

[REDACTED]

From: Andrew Scate
Sent: 30 July 2020 12:19
To: Peter Le Gresley
Subject: RE: Highway Agreement & Covenant Field 790

Hi Pete

Has the necessary contract been signed between the parties, and has the POA been discharged?

[REDACTED] has some dispute about the education covenant?

Kr
Andy

From: Peter Le Gresley <P.LeGresley@gov.je>
Sent: 30 July 2020 10:45
To: Andrew Scate <A.Scate@gov.je>
Subject: RE: Highway Agreement & Covenant Field 790

Hi Andy, please find attached the POA. On page 23 you will see the SLA between Education, the Schools and the provider. As far as I can see the Agreement related to the provision of 4,044 time slots for community use, with various safeguards built into the SLA. There is even a schedule, which splits the various users and sports at the back. I assume that Education would monitor this when the operation is running. I can't see that Planning would want to be counting time slots.

Does this help?

Pete

From: Andrew Scate
Sent: 29 July 2020 10:48
To: Peter Le Gresley <P.LeGresley@gov.je>
Subject: FW: Highway Agreement & Covenant Field 790

Pete

One for planning please. The question is whether the POA has been discharged? Not sure what planning has or hasn't received?

Thanks
Andy

From: [REDACTED] <[REDACTED]@strive.je>
Sent: 29 July 2020 10:42
To: Andrew Scate <A.Scate@gov.je>
Cc: [REDACTED] <[REDACTED]@gov.je>
Subject: Re: Highway Agreement & Covenant Field 790

Hi Andy

They were all provided to planning as part as the original planning permission in 2016. They are also referred to in the POA lodged in the Royal court.

Kind regards

██████████
██████████
Managing Director
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██████████

On 29 Jul 2020, at 10:38, Andrew Scate <A.Scate@gov.je> wrote:

Hi ██████████

I would just refer back to the POA (third schedule development obligations) . There needs to be a binding agreement between users, and a 21 year contract with Education. I assume these are in place? If so they need to be provided to planning to show compliance with the POA.

I have copied in Pete Le Gresley as planning sits with him.

Thanks
Andy

From: ██████████@strive.je
Sent: 29 July 2020 10:34
To: Andrew Scate <A.Scate@gov.je>
Cc: ██████████@gov.je
Subject: Re: Highway Agreement & Covenant Field 790

Hi Andy

There is no change to the original plan regarding the schools. I visited all the islands secondary schools with the exception of ██████████ late last year to agree their requirements. The times allocated have not changed and our timetabling for facilities and staff has not changed from the agreement signed in 2016. Therefore is there is any reason why the covenant cannot be lifted upon payment?

Highways agreement:

To date we have not been provided with an explanation of the basis on which the £200k bond figure has been arrived at – we had requested this previously. We have not seen any public communication regarding development bonds for highway agreements, and as we understand, there has been no precedent for such agreements. You would forgive for asking why are we the first? Particularly given the primary reason for the project is to provide educational facilities for children. Are we to be the one and only? Is this to be communicated to all developers and will the same ratio of 2.5:1 be applied to them for all future work involving public land? This project involves many different construction companies and this has surprised them so many questions are being raised.

Covenant:

There seems to have been a request presented [redacted] by JPH to check with Education prior to releasing the covenant. Why is this when an Planning Obligation Agreement was lodged with the Royal Court in 2016? I was proactive in originally requesting a POA in order to future proof the project and we will carry it out, and more, in order to educate and support local children, all of which will be transparently documented. As you know this project [redacted] for the last 6 years and my ambition has always been to leave the island in a better place than when I found it. The agreement is attached for your information.

We are open to any dialogue and hope that you can understand that speed is now crucial. [redacted] have attempted to communicate [redacted] for many months but have become increasingly frustrated and now I have no option but to communicate to you, in the hope that something can move forward.

Kind regards

[redacted]

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