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Is it not fundamental to the case as to why JPH only fine (for want of a better word) home owners that are selling.

The very fact that anyone encroaching who do not sell will never be fined for any encroachment - how can that be equitable.

More sinister and an explanation should be sought, is why it is only sellers. This would seem quite obvious, is it because the greatest culprit of encroachment is the States themselves and although they have encroached would not sell - the foreshore at Gorey is the principle example with the reclamation site to follow and the reclamation up to the Royal Yacht as raised, but there are many other instances of the States having encroached. This is why JPH have cunningly used sellers only!

Moving on to the wording of the gift itself where it states that any encroachment prior to the gift should be permitted - JPH seem to have read this particular section in a way that suits them to extract the maximum benefit from the Public but how is the Gift to the Public then defined?

Then you have the discussion of the owners who complied with planning and the Crown, prior to Gift and who had all the relevant documentation to effectively encroach, but are still seen to be in default even though as the Public they have been gifted the land.

When is the Public the Public and when is the Public not the Public?

Properties who have encroached prior to the Gift and are on any part of the sea defences should be notified that on any breach of these defences then the Government reserves the right, without warning, to access for repair - that is the choice the home owner has taken.

It would also be interesting to understand just who actually managed and how the foreshore was managed prior to the Gift as it seems the Crown has lost out due to mismanagement and loss of revenue, prior to Gift, from this very argument!

There is no doubt in my mind that Jersey has NOT accepted the Gift and the wording as it was intended to the People of Jersey from the Crown and that blatant profiteering and oneupmanship from so called smart Civil Servants should be brought to light.

Reply required: No