

CONFIDENTIAL

Copy No: 11

Minutes of the Executive Council in Planning Meeting (No: 01/26) held on Tuesday 17
March 2026 at 11:00am in the Council Chamber

Present: His Excellency the Governor (Mr N J Phillips, CBE)
The Honourable Chief Minister (R E Cairns-Wicks, MBE)
The Honourable Minister Environment, Natural Resources Planning/Economic
Development (K G Thrower)
The Honourable Minister Education, Skills & Employment (A J Turner)
The Honourable Minister Safety Security and Home Affairs (G A Brooks)
The Honourable Minister Health & Social Care (M D Henry)
The Honourable Attorney General (Mr A Duncan)

Attendance: Secretary to Executive Council (Mrs N M Bargo)
The Chief Secretary (Mr I Todd, OBE)
The Financial Secretary (Mr D L Richards)
Head of Governor's Office (Mrs Tasha M Harris)
The Head of Communications (Mrs A Dillon)

1.0 Welcome

The Governor welcomed all present, including the Chief Planning Officer and members of the public seated in the gallery.

1.1 Declarations of Conflict of Interest

There were no Declarations of Conflict of Interest.

1.2 Retention of a Covered Area at the Mule Yard (ECiP Memo 01/2026)

The Chief Planning Officer (CPO) was in attendance for all three development applications.

It was noted that publicity on three applications for consideration would be discussed at the end of all applications being determined, rather than after each individual application.

The Minister for Economic Development and Environment, Natural Resources and Planning, in introducing the first application for the retention of a covered area at the Mule Yard, explained that all three development applications were within 50 meters of the sea. In accordance with the Land Development Control Ordinance, 2013, any such applications must be referred to the Governor in Council by the Land Development Control Authority (LDCA).

The CPO outlined the details relating to this development along with recommendations of the LDCA and the CPO.

Key points highlighted were:

- This was a retrospective application to retain the already installed covered area at the Mule Yard. There were other developments currently in progress on the premises, but the application before Council related to the covered area in question only.
- The LDCA in October 2025 considered a temporary consent proposal, considering the applicant's short-term lease for the premises, while acknowledging the public representation regarding the development, which was in a historic conservation area.
- The wooden uprights between the covered area and bandstand are bolted to the fortification wall, raising questions about the potential damage to the wall structure. The CPO advised that no concern/damage had been noted in the past nine months since the covered area had been in place.
- It was recommended that the applicant be required to paint the roof of the covered area and upstand between it and the bandstand in dark slate grey coloured paint, in line with the existing colour of the bar roof.
- There was a discussion regarding a white drainpipe leading into the Moat directing water from the bar, and whether there was any potential risk/damage to the existing concrete cap on the surrounding historic wall. The CPO confirmed that there was such directed water/drainage from the bar, and there was no mechanism to address this from a previous planning application.
- The Chief Minister expressed disappointment about having to consider an application retrospectively within a historic conservation area while acknowledging that the recommendations from the LDCA and CPO addressed the raised matters.

Ministers' Advice to HE Governor

Following discussion, Council advised and the Governor agreed, that temporary full development permission be granted for the retrospective covered area at The Mule Yard bar, with conditions as per the recommendations of the LDCA and CPO. That includes a two-year time limit and that the applicant be required to paint the roof of the covered area and upstand between it and the band stand in dark slate grey to match existing structures. This decision to be conveyed to the LDCA Secretary.

Action: Secretary

1.3 Installation of Fence at St Helena Coffee Shop Development Application - Installation of Fence at St Helena Coffee Shop, Jamestown (ECIP Memo 02/2026)

The Minister for Economic Development and Environment, Natural Resources and Planning introduced this application for a new security fence to replace the existing fence, which had gone through the Land Development Appeals Tribunal process.

The Chief Planning Officer outlined the background to this application along with recommendations of the LDCA and the CPO.

Key points highlighted were:

- The retrospective application for the existing fence was refused by the LDCA and subsequently Governor in Council June and July 2024, respectively. The application had

since undergone the Land Development Tribunal Appeal process; the previous decision by the LDCA and Governor in Council remained unchanged.

- The appeal process is time-limited with approximately 3 months remaining to address the new proposal which includes a gate for safety to prevent individuals from being trapped behind the wall that is estimated to be around 2 meters high.
- LDCA considered the new application for a chain link security fence unacceptable as an alternative to the current unauthorised wooden picket fencing but had provided support to the applicant; three options for alternative fencing were identified that aligned with the historical setting of the Grade I historical setting. The applicant chose to take forward the chain link security fence.
- While it was acknowledged there was a need for support for a solution for the business security issue related to Government property in a historical setting, given the antisocial behaviour experienced by the business prior to the existing fence being put in place, there was also need for consideration from the economic development goals perspective. The current circumstances go against these objectives. If the business does not accept the position imposed on them and were to cease business, the Island would lose something that had become a part of our community routine life.
- There were 3 months remaining to remove the existing fence, and while development applications typically take 2 – 3 months to process, expediting the process may not be feasible due to public perception. Due to the Court enforcement requiring the removal of the existing wooden fence, Governor in Council could not extend the Court Order timeframe or grant temporary permission.

Ministers' Advice to HE Governor

Following discussion, Council advised and the Governor agreed, that development permission for the chain-link security fence be refused as recommended by the LDCA and CPO. This decision to be conveyed to the LDCA Secretary.

Action: Secretary

1.4 Installation of Fencing and Crash Barrier around the Wastewater Treatment Plant, Ruperts Valley (ECiP Memo 03/2026)

The Chief Planning Officer explained the details of this application and recommendations as set out in the documentation to ECiP.

Key points highlighted were:

- The plant had been in place for some time but has only recently been brought into use.
- Due to the proximity of the proposed fence to a historic feature, Rupert's Lines a Grade II monument, the applicant was asked to reduce the height of the fence/posts. Also, the fence would be of a permeable design, similar to that surrounding a number of other buildings/ areas, which would help reduce the visual impact on the area that is of a historic interest, a recreational and industrial area; hence, there was a multiple need for protection.

Ministers' Advice to HE Governor

Following discussion, Council advised and the Governor agreed that Full Development Permission should be granted for fencing and crash barrier at the Rupert's Wastewater

Treatment Plant with conditions as recommended by the LDCA and CPO and in liaison with the Highways Authority regarding the crash barrier. The decision to be conveyed to the LDCA Secretary.

Action: Secretary

Publicity/Briefing to Press

The standard Executive Council Top Lines to be prepared and to include a press narrative regarding the Coffee Shop development application for the Chief Minister's review.

Action: Head of Communications

1.5 Conclusion of Meeting

The meeting concluded at 12:00pm.

N M Bargo
Secretary to Executive Council

N J Phillips, CBE
Governor

1 May 2026