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Copy No:

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Memorandum for Executive Council

SUBJECT

**APPLICATION FOR OUTLINE DEVELOPMENT
PERMISSION TO ALTER AND EXTEND THE EXISTING
COURT HOUSE, JAMESTOWN**

Memorandum by Chief Secretary

ADVICE SOUGHT

1. **Council is asked to consider and advise whether Outline Development Permission should be granted, with Conditions, to alter (internally) and extend (externally at the rear) the Jamestown Court House, as recommended by the LDCA in accordance with the Chief Planning Officer's Report dated 10 November 2017, attached at Annex 2.**

**BACKGROUND &
CONSIDERATIONS**

2. The relocation of the Police Headquarters to the ex-Avec Centre in central Jamestown, was predicated on the need to concentrate Judicial Services within one core location.
3. In order to make the building fit-for-purpose and fully functional, the Applicant (ENRD / Capital Projects on behalf of Judicial Services) requests to alter the building internally (note, that no demolition of listed structures are being proposed) and to extend the building outwards (at the rear) in order to render the Jamestown Court House (thus building onto with some alterations to listed parts) more functional as detailed in the Attached Plans (Annexure 5) and discussed in the Handling Report (Annexure 2).
4. This Application is Referred to Governor-in-Council (in accordance with the Directive dated 17 April 2014: 7(b) which reads: "*The custody of persons sentenced or ordered by a court to be imprisoned or otherwise detained, whether for a fixed period or indefinitely or otherwise for purposes connected with the administration of justice or emergency services*". A copy of the application is at Annex 1.
5. The Applicant submitted an Outline Planning Application in order to obtain Principle Approval prior to significant resources being further allocated, given it is a Listed Building and located

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within Jamestown Conservation Area, bounded by the Castle Gardens and in proximity of protected trees.

6. The request to Governor-in-Council at this Outline Planning Stage is to request the following:
 - i) Would an addition (extension) at the rear of this Listed Building in principle be supported (or not);
 - ii) Would the loss of a part of the Castle Gardens due to the proposal in principle be supported (or not) – note that it is not proposed that the protected trees be harmed / affected;
 - iii) Would selective internal modification (primarily to stud walls) to render it fully functional and practical be supported (or not); and
 - iv) If the above are supported, what Conditions would need to be complied with, when a Full Planning Application is being submitted.

The Proposal aims to (and for this Refer to Diagrams 3-4 in the Handling Report):

- a) Provide Access from the proposed Jury Room (with toilet facility) through a doorway (red circle in Diagram 2)
 - b) Include a paved walkway (disabled friendly) to and from the Jury Room to the Court Room;
 - c) Include a Disabled Toilet Facility – which can also be used by general public to the Castle Gardens;
 - d) Include a Veranda in front of a Hallway (to provide protection and enhance the Façade by giving it character);
 - e) Create a Hallway where Jurors can await on benches to enter the Court Room;
 - f) Have a Holding Cell with attached Toilet facility where the accused can await their hearing;
 - g) Have a separate Toilet Facility (for the benefit of Jurors) awaiting to enter the Court Room; and
 - h) With a gate, close off the store room which is not to be accessible to the general public.
7. The LDCA met on two occasions (minutes attached at Annex 3) and considered the Application along with Stakeholder comments, the representation received from a member of the public and the recommendation by the CPO (Refer to Handling Report – attached as Annexure 2). They recommended to Governor-in-Council to Grant Outline Development Permission with Conditions (attached as Annexure 4).

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FINANCIAL IMPLICATIONS

8. Executive Council acts as the Planning Authority in this case.

ECONOMIC IMPLICATIONS

9. Executive Council acts as the Planning Authority in this case.

CONSISTENCY WITH INVESTMENT POLICY PRINCIPLES PUBLIC / SOCIAL IMPACT

10. Not Applicable

11. Some loss of the Public Gardens at the rear of the building. However, the proposed development does enhance the administration of justice in that judicial services can relocate to the one complex with the Court House being modified to provide the basic infrastructure to safeguard victims and witnesses in the court system.

ENVIRONMENTAL IMPACT

12. Potential impact on the Castle Gardens and existing trees which are protected under the Tree Preservation Order.

CONSULTATION

13. The Application was published in accordance with the requirements of the Land Planning and Development Control Ordinance, 2013 and Relevant Stakeholders consulted.

14. Key Stakeholders included SHNT, Heritage Society and EMD whom have all supported in Principle to Alter (if done as sensitively as possible) the rear of this significant Building to make it fit for purpose and simultaneously encourage enlivenment of this part of the Jamestown Castle Gardens.

PUBLIC REACTION

15. There has been one objection received from the general public (Annexure 1).

16. No objections from Stakeholders received.

PUBLICITY

17. A planning decision letter will be issued to the applicant. Planning determinations are not normally advertised by the Authority though sometimes are reported by the press. ExCo's decision will also be referenced in the ExCo Report and associated radio broadcast.

SUPPORT TO STRATEGIC OBJECTIVES

18. This proposed development supports the "Altogether Safer" goal in the 10 Year Plan and the objective "We will provide a full legal system and protect the right of access to legal services for all".

OPEN /CLOSED AGENDA ITEM

19. Recommended for the Open Agenda.

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RB

Corporate Support
The Castle
14 February 2018