

## Minutes of the 42<sup>nd</sup> Open Meeting of the Environment & Natural Resources Committee held on Thursday 18<sup>th</sup> February 2021 @ 11:10 am in the Council Chamber.

<b>Present:</b>	Hon. Cruyff G Buckley	-	Chairman
	Hon. Dr. Corinda Essex	-	Deputy Chairperson
	Hon. Russell K Yon	-	Member
	Hon. Cyril K Leo	-	Member
	Hon. Gavin G Ellick	-	Member
	Mr Derek Henry	-	Director of I & T
	Mr Darren Duncan	-	Director of ENRP
	Miss Karen Thomas	-	Secretary
<b>Invited:</b>	Isabel Peters	-	Chief Environmental Officer
	Gillian Francis	-	Deputy Chief Secretary
	Catherine Williams	-	Legislative Drafter

### Welcome

The Chairman welcomed everyone present and proceeded with the Open Agenda of the Environment and Natural Resources Committee.

#### 42.1 **Declarations of Interest.**

There were no Declarations of interest.

#### 42.2 **Dark Skies Legislation – Amendment to Environmental Protection Ordinance**

The Legislative Drafter went through the amendments that she had made to the draft Bill for an Ordinance to amend the Environmental Protection Ordinance which will provide for the regulation of use of artificial light at night which is a pre-requisite for gaining Dark Skies accreditation:

Comments from Members:

**Light Readings 28I** *Light readings under this Ordinance must be taken in accordance with the method set out in the exterior lighting code.* It was clarified that this code is the Code of Practice for St Helena that will not form part of the Ordinance.

**Offences 28K** – Is the Penalty fine of £2,500 a high charge? The figure was based on other fines in the Environmental Protection Ordinance EPO Ordinance.

Historical Buildings – Will the lights eg at High Knoll be impacted by this Legislation? In accordance with section **28H (2) (b)** an application must be made to turn on the lights when required and this would be the case for similar monuments or buildings. Permanent lights that are not exempted under the Ordinance need to be compliant; non-compliant temporary lighting will need Chief Environmental Officer's permission.

**Exemptions 28B** – What about lights outside of public toilets eg? This should be covered under **Light Reduction** for all public sector exterior lighting. A Member was not happy with requirements under light reduction **28F (1)**, by how much must the light reduction be dimmed? This will mean that SHG is going to fund light sensors etc to keep lights dimmed. The policy intention is for SHG to work towards full compliance over a 5 year period which can be changed, if funding is not available to implement.

As a result of the original consultation most people from the public were happy with the proposal and it was noted that the Merchants who were involved in the consultation are already stocking dark skies compliant lights and fixtures.

Following discussion, the Committee agreed that in view of the extensive consultation that was undertaken in 2018 whilst Dark Sky Lighting Consultant, James Paterson was on Island, the public should now be made aware of the proposed amendments to the EPO that will provide for the regulation of artificial light at night and enable application to be made for Dark Skies accreditation. It was suggested to have a surgery at the Jamestown Community centre and then a two-week period to allow the public to provide feedback which will then be brought back to the ENRC.

**Action: Director ENR&P**

**41.3 Confirmation of Minutes and Matters arising from Open Minutes of meeting 21<sup>st</sup> January 2021.**

The Minutes from the meeting of 21<sup>st</sup> January 2021 was confirmed.

**41.3.1 Two Gun Saddle Effluent Water.**

The Director of I&T confirmed that the owner of the land at Two Gun Saddle is SHG who is currently in consultation with Mr Johnny Fuller. Members suggested making a recommendation through Planning for Mr Fuller to divert the waste water along with his sewage system. There could be a concession agreed with Mr Fuller for initiating this.

**Action: Director I&T**

**41.3.2 Proposed siting of Rockfall Memorial Fountain.**

Councillor Leo reported that as a result of his meeting with the Chief Planning Officer, there should be a public consultation before making an application to LDCA to place the Fountain temporarily near the Canister. Members agreed that an announcement could be aired on the radio and placed in the paper asking for any comments. Members hoped that the Fountain could be in place on 17<sup>th</sup> April 2021 as this is a memorial for those killed in a rockfall.

**Action: Director I&T**

The Director of ENRP said that any charges for this work can be made to the Planning Contracts budget.

**41.3.3 Property Disposal Policy.**

Members agreed to discuss the Property Disposal Policy on Thursday 4<sup>th</sup> March 2021.

**40.3.4 Marine Compliance and Enforcement Strategy.**

It was agreed that a review of the strategy will be made in 12 months so that they will coincide with other marine regulations when they are completed.

The ENRC approved of the final draft Marine and Enforcement Strategy.

Members expressed concern regarding the financial implications of implementing this strategy and similar regulations. Will funding support become available or will this come from recurrent budget?

**41.4 Any other urgent business**

**41.4.1 Water Seepage Clinic Drive.**

There is a seepage of water at Tania Augustus residence from an unknown source in that area which is filtering through the surface of the ground in the Clinic Drive and Hollow Crescent neighbourhood. Two residents in the Hollow Crescent area have had to excavate behind their homes and with an hour about 15 litres of water returned to the surface. It is hoped that a French drain can be dug to help alleviate the problem. The matter will be on going until a solution can be found.

**41.4.2 Deadwood Road Access.**

Councillor Yon reported that Deadwood Road Access is on-going. At present there are some issues with the SURE underground lines so possibly one access road could be done in the meantime.

**41.4.3 Taxi Tarriffs**

To date a few Taxi operators have submitted their tariffs.

**41.4.4 Burial of human remains.**

The African Advisory Committee is pursuing the burial of human remains. As the coffins are smaller it would not be necessary to follow the burial ordinance. The applicant will need to write to the Committee who in turn will prepare a paper requesting the Legal Office to make an amendment to the Ordinance.

There being no further business the meeting closed at 1:00 pm.

The next Open meeting of the Environment & Natural Resources Committee will be held on **Thursday 18<sup>th</sup> March, 2021 @10:00am in the Council Chamber.**

Confirmed..........Date...18 March 2021.....