

DRURY LANE, ST. HELIER: ACQUISITION OF ROADWAY

**Lodged au Greffe on 3rd July 2001
by the Planning and Environment Committee**



STATES OF JERSEY

STATES GREFFE

180

2001

P.99

Price code: B

PROPOSITION

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

- (a) to approve the acquisition on behalf of the public of an area of roadway known as Drury Lane, St. Helier measuring approximately 10222 square feet (950 m²) as shown on drawing No. 1841/01/24, and to authorise the Greffier of the States to sign the said drawing on behalf of the States;
- (b) to agree that, as it is not possible to agree a fair and proper price with the owner or owners, whose identities are not known, the Planning and Environment Committee should be empowered, in exercise of the powers conferred by Article 4 of the Island Planning (Jersey) Law 1964, as amended, to acquire the land and any interest therein by compulsory purchase, in accordance with the provisions of the Compulsory Purchase of Land (Procedure) (Jersey) Law 1961, as amended;
- (c) to authorise the Attorney General and the Greffier of the States to pass on behalf of the public any contracts which it might be found necessary to pass in connection with the acquisition of the said land and all interests therein;
- (d) to authorise the payment or discharge of the expenses incurred in connection with the acquisition of the said land, and all interests therein, from the Planning and Environment Committee's Capital Vote of Credit - "Acquisition of Land - Major Reserve" (Vote No. C.904).

PLANNING AND ENVIRONMENT COMMITTEE

- Notes:
1. The Housing Committee supports the proposition.
 2. The Public Services Committee supports the proposition, with the proviso that it would not be prepared to accept future administration of the road.
 3. The Finance and Economics Committee supports the proposition.

Report

A feasibility study is currently being undertaken on behalf of the Housing Committee for the redevelopment of the former Jersey College for Girls for housing.

Drury Lane runs to the east of the site and is of current unknown ownership. The road has been identified by the architects as an essential part of the scheme to allow access and egress from the site. As part of the scheme it would also be necessary to widen the roadway in order to form a pedestrian footway.

It is considered that any current right of way that the Public (as owner of the site) may have over Drury Lane would almost certainly not extend to usage by owners/occupiers of a number of new residential units. It is therefore important that the ownership of the lane is established on behalf of the Public, in order that it can be utilised as part of the proposed scheme.

Because the lane is of unknown ownership, the Public is not in a position to acquire service rights from the owners by negotiation. The Public therefore do not have the benefit of contractual service rights beneath and across Drury Lane. Although all of the mains services have statutory powers with regard to the establishment of mains services, this is not a very satisfactory basis for a new development.

With regard to access and maintenance of the road, there is no known owner with an obligation to maintain the road and there is no known owner who can prevent other persons from parking on the road, nor is the Public in the current position to prevent such parking.

As the present ownership cannot be established, the most appropriate course of action is to acquire the lane for the benefit of the Public using compulsory purchase procedures.

The legal rights of access and any service rights of existing occupiers and owners of properties within Drury Lane will not be affected.

The price to be paid for the roadway will be determined in due course by the Board of Arbitrators as part of the compulsory purchase procedure. There are no manpower implications for the States.

