

Minutes of the Meeting of the Executive Council held on 29<sup>th</sup> May 2018 at 9.30am in the  
Council Chamber

Present:       Acting Governor (Ms L MacMorran)  
                  Chief Secretary (Mrs S O’Bey)  
                  Financial Secretary (Mr D Richards)  
                  Acting Attorney General (Mr A Cansick)  
                  The Hon A A Green  
                  The Hon L A Henry  
                  The Hon D F Thomas  
                  The Hon R K Yon  
                  The Hon C Scipio O’Dean

In attendance: Head of Corporate Support (Mrs C A George)  
                  Clerk of Councils (Miss L H Buchanan)

Overseas:     Her Excellency the Governor (Mrs L Honan)  
                  Attorney General (Mrs S O’Donnell)

**OPEN SESSION**

24.1 Welcome

The Acting Governor welcomed all present.

24.2 Proposed New Build Prison Site (ExCo Memo 26/2018)

The Project Manager was present for this item.

The Chief Secretary introduced this memorandum highlighting all the previous public consultation that had taken place on this matter. She also noted the high level of public interest that surrounded this item. She went on to explain that a policy decision should be made on the preferred site initially before an outline planning application was submitted to ensure that efficient use of Officials’ time was used. She also explained that this was the first step towards developing costing for this development and seeking Capital funding from DfID to enable construction of a new prison.

It was confirmed that the proposed prison site was in the National Conservation Area (NCA), but that this did not preclude building in the area as long as NCA issues were mitigated against. This would be addressed in the outline planning stage.

Further discussions were had on the item, including concerns raised over the process that was being followed and whether alternative sites for a new prison had been considered. A short adjournment was called to enable the Chief Planning Officer to be called to the meeting to

explain in more detail the options that could be considered when applying, in due course, for outline development permission if the proposed site was agreed and to answer any questions on the process.

The Chief Planning Officer was now present for this item.

The Chief Planning Officer confirmed that the Goat Pen area fell within the NCA, so any development would deviate from the Land Development Control Plan but that the issues surrounding the site being within the NCA could be resolved at the outline planning stage. She was also able to confirm that this process did not contravene the Land Development Control Ordinance. The Chief Planning Officer also pointed out that, ultimately, it would be for Executive Council to determine whether or not planning permission was granted.

Discussions continued on the lack of written confirmation of the Prison Project Board's recommendation that the Goat Pen area was the preferred site for the Prison. The Chief Secretary confirmed that the memo itself acts as the written confirmation as it has been written on behalf of the Prison Project Board.

After further discussions, the majority of Members advised and the Acting Governor agreed 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.

#### 24.3 Confirmation of Open Session Minutes of the 15<sup>th</sup> May 2018

The open session minutes of the 15<sup>th</sup> May 2018 meeting were confirmed.

#### 24.4 Matters Arising from the Open Session Minutes of the 15<sup>th</sup> May 2018

##### 24.4.1 (23.5.1) Increase in Fees and Charges: Trademarks, Patents and Companies Registration (ExCo Memo 07/2018)

The Acting Attorney General confirmed that a Correction Order was ready to be signed.

**Members asked that a checking process could be done on other legislation that had been amended to ensure a similar drafting error had not been made elsewhere.**

**(Action: Acting Attorney General)**

#### 24.5 Any Other Business (Open Session)

##### 24.5.1 Head of Corporate Support

The Chief Secretary wanted to welcome the newly appointed Head of Corporate Support, Carol George to her role after a recent restructuring exercise within Corporate Services. She would now be attending all Executive Council meetings.