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Copy No:

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Memorandum for Executive Council

SUBJECT

Proposed New Build Prison Site

Memorandum by the Chief Secretary

ADVICE SOUGHT

1. **Council is asked to approve the Prison Project Board's recommendation that SHG submit a planning application for a new build prison at the Goat Pen area in Bottom Woods**

**BACKGROUND &
CONSIDERATIONS**

2. Honourable Members are aware that internal security is a Governor's special responsibility under the Constitution and that there have been a number of assessments made of the Prison, with the most recent being in 2013 and 2015 by the Prison Advisor for the Overseas Territories and the Southern Oceans Prison Advisor respectively. Both assessments have described the Prison Building (built in 1826) as being totally unsatisfactory in physical terms and unfit for purpose.
3. Honourable Members are also aware of the work that has been going on for some considerable time to identify and agree the best possible site for a new build prison which complies with HM Prison and Police Standards and which will be adequate for the needs of the Island going forward.
4. Three sites were identified and at the Executive Council meeting held on 3 October 2017, it was agreed that Site 2 (West of Met Station) and Site 3 (Goat Pen Area) would be taken to the public for consultation. Site 1 (located within the area of the Millennium Forest) was discarded on the advice of the Chief Environmental Officer who had pointed out that a large amount of protected species would need to be removed which would require a licence. It was further agreed at the meeting on 3 October that the Environmental Assessment of all three sites should be published and the public made aware of why Option 1 was discounted by Council.
5. Public consultation, led by the Prison Consultation Working Group, was undertaken during the month of November 2017. This comprised a public meeting on Wednesday, 15 November at the Harford Community Centre and the opportunity for people to comment via e-mail to the Secretary of the Prison Project Board or to write comments in the Comments Books located in Essex House and Longwood Supermarket. Flyers were also distributed to the public, outlining the pros and cons of each of the proposed sites.
6. A copy of the Public Consultation Report is posted on the SHG website <http://www.sainthelena.gov.sh/wp-content/uploads/2018/04/Final-Prison->

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[Consultation-Report.pdf](#) . Some thirty people attended the public meeting and whilst there were no objections to the prison being built in the Longwood area, concerns were expressed about it being built in the NCA and wire bird territory. In addition, three written comments received did not specifically object to the proposed sites:

- *Why put the Prison near the Airport?? Would you want tourists to see something better than the Prison when coming of the plane? Think of Tourism and not yourselves.*
- *Nothing wrong with Prison at Bottom Woods.*
- *The proposed Prison Sites are located in Wirebird area*

However, one written objection was received by e-mail and this was based mainly on environmental concerns which included potential impact on the wire bird population and encroachment on a national conservation area. The objector also raised concerns about the lack of information that was made available during the consultation period and this included site maps and the Environmental Impact Assessment.

7. Following the public consultation in November, the Prison Project Board met on several occasions to consider the outcome of the consultation and next steps. Informal discussions were also held with the Executive Council members where the general view was held that the Goat Pen Area was the preferred site as it was the most cost effective one. The initial environmental impact assessment for this site had also stated that the environmental issues and concerns could be addressed and mitigated through careful micro-siting and consideration during the detailed design process. A visit by all elected members and the Acting Governor to the site demonstrated that the public's concerns about the prison could be managed effectively at this location, for example visibility from the road. Therefore all present indicated that the Goat Pen area should be presented as the preferred site at a public meeting in Longwood.
8. The public meeting was held at the Harford Community Centre on the evening of 23 April and was hosted by the Governor and Executive Council, together with members of the Prison Project Board. The site had been pegged out prior to the meeting and members of the public had been invited to view the site at their convenience.
9. A document entitled 'Objections and Comments Received on Councillors' Preferred Site i.e. 'Goat Pen Area' is attached at Annex A. However, a synopsis of the public meeting is presented in the following sub paragraphs.
 - (a) One member of the public objected to the use of the site because he said the various policies (LCPD, planning, etc.) that were in place did not allow it. He also argued that under the LEMP project, it had been previously agreed that that particular area should be rehabilitated and

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made suitable for wirebirds.

- (b) One person thought concept and/detailed designs of the building should be done before a site is selected. It was explained this was the next step.
 - (c) One person thought that funding should be sought from DFID for the site St Helena wanted, and that SHG should not be driven by cost or which was best value for money even if it meant the building was significantly more expensive.
 - (d) One person wanted to get permission to build on a piece of land himself.
 - (e) Four to five people thought LegCo had made up their mind already and that this was not a proper consultation. It was explained that, after looking at many site options, LegCo members had agreed that the proposed site was 'preferred' but that until ExCo agreed in a formal meeting, there was no decision. It was also explained that this was a public meeting, the purpose of which was to follow up on the issues which came out of the November 2017 meeting.
10. Subject to Council approving the Goat Pen area as the site for the new build prison, an application for **outline** development permission will be submitted to the Land Development Control Authority to process, in accordance with the Land Planning and Development Control General Regulations, 2013. Whilst it is possible to proceed straight to full planning permission rather than outline, outline planning permission will provide further opportunities for the public to give their views.
11. ExCo are being asked to approve the Goat Pen site ahead of an application being submitted as a policy steer. If the application were to proceed without ExCo approval then the public may feel that their elected representatives have not had sufficient engagement in the decision-making process. Planning applications also cost time and money to prepare and to process, so to ensure no time is wasted it is important that ExCo have the opportunity to advise the Governor of their preferred course of action.

FINANCIAL IMPLICATIONS

12. Expenditure incurred on the works completed to date by the Project Manager in undertaking the site investigations is being funded from the Capital Programme.
13. There will be significant costs associated with the building of the new Prison once the decision is taken on the preferred site and planning and building permissions have been obtained. The Prison project has been

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included in the DFID Business Case for the Capital Programme and other funding sources will also be pursued.

ECONOMIC IMPLICATIONS

14. There are no economic implications arising from this paper.

CONSISTENCY WITH INVESTMENT POLICY PRINCIPLES

15. Not applicable

PUBLIC / SOCIAL IMPACT

16. The site for a new Prison has attracted much public attention and concerns have been raised about the Prison being located in heavily populated areas. However, the preferred site is not within the immediate vicinity of a residential area and should not have any adverse social/public impact.

ENVIRONMENTAL IMPACT

17. An initial Environmental Assessment of three sites including the Goat Pen area was undertaken and the report, which can be seen on the SHG website, <http://www.sainthelena.gov.sh/wp-content/uploads/2018/04/Initial-Environmental-Assessment-Report-for-the-Proposed-Prison-Site.pdf> states that the Goat Pen area does “*present some environmental issues, but through careful micro-siting, and consideration during the detailed design process, these impacts can be addressed and mitigation proposed to minimise impacts.*” This report goes on to say that “*Once a preferred site is chosen, a more detailed environmental assessment may be required and should then follow the Environmental Impact Assessment (EIA) process.*”

PREVIOUS CONSULTATION / COMMITTEE INPUT

18. Details of previous consultation and public meetings are detailed in paragraphs 5 to 9 above.

PUBLIC REACTION

19. There will be mixed public reaction as can be seen from the comments received and made at the two public meetings held on 15 November and 23 April. However, comments relating to the environment will be taken into consideration during the planning and design stages of the project.

PUBLICITY

20. The Public is aware that an alternative site for the New Build Prison needs to be identified and that Executive Council will need to make a decision following the recent consultation and public meetings. The decision will therefore be reported in the Ex Co report and associated broadcast and followed up by way of a separate press release outlining the reasons for the decision made.

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**SUPPORT TO
STRATEGIC
OBJECTIVES**

21. This paper supports the following National Goal/Objectives *“Altogether Safer - We will build a new prison; and, We will protect minority groups, equality and Human Rights on the Island.”*

**OPEN /CLOSED
AGENDA ITEM**

22. Recommended for the open agenda.

SO

Corporate Support
The Castle

23 May 2018