

General Information	
Ministerial Decision Type	Miscellaneous
Report Title	Acquisition of Land by Compulsory Purchase: Our Hospital Project - First Notice(s) (2)
Minister	Environment
Signatory	Assistant Minister
Lead Department	Office of the Chief Executive (OCE)
Lead Directorate	Ministerial Office (OCE)
Ministerial Decision Summary: Public or Absolutely/Qualified Exempt	Public Select if more than one Absolutely/Qualified Exemption.
Date decision made if different to date 'Ministerial Decision Summary' signed.	Select date.
Report and Supplemental Report Details	
Report Author	Private Secretary
Date of Report	28/04/2022
Supplementary Report Title <i>(If applicable)</i>	
Supplementary Report Author <i>(If applicable)</i>	
Date of Supplementary Report <i>(If applicable)</i>	
Ministerial Decision Report: Public or Absolutely/Qualified Exempt	Public Select if more than one Absolutely/Qualified Exemption.
Relevant Case/Application/URN <i>(Only complete if making a decision related to an appeal/case/application)</i>	P/2021/1670
Relevant Proposition Number <i>(Only complete if presenting Comments or if lodging an Amendment)</i>	Insert P. number.
Relevant Scrutiny Report <i>(Only complete if presenting a ministerial response)</i>	Insert S.R. number.
Associated Law(s) and/or Subordinate Legislation	Insert the law(s), regulations, order(s) either enabling or related to the decision.

Action required if recommendation agreed	To instruct the Greffier of the States to serve the first notices for the compulsory purchase of: <ul style="list-style-type: none"> i. Layby and footway to the north of eastern end of Westmount Road ii. Layby and footpath to the east of Overdale Hospital iii. Footpath and public realm between St Aubins Road and Victoria Avenue iv. Driveway, strip of land, bin store, and raised planter at entrance to Hillcrest and Castle View
Resource Implications	There will be a financial cost to the Government of Jersey that will be determined by the Board of Arbitrators in accordance with Article 119 (4) of the Planning and Building (Jersey) Law 2002 and Article 10 of the Compulsory Purchase of Land (Procedure) (Jersey) Law 1961.

Detail

The Minister for the Environment, and the Assistant Minister for the Environment by virtue of the delegation of the Minister's functions, is the acquiring authority within the meaning of the [Compulsory Purchase of Land \(Procedure\) \(Jersey\) Law 1961](#), and [Article 119 of the Planning and Building \(Jersey\) Law 2002](#).

The Assistant Minister is authorised to acquire the following land and resolve rights or covenants as part of the Our Hospital Project following the approval and adoption of [P.123/2020](#) (Our Hospital Site selection: Overdale), [P.129/2020](#) (Our Hospital Project: acquisition of land for the new hospital at Overdale), [P.167/2020 \(Our Hospital: Preferred Access Route\)](#), and [P.80/2021](#) (Our Hospital – Budget, Financing and Land Assembly) by the States Assembly.

In view of the decision of the States Assembly to adopt P.80/2021, the acquiring authority needs to specify to the Greffier of the States the notice period for the purpose of Article 4(1) of the Compulsory Purchase of Land (Procedure) (Jersey) Law 1961. The acquiring authority can also state the time at which vacant possession of the land will be required. Background information in respect of the requirement to purchase the land can be found in the report to P.80/2021.

Land
Layby and footway to the north of eastern end of Westmount Road
Layby and footpath to the east of Overdale Hospital
Footpath and public realm between St Aubins Road and Victoria Avenue
Driveway, strip of land, bin store, and raised planter at entrance to Hillcrest and Castle View

Notes

- This decision is related to MD-PE-2021-0099 and should reflect that ministerial decision exactly, except for where there is mention of specific parcels of land which should instead be replaced with those outlined in the above table
- Further ministerial decisions will be required in 2022 to issue the Second and Third Notice(s).
- Agreement between the parties can be reached at any time during the Compulsory Purchase process.
- The States of Jersey approved Compulsory Purchase to acquire property as a last resort but also as a mechanism to resolve rights or covenants which need to be newly put in place, cancelled, or modified to serve the development, including for example for the construction of highway, footway, or cycleway or for installation of infrastructure.
- The information contained within this report has been provided by the Our Hospital Project team to officers supporting the Minister for the Environment and their Assistant Minister(s) so as to assist with the progression of a ministerial decision that would give effect to the decision(s) of the States Assembly.

Appendix – First Notice

(To be printed on States Greffier headed paper and displayed at each site)

Greffier's Ref []

To: The Owner of [Address].

I hereby give you notice that the States, by Act dated [] resolved, in exercise of the powers conferred by Article 119 of the Planning and Building (Jersey) Law 2002, to acquire by compulsory purchase on behalf of the public in accordance with provisions of the Compulsory Purchase of Land (Procedure) (Jersey) Law 1961, as amended the following land -
[] (shown edged in black outline on the attached drawing) measuring approximately [].

In pursuance of paragraph (1) of Article 4 of the Compulsory Purchase of Land (Procedure) (Jersey) Law, 1961, as amended, you are required to notify the undersigned, in writing, within twenty-eight days after the service of this Notice, of your interest in the land and of the amount of the compensation which you are prepared to accept for such interest.

I am also directed, in accordance with Article 4(2) of the Compulsory Purchase of Land (Procedure) (Jersey) Law, 1961, to inform you that vacant possession of the land will be required on [].

.....
[date of notice]

.....
Greffier of the States