

Planning and Environment Department
Planning & Building Services
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States 
of Jersey

Mr R Pinel
Reg's Skips Limited
6 Les Pres des Chenes
La Route du Mont Mado
St John
JE3 4BF

10/05/2006

Ref: CMP/2006/00156

Dear Mr Pinel

Heatherbrae Farm, La Rue de la Chesnaie, St. John.

I write in connection with the operation of Reg's Skips at the Heatherbrae Farm site which was approved by the Environment and Public Services Committee in May 2005 in relation to the requirements of the Island Planning (Jersey) Law 1964.

In recent weeks the Planning and Building Services Department have received several complaints in relation to the way in which your company is operating. The complaints received are broad in nature but primarily they relate to the breach of specific conditions attached to that planning consent issued.

I enclose a copy of permit P/2005/0423 to assist in pointing out to you those concerns which, if proven to be a breach of conditions, may leave you liable to formal action and ultimately referral to H.M. Attorney General for consideration of prosecution as described in Article 9 of the Planning Law.

Condition 1 states; *The use of this site shall operate in the same way as the current site as a skip sorting yard only and for no other purpose.*

It appears that the company has increased its sorting of 'mixed' skips since taking residence at Heatherbrae Farm. From hand sorting of a few skips each week, the company now sorts several skips per day with the assistance of plant machinery. This intensification of use does indicate that the company has grown outside of the bounds required by this planning permit and I shall address this point later in this letter. The use of plant machinery must cease immediately.

Condition 4 states; *The permission hereby permitted shall only operate between the hours of 8am and 6pm Monday to Friday and 8am to 1pm Saturday and not at all on Sundays or Bank Holidays.*

It also appears from those complaints received that the hours of business of your company are outside of those permitted. I must point out that these hours are not flexible in any way and must be adhered to.

LTR

Chief Executive Officer: J.D Richardson, B.Sc., C.Eng., M.I.Mech E. Director of Planning: Peter Thorne, M.R.T.P.I., M.C.M.I.

Condition 5 states; No other areas shall be occupied by this user without the written permission of the Environment and Public Services Committee.

It appears that some storage of vehicles and skips is occurring outside of the approved area within the old silage clamp and may be further indication that your company has outgrown the original permit.

I must firstly advise you that the conditions attached to the permit are clear and precise in their description of how your company must operate at Heatherbrae Farm. The complaints received are equally clear in their description of the way your company is operating in continual breach of those conditions.

The Department must therefore advise you that if you wish to continue operation at Heatherbrae Farm it must be in full cooperation with the conditions attached to permit P/2005/0423. In answer to those complaints received and in order to satisfy the concerns of the Planning and Building Services Department I will be paying visits to the Farm to confirm your adherence to those conditions. I will be required to refer any or all of those breaches found to the now Minister for Planning and Environment who may require enforcement action be taken against you.

It is clear, as mentioned above, that your company has flourished since moving to its new location and that its operation is no longer possible within the conditions attached to permit P/2005/0423. You may wish make a representation to the Minister for variation to be made to the conditions attached in 2005.

This request should be in the form of a letter to the Minister and describe which specific conditions you wish to be varied and how. You will need to describe the operation of your business at the St Peter site prior to moving to Heatherbrae and describe all of those intensifications that have occurred in the way in which you operate your business.

I must point out that whilst willing to consider your request, consent may not necessarily be forthcoming.

I hope that this letter helps in clarifying how your company must operate at Heatherbrae Farm but should you have any questions or concerns, please do not hesitate to contact me on the below telephone number.

Yours sincerely



Mr M Porter
Enforcement Officer
Planning and Building Services Department
Tel 601406 or 48406
www.planning.gov.je

cc Mr C Taylor.