

Minutes of the Meeting of Executive Council held on Tuesday, 4th September 2018 at 9:30am
in the Council Chamber

Present: Her Excellency the Acting Governor (Ms L J MacMorran)
The Hon Chief Secretary (Mrs S O'Bey)
The Hon Acting Financial Secretary (Mr N A G Yon)
The Hon Acting Attorney General (Mr A Cansick)
The Hon A A Green
The Hon L A Henry
The Hon C L Scipio O'Dean
The Hon D F Thomas
The Hon R K Yon

In attendance: Acting Clerk of Councils (Miss A R Legg)

OPEN SESSION

33.1 Welcome

The Acting Governor welcomed all to the meeting. One member of the public and two Councillors were present.

33.2 Application for Full Development Permission HTH Solar Farm Phase 2 (ExCo Memo No 45/2018)

The Acting Chief Planning Officer and Project Manager for Connect Saint Helena Ltd were in attendance for this item.

The Chief Secretary reintroduced the memorandum that had been deferred from the previous meeting to allow Members to undertake a site visit and advised that ExCo was sitting as the Planning Authority for this item; further comments were invited. Members indicated they were satisfied with the footprint on Phase 2 but would not advocate any further commercial development in this area for Phase 3. However there were still concerns with the ownership of the land. **The Chief Secretary advised the Head of Property had informed that the land still sits with SHG but agreed to further clarify and update Members.**

(Action: Hon Chief Secretary)

Under Section 31 of the Ordinance, it was felt that evidence of the application that had been resubmitted by Connect Saint Helena Ltd, for any approval that had lapsed before the due date should have been provided, as it seemed this had not been brought back to ExCo. **The Chief Secretary agreed to provide evidence via email.**

(Action: Hon Chief Secretary)

However as this did not impact any decision made, Members fully supported Phase 2.

Concern was raised regarding access to the site, as the road had been damaged previously but not repaired; mention was also made of Fishers Valley and other similar sites on island.

Therefore it was agreed an additional condition would be included in the decision notice, i.e. that the applicant would be required to ensure the site, including the access road, was fully rehabilitated once works had been finalised.

Following discussion, Council advised and the Acting Governor agreed, to grant Full Development Permission (with conditions), as recommended by the Land Development Control Authority (LDCA), for the Installation of Phase 2 of the HTH Solar Farm using Photovoltaic (PV) System.

(Action: Acting Clerk of Councils / Acting Chief Planning Officer)

33.3 Charities (Amendment) Bill, 2018 and Charities (Amendment) Regulations, 2018 (ExCo Memo No 47/2018)

The Legal Officer was in attendance for this item. Hon Lawson Henry declared his interest as a member of the Golf Club.

The Chairman of the Social & Community Development Committee introduced the memorandum and ran through the principals, followed by a briefing from the Legal Officer; discussion ensued on the various amendments proposed.

Bill: In terms of the safeguarding policy, the Legal officer advised that support would be given to charitable organisations although it was noted that many already had a policy in place, checks would also be undertaken to ensure compliance. Members supported the Bill.

Regulations: A member objected to the £10 registration fee as being too costly however other members felt this seemed reasonable in contrast to the benefits charitable organisations receive, e.g. customs exemption. ExCo acknowledged the good work that charitable organisations carried out. On the basis of majority, the Regulations were supported.

Council advised and the Acting Governor agreed to approve: (a) the Charities (Amendment) Bill, 2018, to be printed and published and tabled as Government Business at the next formal meeting of the Legislative Council; and (b) that the Charities (Amendment) Regulations, 2018 should be enacted.

(Action: Acting Clerk of Councils)

33.4 The Legislative Council (Remuneration and Allowances) (Amendment) Bill, 2018 (ExCo Memo No 48/2018)

The Chief Secretary introduced the memorandum and reminded ExCo that the amendments to the Bill had not been introduced due to the uncertainty of the budget. It was noted it had been two years since the Independent Report had been carried out and some eight years since Councillors remuneration had been increased.

It was felt that Legislative Council should not be the body to approve their remuneration however this requires a change in the Constitution further down the line. Although Members felt the timing was not right and would be a difficult decision in the present economic climate, majority support was given, due to the heavy workload of Councillors.

Council advised and the Acting Governor agreed, to approve the Legislative Council (Remuneration and Allowances) (Amendment) Bill, 2018, to be printed and published and presented as Government Business at a formal meeting of the Legislative Council.

(Action: Acting Clerk of Councils)

33.5 Medium Term Expenditure Framework (MTEF) 2019/20 – 2021/22 Strategic Objectives (ExCo Memo No 49/2018)

The Chief Secretary introduced the memorandum, which had replaced Memorandum Number 46/18, which had been withdrawn at the previous Executive Council meeting. There had been further clarification of the MTEF process in the intervening period and it was agreed this could now be taken forward to begin the next annual planning and budgeting process.

Council advised and the Acting Governor agreed, to approve the Strategic Objectives, which will inform and direct the strategic planning and budgeting process for the three year period 2019/20 to 2021/22, as set out in Annex A of the Memorandum.

(Action: Hon Chief Secretary)

33.6 Confirmation of Open Session Minutes of 21 August 2018

The open session minutes of 21st August 2018 were confirmed.

33.7 Matters Arising from the Open Session Minutes

33.7.1 (32.5.1) Increase in the Minimum Income Standard for the Up-rating of Income Related Benefits and Basic Island Pension 2018

The Acting Financial Secretary reported that the MIS price collection in August and the subsequent review were on-going.

(Action: Hon Acting Financial Secretary)

33.7.2 (32.5.2) Matters Arising from the 2016/17 SHG Financial Statements Audit

The Acting Attorney General advised that work relating to the definition of ‘close of accounts’ was still pending.

(Action: Hon Acting Attorney General)

33.7.3 (32.5.3) Pharmacists (Qualifications) Regulations, 2018

The Chairman of the Public Health Committee advised this item would be discussed as Committee business the next day.

(Action: Hon Derek Thomas)

33.7.4 (32.5.4) Protocols for the Recording of Executive Council

Elected Members advised they had received a draft protocol to outline rules and procedures for the recording of Executive Council and Council Committee meetings. **However this had been deferred to the next Informal LegCo and the Acting Attorney General agreed to be in attendance to aid discussion.**

(Action: Acting Clerk of Councils / Hon Acting Attorney General)

33.7.5 (32.5.5) Guidelines for Executive Council

The Chief Secretary advised the revised guide for the operations of Executive Council was being finalised and would then be presented to Chairpersons Assembly.

(Action: Hon Chief Secretary)

33.7.6 (32.5.6) Legislation Changes

The Acting Attorney General advised that work on the document outlining clear guidelines for fast tracking legislation was on-going.

(Action: Hon Acting Attorney General)

33.7.7 (32.5.7) Telecommunications (Amendment) Regulations, 2018

The Acting Financial Secretary advised this matter was currently work in progress i.e. checking whether or not the ECCC minutes recorded that SHG would expect to see a decrease in Internet charges, once the sub marine cable is laid and associated infrastructure in place.

(Action: Hon Acting Financial Secretary)

33.7.8 (32.5.8) St Helena Fisheries Corporation (SHFC) Investor Prospectus and Update from Fisheries Working Groups

The Chairman of the Economic Development Committee advised that the paper concerning ongoing SHFC financial difficulties would be presented to the Committee on Thursday, 6th September and then to Executive Council.

(Action: Hon Lawson Henry)

33.7.9 (32.5.9) Medical Services Overseas

The Chairman of the Public Health Committee advised that the review on medical services overseas was still pending and the report would be made available to Members this month.

(Action: Hon Derek Thomas)

33.7.10 (32.5.10) Social Impact Assessment (SIA) of the MOU

The Chief Secretary reported she had circulated a draft SIA on the effects of the MOU, for comment from Members.

(Action: Hon Chief Secretary / Hon Elected Members)

33.7.11 (32.5.11) Draft Building Regulations 2018

The Chairman of the Environment & Natural Resources Committee reported that the incorrect version of the above Regulations had been removed from the website.