going.

Six years ago the St Helier Waterfront Study, an independent planning brief commissioned by Jersey's island development committee, concluded that provision must be made for at least 1,000 extra yacht berths.

"Landscape and visual considerations limit the choice to one—Havre des Pas," the report said. But no action was taken on its recommendation.

Jersey, the largest of the Channel Islands, continues meanwhile to be a traditional family resort, attracting nearly a million visitors each year, while its residents—including Alan Whicker, the broadcaster, and Jack Walker, the steel magnate and chairman of Blackbarn Rovers Football Club—continue to take advantage of its tax-haven status.



For and against: Falle, left, wants to develop unspoilt Havre des Pas; Cabeldu, right, 'will tie himself to rocks' to stop it Photographs: Madeleine Waller

It's boats versus birds in Jersey's battle of the beach

The Sunday Telegraph covered the 'battle for Havre des Pas' on 12th June, 1994

A PETITION TO THE STATES

Local residents had, by a large majority, been firmly against the infilling of the bay at Havre des Pas since the first plans were published by Les Pas in 1986, and a protracted period of intensive lobbying from both sides ensued. A petition of 12,000 signatures was collected by Save our Shoreline, an independent environmental 'watchdog' group (now called SOS Jersey) and were presented to the States by Deputy Jerry Dorey on 12th April 1994, together with a proposition which called for the bay to be given SSSI Status. After several years of talks and negotiations, the bay was given special status and included in the island's South East Ramsar Area, which was finalised in 2005, making it a Wetland Site of International Importance.

Ten years earlier, Les Pas had been advised by London and Jersey Council that the Seigneurial claim was soundly based, but they only began to pursue litigation actively in 1995, when their proposals for the Marina Park development were finally rejected. The States had the option to defend their position or settle the action on acceptable terms.

THE CROWN OFFICERS' ADVICE

SOS had gathered several boxes of files on the matter, and also received independent legal advice from a Queen's Silk. Ahead of the States debate in May 2003, (P117 – 'Fief de La Fosse: Proposed agreement with Les Pas Holdings'), SOS sent all States Members a detailed report backed up by the documentation that they had collected; as to what exactly the legal advice had been, how events had unfolded, and how the Crown Officers were struggling to cope with the workload. A few extracts are reproduced below:

1: The Solicitor General at the time, Advocate Terry Sowden, had by 1994 filled 3 filing cabinets with documents relating to the Claim. He was leaving The Crown Office to become the Police Court Magistrate and was succeeded as Solicitor General by Stephanie Nicolle.

Realising the seriousness and likely consequences of the claim by Les Pas, Advocate Sowden wrote in December '93 to Colin Powell the States Chief Adviser. offering the continuation of his services on the case. He wrote: ***"The time to help the States can be made available by me immediately. However, if I allow myself to go off the boil for lack of real or imagined committee enthusiasm for my offer, then the consequences for the States will (and I must record this) be serious. In my opinion there is not a minute to lose."***

Advocate Sowden also wrote that he believed that Les Pas Holdings would activate the claim "at the most opportune moment for Falle, i.e. when the resources of this department are at its lowest ebb". ***"Directly the trigger is pulled, there will then be three months, and only three months, in which to prepare and file the pleadings for the States. This pleading is crucial to the eventual outcome of the proceedings. It will be entirely different from run of the mill civil case. To strike hard and effectively, it needs to be of dimensions which will resemble a weighty tome or two and will expose in its entirety the case for the States."***

2: Stephanie Nicolle wrote to Mr. Powell a week later asking for the assurance of continued assistance in the case, pointing out that the matter already occupied three filing cabinets and could not simply be handed over to her by Mr. Sowden just leaving the papers.

Her letter concluded: ***"Without his continued involvement in the case in the hand-over, and in providing assistance preparing the litigation which I have no doubt will inevitably follow, the conduct of this case will suffer. You are of course, familiar with the nature of the claim and I need say no more than that the consequences of failure do not bear contemplation"***.

3: Advocate Binnington had the massive task of acquainting himself with the case. As Advocate Sowden had warned Colin Powell in 1994, this would be an impossible task and a hard and effective early strike by the States would be necessary.

4: The then Attorney General, Michael Birt could not act on the Crown's behalf, due to the fact that he was formerly Advocate Falle's independent advisor. In July 1993 while still acting for Les Pas holdings, he wrote to the then Attorney General Philip Bailhache stating that the company had a "compelling case."

THE SETTLEMENT

Despite the continuing statements from the then Chief Minister, Frank Walker, that the Les Pas claim 'had no merit', after a 14 year hugely expensive legal battle, the States eventually capitulated; a settlement was reached out of court, and on 27 May, 2003, an agreement was signed by the Policy and Resources Committee. Les Pas were given a parcel of land on the Waterfront, soon selling the land for £10 million to Dandara, a private developer, who built the Castle Quay complex there, and the land is now in private ownership. The sale included an agreement with the States that they would bear the cost of dealing with all the excavated waste, much of which was known to be contaminated, and therefore very expensive to treat, and bury it at La Collette, in sealed and lined pits. The value of the land (and that waste agreement) would today be many multiples of that initial sale price.



The 'tiny parcel of land' (as described by then Treasury Minister, Senator Terry Le Sueur) that Les Pas were given, is now Dandara's Castle Quay complex. Photo: JEP.

THE VISION FOR THE WATERFRONT

Initially, the States vision for the Waterfront was to be developed for the use and enjoyment of the public: mixed development would include both affordable housing and luxury flats. A Winter Garden was envisaged in the Andrews Downie plan, as were restaurants and a park, all connected to the town by sinking the main road below the Esplanade. This was crucial to the success of the development and would at last connect the Waterfront to the Town, freeing up land for development. However, the collapse of the Harcourt deal, (a long saga that cannot be related here) saw the end of that particular vision. SOJDC have promised to sink the road, but need much more capital than one supposes they can make by selling of buildings on the Esplanade car park, and that could be another decade away, if at all.

the High Court, the States could not rely on the assumption that these Rights have no substance. The Government understandably did not want a repeat performance and more litigation and uncertainty for their future plans. Perhaps by creating another layer of ownership by leasing the land to various quangos such as the Ports of Jersey and Property Holdings, (and in the case of perceived foreshore infringements, using DfI as their ‘collecting agency’) it would make things harder for future claimants?

Although the foreshore was gifted to the public, it has long been considered by Advocate Falle, that as parts of the Foreshore are subject to *fiefs* and owned by the Seigneurs, the whole of the foreshore is not owned by the public, as the Crown cannot give what it is not theirs to give. The transfer by Deed was, according to Advocate Falle, defective.



Advocate Richard Falle. (courtesy of the Jersey Evening Post)

... AND WHO OWNS WHAT NOW?

No sooner had the ink dried on the transfer from the Crown to the public of Jersey, in June, 2015, than large parts of the foreshore were transferred to Government entities, one being The Ports of Jersey. The Department of Infrastructure (DfI) administered the land around the coast that was previously owned and administered by the Crown, now owned by another States Quango, Jersey Property Holdings (JPH). The Crown transferred ownership of the Island’s beaches and seabed to the public, ostensibly to give Jersey control of those areas and the territorial waters.

The States wanted to be able to lease areas of the seabed to energy companies trialling wind turbines or tidal turbines. It is however possible, according to Advocate Falle, that because, for example the seabed at the Minquiers is a Fief and owned under ancient law by the relevant Seigneur, that a repeat performance of the Les Pas battle could be one the cards. As the Les Pas claim was settled out of court, the claims under feudal law were never tested. One could

postulate that any Seigneural owner of such land would be tempted to keep their powder dry until the land was required by an energy company!

Advocate Falle, reportedly declared that the Island and the Crown could be sued under feudal law following the Queen's decision to give the Island's foreshore and seabed to Jersey. He believes that under centuries-old law many areas of the foreshore do not belong to the Queen but to the various Seigneurs (feudal lords) who were granted the fiefs by past monarchs. In fact, there are five main fiefs in Jersey and many other minor ones, some of which have already been confiscated by the Crown.

Indeed, Les Pas demonstrated very well that ownership of a fief does indeed have bargaining power and could paralyse States decisions if tested in law. He maintains that the Crown cannot give away land that it does not own.

WAS THE GIFT MISUSED?

But a further consequence of the Gift soon became clear. The Department of Infrastructure, (DfI) soon began applying 'fines' on behalf of Jersey Property Holdings, (JPH) a States quango who had acquired the foreshore by way of the Gift.

Once the public became custodians of the Foreshore, JPH immediately began pursuing homeowners for alleged encroachments, that had long been ignored by Her Majesty, who has historically adopted a more benign approach to Her loyal subjects. Residents who had quietly lived on the coast and enjoyed their properties found that when coming to sell, they could be unexpectedly presented with huge bills, running in some cases to many tens of thousands of pounds, if their property had, for instance, a balcony that overhung what had been Crown Land by just a few inches.

One islander, Alan Luce, had a £30,000 bill applied to his property just as he was coming up to sell. Her Majesty, surely, never sought to penalise Her subjects in this way, but JPH and Infrastructure certainly did!

This practice was picked up by the media, being referred to by the Bailiwick Express as a "Backdated Foreshore Infringement Tax". JPH, presumably not liking any negative publicity of its actions, and not having published any clear policy, eventually, 2½ years after the Gift, published its 'Foreshore Statement' on 15 August 2017.

The Statement confirmed that its approach was to 'contact relevant parties when a "trigger" event occurs.' These events were either; a potential sale, submission of planning consent, or an 'approach' to the Department; (the latter presumably meant that if one went in for advice, one stood a good chance of being fined!) There has never been a clear rationale advanced for why JPH and the DFI are acting in this manner, perhaps because there isn't one.

Indeed, one critic of the Policy, Deputy Carolyn Labey of Grouville, accused the Minister, Deputy Eddie Noel, of making it up as he went along. Indeed, looking at old maps of the Foreshore substantial areas of Greve d'Azette, St Aubin and St Helier as well as Gorey, are included in the original Foreshore. How JPH would get on fining thousands of home owners

well inland, and indeed developers building on reclaimed land such as The Esplanade, is indicative of the nonsensical approach that they have taken. It is a policy that is arbitrary in its prosecution, offensive to islanders, and insulting and is insulting to the Crown, who surely never intended this as an outcome when the Gift was made.

STATES OF JERSEY



**STATES OF JERSEY COMPLAINTS
BOARD: FINDINGS – COMPLAINT BY
MR. A. LUCE AND MR. J. MALLINSON
AGAINST THE MINISTER FOR
INFRASTRUCTURE AND JERSEY
PROPERTY HOLDINGS REGARDING
THE HANDLING OF FORESHORE
ENCROACHMENT CLAIMS (R.71/2018) –
RESPONSE OF THE MINISTER FOR
INFRASTRUCTURE (R.71/2018 Res.) –
RESPONSE OF THE
COMPLAINTS BOARD**

Presented to the States on 8th August 2018
by the Privileges and Procedures Committee

THE RESIDENTS FIGHT BACK!

In a preliminary submission by Julian Mallinson, FRICS, to the Environment, Housing and Infrastructure Scrutiny Panel, dated 17th of April 2019, the way that Property Holdings had been conducting their business was laid bare. Mr Mallinson revealed that just 1½ years prior to the public being gifted the foreshore, HM Receiver General was willing to be a party to joint planning application as no cost for the reinstatement of steps onto the beach at Mr Mallinson's property, Brise de Mer. HM Receiver General had previously been party to a joint planning application for another set of steps onto the beach in 2010 for the Girl Guides headquarters adjacent to the property again at no consideration.

Mr Mallinson submitted that: *“The Crown's benign uncooperative attitude has not been reciprocated by JPH since the public were gifted the foreshore and within a matter of months JPH had pursued the owners of three properties seeking payment for alleged encroachments - Brise de Mer, Roche de Mer and Le Petit Chateau de la Mer.*

JPH wasted no time in pursuing property owners for a legitimate historic encroachment that predate the public's ownership of the Foreshore."

It is hard to argue with Mr Mallinson's observations that in the case of the first three properties coming up for transaction following the Deed of Gift, JPH's '*modus operandi*' 'was to wait for properties to come up for transaction then, as the owners' were at their most vulnerable, intentionally blight the owners' prospects of selling the property. JPH could then sit back and be unhelpful, waiting until the owners' capitulated and paid up rather than instigate costly and protracted litigation, and also lose the sale.

THE COMPLAINT WAS UPHELD

On 11 April 2018, a States of Jersey Complaints Panel considered the case brought by Mr Julian Mallinson, and Mr Alan Luce, another 'victim' of the 'Gift, to the tune of £30,000. The case was brought against the Minister for Infrastructure and Jersey Property Holdings to whom the Foreshore was passed on.

The Complaints Board released its findings on 1 June 2018, concluding that the actions of JPH were "*unjust, oppressive or improperly discriminatory*" and '*contrary to generally accepted principles of natural justice*".

The Chairman of the Panel, Advocate Geoffrey Crill said: "*We feel when it is approached by a neighbouring owner seeking clarification of a boundary, the Public had a clear duty to act fairly, promptly and transparently in its dealings with that owner. We do not consider that JPH did so in either of these cases.*"

The Panel found that: that the Minister had "wrongly tried to extract the optimum benefit from the Public's property assets." In the case of Messrs Luce and Mallinson this power was unevenly applied: The Panel found that: "as there was no market for the respective pieces of foreshore other than the Complainants themselves, it could be argued that the land itself had no value other than what the Complainants were prepared to pay for it."

The Board also found that: "Jersey Property Holdings had no regard to the benefit of the Public (i.e. the States in its administrative function) in establishing a clear boundary of the foreshore."

The Minister was instructed to refund the difference in perceived land values to the Complainants.

It is worth noting that in June 2018, Karen Mc Connell, the Comptroller & Auditor General published a review of how the States manage their property portfolio. It revealed the damning verdict that over the 10 years since the establishment of JPH, the Department has only achieved one of its main objectives. The report focuses on JPH's failure to implement a property strategy, and its lack of joined up thinking.

BUT... HAVE JPH COMPLIED??

It is evident from the Minister's and JPH response to the findings of the States of Jersey complaints panel that JPH intends to ignore the vast majority of the Panel's recommendations. Amongst other things, it still considers it to be fair and acceptable policy to:

- Ignore legal advice received by party;
- charge for independent valuations but refuse to share the valuation and then to force the party to pay a higher price than the valuation figure;
- to take 1 1/2 years to ratify a boundary;
- to issue a non-negotiable contract that can require the encroachments to be removed at any time, without reimbursing the party its payment for the encroachment;
- to charge parties for encroachments that predate their ownership.

Residents do not know if or how much they are liable for and many residents are understandably very worried, Did Her Majesty ever think that this would be the result of her gesture? I think not. I do not even think she knew of the Gift. Had Her Majesty known of the resulting blight on people's lives, She would have been very angry indeed.

QUESTIONS REMAIN UNANSWERED

So, in 2014, why were SOS summoned and asked to keep the Gift confidential?

Perhaps the Chief Minister and his advisers were worried that SOS knew more than they did and may let the cat out of the bag and spoil their chances of being elected? They certainly did not mention the penalties that would be placed upon residents who abutted the foreshore when they came to conveyancing their properties! Perhaps there was even more chicanery going on that the public are still in ignorance of? If so, did the Crown Officers know, and why did the Crown not complain about the actions that PHS and Dfl later took?

The saga that I have endeavoured to recount, would, as a plot line not be entertained as being possible by any reputable writer of fiction, being as it is too fanciful and implausible. Indeed, any reader not acquainted with Jersey's peculiar legal, feudal and political system would have a problem absorbing a part of what I have written. To understand the ramifications of the Waterfront saga, one needs to have lived through it, closely following and analysing decades of political wrangling, in fighting, and cynical wealth gathering by certain parties (both inside and outside of government) to the detriment of the environment and well-being of islanders. Very few politicians have stayed the course and, I suggest, only a very few islanders have an in-depth knowledge of it all. Of course, what is publicised is only a fraction of what really goes on. Looking at the mess that successive administrations have left us, including a continuation of the status quo by the present Council of Ministers led by the new Executive, it is tempting to turn away in despair.

I do not believe that the public, to this day, fully realise how poorly they have been cheated of their ownership and enjoyment of land and foreshore that is rightfully theirs. This was happening many years before the 'Gift'. Why has even a part of the Waterfront been sold to offshore investors by a Government quango? The public have lost the enjoyment of land that should have given them high quality mixed development, including housing and all the other beneficial and sympathetically designed amenities as envisaged by Andrews Downie.

Then, in 2016, Jersey Property Holdings, commenced applying the 'Gift' in a financially driven, cynical and insensitive way. Islanders have suffered high levels of stress and financial penalties. Her Majesty was thereby put in a position whereby Her integrity was put at risk and that, to all true islanders is unforgivable. Nobody should ever again be put through the stress and expense by a government body as a direct result of Her Majesty's generosity.

RECOMMENDATIONS

1: The COM should immediately instruct Property Holdings to cease penalising foreshore dwellers, using historic boundaries as a reason to levy hefty 'fines'.

2: The Chief Minister should apologise to Her Majesty, The Queen, for the embarrassment that the way the Gift has been administered had caused Her.

3: The States of Jersey should grant an amnesty to all of Her Majesty's subjects who live in the disputed foreshore zone. Those members of the public who have already been unfairly pursued should be reimbursed and their contracts amended at no further cost to themselves.

Dave Cabeldu
Co-ordinator, SOS Jersey

11 November 2019