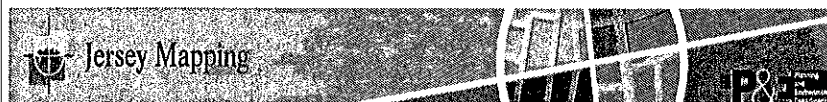


06 December 2017

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mapping@gov.je



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States of Jersey



Parish of St. Brelade

Mr R Foster
Director of Estates
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Jersey Property Holdings
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PARISH HALL
LA NEUVE ROUTE
ST. AUBIN
ST. BRELADE
JERSEY JE3 8BS
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8 January 2018

Dear Ray

Your ref: 2027-01-001

Extinguishment of section of La Rue du Cimetiere

JPH			
File:	2027-01-001		
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Thank you for your letter dated 3 January 2018, in regards to the above Parish road and the extinguishment of a small section of the road to allow the cycle track to be extended as part of the development of the new Les Quennevais Secondary School.

As previously discussed, the St Brelade Roads Committee are content that the application to extinguish this section of road is made by the Minister and that when extinguished, the Parish of St Brelade transfer the land in question to the Public of the Island. We are also content that the future responsibility of the road kerbing that will support the cycle track will rest with the Public following the transfer.

I can also confirm that the Parish Roads Committee have agreed that an area of land currently in Public ownership be transferred to the Parish so that it may be incorporated into the new widened entrance to La Rue du Cimetiere. All costs incurred in the widening of the entrance and the transfer of the land to the Parish is to be borne by the Public. The section of land transferred to the Parish will in due course be adopted as part of the Parish by-road.

We look forward to the Minister taking a formal decision to ratify the above after which I will convene a Parish Assembly to consider the recommendation of the Roads Committee that both a small section of La Rue du Cimetiere is extinguished and transferred to the Public and that a small section of Public land is transferred to the Parish to form part of La Rue du Cimetiere.

The Parish Assembly will if agreeable give authority for the Connétable and Procureurs du Bien Public to progress these matters through the Royal Court at a future date.

I thank you for your assistance in these matters.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Steve Pallett', with a stylized flourish at the end.

Steve Pallett
Connétable

Department for Infrastructure**Jersey Property Holdings**

Maritime House, La Route du Port Elizabeth,
St Helier, Jersey, JE2 3NW
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Connétable of St Brelade,
St Brelades Parish Hall
La Neuve Route
St Aubin
St Brelade
JE3 8BS

03 January 2018

Our ref: 2127-01-001

Your ref:

Dear Connétable,

Extinguishment of section of La Rue de Cimetiere

It will be necessary or desirable to extinguish a section of road currently designated as a Parish By-Road. This section has been defined on the attached plan (drawing no 10456-JPH-S1-ZZ-DR-A-9014 PO2).

Once this section has been extinguished, our intention is for ownership of the section to be transferred from the Parish of St Brelade to the Public of the Island. This will enable it to be redeveloped in accordance with the approved planning application relating to the development of the new Les Quennevais Secondary School; specifically to form a cycle-track.

As set out in the 'Extinguishment of Roads (Jersey) Law 1972' Article 2:

- 1) *Where a highway authority considers that any road under its administration should be extinguished because*
 - a) *It is unnecessary; or*
 - b) *It is in the public interest that it should be extinguished,**The authority may apply to the Royal Court for an order authorising the extinguishment of the road.*

- 2) *Where the Minister represents to a highway authority that the extinguishment of any road under the administration of the highway authority is necessary or desirable in connection with the proper development of any part of Jersey, the highway authority may make an application to the Royal Court for the necessary order or may instead require the Minister to make the necessary application'.*

As discussed, we anticipate that the Roads Committee will require that the application is made by the Minister. The Minister is of course happy to make the necessary application and it will also serve to reduce officer time and legal costs.

We would also propose that the future responsibility of the road kerbing which will support the cycle track will rest with the Public following transfer of ownership.

Furthermore, in order to adhere to the terms of the planning application, it has been determined that it will be necessary to transfer an area of land currently in Public ownership to the Parish so that it may be incorporated into the new widened entrance (the cost of which is to be met by the Public) that is to be formed from La Route des Quennevais to La Rue du Cimetiere and in due course incorporated as a Parish By-Road. This area and proposed works are reflected in in drawing No 10456-JPH-S1-ZZ-DR-A-9012 and drawing no 10456-HTG-00-XX-DR-C-002.

I would therefore be most grateful if you could arrange for a copy of this letter to be counter-signed by the relevant Parish Authority to confirm our mutual understanding so that we may progress with matters as soon as possible.

The next step for the Minister to take is his formal decision to reflect the above. Once he has made that decision, I would be grateful if on the Parish side this matter is put before the Roads Committee (for the extinguishment) and Parish Assembly (for the subsequent land transfers) for their approval as soon as possible so that the formal legal processes to implement these decisions can be undertaken.

Yours sincerely



Ray Foster
Director of Estates

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