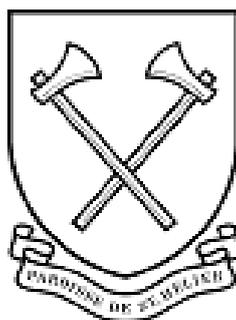


Transfer of Ann Place to the Parish of St Helier

**For consideration by the Parish Assembly
on 27 September 2017**

PARISH OF ST HELIER

P.09/2017



PROPOSITION

THE PARISHIONERS are asked to take into consideration and if deemed advisable to approve

The recommendation of the Roads Committee and Procureurs du Bien Public that the Parish approves the transfer of Ann Place from Jersey Property Holdings to the Parish of St Helier for the nominal sum of £10. All legal costs are to be paid by Jersey Property Holdings and the Assembly is to authorise the Connétable and at least one Procureur du Bien Public to pass the necessary contract in relation thereto.

REPORT

Background:

Legal searches by the Law Officers Department relating to the Ann Court site have revealed that Ann Place is not a Parish by-road even though the road has been maintained by the Parish as its own by-road since its refurbishment and is in good condition.

In the late 1970s Ann Court was planned and built following the purchase of many buildings between Ann Street and Providence Street. Ann Place was widened and lengthened to accommodate a new public highway.

It was the intention that this road should become a Parish by-road but no legal documentation can be found to support this; in addition, no reference in either Parish Assembly or Parish Roads Committee minute books can show that the matter was ever considered or even discussed. Incorrectly, the Parish has maintained, swept, resurfaced and signposted Ann Place as a by-road since completion of the Ann Court development and continues to do so.

Proposal:

Jersey Property Holdings (JPH) seeks to correct the situation by requesting the Parish formally adopts Ann Place. It is requested that this is carried out for nominal fee of £10, with JPH paying all legal costs in the transfer.

Drains:

JPH and Department for Infrastructure (DfI) have confirmed that any sewers beneath Ann Place will remain as public drains administered by DfI.

JPH advised that the 100mm diameter surface water pipe discharges from Ann Place Mews into the sewer in Ann Place. The normal position will apply in that it is a branch connection to a sewer and is deemed part of the sewer up to the boundary with Ann Place Mews. If that point is ever contested, the pipe would be deemed to be owned by Ann Place Mews up to the sewer. JPH cannot see any circumstances where a buried drain would be deemed to be part of the road, and JPH believe this could be reflected in the contract

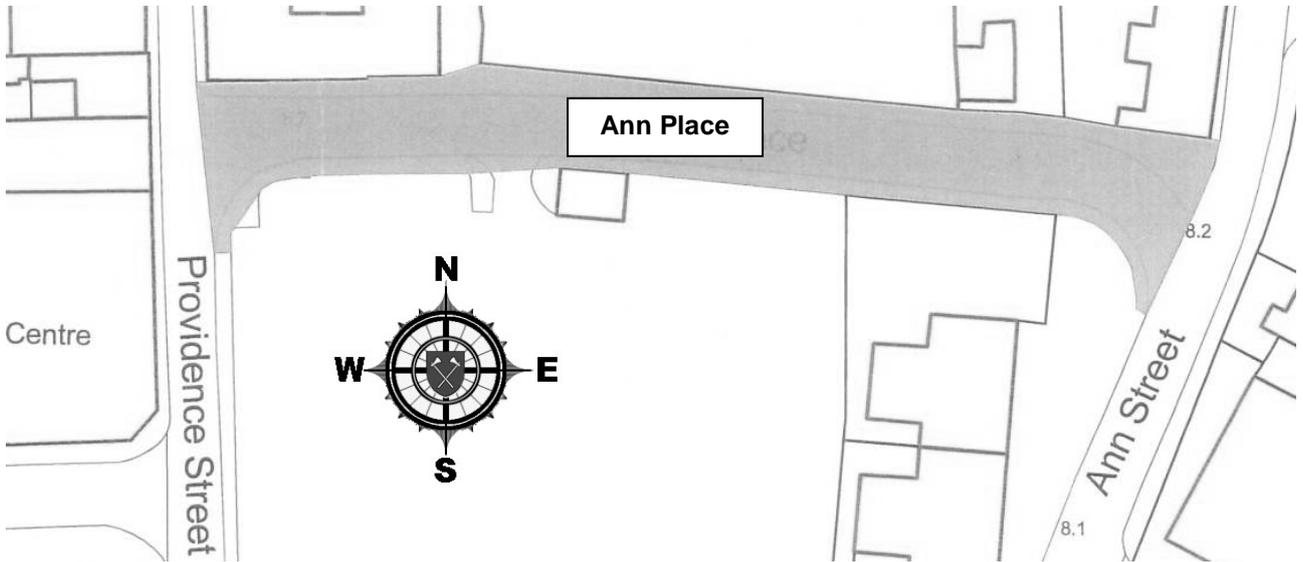
Legal Searches & Condition:

If the proposition is approved, further legal research will be carried to establish the exact boundaries and current ownership details but the Parish Assembly is requested to consider the adoption, subject to the usual legal research.

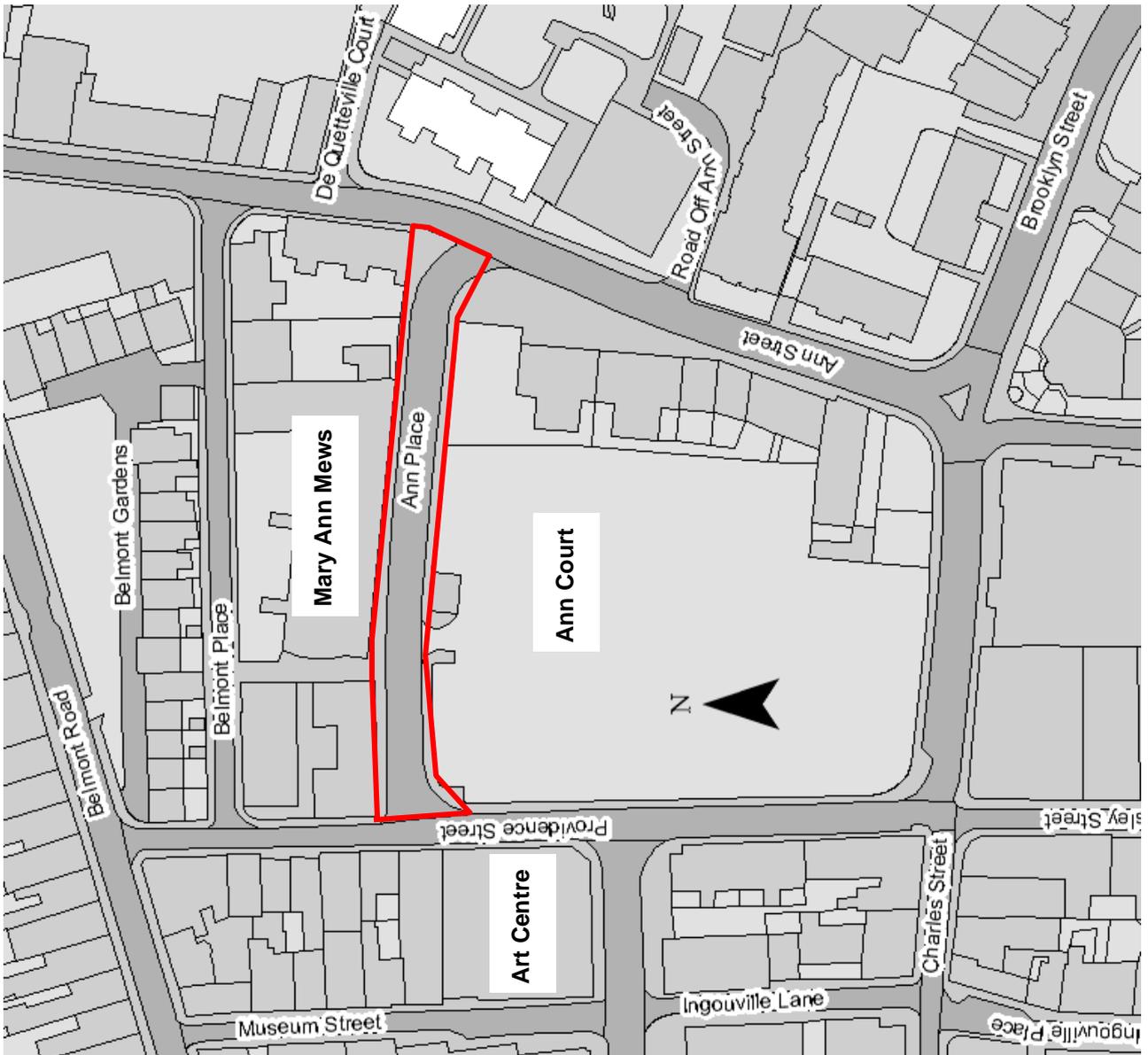
Ann Place measures approximately 1,130sq m (12,163 sq ft); the road is approximately 104m (341ft) in length. Accurate survey drawings will be supplied by JPH / Law Officers Department before passing contract.

Ann Place was last resurfaced in full in 1984, since then various improvements have been undertaken such as improvement to footpaths. The overall condition of the road is good and unlikely to require full resurfacing for some time.

The new Ann Court development will realise many public realm improvements and will incorporate Ann Place footpath. Any repairs to damage that is caused to the carriageway during the construction of Ann Court will be met by the developer



Site plan (Indicating extent of Ann Place)



Location map