

STATES OF JERSEY



PLÉMONT HOLIDAY VILLAGE: ACQUISITION BY THE PUBLIC

Lodged au Greffe on 9th September 2009
by the Connétable of St. Ouen

STATES GREFFE

PROPOSITION

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

- (a) to approve, subject to the availability of the necessary funds voted by the Assembly, the acquisition by the Public of the site known as the Plémont Holiday Village site as identified on drawing number 1505/06/101 (as attached at the Appendix);
- (b) to agree that the Minister for Planning and Environment should be empowered, in exercise of the powers conferred by Article 119 of the Planning and Building (Jersey) Law 2002, to acquire the land and any interest therein by compulsory purchase on behalf of the Public in accordance with the provisions of the Compulsory Purchase of Land (Procedure) (Jersey) Law 1961;
- (c) to authorise the Attorney General and the Greffier of the States on behalf of the Public to pass any contracts which might be found necessary to pass in connection with the acquisition.

CONNÉTABLE OF ST. OUEN

REPORT

Obviously, the question Members will ask is why I feel it necessary to bring this proposition for consideration at this time. I do so through a sense of utter frustration that following 2 propositions agreed to by this House, no obvious steps forward appear to have been undertaken in reaching any conclusions.

In September 2006, I brought P.112/2006, where the States agreed that it would be in the public interest for the headland at Plémont to be preserved as an open space for the enjoyment of the Public of the Island. The same proposition requested the Council of Ministers to consider all options to preserve this land and recommend the preferred option to the States without the least possible delay.

In July 2008, following a series of questions, asked in the States, the Connétable of St. Clement (then Senator Norman) asked the then Chief Minister when the preferred options of the Council of Ministers would be presented to the States. The Chief Minister replied that he could not give a precise date, saying that further consultation on, and assessment of, the options was required.

Three months later, I brought a further proposition requesting the Minister for Treasury and Resources to open negotiations with the current owners of the Plémont Holiday Village site with a view to ascertaining their willingness to sell the site and, if appropriate, determining an agreed value for it. Further, to present the outcome of the negotiations to the States to enable Members to decide what further actions, if any, they might choose to take.

To date, although Property Holdings have met with the owners, to the best of my knowledge, no serious negotiations have been undertaken, and therefore we are no nearer to determining an agreed value. The sticking point being that the determination of the value is dependent on the acceptance of a planning application. Without planning permission, the site is far less valuable. The longer the States hold back from making any decision, the more pressure the Minister for Planning and Environment comes under.

I do not believe that the States system is conducive to negotiating land/property deals, that the need to always refer matters to the States Assembly becomes a hindrance and an obstacle to good negotiation. Whilst I agree that the spending of taxpayers' money must always remain a decision of the States Assembly, the use of compulsory purchase under the [Compulsory Purchase of Land \(Procedure\) \(Jersey\) Law 1961](#) has always been intended to overcome difficult situations such as this.

In Article 2(2) of the [Planning and Building \(Jersey\) Law 2002](#), the purposes for which compulsory purchases can be used are identified and say "the purpose of this Law is to conserve, protect and improve Jersey's natural beauty, natural resources and general amenities, its character, and its physical and natural environments". It further states that this Law can be used "to protect sites and places that have a special importance or value to Jersey", and furthermore "to ensure that the coast of Jersey is kept in a natural state". Article 2(2)(f) says that the purpose of this Law is to impose other necessary controls on the development and use of land in Jersey.

Although I accept that this is a particularly difficult time for the States to be considering the expenditure of any monies, the opportunity for acquiring this area of land for the present and future generations of this Island will only appear once. If the

owners achieve planning permission for any development, the opportunity will have been lost forever, and future generations will not thank the present States for dithering and letting this one chance slip through their fingers.

Financial and manpower implications

There is little, if any, manpower implication associated with the proposition, but a large, as yet undetermined, financial implication. The precise value is dependent on the outcome of the planning process but will be in excess of £5 million. As stated in paragraph (a), the sum needed for the acquisition will need to be voted by the Assembly and the purchase cannot proceed until that happens.

