

Minutes of the Executive Council in Planning Meeting held on Tuesday 10 June 2025 at  
13:30 in the Council Chamber

Present: His Excellency the Governor (Mr N J Phillips CBE) via TEAMS  
The Honourable Chief Minister/Minister Education, Skills & Employment (Mrs J D Thomas)  
The Honourable Minister Treasury, Infrastructure & Sustainable Development (Mr M A Brooks)  
The Honourable Minister Health & Social Care (Mr M D Henry)  
The Honourable Minister Environment, Natural Resources & Planning (Miss C L Scipio)  
The Honourable Minister Safety, Security & Home Affairs (Mr J R Ellick)  
The Honourable Acting Attorney General (Mr A Dawson)

In attendance: Minute Taker (Miss B Piek)  
The Chief Secretary (Mrs S O'Bey)  
The Financial Secretary (Mr D L Richards)  
The Head of Governor's Office (Mrs T M Harris)  
The Head of Communications (Mrs A Dillon)

**OPEN SESSION**

**11.1 Welcome**

The Governor welcomed all present at the meeting of Executive Council in Planning and members of the public seated in the Gallery.

The Chief Planning Officer (CPO), Ms Patricia Coyle and the Planning Officer, Miss Petra Joshua were in attendance.

**11.2 Declarations of Conflict of Interest**

Minister Henry indicated that he had some comments on one of the applications from a personal business perspective specifically relating to the experience of St Helena's landscape.

The Governor acknowledged that, given the nature of our community, it is often difficult to remain entirely impartial. However, Minister Henry is best placed to determine whether his comments reflect a direct interest in or support for his personal business, in which case such an interest should be declared at the time the comment is made.

**11.3 Development Application – Proposed Construction of Water Storage Tank adjacent to Cason's Car Park, Blue Hill (ECIP Memo 02/2025)**

The Minister for Environment Natural Resources and Planning (ENRP) introduced this development proposal and explained the reason for its referral to Governor in Council, as well as the background to the application. It was noted that initial consideration by the Land Development Control Authority (Authority) took place on 5 December 2024. Public

representation was received and whilst such recognised the importance of improving water security, concern was raised about the effects of the proposed tank on the landscape, particularly in a Green Heartland area. The Authority had suggested an additional condition requiring detail of the exact colour of the new tank and a decision was deferred to enable a site visit to be conducted. An amended scheme was received and considered by the Authority on 6 February 2025.

The CPO pointed out that Council is being asked to consider the revised development application as per the addendum report. The CPO went through the development application and the recommended conditions as presented to the Authority. .

Key points raised by the CPO:

- The new tank would replace an existing tank (beyond repair) which is located lower down the hill from the Cason's Car Park, which is fed by the Iron Pot Borehole.
- The benefits of moving the tank to a higher position, adjacent to the Cason's Car Park, will not only support the current supply to Blueman's Field and Mackintosh tank, but allow gravitational supply to the Frenches Gut system where there are issues with the supply to Blue Hill, which is the current service supply. Furthermore, the proposed positioning of the tank would enable a closer supply of water for fire trucks in the event of an emergency in the Blue Hill area; rather than having to travel to Red Hill to replenish their water supply.
- The proposed tank would be 3 metres high, with a width of 4 metres and a depth of 3.3 metres.
- The Authority had recommended several conditions, including dust monitoring during construction and the final detail of design, materials and colour and fencing, to be submitted to the CPO before the commencement of construction.
- The development proposal is in the Green Heartland, highlighting the importance of landscape consideration in planning policies. Whilst it was necessary to consider all planning policies that are relevant in respect of the Green Heartland and the landscape which is one of the most important factors, it is necessary to consider equally that infrastructure can only be provided where it will have most benefit to residents.
- The application as presented, in Connect's view, is the best location as it can feed in two directions rather than the existing direction to Mackintosh. An alternative would have been to locate the tank further down the hill but the National Forest would be affected.
- The actual car park is in the Green Heartland area, which confirmed a previous departure from the LDCP, hence the CPO had on balance, considered that the Connect proposal was acceptable in the proposed location.

Minister Henry expressed concerns about the visual impact of the proposed tank on the landscape, which is a key draw for tourism, while also acknowledging the critical need for enhanced water security. Other Ministers expressed the same concern. Suggestions were made to reduce the height or overall size of the tank and to incorporate landscaping measures to enhance its visual appeal.

The CPO advised that Connect had been asked to consider alternatives to the proposed tank location but indicated that the current proposal remained their preferred option. They had also provided additional technical details to explain why this option was the preferred. There was some uncertainty as to whether all possible options have been explored, however, the CPO

advised that consideration/decision of the application must be based on the current proposal presented and recommended by the Authority.

**Following discussion, Council advised and the Governor agreed that the application should not be approved at this stage. It was agreed that the proposal be referred back to Connect for further consideration of alternative water provision solutions, with particular attention to the possibility of reducing the height of the proposed water tank given its location within the Green Heartland and its impact on the panoramic views toward Blue Hill.**

**(Action: Secretary)**

Furthermore, the Governor requested that the Minister for ENRP, in her capacity as the authority responsible for Planning, ensure that the reasoning underpinning the advice provided is documented, in order to safeguard against any potential challenge or appeal by Connect.

**(Action: Minister ENRP)**

#### 2.1 Publicity/Briefings to the Press

No publicity required at that point in time.

#### 3. Development Application - Siting of a Desalination Plant, Water Storage Tanks, Laying of Water Feed and Brine Pipe, Installation of Beach Well and Construction of a Timber Cabin near Donny's Bar, The Moat, Jamestown (ECIP Memo 03/2025)

The Minister for Environment Natural Resources and Planning (ENRP) introduced this development proposal and explained the reason for its referral to Governor in Council.

The CPO went through the development application and the recommended conditions as presented to the Authority. .

During the meeting of the Authority, concerns were expressed regarding the method of fixing or anchoring the staircase to the Moat, which forms part of a Grade I listed monument.

There was also a concern about what may happen if development could not legally sell water on the island or ceased to operate after a period of time. Therefore the Authority recommended additional conditions as follows:

- The staircase must not be fixed or anchored to the Moat Wall  
Reason: to preserve the Historic Monument in accordance LDCP Policy BH6
- If for any reason the operation of the development results in a product that cannot legally be sold for human consumption on St Helena, the development will be removed and the land returned to a tidy state.  
Reason: to preserve the Historic Monument and it's setting in accordance with LDCP

Policy BH6, should the production of water for sale not be able to start for any reason.

It was recommended that the condition proposed by the LDCA, in respect of the staircase as follows:

“Details of the fixings/anchoring for the staircase to the Moat Wall are to be submitted to the Chief Planning Officer; once approved in writing, the approved fixing details shall be implemented prior to first use of the proposed development.

Reason: to preserve the Historic Monument in accordance LDCP Policy BH6

It was noted that while a Building Regulations condition (condition 3) had been proposed, it did not specifically relate to the planning merits of the proposal and is not in line with the Land Development and Control (General) Regulations. Therefore it was proposed that the requirements of the Building Regulations are identified as an “Informative” to the applicant and included as such on the Decision Notice.

A concern was raised in relation to food safety legislation, which falls outside the scope of the ECIP's planning considerations. It was noted that the applicant is responsible for ensuring full compliance with all relevant food safety requirements prior to the commencement of operations. It was recommended that the applicant is advised as an “Informative” and to be included on the Decision Notice. This stipulates that the premises should be shown to be compliant with the provisions of the Food Safety Legislation and that the business does not commence until appropriate testing has been undertaken and the product deemed safe for consumption by the consumer.

Concerns were also expressed regarding the environmental implications of discharging 300 cubic metres of brine into the sea each week, particularly its potential impact on marine life. It was further noted that marine development regulations are currently being developed to support the Environmental Protection Ordinance. With respect to the volume of brine to be discharged, the installation of a flow meter was identified as a mandatory requirement to monitor both water intake and brine output, which is essential for ensuring environmental protection.

The Governor observed that deliberations were extending into technical areas beyond the remit of Council in its role as the Planning Authority.

**Following discussion, Council advised and the Governor agreed that Full Development Permission should be granted subject to conditions as set out in the Planning Officer's Report to the Authority, except condition 3 relating to Building Regulations and the addition of the following conditions/informative notes agreed at the ECIP meeting.**

Additional conditions proposed and agreed were:

- If for any reason the operation of the development results in a product that cannot legally be sold for human consumption on St Helena, the development will be removed and the land returned to a tidy state.

**Reason:** to preserve the Historic Monument and its setting in accordance with LDCP Policy BH6, should the production of water for sale not be able to start for any reason.

- If once operational the development ceases to produce a product that is legally sold for human consumption on St Helena for a period of 12 months or more, the development will be removed and the land returned to a tidy state.

**Reason:** to preserve the Historic Monument and its setting in accordance with LDCP Policy BH6 should the production of water for sale stop for a reasonable period of time.

- The desalination plant shall operate at the following levels: Freshwater outlet 60 litre / hour and Brine water outlet 180 Litre / hour at all times while in operation subject to a maximum of 20,000 litres of potable water (60;000 litres of brine water) per day, unless agreed in writing by the Chief Planning Officer.

**Reason:** To ensure that the removal of seawater to feed the desalination plant will not have an impact on marine habitats and that salinity levels in the Bay will not be adversely affected such that there is no harm caused to marine species in accordance with Policy W1 of the Land Development Control Plan (LDCP), 2012 and the Environmental Protection Ordinance (EPO), 2016/ Management Plan for a Marine Protected Area, 2016 and the Policy on Marine Development.

- Prior to commencement of the development, details of a flow meter to measure outgoing brine water together with details for collection of related data, shall be submitted in writing to the Chief Planning Officer; once approved in writing the flow meter shall be installed prior to the first use of the desalination plant. Such data as collected shall be made available on request by the Chief Planning Officer.

**Reason:** To ensure that salinity levels in the Bay will not be adversely affected such that there is no harm caused to marine species in accordance with Policy W1 of the Land Development Control Plan (LDCP), 2012 and the Environmental Protection Ordinance (EPO), 2016/ Management Plan for a Marine Protected Area, 2016.

- Details of the fixings/anchoring for the staircase to the Moat Wall are to be submitted to the Chief Planning Officer; once approved in writing, the approved fixing details shall be implemented prior to first use of the proposed development.

**Reason:** to preserve the Historic Monument in accordance LDCP Policy BH6

### **Informatives**

- This development permission does not confer approval under the Building Control Ordinance. The applicant be advised to consult with the Building Inspector(s) to find out whether building regulations approval is required, prior to the development commencing.

**Reason:** to ensure development is carried out in accordance with the Building Control Ordinance 2013.

- The applicant be advised that the premises should be shown to be compliant with the provisions of the Food Safety Legislation and that the business does not commence until appropriate testing has been undertaken and the product deemed safe for

consumption by the consumer. For support and advice the applicant is advised to communicate with the Environmental Health Section on telephone number: 22713 or by email: [georgina.young@sainthelena.gov.sh](mailto:georgina.young@sainthelena.gov.sh)

### 3.1 Publicity/Briefings to the Press

The Minister for ENRP and CPO would, arrange through the Communications Hub, a radio briefing to inform the public of the decision on this application.

There being no further business the meeting ended at 2.45pm.

Belinda Piek  
Secretary to Executive Council

N J Phillips CBE  
Governor

4 August 2025