

**The acquisition of Parish land, transfer of Parish  
roads, and other related matters  
in respect of  
the creation of an access route to the proposed  
Overdale Hospital**

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For consideration by the Parish Assembly  
on 15<sup>th</sup> December 2021 at 7pm

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**PARISH OF ST HELIER**

**P.06/2021**



*Fig 1. The approved site for the new hospital*

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## **PROPOSITION**

**PARISHIONERS are asked to take into consideration whether to accept:**

The offer from the Government of Jersey, as set out in the attached Heads of Terms, for:

- the purchase of Parish land as identified in this Projet for the sum of £6,530,845;
- a 150-year lease at a rent of £100 per annum for an attenuation tank underneath People's Park, as identified in this Projet;
- a land swap in respect of land currently leased by the Jersey Bowling Club as identified in this Projet;
- the transfer of Parish roads as identified in this Projet;
- access rights and other matters as set out in the attached Heads of Terms.

If approved, the Assembly to authorise:

- the Connétable to sign finalised Heads of Terms with the Government by the end of January 2022;
- the Connétable and at least one Procureur du Bien Public to pass the necessary contract or contracts in relation thereto. The land transaction(s) only to be enacted and contracts completed after such time as Planning permission for the new hospital has been granted.

The Government of Jersey will pay all reasonable fees involved in the transaction.

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## **REPORT**

### **1. Introduction**

This report accompanying Projet 06/2021 sets out an offer that the Parish has received from the Government to acquire Parish land and other matters required for the 'Our Hospital' project. This report sets out:

- the background to the offer
- why the offer is being presented to the Parish Assembly
- the detail of the offer
- decisions about the use of proceeds from the sale of any land
- the compulsory purchase process that we understand will be followed if the offer is not accepted
- the decision to be considered by the Parish Assembly

### **2. Background**

#### **2.1 States Assembly debates and decisions**

In November 2020, the States Assembly debated "Our Hospital: Site Selection: Overdale" ([P.123/2020](#)) and approved Overdale as the preferred site for the new hospital. The States Assembly also debated "*Our Hospital Project: acquisition of land for the new hospital at Overdale*" ([P.129/2020](#)) and approved the acquisition of land necessary for the development of the new hospital and access route.

In October 2021, the States Assembly debated "*Our Hospital Project: acquisition of land at Overdale*" ([P.80/2021](#)) and decided on funding arrangements for the new hospital. This enabled the Government to acquire relevant land through negotiation with landowners, and allocated funding for the compulsory purchase of land where agreement to acquire the land from the landowner could not be reached through negotiation. This proposition was successfully amended by Constable Crowcroft, making the condition that the final stage of compulsory purchase (taking possession of the land) is not to be executed until after the successful determination of the relevant Planning Application, part of the proposition itself.

#### **2.2 Parish Assembly debates and decisions**

In February 2021, following the presentation of a [Requête](#), the Parish Assembly approved two propositions:

- *That the Parish should not allow any further interference with the Land or any part of it by the Ministers responsible for the new hospital project or by their agents, contractors or advisers unless and until such*

*time as the Parish has confirmed at a further Parish Assembly that it has received the details it requires concerning the matters referred to in Recital D above and is satisfied with the merits of creating an access in accordance with the details provided.*

- *That in the meantime the Parish is required to take, or join others in taking, whether by legal proceedings or otherwise, such action as may be necessary or desirable to resist any attempt by the Public to acquire the Land pending the evaluation by the Parish of the details referred to in item 1 above.*

In June 2021, at the request of the 'Our Hospital' team, a [Parish Assembly](#) was held to receive a presentation and consider whether the requirements of Recital D of the Requête had been met. The Assembly concluded that insufficient information had been provided and decided that the requirements had not been met.

### **2.3 Planning Applications**

In October 2021, the Government submitted a Planning Application ([P/2021/1398](#)) in respect of demolition and site clearance of Overdale Hospital.

In November 2021, the Government submitted a full Planning Application ([P/2021/1670](#)) in respect of the hospital and access road.

Further background information is provided in Appendix 3.

## **3. Offer from the Government for Parish land**

The Parish has received an offer from the Government to acquire Parish land to deliver the 'Our Hospital' project.

This offer was presented to the Parish's Procureurs du Bien Public, who considered the matter both in the context of the Parish Assembly decisions and their Oaths of Office, which requires them to care for Parish assets at least as well as they would their own.

Having taken independent professional advice, they concluded that the financial value of the offer was reasonable and may exceed the value obtained if the land is acquired through compulsory purchase. Therefore, they decided that to discharge their Oaths of Office, the offer should be presented to a Parish Assembly. Considering previous Parish Assembly decisions, they concluded that the offer would be presented with all relevant

facts available to the Parish but without recommendation as to its acceptance or rejection.

The offer received from the Government is in the form of a Heads of Terms, setting out the key principles of the offer (Appendix 5). If accepted, a Heads of Terms would be signed by the end of January 2022 and full legal documents would be prepared in line with these Heads of Terms to enact the transaction, only once Planning permission has been granted. Section 4 of this report seeks to present the key elements of the offer, as contained in the Heads of Terms.

## **4. The Offer**

### **4.1 Parish land subject to acquisition**

To create the new access route to the hospital as planned by the Government, it will be necessary to acquire land from the Parish of St Helier and others. It is understood that all but one other landowner has already agreed terms with the Government.

The Parish appointed a professional RICS property surveyor from Quérée Property Consultants, who provided a valuation for the Parish land that the government wishes to acquire. Appendix 1 provides the breakdown of the offer that has been made by the Government of Jersey, and the Parish's external valuer has confirmed that the values offered are in line with his independent valuation. The total value of the offer for this land is £6,530,845.

The Government has confirmed that where land is acquired from the Parish, the neighbouring areas which remain in Parish ownership will be reinstated to their current condition or better following any work undertaken on land acquired. This work will include any necessary re-routing of paths and replanting of gardens, as necessary.

### **4.2 Highways / By-roads subject to transfer**

It is proposed that three Parish by-roads (sections or the whole road, as necessary) be transferred to Government ownership, namely Peirson Road, Kensington Street and Westmount Road. It is anticipated that only the junction area of Kensington Street maybe affected, with most of the road potentially remaining in Parish ownership; this will be clarified in the final Heads of Terms. The three roads and area affected are indicated in Appendix 5. A transfer of ownership would include responsibility for

development, maintenance and upkeep. This transfer would not involve any payment.

### **4.3 Attenuation tanks and drainage pipework**

The Government is seeking to install an attenuation tank and associated pipework underneath People's Park. The offer sets out that the Government will meet the full costs of installation and maintenance of the surface drainage tank(s), returning the parkland to its current condition once installed. The location of the surface water drainage tank, if required by the project, would be agreed with the Parish in advance. As with the tank installed for the Westmount development, once installed the park would be able to be used as it is now.

The Parish will have rights to use any water collected in the tank and would be responsible for any costs associated with drawing the water or any damage caused in so doing.

This is based on the Government entering a 150-year lease at a rent of £100 per annum, giving the right to be able to use and enjoy the benefit of the attenuation tanks and drainage. Repair, maintenance, and replacement (and any future removal and reinstatement) of the tank and pipework will be entirely the responsibility of the Government.

### **4.4 Land Swap: Jersey Bowling Club**

The proposed Heads of Terms identify Warwick Farm as the proposed relocation site for the Jersey Bowling Club. The Jersey Bowling Club has confirmed that this is acceptable to them in principle, providing the identified area is considered "totally suitable." The three potential areas under consideration at Warwick Farm are identified in Appendix 3 of the Heads of Terms. On this basis, the proposal is for a land swap, i.e., in return for the Government taking ownership of the site currently occupied by the Jersey Bowling Club (owned by the Parish and leased to the Jersey Bowling Club), the Government would transfer ownership of the relevant land at Warwick Farm to the Parish, who would then lease it to the Jersey Bowling Club. The Government has also committed to re-provide the Jersey Bowling Club's facilities at the new site, i.e., green, parking and clubhouse.

The Heads of Terms also sets out Government's proposal should the Warwick Farm proposal not succeed. If Government does not secure an alternative site for the Jersey Bowling Club prior to Planning consent being granted for the hospital, it is proposed that Government will acquire the land from the Parish of St Helier for £700k and provide a consideration of £1m to the Jersey Bowling Club for the reprovision of their facilities, i.e., green, parking and clubhouse.

## 4.5 Areas with rights of access or licence

The Heads of Terms sets out that a licence is sought to provide access to the highway and adjacent land (as indicated in [P.80/2021](#), Appendix 1, Plan 4) for enabling works and drainage. Once completed, Government is required to reinstate the land to its previous condition.

## 4.6 Reprovision of lost facilities

*(Community facilities, green space/trees, and lost parking facilities)*

Following successful amendments to “Our Hospital: Preferred Access Route” ([P.167/2020](#)) by Constable Crowcroft and Deputy Doublet ([P.167/2020 Amd](#) and [P.167/2020 Amd\(3\)](#)), the Government is required to relocate/replace any impacted community facilities, green space, any trees lost, and replace parking facilities. Therefore, in addition, the following is included in the Heads of Terms:

### 4.6.1 Car parking

Within the area affected by the proposals there is currently a wide range of parking provision; this can be summarised as:

#### Car Parking Spaces (157 in total)

- |                                  |  |
|----------------------------------|--|
| • Public parking (pay spaces):   | 112<br>(8 of which change to RPZ spaces after a set time)            |
| • Resident parking spaces (RPZ): | 49<br>(10 of which are pay spaces / unloading spaces during the day) |
| • Disabled parking spaces:       | 3  |
| • Unloading spaces:              | 2<br>(both of which convert to RPZ spaces after a set time)          |
| • Doctors parking space:         | 1  |

#### Motorbike and Cycle Parking (32 in total)

- |                     |    |
|---------------------|----|
| • Motorbike spaces: | 16 |
| • Bicycle parking:  | 16 |

The Parish’s current revenue generated from the car parking affected is circa £170,000 p/a income. The Government’s offer for Parish land takes account of this revenue income which will be lost.

The Government's proposals are to replace 52 of the 157 car parking spaces and 26 of the 32 motorbike and bicycle parking spaces. The proposal for re-provision of lost parking facilities can be summarised as:

Car Parking Spaces (52 in total)

- Public parking (short term pay spaces): 8  
(all of which change to RPZ spaces after a set time)
- Resident parking spaces (RPZ): 49  
(10 of which are pay spaces / unloading spaces during the day)
- Disabled parking spaces: 3
- Unloading spaces: 2  
(which convert to RPZ spaces after a set time)

Motorbike and Cycle Parking (26 in total)

- Motorbike spaces: 10
- Bicycle parking: 16

In summary, the Government proposal replaces all the current Resident Parking Zone spaces, all the current disabled parking spaces, all the current unloading spaces, and some public pay spaces, although all the re-provided pay spaces will be short term. The Government have identified that the new spaces will be located as follows:

- Public parking (short term pay spaces): 6 in Peirson Road  
2 in St Aubin's Road\*  
(which convert to RPZ spaces after a set time)
- Resident parking spaces (RPZ): 6 in Peirson Road  
(which are pay spaces during the day)  
  
4 in St Aubin's Road\*  
(2 of which are pay spaces, and 2 are unloading spaces during the day)  
  
39 in Peirson Road and Elizabeth Lane car park
- Disabled parking spaces: 3 in Peirson Road



- Unloading spaces: 2 in Peirson Road  
(which convert to RPZ spaces after a set time)
- Motorbike spaces 10  
(at a location to be agreed by IHE and Parish)
- Bicycle parking 16  
(at a location to be agreed by IHE and Parish)

\*For the purpose of this document, St Aubin's Road means from the junction of Kensington Street to Cheapside (North)

The use of Elizabeth Lane car park is anticipated to be a temporary solution for Resident Parking Zone Spaces. It is anticipated that once the construction and opening of the new hospital is complete, the Resident Parking Zone spaces will be relocated to Patriotic Street Car Park. This will be subject to the approval of the Minister of Infrastructure and agreement of the Parish at the appropriate time.

#### **4.6.2 Trees**

The Government has confirmed that where a tree must be removed, it will be transplanted where this is likely to be successful or, if not, will be replaced. The Government proposes that the maturity of the replacement tree will be the maximum transplantable age achievable within reasonable cost allowances and within the project timeframe. They may not therefore be of the same maturity. The location of relocated or replaced trees will be as contained in the Planning consent but will also be in consultation with the Parish. The landscaping proposals are provided in the Planning Application, and they show a net increase of approximately 700 trees. These will be a mix of species to encourage biodiversity.

The Government is committed to undertaking a survey of the memorial trees and benches with the Parish. It is confirmed that the new location of any replaced or relocated memorial trees, or of any relocated benches, will be in agreement with the Parish.

#### **4.6.3 Community facilities**

The proposed relocation and/or modification of leisure (playground and pétanque) facilities, will be as indicated on the attached Appendix 2. Subject to Parish agreement regarding the proposed locations, these relocations, and any other necessary associated adjustments, will be at the cost of the Government.

## **4.7 Timing**

The offer is made on the basis that the acquisition will only be completed once Planning permission has been received. However, preparatory work on the detailed contracts would be undertaken in advance and a finalised Heads of Terms agreed by the end of January 2022.

The proposal states that vacant possession would be provided at contract completion (i.e., after Planning permission has been granted and contract passed), other than for the land occupied by the Jersey Bowling Club, where vacant possession would be provided at the end of the 2022 bowling season; understood to be approximately the end of September 2022.

## **5. Use of funds received**

If the Parish Assembly is minded to accept the offer being made, the receipt of funds from the sale will be earmarked and remain in Parish reserves until such time as a future Parish Assembly considers and agrees to the specific use of these funds. The intention would be to bring the matter to a future Parish Assembly as soon as appropriate and practicable.

## **6. Compulsory purchase**

The land referenced in this offer from the Government has been approved for compulsory purchase by the Government by the States of Jersey Assembly ([P80/2021](#)).

If the Parish Assembly rejects the Government's offer, the Government has indicated that prior to commencing the compulsory purchase process, it will withdraw the current offer, including all the provisions set out in the Heads of Terms and described in this report. The Government has the authority, from the States Assembly, to progress the compulsory purchase of the land, although the States' decision ([P80/2021](#)) only allows the final stage of compulsory purchase to be enacted following the receipt of Planning permission. In practical terms, we understand that this means that the Government could not take possession of the land until this time.

The compulsory purchase process is governed by the [Compulsory Purchase of Land \(Procedure\) \(Jersey\) Law 1961](#). The value of compensation for the Parish land subject to compulsory purchase may be determined by a Board of Arbitrators appointed under this law.

The final value of the compensation and the value and liability for any fees incurred would be a matter for the Board to determine, having received

valuations from both parties. The value determined by the Board may be less than the value of the current offer from government.

## **7. Parish Assembly consideration and decision**

The Parish Assembly is asked to take into consideration whether to accept the offer from the Government of Jersey, as set out in the attached Heads of Terms, for:

- the purchase of Parish land as identified in this Projet for the sum of £6,530,845;
- a 150-year lease at a rent of £100 per annum for an attenuation tank underneath People's Park, as identified in this Projet;
- A land swap in respect of land currently leased by the Jersey Bowling Club as identified in this Projet;
- the transfer of Parish roads (in whole or part) as identified in this Projet;
- access rights and other matters as set out in the attached Heads of Terms





If approved, the Assembly to authorise:






- the Connétable to sign finalised Heads of Terms with the Government by the end of January 2022;
- the Connétable and at least one Procureur du Bien Public to pass the necessary contract or contracts in relation thereto. The land transaction(s) only to be enacted and contracts completed after such time as Planning permission for the new hospital has been granted.



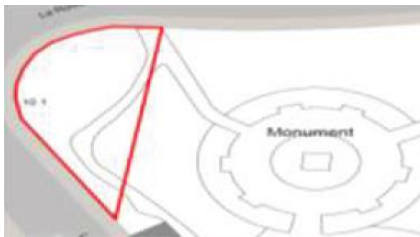
The Government of Jersey will pay all reasonable fees involved in the transaction.

## Appendix 1: Offer to Purchase Land

The Government of Jersey's valuations are in line with the Parish-appointed surveyor's values.

#	Property Name	Area (acres)	Description	Government Offer £
1		0.23	<p><b>Peirson Road:</b> (Approximately 227m long) with on-street car parking: 42 no. car parking spaces (26 no. RPZ car parking spaces as part of the Cheapside Residents Parking Zone, 8 no. visitor spaces that revert to RPZ spaces in the evenings, 5 no. 2 hour paycard spaces, 1 no. Doctor space and 2 no. Unloading spaces that revert to RPZ after 6pm). There are 2 no. bicycle hoops for 4 no. bicycles.</p> <p>To transfer Peirson Road to the Government of Jersey.</p>	1,010,000
2		0.29	<p><b>Inn on the Park car park:</b> Currently provides 44 no. car and 6 no. motorcycle parking spaces.</p>	3,500,000
3		0.64	<p><b>People's Park car park:</b> 55 no. car disc parking spaces, 11 no. RPZ parking spaces as part of the Cheapside Residents Parking Zone, 3 no. disabled parking spaces (total of 69 no. car parking spaces) + 6 no. bicycle hoops for 12 no. bicycles and parking for approximately 10 no. motorcycles.</p>	1,910,000
4		0.22	<p><b>Westmount Road footpath adjacent to People's Park:</b> The Government is to purchase the pathway adjacent to Westmount Road alongside People's Park. The modification of the playground adjustments is to be agreed with the Parish at the cost of the Government.</p> <p>2no. RPZ parking spaces located on the north side adjacent the junction of Westmount Road and Cheapside.</p> <p>To transfer Westmount Road to the Government of Jersey.</p>	10,000

#	Property Name	Area (acres)	Description	Government Offer £
5		0.63	<b>Jersey Bowling Club:</b> located on Westmount since 1912, comprising of clubhouse, bowling green, 20 no. car park spaces, gardens and workshops.  See “ <b>Jersey Bowling Club</b> ” section in this Project for details.	
6		0.35	<b>3 no. existing pétanque courts, Peirson Road:</b> to be relocated within Victoria Park; all pathways will be adjusted.  The relocation of the pétanque courts is to be agreed with the Parish. The relocation and any associated changes necessary will be at the cost of the Government.	30,000
7		0.25	<b>Section of land (mainly headland) to the south, west and north of Jersey Bowling Club:</b>  This is the location of the pergola structures and pathways to the back of People’s Park.	15,000
8		0.45	<b>Section of land to the north of the Jersey Bowling Club with steps leading up to the open area:</b>  There will continue to be a link between the lower and upper parts of Westmount Road; the exact location may need to be slightly amended to suit revised road alignment and elevation.	12,727
9		0.41	<b>Section of land (mainly headland) to the north of the Jersey Bowling Club:</b>  There will continue to be a link between the lower and upper parts of Westmount Road; the exact location may need to be slightly amended to suit revised road alignment and elevation.	11,818

#	Property Name	Area (acres)	Description	Government Offer £
10		0.39	<b>Section of land (mainly headland) to the west of the Jersey Bowling Club.</b>  Required to enable realignment of Westmount Road.	11,300
11		0.07	<b>Clos Vaze:</b>  Section of land adjacent to Clos Vaze (open land) (approximately 280 Sq.m. / 0.156 Vergees).  Currently used as open green area.	10,000
12		0.12	<b>Section of Victoria Park:</b> Required to the realignment of the feeder road from the Esplanade to St Aubin's Road.	10,000
<b>Total</b>				<b>6,530,845</b>

13	<b>Attenuation tank and pipework in People's Park</b>			<b>150-year lease at £ 100 per annum</b>
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## Appendix 2: Proposed location of pétanque terrains and modification to children's playground (subject to agreement with the Parish)



## Appendix 3: Background

The Overdale site was chosen from an original list of 82 publicly nominated sites and, following assessments using criteria established by the "our Hospital Citizens Panel", medical professionals, and from feedback following Island-wide consultation which considered clinical suitability, location, environmental, economic, and social impact, the list was reduced to 2 sites: People's Park or Overdale.

In November 2020, the States Assembly debated "Our Hospital: Site Selection: Overdale" ([P.123/2020](#)) and approved Overdale as the preferred site for the new hospital. The States Assembly also debated "*Our Hospital Project: acquisition of land for the new hospital at Overdale*" ([P.129/2020](#)) and approved the acquisition of land necessary for the development of the new hospital and access route by negotiation with landowners and also included an "in principle" approval of compulsory purchase.

On 1st February 2021, the States Assembly debated and adopted "Our Hospital: Preferred Access Route" ([P.167/2020](#)), deciding that Westmount would be the preferred primary access option for a new hospital at Overdale.

Constable Crowcroft's amendment ([P.167/2020 \(Amd\)](#)) was adopted by the States Assembly.

The amendment requested that approval of the new access route should be subject to the Government committing to:

1. Minimise reduction and replace any lost green areas and trees
2. Relocate and replace any impacted community facilities; and
3. Replace any lost parking facilities

Deputy Doublet proposed a further amendment to Constable Crowcroft's amendment ([P.167/2020 Amd\(3\)](#)), requesting that, alongside the Parish, Jersey Trees for Life is consulted in relation to replacement of lost green areas and trees; this amendment was also adopted.

On [10 February 2021](#), a [Parish Assembly](#) approved a [Requête](#) with the following two propositions:

Proposition 1: "*That the Parish should not allow any further interference with the Land or any part of it by the Ministers responsible for the new hospital project or by their agents, contractors or advisers unless and until such time as the Parish has confirmed at a further Parish Assembly that it has received the details it requires concerning the matters referred to in*



*Recital D above and is satisfied with the merits of creating an access in accordance with the details provided. "*

*Proposition 2: " That in the meantime the Parish is required to take, or join others in taking, whether by legal proceedings or otherwise, such action as may be necessary or desirable to resist any attempt by the Public to acquire the Land pending the evaluation by the Parish of the details referred to in item 1 above. "*

The proposer of the Requête advised the Assembly that the purpose of the Requête was to put control back in the hands of the parishioners of St Helier to stop the land being misused. *"It stops the Government taking control of that land until such time as the Parish of St Helier is content that enough detail and information has been provided."*

The Government of Jersey Hospital team released the layout of the proposed road which was taken to a [Parish Assembly on 9 June 2021](#) in which the team requested approval to discharge Recital D of the Requête. The Assembly considering the presentation felt that there was insufficient information provided and rejected the request.

In October 2021, the States Assembly debated *"Our Hospital Project: acquisition of land at Overdale"* ([P.80/2021](#)) and decided on funding arrangements for the new hospital. This enabled the Government to acquire relevant land through negotiation with landowners, and allocated funding for the compulsory purchase of land where agreement to acquire the land from the landowner could not be reached through negotiation. This proposition was successfully amended by Constable Crowcroft ([P.80/2021 \(Amd\)](#) and [P.80/2021 \(Amd\)Amd](#)), making the condition that the final stage of compulsory purchase (taking possession of the land) could not be executed until after the successful determination of the relevant Planning Application, an integral part of the proposition.

In October 2021, the Government submitted a Planning Application ([P/2021/1398](#)) in respect of demolition and site clearance of Overdale Hospital.

In November 2021, the Government submitted a full Planning Application ([P/2021/1670](#)) in respect of the hospital and access road.

## **Appendix 4: Oath of a Procureur du Bien Public**

The guiding principle of the actions of Procureur du Bien Public is not contained within law but in the Oath of Office (as prescribed by the [1771 Code des Lois](#)):

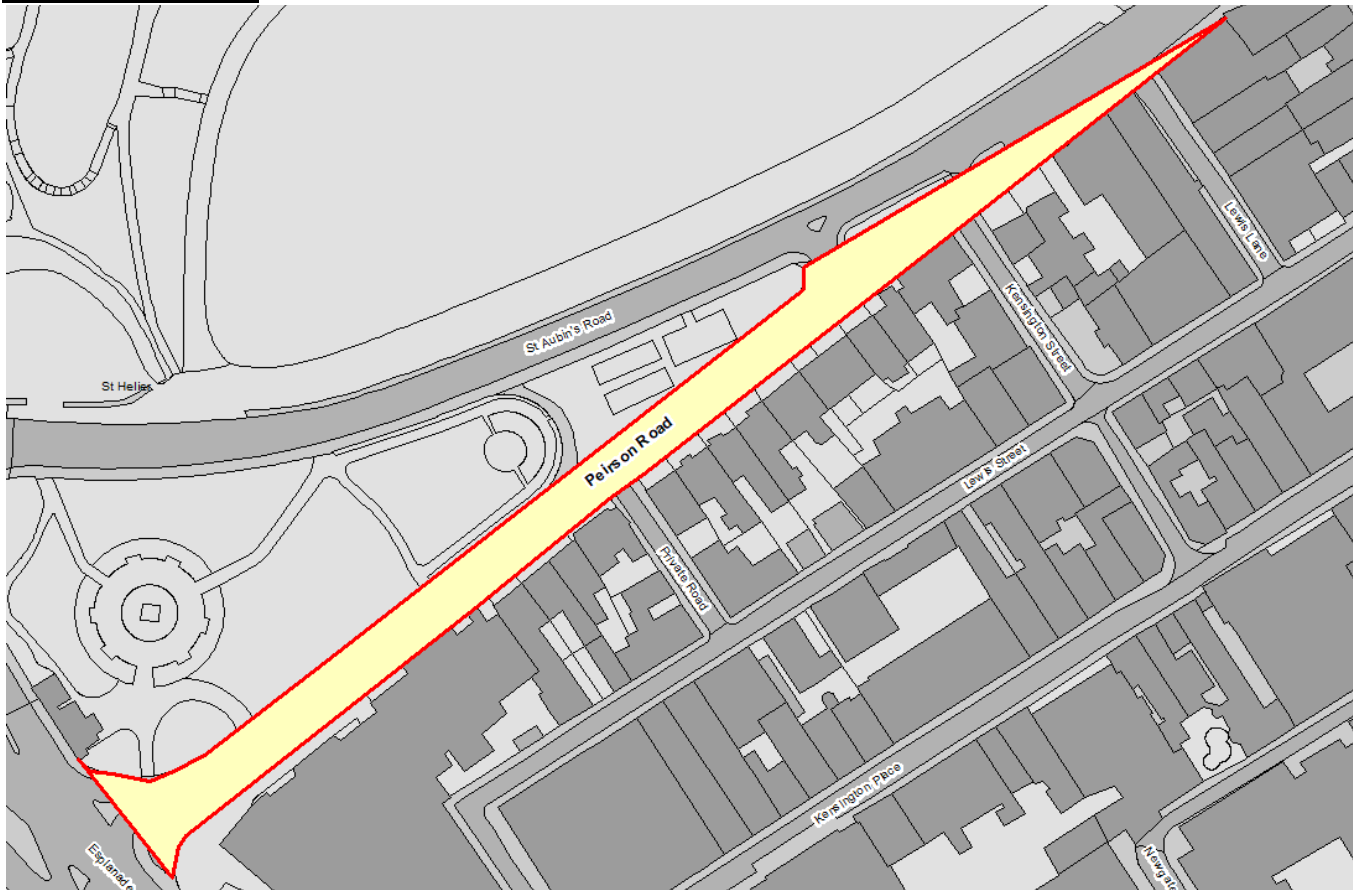
VOUS jurez et promettez par la foi et serment que vous devez à Dieu, que vous exercerez la charge de Procureur du bien public de la Paroisse de.....; que vous le conserverez et augmenterez comme le votre, et mieux s'il vous est possible; que vous vous réglerez par le bon conseil et avis des Principaux et Officiers, et des Chefs de Famille de ladite Paroisse; et ferez généralement tous autres devoirs qui dépendent de ladite charge.

Approximately translated as:

You swear and promise by the faith and oath that you owe to God, that you will serve as Procureur du Bien Public of the Parish of .....; that you will preserve it [the public good] and increase it as your own, and better if you can; that you act according to the good advice and opinion of the Principals and Officers, and Heads of Family of the said Parish; and will generally do all other duties that flow from the responsibility.

**Appendix 5: Roads (in full or part) proposed for transfer to the Government of Jersey**

**Peirson Road**

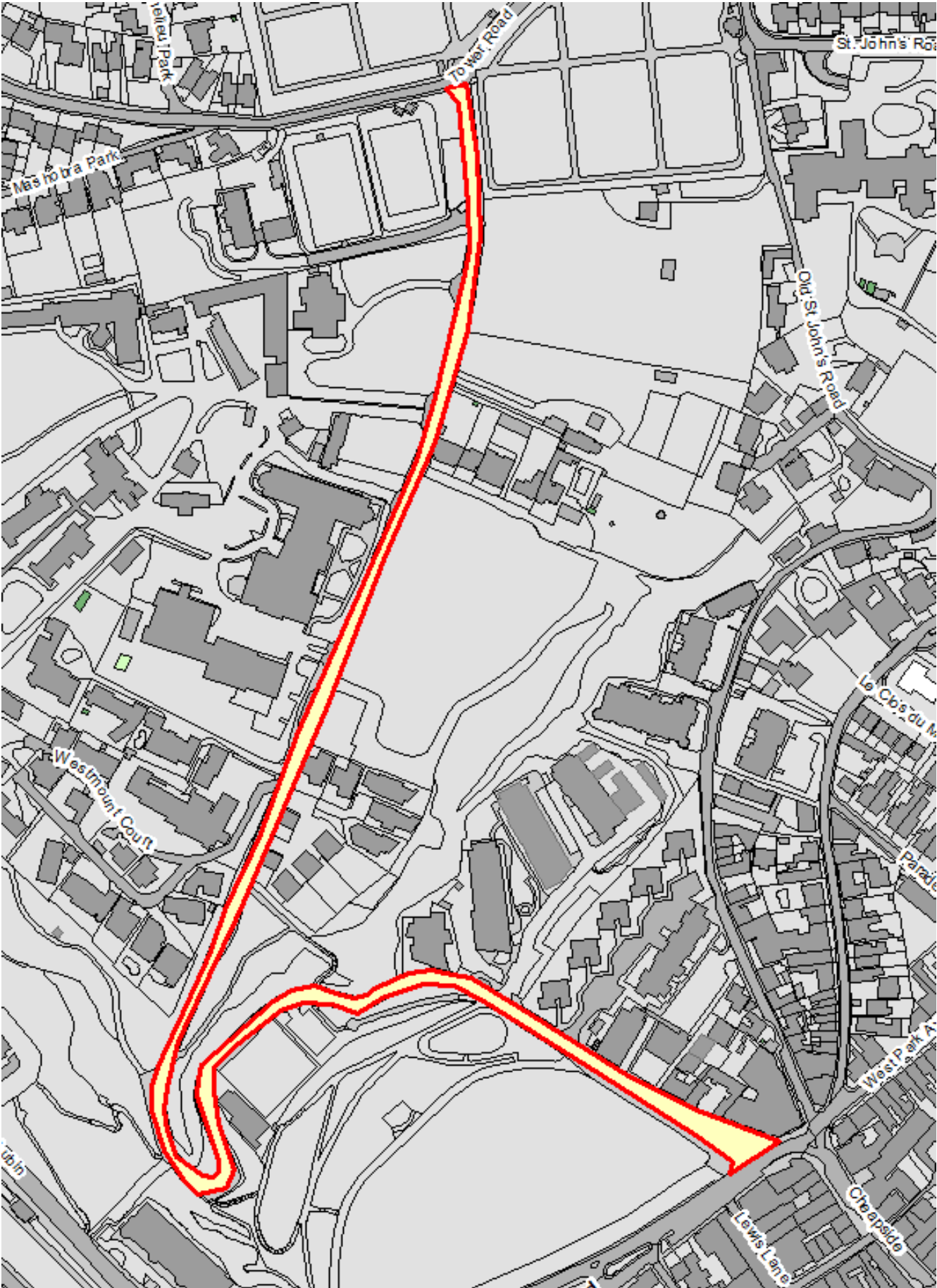


## **Kensington Street**



It is anticipated that most of the changes to Kensington Street will occur at the junction of Kensington Street with Peirson Road as indicated with the dotted blue circle on the plan above.

**Westmount Road**



## **Appendix 6: Heads of Terms**

### **Heads of Terms**

#### **WITHOUT PREJUDICE, SUBJECT TO CONTRACT & MINISTERIAL CONSENT**

<b>Property:</b>	<b>Car Parking, Peirson Road</b> Petanque Pitches, La Route de St Aubin Inn on the Park Car Park, La Route de St Aubin Parking, La Route de St Aubin Promenade, Westmount Road Playground, People's Park, Westmount Road Jersey Bowling Club, Westmount Road Miscellaneous parcels of land in POSH ownership.  See Appendix 1
<b>Transaction:</b>	<b>Freehold.</b>
<b>Purchase Consideration:</b>	<b>Apportioned as Appendix 1, and all Vendor's fees and taxes and the like.</b>  In the event that a facility or asset is replaced then equivalent reinstatement cost shall supersede the figures attached in Appendix 1
<b>Timing:</b>	<b>The</b> Purchaser and the Vendor will complete the transaction (with full funds transferred) on the successful Determination of the Planning Application for the new hospital and access. Heads of Terms will be signed by the end of January 2022. The date for Vacant Possession will be at Contract Completion, except for the Jersey Bowling Club, which will be the end of the 2022 Bowling Season.
<b>Reprovision Of Lost Facilities:</b>	<p>The compensation offered for Public Pay Spaces due to land lost to carriageway and footpath, reflects the current revenue which is lost by the Parish.</p> <p>The Purchaser will reprovision the facilities as follows:</p> <p>The total number of legitimate parking spaces before the proposed changes is 157 and after the proposed changes is 52, as set out below and expanded upon further in the paragraph following:</p> <ul style="list-style-type: none"><li>• Resident parking zone spaces, before 39 after 39</li><li>• Motor bike parking spaces, before 16 after 10</li><li>• Disabled bay spaces, before, 3 after 3</li><li>• Public pay spaces, before 104 after 0</li><li>• Service vehicle spaces, before 2 after 2 (RPZ at night)</li><li>• Short term spaces, before 8 after 8 (RPZ at night)</li><li>• Cycle parking, before 16 after 16</li><li>• Doctors' spaces, before 1 after 0</li></ul>

Of the totals above, reasonable endeavours will be used to reprovide the 7 Resident and 10 of the motorbike parking spaces that cannot be accommodated within the land lost to public carriageway and footpath. The car parking is likely to be in Elizabeth Lane Car Park as an interim solution (once construction of these highway works commence) and then within Patriotic Street Car Park once the new hospital is open, subject to the approval of Minister of Infrastructure and agreement of the Parish. The motorcycle parking and cycle parking will be at a location with the approval of the Minister of Infrastructure and agreement of the Parish.

It is confirmed that, where a tree has to be removed, it will be transplanted where this is likely to be successful or, if not, will be replaced. The maturity of the replacement tree will be the maximum transplantable age achievable within reasonable cost allowances and within the project timeframe. They may not therefore be of the same maturity. The location of relocated or replaced trees will be as contained in the Planning consent but will also be in consultation with the Parish.

A survey of the memorial trees and benches will be undertaken with the parish. It is confirmed that, the new location of any replaced or relocated memorial trees, or of any relocated benches, will be in agreement with the Parish.

The relocation or modification of leisure (playground and petanque) facilities, will be as indicated on the attached Appendix 2. If the Parish confirm that they are in agreement with the proposed locations or an alternative location is agreed by both parties for the latter, these relocations, and any other necessary associated adjustments, will be at the cost of the GoJ.

#### **Jersey Bowling Club**

Jersey Bowling Club - It is the preference of all parties that the Purchaser reaches a negotiated settlement for alternative land and re-provides the Jersey Bowling Club (JBC). The proposed solution is for the JBC to be accommodated at Warwick Farm for the 2023 Season. Sketches showing examples of how the land at Warwick Farm could accommodate the JBC are provided in Appendix 3. If agreed by the JBC, the land that will accommodate the Club will be immediately transferred to Parish of St Helier, the facilities including the green and clubhouse will be constructed and commissioned by the government, and the Parish will then lease the land and facility to the JBC. In the circumstances that Warwick Farm is not accepted or achievable as the preferred site for the JBC and the Government of Jersey does not secure an alternative site for the JBC prior to Planning consent being granted for the new hospital and access, it is proposed the Purchaser will acquire the land currently occupied by the JBC from the Parish of St Helier for £700k and provide a consideration of £1m to the JBC for the reprovion of their facilities.

#### **Highway/By-roads:**

Parish of St Helier By-roads (or sections of By-road (including all or sections of Peirson Rd, Kensington Road and Westmount Road)) – it is intended that these are to be designated main roads as part of the Our Hospital scheme

#### **Areas with Rights**

**Of Access or Licence:** It is proposed a licence is granted to provide access to the highway and adjacent land (as indicated on the plan in P.80/2021, Appendix 1, Plan 4) for enabling works and highways drainage etc. On vacating the land, GoJ to reinstate to an equivalent standard as detailed by a photographic schedule of condition.

In respect of all areas that will border land that remains in Parish ownership, the condition of the land surrounding that acquired by the Government needs to be reinstated to its current condition or better following the work to be undertaken, including re-routing of paths and replanting of gardens as necessary.

## **Attenuation Tanks**

**& Drainage Pipework:** It is confirmed that the purchaser will meet the full costs of installation and maintenance of the surface drainage tank(s), and returning the parkland to its current condition once installed. The location of the surface water drainage tank, if required by the project, would be agreed with the Parish in advance; an indicative position is provided in Appendix 2. The Parish would have rights to use the water, if collected in the tank but would be responsible for any costs associated with drawing the water or any damage caused in so doing.

This is subject to entering a 150 year lease at a rent of £100 per annum, the right to be able to use and enjoy the benefit of the attenuation tanks and drainage. Repair, maintenance and replacement (and any future removal and reinstatement) of the tank and pipework will be entirely the responsibility of the Purchaser.

## **Steps and Rights of Way:**

There will continue to be a link between the lower and upper parts of Westmount Rd; the exact location may need to be slightly amended to suit revised road alignment and elevation

**Insurance:** The Purchaser shall insure the Property under their existing Material Damage Policy from the date of Completion.

**Maintenance:** The Purchaser shall take responsibility for maintaining the Property to an acceptable standard from the date of Completion.

**Vendor:** **The Parish of St Helier**

Contact:  
Email:

**Purchaser:** **Public of the Island**

Contact:  
Email:

**Vendor's Lawyer:** **TBC**

[Phone:](#)  
Email:

**Purchaser's Lawyer:** **TBC**

Tel:  
Email:

**Purchaser's Agent:** **D2 Real Estate**

Contact:  
DD Phone:  
Email:

**Vendor's Agent:** **Quérée Property Consultants**



Contact:  
DD Phone:  
Email:

**Governing Law:** The transaction will be governed by Jersey Law.

**Costs:** The Purchaser will pay the Vendor’s reasonable professional fees (legal and valuation) and taxes on the assumption a negotiated settlement can be agreed.

**Conditions:**













1. The proposed transaction is subject to contract and ministerial consent.

**Signed by Vendors** \_\_\_\_\_

**Signed by Purchaser** \_\_\_\_\_

**Date** \_\_\_\_\_

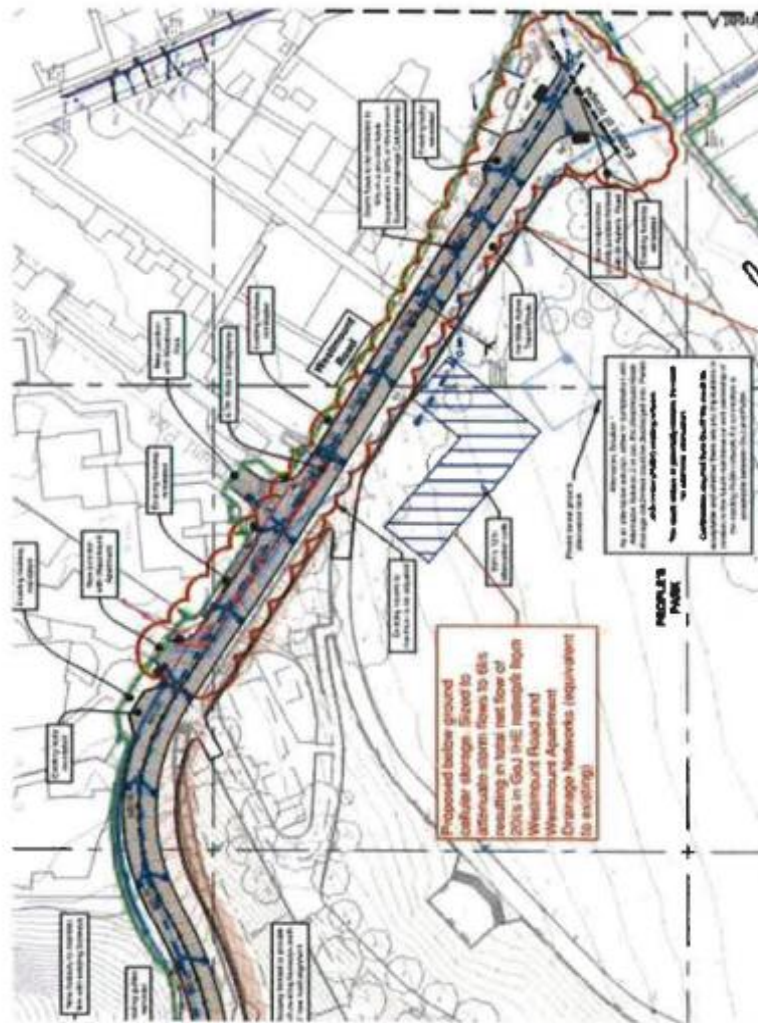
## Heds of Terms Appendix 1

Appendix 1			
Index	Property Name	Area (acres)	GoJ Offer
1		0.23	£1,010,000
2		0.29	£3,500,000
3		0.64	£1,910,000
4		0.22	£10,000
5		0.63	Equivalent replacement cost to apply to the land. Once a site is found the land will be transred to POSH for £1 and the Purchaser will reprovide the bowling club.
6		0.35	£30,000
7		0.25	£15,000
8		0.45	£12,727
9		0.41	£11,818
10		0.39	£11,300
11		0.07	£10,000
12		0.12	£10,000
13	Attenuation tank and Pipework		150 year lease at £100 per annum

Appendix 2 – Proposed location of petanque terrains and modification to children’s playground

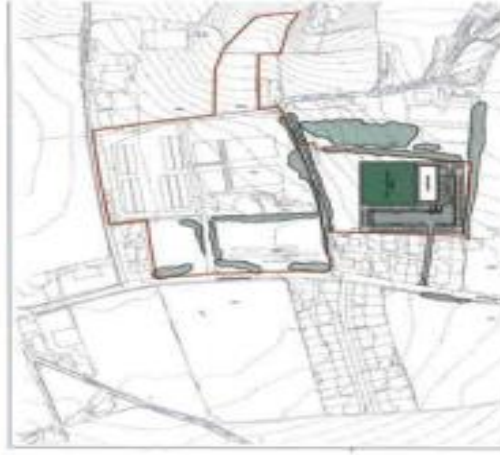


Schedule 2 – Approximate location of attenuation tank to be sited in agreement with Parish of St Helier and to minimise impact on existing trees





**Warwick Farm - Option 3**



**Warwick Farm - Option 2**



**Warwick Farm - Option 1**

