



ST. HELENA

GOVERNMENT OF SAINT HELENA
PROCEEDINGS OF THE LEGISLATIVE COUNCIL
FRIDAY, 12TH FEBRUARY 2016
FIRST SITTING OF THE TWELFTH MEETING

laid on the table - 18 May 2016

ST. HELENA
LEGISLATIVE COUNCIL

THE SPEAKER

The Honourable Mr Eric William Benjamin

DEPUTY SPEAKER

The Honourable Mrs Margaret Anne Catherine Hopkins

EX-OFFICIO MEMBERS

The Honourable Chief Secretary	-	Mr Roy Burke
The Honourable Financial Secretary	-	Mr Colin Owen
The Honourable Acting Attorney General	-	Mr Angelo Berbotto

ELECTED MEMBERS

The Honourable Nigel Dollery
The Honourable Wilson Charles Duncan
The Honourable Gavin George Ellick
The Honourable Lawson Arthur Henry
The Honourable Brian William Isaac
The Honourable Bernice Alicia Olsson
The Honourable Dr Corinda Sebastiana Stuart Essex
The Honourable Derek Franklin Thomas

The Honourable Cyril Robert George - (On overseas leave)
The Honourable Christine Lilian Scipio O'Dean (Excused through illness)
The Honourable Pamela Ward Pearce – (Attending overseas Conference)

CLERK OF COUNCILS

Ms Gina Benjamin

PROCEEDINGS OF THE LEGISLATIVE COUNCIL

Friday, 12th February, 2016

The Council met at 10.00 am
in the Court House, Jamestown

(The Speaker in the Chair)

ORDER OF THE DAY

1. FORMAL ENTRY OF THE PRESIDENT

2. PRAYERS
(The Rt. Rev. Bishop Richard Fenwick)

3. ADDRESS BY THE PRESIDENT

Honourable Members, ladies and gentlemen, good morning and welcome to this twelfth meeting of formal Legislative Council.

May I first thank the Right Reverend the Lord Bishop of St Helena for leading this Council in prayers, thereby setting the right tone for our deliberations on those important matters before this Council today. I would also like to say thank you to South Atlantic Media for providing their radio services to this Council today.

Honourable Members will have noted the absence of some of our Honourable Members from this meeting today. The Honourable Pamela Ward Pearce is currently off island to attend the Commonwealth Women's Parliamentary Conference in Jersey in the Channel Islands and to represent our Branch on the Commonwealth Parliamentary Association in that forum. The Honourable Christine Scipio O'Dean is on leave due to serious illness in her family and the Honourable Cyril George is off island on personal leave.

Honourable Members will also note that a seat in the Council has become vacant. In relation to this latter matter Honourable Members will be aware that a by election is due to be held on 23rd March this year for the purpose of filling this vacancy. To this end, Honourable Members are asked to give encouragement to all candidates who might wish to put their names forward for election to this Council and I personally will avail myself to any candidate who might wish to approach me seeking information about the procedures of this Council. It is extremely important, Honourable Members, that vacancies on Council are filled at the earliest possible times so that the efficient working of the Council is not hindered.

Whilst on the matter of vacancies on the Council, I have now received formal notification from the Honourable Nigel Dollery that he intends to resign from Council on 1st July this

year, which happens also to be his seventieth birthday. He wishes to make this known to his colleagues and his constituents today so that potential candidates for election can prepare themselves now early to fill this seat when it becomes vacant in July. Thank you, Honourable Member, for your early notification. I will have more to say about this at a later time.

Since we last met in formal session, the Honourable Lawson Henry has attended the Annual Joint Ministerial Council meeting in London where he has been able once again to make certain important contributions on St Helena's behalf. Likewise, the Honourable Wilson Duncan has contributed to discussions at the 64th Westminster Seminar in London. Thank you, Honourable Members, both of you, for representing St Helena's interests so effectively at these meetings.

It is public knowledge that our former Attorney General, Ms Nicola Moore, has resigned from office and so I take this opportunity to thank her for her past assistance and for her input to this Council. I wish her a successful future. I am pleased to welcome here today the Acting Attorney General, Mr Angelo Berbotto and wish him well in this important acting role which he undertakes.

The business of the House today is mainly to appropriate additional funds that are needed to enable Government to continue building on the improvements that are currently ongoing. I know that there have been many important in-house discussions leading up to this day, but it's equally important that the public is made aware of how public funds are appropriated and spent. Today's meeting, I believe, is to do just that, appropriate and inform.

Our Order Paper today includes the Supplementary Appropriation Bill 2016, three oral questions supplemented by four questions for written response, four private members Motions, one of which was a late entry, and eleven sessional papers. A report in respect of Sessional Paper 11/16 I would like to thank the Honourable Deputy Speaker for undertaking the necessary investigation of a complaint and the reporting thereon. I look forward to seeing her recommendations being implemented.

I would also like to thank all other personnel for their involvement in the preparation of other important reports that will also be laid on the table today. I believe that these are important tools which can be used by us to build a safe, happy and prosperous St Helena.

Honourable Members, I spoke earlier of the late entry Motion and I refer to Motion 5 on our Order Paper. I am inclined to consent to this Motion on the understanding that it's not regarded as a precedent and I persuade Honourable Members to consent it likewise. The Honourable Mover could otherwise have raised a Motion without notice at a time when the related sessional paper is laid on the table. In presenting the standard Motion he has assisted this Council by giving prior though limited notice. Order 10, Rule 2 of Standing Orders provide that the consent of the Speaker and the assent of the majority of the members present are needed for this Motion, so I will call on you for assistance later.

Honourable Members, I propose to suspend the morning sitting at around about midday to allow you to have early lunch and resume the meeting at about 1 pm. I wish you well in your deliberations today and now will call on the Clerk to announce the next item of business? Thank you, Clerk.

4.

PAPERS

Sessional Paper No. 1/2016.

The Hon. Financial Secretary –

Mr Speaker, I beg to present Sessional Paper No. 1/2016, St Helena National Trust 2014/15 Annual Report and Financial Statements.

The Speaker –

Thank you, Honourable Financial Secretary.

Ordered to lie on the table.

Sessional Paper No. 2/2016.

The Hon. Nigel Dollery –

Mr Speaker, I beg to present Sessional Paper No. 2/2016 entitled St Helena Public Accounts Committee, Report to Legislative Council on the PAC Review of the St Helena Government Accounts 2012/12 and Audit Management Letter.

The Speaker –

Thank you, Honorable Member.

Ordered to lie on the table.

Sessional Paper No. 3/2016.

The Hon. Nigel Dollery –

Mr Speaker, I beg to present Sessional Paper No. 3/2016 entitled St Helena Public Accounts Committee, Report to Legislative Council on the formal session of the Public Accounts Committee held on 11th November 2015.

The Speaker –

Thank you, Honourable Member.

Ordered to lie on the table.

Sessional Paper No. 4/2016.

The Hon. Financial Secretary –

Mr Speaker, I beg to present Sessional Paper No. 4/2016, Government of St Helena, Procurement Regulations V1.3 November 2015.

The Speaker –

Thank you, Honourable Financial Secretary.

Ordered to lie on the table.

Sessional Paper No. 5/2016.

The Hon. Financial Secretary –

Mr Speaker, I beg to present Sessional Paper No. 5/2016, St Helena Audit Service, St Helena Fisheries Corporation Report and Accounts for the financial year ended 31st March 2015.

Ordered to lie on the table.

Sessional Paper No. 6/2016.

The Hon. Financial Secretary –

Mr Speaker, I beg to present Sessional Paper No. 6/2016, St Helena Audit Service, Enterprise St Helena, ESH, financial statements for the year ended 31st March 2015.

Ordered to lie on the table.

Sessional Paper No. 7/2016.

The Hon. Financial Secretary –

Mr Speaker, I beg to present Sessional Paper No. 7/2016, St Helena Audit Service, Enterprise St Helena, ESH, financial statements for the year ended 31st March 2014.

Ordered to lie on the table.

Sessional Paper No. 8/2016.

The Hon. Financial Secretary –

Mr Speaker, I beg to present Sessional Paper No. 8/2016, A Bill for an Ordinance, First Supplementary Appropriation Bill, 2016.

Ordered to lie on the table.

Sessional Paper No. 9/2016.

The Hon. Financial Secretary –

Mr Speaker, I beg to present Sessional Paper No. 9/2016, Estimates of Recurrent Revenue, Expenditure and Capital Expenditure, 2015/16.

Ordered to lie on the table.

Sessional Paper No. 10/2016.

The Hon. Financial Secretary –

Mr Speaker, I beg to present Sessional Paper No. 10/2016, Government of St Helena, Schedule of Special Warrants 2015/2016.

The Speaker –

Thank you, Honourable Financial Secretary.

Ordered to lie on the table.

Sessional Paper No. 11/2016.

The Hon. Chief Secretary –

Mr Speaker, I beg to present Sessional Paper No. 11/2016, Report by the Deputy Speaker on her investigation of a complaint made by Mr Trevor Graham, Director, Environment and Natural Resources Directorate.

The Speaker –

Thank you, Honourable Chief Secretary.

Ordered to lie on the table.

The Speaker –

Next item of business, please?

5.

QUESTIONS

Question No. 1- The Honourable Dr Corinda Essex to ask the Honourable Chairman of the Social and Community Development Committee.

The Speaker –

Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you, Mr Speaker. Will the Honourable Chairman, Social and Community Development Committee tell this House why the introduction of the Better Life Allowance has made some recipients slightly worse off than they were previously and when this situation will be rectified?

The Speaker –

Thank you, Madam. Honourable Chairman, Social and Community Development Committee?

The Hon. Brian Isaac (Chairman, Social and Community Development Committee) –

Thank you, Mr Speaker. Mr Speaker, I would like to thank my Honourable Colleague for raising this question as there has been some concern in respect of the policy. As Members are aware, the Social and Security Policy is very complex and implementation in some areas has proven to be controversial, but these issues are being addressed through the Social and Community Development Committee. There were some initial issues when the Better Life Allowance policy was first introduced for those already receiving disability allowance and assessed as requiring the lowest band of the Better Life Allowance. However, these issues have been rectified and as the policy stands every recipient of the Better Life Allowance received some extra funding in November 2015. Amounts paid were adjusted and backdated to the day of the policy implementation and therefore nobody is now worse off than they were before. Thank you, Mr Speaker.

The Speaker –

Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

If indeed, this matter has been rectified, can clarification be given to all recipients, because some recipients are still firmly in the belief that they are not getting what is due to them?

The Speaker –

Thank you, Honourable Member.

The Hon. Brian Isaac –

Thank you, Mr Speaker. Yes, that can be done. As stated, no recipients of the Better Life Allowance are worse off financially than they were previously to the introduction of the allowance. There's been some difference in the **pre..?...** policy intention and the implementation. The Safeguarding Directorate has been in discussion with Corporate Finance and the Attorney General's Chambers since early October 2015 to address this. Since Friday, 5th February, there has been some development in resolving this matter and the paper will be presented to the next meeting of the Social and Community Development Committee. Thank you, Mr Speaker.

The Speaker –

Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Mr Speaker, that, in effect, indicates that there is still some further sorting out that needs to be done at your next committee meeting, does it not?

The Hon. Brian Isaac –

Thank you, Mr Speaker, yes, the Mover is right, there are some implications, and as I said earlier on, the Social Security Policy is very complex and there have been problems and they are being addressed as we speak now. Thank you, Mr Speaker.

The Speaker –

Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Can the Honourable Member give an indication as to when this matter will be finally totally resolved, please?

The Speaker –

Honourable Brian Isaac?

The Hon. Brian Isaac –

We're hoping that it will be totally resolved at the next sitting of the Social and Community Development Committee and all elected members will be informed at the sitting following that meeting of informal LegCo. Thank you.

The Speaker –

Thank you, Honourable Member. Any further questions? Next question, Clerk?

Question No. 2. The Honourable Dr Corinda Essex to ask the Honourable Chairman of the Public Health Committee.

The Speaker –

Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you, Mr Speaker. Will the Honourable Chairman of the Public Health Committee tell this House the average number of hours per week each Doctor, by post and not name, spends undertaking outpatient consultations?

The Speaker –

Thank you, Honourable Dr Corinda Essex. Honourable Chairman of Public Health?

The Hon. Derek Thomas (Chairman, Public Health Committee) –

Thank you, Mr Speaker. I thank the Honourable Member for her question. The Surgeon spends eight to ten hours per week; the Gynecologist eighteen to twenty hours per week, the Anesthetist spends fourteen to sixteen hours per week, the Doctor specializing in Medicine spends twenty-four to twenty-six hours per week and the two General Practitioners each spend twenty-four to twenty-six hours per week. I will also add, Mr Speaker, that from February the Doctors attend Country Clinics, Half Tree Hollow on Mondays from 9.30 to 12.30, Longwood on Wednesdays from 9.30 to 12.30, Levelwood every other week on a Thursday from 9.30 to 12.30 and the Doctors do outpatient clinics at the Community Care Complex in Ladder Hill twice a week, Monday and Thursday, 2 to 4 pm. I am also pleased to report that from this week the outpatient clinics at the hospital has been extended to run from Monday to Fridays 9.30 to 12.30 and from 14.00 to 16.00 hrs at the Jamestown Hospital Clinic.

The Speaker –

Thank you, Sir.

The Hon. Derek Thomas –

Thank you.

The Speaker –

Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Is the Honourable Chairman aware that some patients still have to wait several weeks in order to obtain an appointment?

The Speaker –

Honourable Chairman?

The Hon. Derek Thomas –

Mr Speaker, I am pleased to report that this is not the case. On Tuesday of this week, the 9th, at 10.00 am, there were thirty-three appointments available for this week and there were 199 appointments available for next week.

The Speaker –

Thank you, Honourable Chairman. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Is the Chairman confident that this is normally the case, because it certainly is not my personal experience or that of many of my constituents?

The Speaker –

Honourable Chairman?

The Hon. Derek Thomas –

I can report, Mr Speaker, that this is the case for this week and for next week going forward.

The Speaker –

Thank you, Honourable Chairman. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Is the Chairman aware that when patients contact the Hospital in order to make routine forward appointments, these are patients who have to go back to the Doctor at regular intervals for checks and so on, they are frequently told that the Rota is not ready and therefore they cannot be given an appointment date?

The Speaker –

Honourable Chairman?

The Hon. Derek Thomas –

Mr Speaker, I have been told that this is no longer the case, that patients are able to make appointments.

The Speaker –

Thank you, Honourable Chairman. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Can the Chairman please indicate when this change came about?

The Speaker –

Honourable Chair?

The Hon. Derek Thomas –

The development of outpatient clinics and the change came about in recent weeks as a result of having six doctors in post, Mr Speaker.

The Speaker –

Thank you, Honourable Chairman. Any other further questions from anyone? Honourable Lawson Henry?

The Hon. Lawson Henry –

Mr Speaker, having just last week myself spent five and a half hours in the outpatient clinic, could I ask the Honourable Chairman if he would publicise this information, because it certainly wasn't the case last week and I have already taken that up with him? Thank you.

The Speaker –

Honourable Chairman?

The Hon. Derek Thomas –

Yes, Mr Speaker, I'd be quite happy to publicise this information.

The Speaker –

Thank you, Honourable Chairman. No further questions? Next question please, Clerk?

Question No. 3 – The Honourable Dr Corinda Essex to ask the Honourable Chief Secretary.

The Speaker –
Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you, Mr Speaker. Will the Honourable Chief Secretary tell this House what components scheduled for implementation within the Capital Expenditure Programme for 2015/16 are now unlikely to be achieved within the current fiscal year and explain the reasons for the slippage?

The Speaker –
Thank you. Honourable Chief Secretary?

The Hon. Roy Burke (Chief Secretary) –

Thank you, Mr Speaker; I thank the Honourable Member for her question. Members will be aware that the 2015/16 Capital Programme is part of a three-year business case agreed with DfID and that as in all capital programmes there's flexibility to realign all our projects in any given year, but by August 2015 it was becoming apparent that there were some projects which were not likely to be delivered as anticipated and a revised programme was put forward and approved. A number of the project components which are unlikely to achieve anticipated spend in 2015/16 for different reasons are as follows, and I shall try to explain what's happened to those projects.

For the Water Storage and Irrigation Project, the reshaping of Harpers One reservoir due to a collapse in embankment will not be delivered fully this year due to ongoing enlargement of Harpers Three and the fact that Harpers One will need to be emptied before any work can start. Our advice from Connect St Helena is that these should be phased in that way so Harpers Three should be finished before Harpers One is commenced. Also from the Water Storage and Irrigation Project, work on upgrading two of the three raw water abstraction systems have not been completed. The outstanding work in this respect has been funded by Connect St Helena, but due to other commitments during the current year our advice is that this work will now need to be undertaken in 2016/17.

The construction of Sewage Treatment Plants in Jamestown, Half Tree Hollow and Ruperts has not been achieved since the final environment impact assessment, which has only recently been received, needs to undergo further review. Members will be aware that environmental impact in this respect is very important given that there is anticipated discharge to the sea from the Jamestown plant. The Ruperts Sewage Project is also dependent on works currently being managed and coordinated by the Air Access Project for Ruperts Valley as a whole. This joint approach has been taken to avoid duplication of effort and to avoid unnecessary disruption, but the final version of the programme for Ruperts has yet to be agreed.

New Build at Barn View will not be achieved as the original proposal did not meet the needs of clients as assessed by Safeguarding Directorate. An alternative proposal has now been included in the bid for approval so the bid for approval is for 16/17.

At the Prison, construction of the main prison building was due to commence during this financial year. Due to in-house capacity constraints it has not been progressed to

construction although work is ongoing to enable an assessment of the plans to provide an end solution and this is being designed along with the project schedule.

Similarly, Fire Station has not been progressed to completion due to historical issues relating to design. The Programme Management Unit is now collaborating with the Police Directorate as the end user and is currently in the process of appointing an organization that will lead the design process.

Ruperts Development in all its glory whilst initially expected to commence in 2015/16, as I've already indicated, it has not been possible due to airport-related requirements and land use issues in Ruperts. Ruperts Development has many components and inter-dependences. An invitation to tender has recently been issued for technical and specialist input for design of the new port facilities and to manage the implementation of the agreed design.

The R2 Project, which is a Roads Project, Sidepath and Field Road, this project was planned for delivery as a design and build project, however, tenders which were received exceeded funding available and consequently the design and build elements have been separated and an invitation to tender has been issued for chartered engineering support to undertake the design with a view to having a contract signed by April 2016.

Infrastructure of the ex ADA arable estate. This project will not be completed during 2015/16 due to in-house technical capacity although it's expected that the contract will be awarded before 31st March this year, but obviously in terms of spend and construction that won't now be until 2016/17.

The refurbishment of the Laboratory and Dispensary has not been delivered, again, due to in-house capacity issues. The Project Management Unit is in discussion with the Health Directorate and taken responsibility for this project. Designs, tender documents will be available by 31st March this year, but again, spend won't be incurred until 2016/17.

There are other issues that the Hospital Administration block which includes fire systems and it's intended that these projects will be combined, although as we stand here at the moment, there are no suitable tenders received for this work.

There is also a project to upgrade the Swimming Pool. The intention was that the designs will be completed during the current year and it's clear that the documents that we've got available at the moment support the work which will be undertaken to build, but this is now subject to ExCo's approval for the project to deliver a design and build solution within the forthcoming financial year.

The Speaker –

Thank you very much, Honourable Chief Secretary. Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Mr Speaker. I apologise if I missed it, but can I ask the Chief Secretary what is being done to address the in-house capacities of ENRD?

The Speaker –

Honourable Chief Secretary?

The Hon. Roy Burke –

Thank you, Mr Speaker. There have been discussions during the course of the current year in respect of establishing a major project support unit to address those issues. I think I've said this before in this House that the ambition of the Capital Programme in some respects exceeds our capability to deliver it and therefore the discussions with our colleagues in DfID who will fund the Capital Programme have resulted in a proposal to establish a, what we're calling a Major Project Support Unit, which, if it's agreed and supported by members, will be

established physically on the island which is here to deliver that capability, technical capability to address the capacity issues. Internally for ENRD, but also to act as support for the local construction community to enable the adequate and speedy transfer of skills so that that capacity can be delivered on island using local components.

The Speaker –

Thank you, Honourable Chief Secretary. Any other questions? Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Can the Honourable Chief Secretary indicate the percentage of the components that were scheduled for implementation this year which, in fact, are not going to be able to be implemented?

The Hon. Roy Burke –

Thank you, Mr Speaker. In purely financial percentage terms, I can say that the anticipated spend at the beginning of the year was something in the region of £6.5m, the anticipated expenditure was, or will be £4.7m at year end and that gives a percentage, I might have to ask my colleague, the Financial Secretary, for some advice on percentages, but that's something in the region of 66%.

The Speaker –

Thank you, Honourable Chief Secretary. No further questions? I call on the Clerk to call the next item of business.

6.

MOTIONS

Motion No. 1 – The Honourable Financial Secretary.

THE FIRST SUPPLEMENTARY APPROPRIATION BILL, 2016.

The Speaker –

Honourable Financial Secretary?

The Hon. Financial Secretary –

Mr Speaker, before I move the Bill, I beg to move that Standing Order 13, Rule 1 (3) be suspended so all stages of this Bill can be completed today.

The Speaker –

Thank you, Honourable Member. Is there a seconder?

The Hon. Acting Attorney General –

Mr Speaker, I beg to second.

The Speaker –

Thank you very much, Honourable Member. The Motion is that Standing Order 13, Rule 1 be suspended so that all stages of this Bill can be completed today.

Question put and agreed to.

The Speaker –
Honourable Financial Secretary?

The Hon. Colin Owen –
Mr Speaker, I beg to move that the First Supplementary Appropriation Bill, 2016, be approved in principle and referred to a Committee of the whole Council. I formally confirm that this Bill is presented on the recommendation of the Governor in accordance with section 73 (2) of the Constitution.

The Speaker –
Thank you, Honourable Member.

Ordered to lie on the table.

The Speaker –
Is there a seconder to the Bill?

The Hon. Acting Attorney General –
Yes, I beg to second.

The Speaker –
Thank you very much indeed. Honourable Mover, you may speak to the Motion.

The Hon. Colin Owen –
Thank you, Mr Speaker. This Bill, the First Supplementary Appropriation Bill, 2016, seeks to increase Directorate budget heads expenditure previously approved by Legislative Council in March 2015. Budgets are set at the start of the year and it's inevitable that certain budgets will either overspend or under spend. This is due to a number of reasons and unpredicted expenditure?tioning can be received or a change in direction of policy. This has resulted in some under spending and some over spending. What the supplementary appropriation does is bring together all those unders and overs, firstly for each budget head and then secondly for the whole of Government. It's a control mechanism to show that all expenditure is approved by Legislative Council so allowing Accounting Officers the powers to spend. The figures used are based on the latest available forecasts from the Accounting Officers. As in previous years, we have a high number of minor unders and overs which is expected on a budget nearing £30m. What we've done in the papers for discussion is highlight the significant movements for Honourable Members. You will see that the overspends in 2015/16 are covered by an unexpected reduction in the shipping subsidy payments which reflect the ongoing increased use of the RMS St Helena. Passenger and freight revenue had increased and for a number of years running we have received a favourable decrease in the price of fuel for the RMS. Further, we are predicting additional revenues for income tax and customs and this reflects the ongoing impact of the airport construction on the economy. Thank you, Mr Speaker.

The Speaker –
Thank you, Honourable Member. I put the question that the First Supplementary Appropriation Bill, 2016, be approved in principle and referred to a Committee of the whole Council. The question is now open for debate. Does any Honourable Member wish to speak? Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you, Mr Speaker. I would like to start by saying that I am extremely pleased to see some of the items of new expenditure, particularly the implementation of the Cadre reviews and so on. However, it is also a matter of concern to me that it appears that some of the expenditure that we are appropriating today has already been incurred and we are consequently playing catch up. I agree that it is tidy to roll supplementary appropriation into perhaps one item for one sitting of Legislative Council, but if expenditure has already been incurred we are, in fact, being expected to endorse that post facto, which I do not feel is as it should be. I believe that we, as elected members, should be able to appropriate the funding that is going to be spent further down the line, not, in fact, be involved in a retrospective exercise. Thank you, Mr Speaker.

The Speaker –

Thank you, Honourable Member. Is there any other Honourable Member who wishes to speak to the Motion? Honourable Nigel Dollery?

The Hon. Nigel Dollery –

A very quick comment, Mr Speaker, I tend to agree with my colleague, it is a great pity that it is not cleared up faster.

The Speaker –

Thank you, Honourable Member. Any other Honourable Members wish to speak to the Motion? Then can I ask the Financial Secretary if he wishes to wind up on the Motion?

The Hon. Colin Owen –

Thank you, Mr Speaker. I take onboard the comments made. A lot of the expenditure is unforeseen, it happens over a time period across the financial year. It's inevitable that this will be retrospective otherwise I would be sitting here every single session of Legislative Council going through Appropriation Bills, but the process they have in place is a recognised process and it's certainly what we've done on St Helena for ~~a number~~ a number of years. This year we have seen some major changes in there from a number of expenditure heads and what we would plan to do in the future is to see that significant less and less appropriation as we go through the year. Thank you.

The Speaker –

Thank you, Honourable Member.

Question that the Bill be approved in principle and referred to a Committee of the whole Council, put and agreed to.

The Speaker –

Honourable Mover?

The Hon. Colin Owen –

Mr Speaker, I beg to move that the Council do resolve itself into a Committee to consider the detailed provisions of the Bill.

The Speaker –

Is there a seconder? Thank you, Honourable Member, is there a seconder?

The Hon. Angelo Berbotto –
I second it.

The Speaker –
Thank you, Honourable Member.

Question that the Council resolves into a Committee, put and agreed to.

Council in Committee.

The Speaker –
Right, Honourable Members, if you'd like to remove your jackets at this stage you may do so, I see some of you are being a bit uncomfortable, you may do so now.

The Hon. Colin Owen –
Mr Speaker, before we start proceedings, could I ask that Dax Richards, the Deputy Financial Secretary, comes and joins us at the table and during the process there might be a need for Directors of Service to come and answer specific questions. We had planned that that will be through the Chairs of the Committee in most circumstances.

The Speaker –
Yes, we are less formal in Committee, so we can allow various people to come in. Now, this is an Appropriation Bill, Honourable Members, so the procedure is a little different to ordinary Bills. We start at the back and look at the Schedules in the first place, approve the Schedules and then we will go back to the clauses on the other side. Financial Secretary, would you like to take us through the Schedule now. I'll call the head and then we'll deal with each item one by one. Head 12 – Corporate Services - Support, Policy and Planning, standing in the sum of £136,000.

The Hon. Colin Owen –
Thank you, Mr Speaker. Dax Richards will respond with the detail.

Mr Dax Richards (Deputy Financial Secretary) –
Mr Speaker, are members content to ask questions or would they like me to give an overview of each of the heads?

The Speaker –
I think if you give an overview first and they can question on that, okay?

Mr Dax Richards –
The £136,000 for Corporate Services – Support, Policy and Planning is made up of £36,000 for salary revisions and market forces supplements within the section; £20,000 is for the additional costs associated with the Census that has just been carried out that wasn't originally budgeted for; £58,000 as increased costs for the additional Supreme Court sitting, which will be held soon and the associated additional administration costs to go with that; £14,000 increase in telecommunication costs, mainly around two gold broadband packages for Corporate Services in terms of using Skype in certain circumstances and also international calls made by the AGs Chambers in relation to a number of significant cases that originated over the last year; there's also £8,000 for additional costs for the Public Relations Office and

£5,000 of that is for fireworks for the official opening of the airport and also £3,000 in addition to that for advertising and that makes up the £136,000.

The Speaker –
Honourable Lawson Henry?

The Hon. Lawson Henry –
Thank you, Mr Speaker. Could I ask, Mr Speaker, in going forward and to reduce charges in international calls that more Skype calls be incorporated? It seems quite extravagant that £14,000 has been spent on international telephone calls when we already know that internally the Government has a Skype facility so it should be made more widely available through all Directorates.

Mr Dax Richards –
That has been taken into account, Mr Speaker, and we are looking at options to further broaden the system that we have available at the moment within the Castle.

The Hon. Lawson Henry –
Thank you, Mr Speaker.

The Speaker –
Thank you, Honourable Member. Any other questions on that head, please? No other questions.

Head 12 – Corporate Services – Support, Policy and Planning - £136,000.

Question put and agreed to.

The Speaker –
I'd like to hear your audible Ayes or Noes, please. Alright. Head 13 – Corporate Services – Corporate Human Resources, £450,000.

Mr Dax Richards –
Mr Speaker, the £450,000 are made up of increment and bonuses and market forces supplements for staff within the HR Department and that equates to £7,000. There was an HR post which we did not budget for when we put the 15/16 budget together that costs £8,000 and an increase in expenditure of long-term TC of £435,000. Maybe it will be useful if I can give a breakdown of the long-term TC, so the additional expenditure is on twelve new items, nine of those were new posts approved during the year and three consultancies on fisheries, insurance and pay and grading. Out of the nine posts, four of those were for the Health Service. In addition to that a post was approved for the Assistant Public Solicitor, two Financial Accountants to deal with the backlog of financial statements, a Chief Inspector for the Police Directorate and also a Community Care Manager for the CCC.

The Speaker –
Thank you, Honourable Member. Any questions on that, please? No questions?

Head 13 – Corporate Services – Corporate Human Resources, £450,000.

Question put and agreed to.

The Speaker –

Head 15 – Police, in the sum of £38,000.

Mr Dax Richards –

Mr Speaker, that £38,000 is the balance required for the implementation of the new Cadre Review that's been agreed for the Police Directorate and also the approval of some market forces within the Directorate.

The Speaker –

Any questions, please?

Head 15 – Police - £38,000.

Question put and agreed to.

The Speaker –

Head 22 – Education, in the sum of £47,000.

Mr Dax Richards –

This, Mr Speaker, is a rather strange request, however, it revolves around an original agreement that was signed with Shropshire County Council in 2013/14 at which stage a portion of money was actually paid in advance to them for the delivery of service over a number of years. However, since then, we have received a refund on a lot of that money which you see here in front of you and this additional budget is actually to reflect the budgeted expenditure that should have been in the 15/16 budget for that amount of the agreement that has been implemented in this financial year.

The Speaker –

Thank you for that explanation. Honourable Nigel Dollery?

The Hon. Nigel Dollery –

An unhappy event which I'm sure will not be repeated.

The Speaker –

That's a comment, not a question. Alright.

Head 22 – Education - £47,000.

Question put and agreed to.

The Speaker –

Head 23 – Health, in the sum of £763,000.

Mr Dax Richards –

That £763,000 has been made up of salary upgrades for posts in relation to the Cadre review for the hospital staff, increased costs for EMOS of £6,000, increase in telephone charges of £12,000, increased ITV charges of £8,000 and the largest costs within that is the increase in overseas medical referrals of £635,000 for this year. There was also an additional Psychiatrist visit which cost £46,000, refurbishment of the Half Tree Hollow Clinic which

has been completed now - £7,000 and an order for insecticides in preparation for airport opening.

The Speaker –

Any questions, please? No questions?

Head 23 – Health - £763,000.

Question put and agreed to.

The Speaker –

Head 26 – Environment and Natural Resources, £181,000.

Mr Dax Richards –

This was made up, Mr Speaker, of £112,000 for additional materials purchases and also labour costs to deliver a Connect resurfacing work, you will see as we go through, Mr Speaker, that this is offset by revenue to the same tune that has been received on the back of the works that have been carried out, so the revenue's there to offset this expenditure. In addition to that, there's been additional costs for the Sanitary Services following the transfer of the service from the Health Directorate to ENRD in the last financial year and that equates to £69,000.

The Speaker –

Any questions please on Head 26? No questions.

Head 26 – Environment and Natural Resources - £181,000.

Question put and agreed to.

The Speaker –

Head 29 – Safeguarding - £139,000.

Mr Dax Richards –

Mr Speaker, the majority of that is £110,000 relates to the increase in Carer allowances and Home Help, Home Help allowances in respect of the increase in the minimum wages which came into effect in this financial year and then in addition to that there's a safeguarding allowance paid to all members of staff within the Safeguarding Directorate which was not budgeted for originally when the 15/16 budget was approved.

The Speaker –

Any questions on Safeguarding? Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Mr Speaker, how many individuals are in receipt of Carer's Allowances and Home Helpers allowances?

Mr Dax Richards –

I don't have that information to hand here, we can provide the Member with a response on that.

The Hon. Dr Corinda Essex –

I would be grateful for that and also what rate of pay were they getting prior to the increase to the minimum wage?

Mr Dax Richards –

We will furnish that information.

The Speaker –

Thank you very much indeed. Alright. Any other questions?

Head 29 – Safeguarding - £139,000.

Question put and agreed to.

The Speaker –

That brings us then to a total of £1,754,000.

Total - £1,754,000.

Question put and agreed to.

The Speaker –

Schedule II – Head 23 – Health - £20,000.

Mr Dax Richards –

Mr Speaker, this is for an item of capital expenditure which?.....surgical instrument, it cost £20,000, however, it's an element of capital expenditure so it needs to be classified differently under the Appropriation Ordinance and that funding is being met by savings elsewhere within the Directorate.

The Speaker –

Any questions? No questions.

Head 23 – Health - £20,000.

Question put and agreed to.

The Speaker –

Head 26 – Environment and Natural Resources.

Mr Dax Richards –

This is a similar situation, Mr Speaker. You have capital expenditure here for a winch for the tractor. Again, that will be funded through under spends within the Agriculture and Natural Resources budget.

The Speaker –

Any questions? No questions.

Head 26 – Environment and Natural Resources - £11,000.

Question put and agreed to.

The Speaker –

The total of £31,000 for that section.

Schedule II.

Question put and agreed to.

The Speaker –

Okay, can we go back to the front page of your Ordinance and take the clauses, please, I now have to take the Clauses. I put the question that the title, the Enactment and Clause 1 do stand part of the Bill.

Title, Enacting Clause and Clause 1.

Question put and agreed to.

The Speaker –

Clause 2. Consolidated Fund provision for the financial year 2015/2016. Any questions?

Clause 2.

Question put and agreed to.

The Speaker –

Bill to be reported.

Council resumed.

The Speaker –

I've been told somebody still has their mobile phone on, please will you switch it off, it's interfering with the radio waves.

Honourable Mover, would you like to move?

The Hon. Colin Owen –

Mr Speaker, I beg to report that the First Supplementary Appropriation Bill, 2016, passed the Committee with no amendments and to move that this Council approves the said Bill and recommends to the Governor that it should be enacted.

The Speaker –

Thank you, Honourable Member. No seconder is needed here.

Question that the Council approves the Bill and recommends to the Governor that it should be enacted, put and agreed to.

The Speaker –

Clerk, call the next item, please?

Motion No. 2 – The Honourable Lawson Henry.

The Speaker –

The Honourable Lawson Henry?

The Hon. Lawson Henry –

Mr Speaker, I beg to move that this House resolves that immediate priority be given to improving the implementation of the capital programme.

The Speaker –

Thank you, Honourable Member. Is there a seconder?

The Hon. Dr Corinda Essex –

Mr Speaker, I beg to second.

The Speaker –

Thank you, Honourable Member. Honourable Mover?

The Hon. Lawson Henry –

Thank you, Mr Speaker. Mr Speaker, it is with some regret that I've had to bring this Motion to the House today, but I do so as I am not satisfied as a member of the government that all that can be done within the resources that we have at our disposal is being done nor is those resources being targeted at the priority areas of the capital programme as set by this Council. Mr Speaker, SHG's track record with regard to the Capital Expenditure on much needed infrastructure development has not been good in recent years and during this Council's tenure it has been no exception. In 2013/14 there was some improvement, however, sadly, the current year we are back to bad habits. The Council agreed last year that a new post of Project Manager should be created to better manage our capital programme. I am pleased to say that following the recruitment of this post there has been some successes. The post holder has, however, identified some serious flaws in technical support to our major projects. The result of this is that these projects are constantly and unnecessarily being delayed. There is a technical team in SHG ENRD Directorate that should be supporting the capital programme, however, it is quite clear that this is not happening as it should and recent reports show this quite clearly, in fact, the latest report on one project shows that the technical support has been withdrawn altogether. How can this be and more importantly what, if anything, is the Administration doing about it? This is simply not good enough and despite reports by Councillors and suggestions very little has been done to rectify this problem. What is needed is for SHG to remove the technical team from ENRD and place it under the direction of the Capital Projects management so that the capital projects approved by this House is then given the priority it deserves. I'm aware that SHG is looking into how our capital projects team can be better resourced, but this is the government we are dealing with and we are unlikely to see any change for some time. In the meantime, however, major projects are continually being delayed because of the lack of technical support. This is not acceptable when we have resources already in house including a TC post of Engineer. The Government has the authority to use these resources where it thinks fit. As a Council, we have set out our priorities for capital expenditure; officers charged with managing the resources have a duty to ensure that the Council's priorities are carried out. This is currently not happening and it is this that I am questioning in the House today and why? If this Government is serious about taking forward the much needed infrastructure under the capital programme then action is needed now and we should be using the resources we already have

in house to better support the capital programme. I urge the Government to do something about this situation immediately. My proposal is for the whole Technical Unit to be removed from the umbrella of the ENRD Directorate and placed under the direction of the Project Management Unit in our Capital Programme Group so that the technical support needed for ongoing projects can be better targeted to meet the island's needs. I would ask all members to support this Motion before the House today. Mr Speaker, I beg to move.

The Speaker –

Thank you, Honourable Member. The Motion is that this House resolves that immediate priority be given to improving the implementation of the capital programme. The Motion is now open for debate. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you, Mr Speaker. Mr Speaker, I strongly support this Motion, tabled by my Honourable Colleague, as it is very clear the delivery of the capital programme is failing to meet reasonable expectations and this seems likely to continue unless fairly radical steps are taken to address the core issues. Following the infrastructure review, headed by John Cox, the Department for International Development agreed that St Helena could move from laborious project by project, iterative approval processes to what should have proved far more streamlined and efficient, facilitating faster and better implementation of a capital programme. It is a cause of considerable concern that in most years since this change took place the percentage of capital spend achieved against annual projections **has**, in fact, fallen below that existing under the old system.

I have every confidence in the ability of those within the Programme Management Unit, but the current institutional structure is not conducive to enabling them to fulfill their roles with optimal effectiveness. In particular, it is questionable whether the reporting lines between implementing Directorates and the PMU are sufficiently robust and whether the PMU have the authority to make those responsible comply with their requirements. Furthermore it is worrying that the capital programme is not receiving the level of technical support that is required, especially in relation to the more complex projects. Such input should be forthcoming from the Engineer within the Environment and Natural Resources Directorate and, indeed, his involvement with the capital programme is regularly cited by the Director as the reason why he's been unable to complete other tasks requested by the Committee. However, the current lack of progress on both fronts is testament to the fact that this twin focus is simply not working. Consideration should be given to recruiting a dedicated technical resource to work within the PMU and provide support, much as **Halcrow** support the Air Access Project.

Mr Speaker, continuation of the current situation is unacceptable and opens St Helena Government to criticism. We heard earlier today of the serious slippage that has occurred on high profile projects such as those relating to sewerage, water storage, new Fire Station and the Prison and also, indeed, on less complicated projects. The necessary action is to strengthen the Project Management Unit, Programme Management Unit, **needs** to be taken as a matter of priority and, in addition, a realistic and independent assessment of the absorptive capacity for St Helena should take place to help inform the programming of the capital spend in forthcoming years to ensure that the profile is achievable at the outset given **that** logistic and resource constraints will inevitably continue to impact upon project delivery. Thank you, Mr Speaker, I beg to second.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member wishes to speak? The Honourable Brian Isaac?

The Hon. Brian Isaac –

Mr Speaker, I rise in support of this Motion so I thank my Honourable Colleague for bringing it to the House and the sentiments shared by my Honourable Colleague, Dr Corinda Essex. As a member of the Executive Council, I have a responsibility for the overview of capital programmes and I'm very dissatisfied with some of the performance under the present Directorship. We heard in this House this morning the explanation given by the Honourable Chief Secretary in the slippage of many of these major projects which is unacceptable, but the reasons given are reasonable. Mr Speaker, we need to move forward with the development of this island, with the airport coming on line in July hopefully and all other major developments and without some of these major projects going forward the island will suffer and our major problem is going back to DfID to say we cannot spend the money and there are precautions in place to over roll this money into the next financial year. Our logistics on the island, it do play a major import problem, but the overall management of the capital programme is not satisfactory at this moment, my reasons for standing here and supporting the Motion this morning. Thank you, Mr Speaker.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member wish to speak? Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Mr Speaker. Mr Speaker, I rise in support of this Motion. It is clear that the implementation of our capital programme needs to be improved upon. We need to get our projects right from the onset, Mr Speaker, in terms of planning and costing. A considerable amount of time and costs are being wasted when plans have to be done over and over again. The Prison at Sundale and the Fire Station at Alarm Forest are two major projects which had been given approval for years and yet we still haven't seen anything started. Even smaller projects, like the relocation of the Pharmacy and Laboratory at the Hospital to the ground floor, Council saw the urgency and gave approval for the funding yet it is taking far too long to have plans prepared and costed. These are serious issues which need to be addressed. Each year DfID is providing funding for the development of our infrastructure, which is seriously needed. We must ensure that our projects are delivered, we cannot continue the way we are. Mr Speaker, there is a cause of great concern with our Technical Support Unit which needs to be seriously addressed. Thank you.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member? Honourable Gavin Ellick?

The Hon. Gavin Ellick –

I stand in support of this Motion and I hope that from today this will kick start our capital programme and stop dragging our feet.

The Speaker –

Thank you, Honourable Member.

The Hon. Gavin Ellick –

Thank you, Sir.

The Speaker –
Honourable Wilson Duncan?

The Hon. Wilson Duncan –
I rise in support of this Motion.

The Speaker –
Thank you, Honourable Member. Any other Honourable Member wishes to speak? The Honourable Chief Secretary?

The Hon. Roy Burke –
Thank you, Mr Speaker. I personally have no difficulty with the Motion at all, but if it's possible I'd like to just correct a couple of issues which have been mentioned, such as, the Sewerage and Water Programmes with Connect are not part of the responsibilities of the ENRD's Technical Services team, that's a matter for Connect, so that's, I think, a separate issue. I do have some issues about the suggestion that the whole of the Technical Services team moves into the PMU, I think that conversation needs to be had with the Project Manager who, I think, might disagree with you in that respect. Technical Services in ENRD is much wider than just the Engineer, of course, there are other aspects to that team which I don't think would fit within a Project Management Unit at all, to be frank, and I've already indicated to the House that there is a Major Project Support Unit proposal being considered at the moment which will deal with a lot of these issues, but the generality of the Motion I personally support it as well.

The Speaker –
Thank you, Honourable Member. Any other Honourable Member wishes to speak to the Motion. Honourable Mover, would you like to?

The Hon. Lawson Henry –
Thank you, Mr Speaker and I would also like to thank my colleagues for fully supporting this Motion. Mr Speaker, I hear what the Chief Secretary said in response, but at this moment in time things are not happening and the reports that we are having from the Project Manager is saying the showstoppers is technical support, so if that is the problem, why aren't we addressing that problem? That's a simple question and for me, as a lay person, it is down to how we manage the resources. If it is constantly holding our capital programme from moving forward then surely you've got to move the resources from where they is to where it's most needed, that is a management issue and I would urge the Chief Secretary to do something about it, because I will be back in this House if nothing is done about this Motion. Thank you, Mr Speaker.

The Speaker –
Thank you, Honourable Member. The Motion is that this House resolves that immediate priority be given to improving the implementation of the capital programme.

Question on Motion, put and agreed to.

The Motion is carried.

The Speaker –
Clerk, next item?

Motion No. 3 – The Honourable Dr Corinda Essex.

The Speaker –
Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you, Mr Speaker. Mr Speaker, I beg to move that this House resolves that in order to safeguard vulnerable elderly persons and those with significant disabilities, urgent consideration should be given to utilising associated resources in order to improve their living conditions where necessary, and, in particular, access to their homes.

The Speaker –

Thank you, Honourable Member. Is there a seconder to the Motion? Honourable Derek Thomas?

The Hon. Derek Thomas –
Mr Speaker, I beg to second.

The Speaker –

Thank you very much indeed. Honourable Mover?

The Hon. Dr Corinda Essex –

Mr Speaker, one of the positive recent developments has been the heightened focus upon safeguarding the vulnerable within our community and attempting to meet their needs more fully and appropriately. It is particularly encouraging that Her Majesty's Government has provided additional resources to support this focus and enable us to make a lasting difference to the quality of life of **key sectors** within our society. It is our responsibility to target such resources wisely so that the maximum benefit is achieved. Independent living is a core aspiration of almost all senior citizens and of many who have a disability, particularly if this is the result of illness or injury sustained in adult life. It is well recognised internationally that such persons living in their own homes thrive better than those in institutions, provided that their essential needs can continue to be met. The economic case for continued home living rather than other models is also strong, particularly when the supply of places in existing care facilities falls short of demand, as is happening already on St Helena. It is well known that there is a significant bulge in the demographic profile of our population as was confirmed by the 2008 Census. This contained those persons now between the ages of 58 and 77. Unless appropriate action is taken urgently to enable this cohort to remain in their own homes for as long as possible the demand for residential care is certain to escalate and additional, heavy recurrent costs as well as substantial, initial capital expenditure will have to be incurred.

Mr Speaker, over ten years ago, the United Nations Development Programme allocated funding for a project entitled "**Services and Aids** for the Elderly and Disabled" which was successfully implemented on time and within budget. This assisted several dozen vulnerable households through interventions that were unaffordable to the occupiers. These ranged from meeting the cost of telephone and electricity connections, bath adaptations, essential house repairs, alterations to accommodate wheelchairs and last, but certainly not least, upgraded

access. Feedback from the recipients of these activities was extremely positive and a number of them are still benefiting today. UNDP no longer provide significant funding to St Helena, as its gross domestic product has risen, but if alternative funding can be identified under the Safeguarding umbrella to be used for similar purposes it would do much to meet the needs of our vulnerable senior citizens and those with a disability. There are elderly persons living in remote areas or at some distance from the main road network who have to travel over tracks that are in a appalling condition in order to reach their home. In many instances, these tracks are on Crown land, but cannot be upgraded because of insufficient funding within the Environment and Natural Resources Directorate's budget or because they serve too few properties to qualify for assistance as a community or district road. In at least one instance when the Community Nurses visit a household in bad weather, they make it known where they are going in case their vehicle gets stuck and they require assistance. A lady has informed me that she dreads going for essential physiotherapy, not because of the discomfort caused by the treatments, but because of that associated with the journey to and from the main road. These situations should not exist, Mr Speaker. St Helena Government should give urgent consideration to safeguarding our elderly and vulnerable who are currently living in such adverse conditions, in order that the quality of their life can be improved and they can remain living independently within their own homes. Mr Speaker, I beg to move.

The Speaker –

Thank you, Honourable Member. The Motion, standing in the name of the Honourable Dr Corinda Essex, is, that this House resolves that in order to safeguard vulnerable, elderly persons and those with significant disability, urgent consideration should be given to utilising associated resources in order to improve their living conditions where necessary and, in particular, access to their homes. Honourable Members, the Motion is now open to debate. The Honourable Brian Isaac?

The Hon. Brian Isaac –

Mr Speaker, I wish to thank the Honourable Mover for this very important Motion brought before the House today. Mr Speaker, I can support what she has said in her sentiment to the Motion, I for one was very much involved with the UNDP funding at the time for supporting the elderly in their homes to enable them to live longer in their homes and not to become institutionalized. Mr Speaker, over the years, we've seen funding provided through SHDA, through Miscellaneous Minor Works, which was also an element which supported elderly in their homes. Currently today we are limited with this funding and people are being housebound in some respects because of the conditions that they live under. I will reinstate what the Honourable Mover said about a family living in the rural part of the island who has no hard surface road and I'm currently in the process in compiling an application to my Directorate, Safeguarding, to see what funding can be available. If there's a medical evacuation during the latter part of the day, it would be impossible for our ambulance to move in, we would have to call in the emergency services and that is unacceptable. Only this week in the Social and Community Development Committee, I was informed that the CCC is full to capacity, there is no room for respite care and respite care is a very important factor of care to our elderly. I raised the issue of a gentleman who's been in the hospital for three to four years and has been unable to be accommodated at the Community Care Complex. I put myself in that gentleman's position, as an elderly gentleman who has to live the rest of his life around sick patients, it's not healthy. If funding were available there is a possibility that more resources could be put into the family home to accommodate this gentleman at his home. These are issues and today it is not acceptable and I do take into account funding is always mentioned as the stumbling block. Mr Speaker, in the past, we have accommodated

people with pathways, handrails, roofs and there's continuous requests to me asking for this assistance and unfortunately we are able to help in certain areas, but in most cases we have to turn these people away, we have to depend on family support, which is not very forthcoming. There are people living in overcrowded conditions, the elderly sharing accommodation within the household with the family, which isn't healthy. There are many other issues surrounding this. I, for myself, Mr Speaker, is getting on age as well, every day I am getting a day older, and, you know, when I do get older I hope that I would be able to live my last days at my own home, with support. I do not know what my future holds, but I really, the services at the CCC is very good, but I would prefer to be in my own home and I respect that for others who wish to be in their own home. Mr Speaker, this is a very important Motion here today and I hope that Honourable Members will support it, the Financial Secretary, who understands the needs of people out there, will help and accommodate this Motion. The people out there today I hope are listening, because I am trying, but there are barriers, financial implications that is not very forthcoming with the implementation of supporting these people in their own homes. I also support the lady who said she had difficulty, she doesn't want to leave her home because of the rough road in getting in for physiotherapy or seeing the doctor and I also support, which is correct, that the Nurse has to phone in to the hospital to say I'm at certain location, I have arrived at the patient's home and if I'm not back at the hospital at a certain time please come and look for me. We cannot accept it, and that is correct, that's factual. Mr Speaker, I hope that this House takes this Motion seriously and within the forthcoming years we will see improvement in this process. Thank you, Mr Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Derek Thomas?

The Hon. Derek Thomas –

Thank you, Mr Speaker, I rise in support of this Motion. We have recently seen the setup of the Safeguarding Directorate, what used to be Social Services. It is pleasing to see that this Directorate has been well resourced and has started to make a difference on the quality of life on many vulnerable and less fortunate people in our society. The policy this Government has set out is that people should be encouraged to remain in their homes as long as they possibly can. Having to go into care facility institutions should be the last port of call, when everything else has failed. The demand for residential care is great and requests are being made for more and more residential care homes to be built. Mr Speaker, we should be doing all we can to try and assist those elderly and vulnerable people who are living on their own or with family in order for their quality of life to continue in their family home as long as they possibly can. I fully support the Motion.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member? The Honourable Lawson Henry?

The Hon. Lawson Henry –

Thank you, Mr Speaker, I, too, rise in support of this Motion. There's very little I can add to what my colleagues has already say. This is something that we should all bear in mind when we're setting our next budget and that some funding, at least, go in to support this very important Motion. Thank you, Mr Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Wilson Duncan?

The Hon. Wilson Duncan –

Mr Speaker, I support everything that has been said around here, I think there's nothing more that I can say, but I do support this Motion.

The Speaker –

Thank you, Honourable Member. The Honourable Gavin Ellick?

The Hon. Gavin Ellick –

I stand in support of this Motion and I think it's appalling that our old people still got to suffer today, so I hope that with all the support we got today something will be done and for Brian getting old, he really is looking old, Sir. Thank you.

The Speaker –

Thank you, Honourable Member. Honourable Nigel Dollery?

The Hon. Nigel Dollery –

Mr Speaker, I rise in support of this Motion, I think it's a fair statement to make, that a country is judged by how well it looks after its very young and its very old. Sir.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member wish to speak? Honourable Mover, would you like to sum up?

The Hon. Dr Corinda Essex –

Thank you, Mr Speaker. I'd like to thank my colleagues for their overwhelming support for the Motion. I think it is blatantly obvious to everyone in this Honourable House today and, indeed, on St Helena, that we are at this point in time not fully meeting the needs of the most vulnerable in our society. I understand that the reasons for that largely relate to resources, and it's not through lack of desire to do so, but it's through lack of actual wherewithal to deliver the goods and that is why I see the level of support that has been given to the whole safeguarding arena as being an excellent opportunity to divert some funding to the types of activities that were mentioned within my exposition and, indeed, by my Honourable Colleagues here today. We are aware that funding is being made available, for example, for paying for spectacles for children, for supporting various youth organizations, for improving the quality of life for our young and we have been given assurance that it is likely that it may look favourably upon bids in relation to care of our elderly and vulnerable. Obviously we don't yet know the outcome from the BAM discussions, an unknown quantity, but when we were in discussions with the delegation from the Department for International Development they did appear to accept the need and, indeed, indicated that that was one area where they felt that we had a fairly strong case. The proof of the pudding is in the eating so one can't raise expectations too high. However, I trust that they also recognise the importance of, as my Honourable Colleague on my left said, ensuring that we care for our young and our old. Thank you.

The Speaker –

Thank you, Honourable Member. The Motion is that this House resolves that in order to safeguard vulnerable elderly persons and those with significant disabilities urgent consideration should be given to utilising associated resources in order to improve their living conditions where necessary and, in particular, access to their homes.

Question on Motion, put and agreed to.

The Motion is carried.

The Speaker –
Clerk?

Motion No. 4 – The Honourable Derek Thomas.

The Speaker –
The Honourable Derek Thomas?

The Hon. Derek Thomas –
Thank you, Mr Speaker. That this House, as a matter of priority, cause an investigation to be carried out on the Comprehensive Development Area in Bottom Woods to establish the cost of the associated infrastructure in order for this area to be made available for local house building.

The Speaker –
Is there a seconder, please?

The Hon. Gavin Ellick –
I beg to second.

The Speaker –
Thank you very much, Honourable Member. Honourable Mover?

The Hon. Derek Thomas –
Mr Speaker, I thank the Honourable Member, Gavin Ellick, for seconding my Motion. Mr Speaker, Honourable Members, the Land Development Control Plan was enacted in 2012. It was designed to assist in making best use of our land, particularly to assist with local house building. In the Plan, there are a number of areas identified as Comprehensive Development Areas, which would allow for house building, commercial businesses and so on. The main areas identified to assist with this immediate problem with lack of land for house building were the Blue Hill leading out to High Hill, Harlyn in Half Tree Hollow, Pounceys, Bottom Woods, Barren Ground and Head O Wain leading out to Burnt Rock. Mr Speaker, what was very frustrating to see, to the public, is that here we are now in 2016, four years later, and we are no further advanced than where we were in 2012 when the Plan was enacted. Some attempts were made to develop Harlyn into a Comprehensive Development Area but works on this land has ceased. We all know that the Comprehensive Development Area identified in Bottom Woods are relatively easy to build. The area is flat and with proper planning it should accommodate some sixty to seventy homes. There is water and electricity on the land. What is needed is proper planning in terms of the layout and a proper plan to cater for the sewage. Surely this is not too difficult to achieve. Mr Speaker, we have people shouting out, ready to build private homes on this land. A certain amount of Government Landlord homes can be built there as well as private sector businesses are ready to build homes in order to sell. On one hand we are encouraging Saints to return to St Helena, business and investors and on the other hand we are telling them there is nowhere ready for you to build. How

frustrating this can be. Mr Speaker, Honourable Members, I'm asking for your support in that an urgent review be carried out on the Comprehensive Development Area in Bottom Woods showing the layout of plots, associated roads, water, electricity and sewage and a cost of these activities be presented to Council to consider funding allocation in order for this land to be released on the market. In turn, revenue will be achieved from the sale of these plots of land. Thank you, Mr Speaker, I beg to move.

The Speaker –

Thank you, Honourable Member. The Motion is that this House, as a matter of priority, cause an investigation to be carried out on the Comprehensive Development Area in Bottom Woods to establish the costs of the associated infrastructure in order for this area to be made available for local house building. The Motion is now open to debate. The Honourable Lawson Henry?

The Hon. Lawson Henry –

Thank you, Mr Speaker. I, too, rise in support of this Motion. Mr Speaker, St Helenians is well known for wanting to build their own homes. It has been one of our success stories for many years, but this is now becoming more and more difficult and the reason for this is that it's the way we're managing our land and as my Honourable Colleague said, on the one hand we as a Government has encouraged people to return, we want St Helenians to return in support of that huge investment that the British Government has made in relation to our airport, but one of the fundamentals in all this is that our thinking is not joined, you know, and in some ways it is the way the lands is set up is just fragmented, it is not joined where you can get ready access, there is far too much red tape. If an investor was coming tomorrow he would turn away immediately because of this, it is stopping the actual development on this island and we as a Government need to look at this and pay urgent attention to it. It is not only impacting on our islanders who have the ability to build their own homes, but it is also, and more seriously, impacting on the Government's own ability to be able to build social housing. That list for social housing is becoming longer and longer and I'm afraid to say, Mr Speaker, that our track record as a Government in terms of building social housing is likewise not good, I'm afraid. The last houses we built as a Government was three years ago, we built three houses, but what is needed is a rolling programme. Now, everybody will accept that funding will always be a problem, but if we were treating it that if....and make a commitment that were just doing two or three houses a year it would be making a difference because prior to 2013 the Government hadn't built any social houses for perhaps over a decade and herein lies the heart of the problem is that we are not?.....we are asking people to come back, but then we're putting out notice to say if you come back then you need a house to stay. At least when the Comprehensive Development Areas was identified in the plan in 2012, this is now four years on, the infrastructure for those should have already been done, but it is all again down to our planning and our joined up thinking, so I urge us all today to give this some urgent attention and that not only the release of the land for private house building but more importantly we need a plan our self to address the serious problem with social housing. Mr Speaker, I beg to move.

The Speaker –

Thank you, Honourable Member. Honourable Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you, Mr Speaker. I, too, fully support this Motion. The whole issue of the non development to date of the Comprehensive Development Area at Bottom Woods and, indeed,

at Half Tree Hollow, is extremely disappointing. When a problem arose relating to levels and some service pipes were discovered crossing the site that had not been anticipated, the Environment and Natural Resources Directorate backed off from taking substantive further action citing budget constraints as the main reason for doing so. The importance of getting at least one CDA developed to the point at which plots can be released has been stressed both by the Environment and Natural Resources Committee and the subcommittee tasked with revising the Land Disposal Policy, but little progress has been made. The current strategic three-year plan of the Environment and Natural Resources Directorate states, and I quote, "Plans are to be revisited to enable the CDAs to be opened up as there are prospective applicants willing to develop these areas", but it contains no indicative dates by which this exercise is due to be completed. I think we all recognise fully that there is a critical housing shortage on this island. I've spoken in this Honourable House last year about the issue of homelessness. Other Honourable Members have also made reference to the importance of the CDAs in adjournment debates in successive meetings of this Honourable Council. The really critical state that has been reached was emphasized in a highly controversial recent Press Release which was advising Saints not to come home unless they secured accommodation. Really, Mr Speaker, what is St Helena coming to when we are having to give such advice to the very persons we should be encouraging to return and whose input we need so badly to help us to build a sustainable future for St Helena? But yet there seems to be no sense of urgency to get to grips with the problem. Mr Speaker, the situation cannot be allowed to continue and I believe that the investigation requested in the Motion currently under debate is one of several essential steps towards rectifying a growing and very serious problem. Thank you, Mr Speaker.

The Speaker –

Thank you, Honourable Member. Is there any other Honourable Member....the Honourable Brian Isaac?

The Hon. Brian Isaac –

Thank you, Mr Speaker. I rise in support of this Motion and once again I will say I thank my Honourable Colleague for raising this Motion in this House. Under the Social and Community Development Committee, responsibility of Government Landlord Housing falls under that political overview. The Committee is aware of the social implications in the community of the lack of Government Landlord housing and the need. They are being addressed, unfortunately the process is taking longer than is appreciated. I have some notes, Mr Speaker, that I wish to raise on my adjournment debate, similar to what has been said by my Honourable Colleague, Lawson Henry, which I will elaborate later, but I do see a need for a move for the CDAs to move on, I do see the need for the land to be made available, it's been a long, long time that this process has been going through, it's been through meetings, discussions and there are reasons for the delays, but some of the reasons is not acceptable. Mr Speaker, I support the Motion and will speak further on this issue during my adjournment debate. Thank you.

The Speaker –

Thank you, Honourable Member. Honourable Financial Secretary, wish to speak?

The Hon. Colin Owen –

Thank you, Mr Speaker. I really rise on a point of information as finance has been mentioned several times. Just to let you know, in this year's capital funding. we have talked about that already today, there was £300k set aside for the Half Tree Hollow CDA, unfortunately that

expenditure hasn't been spent, but just to clarify there was money there and on social housing we have a special fund and that balance will be around £450k and that is specifically for social housing, that was the reason that special fund is set up, so when we talk about funding not being available, I would like to challenge that in some aspects we do have the funds available there.

The Speaker –

Thank you, Honourable Member. Honourable Gavin Ellick?

The Hon. Gavin Ellick –

I stand to support the Motion and as the Financial Secretary?.....that we have some funds available, it took us, I think, about two months ago, to find out there was a fund available, but my main concern for me is that the Government Landlord Housing, we are short, we don't even have a bachelor quarters for anybody, so if we still have those funds available, please, please make them available for us to use. Thank you.

The Speaker –

Thank you, Honourable Member. The Honourable Attorney General?

The Hon. Angelo Berbotto –

Thank you, Mr Speaker. The Honourable Members are referring to a big problem which is social housing and I wanted to update the Honourable Members about the stock of housing that there is on island for social housing. There is a number of people who benefit from the social housing who have accrued arrears, significant arrears, and we are talking about figures of over £30k, individuals who are able to pay that rent, which, I must say, is not a very onerous rent that the Government imposes, my Chambers, the Attorney General's Chambers have started discussions to start a protocol with housing so that repossession and eviction action will be taken forward, so this is a word of warning to people in the community who are able to pay the rent, who are taking the opportunity for social housing from somebody who isn't able to afford it, that the Attorney General's Chambers has been instructed to take these matters to Court if necessary. Thank you, Mr Speaker.

The Speaker –

Thank you, Honourable Member. Are you having

The Hon. Colin Owen –

No, it's just a point of information.

The Speaker –

A point of information, yes.

The Hon. Colin Owen –

It's a point of information on debt collection, which is the responsibility of Corporate Finance, we do refer, on a regular basis, outstanding debts to the Attorney General's Chambers and action has been taken on the various number of debts and I look forward to having those discussions further with the Attorney General's Chambers.

The Speaker –

Thank you for clarification, thank you. The Honourable Wilson Duncan?

The Hon. Wilson Duncan –

Mr Speaker, I wish I could add something more to what these Honourable Colleagues of mine said, other than to give this Motion my full support.

The Speaker –

Thank you, Honourable Member. Is there any other Honourable Member who wishes to speak? Honourable Nigel Dollery?

The Hon. Nigel Dollery –

My comment is short. It's an embarrassment that we are not making the best, taking the best advantage of the CDA, it is an embarrassment that we have people who are in arrears in rent and not clearing them, it's an embarrassment that we have people who may be frightened to return to St Helena because they do not already own property on this island. Not an easy problem to solve, but it is a problem that needs solving.

The Speaker –

Thank you, Honourable Member. Does any other person wish to speak? Honourable Mover would you like to sum up?

The Hon. Derek Thomas –

Mr Speaker, I would like to thank my Honourable Members for their support to this Motion and also what is encouraging to know that the Financial Secretary has said that there are funding available for building Government Landlord Houses as well as funding available to develop CDA, so as the Mover to this Motion, I will now be pushing to take this forward with the relevant authorities as a matter of urgency with a view of bringing this Comprehensive Development Area online and the use for the public. Thank you, Mr Speaker.

The Speaker –

Yes, you might be prejudging the votes, but it's alright. Okay, thank you very much, Honourable Mover. The Motion is that this House, as a matter of priority, cause an investigation to be carried out on the Comprehensive Development Area in Bottom Woods to establish the cost of the associated infrastructure in order for this area to be made available for local house building.

Question on Motion, put and agreed to.

The Motion is carried.

The Speaker –

Honourable Members, this might be a convenient time to suspend the sitting until 1 o'clock and then we can deal with the rest. Thank you very much indeed. Council is suspended.

Council suspended.

Council resumed.

The Speaker –

Honourable members, Ladies and Gentlemen. Good afternoon. The next item could have been dealt with when we were considering Sessional Papers earlier this morning, but I think it's it was best left for this particular session now as it gave Members notice of what the Motion is really all about, but just for your ~~understanding~~ information, in your Standing Orders, Order 10 (4) it says if the date specified pursuant to paragraph (b) in Rule 3 is less than ten clear days after the date on which notice was given, the Speaker shall either reject the Motion or assent to it being placed on the Order Paper for consideration under Order 10 Rule.2. I did not reject the Motion, I ordered that it would be placed ~~on the table~~ on the Order Paper for consideration and if you turn over to Rule 2, Order 10, Rule 2, you find that notice may be dispensed with in respect of any proceedings for which notice is required only with the consent of the President and the assent of the majority of members present at the time. ~~Okay~~, So now that we have some understanding ~~so~~ of the Order and I have approved this Motion going forward ~~and~~ I will need your assent to that, so I shall put it to you in the form of a Motion, then you can vote on it. The Motion is that notice shall be dispensed with in respect of Motion No. 5 on the Order Paper, standing in the name of the Honourable Nigel Dollery.

Question on Motion, put and agreed to.

The Speaker –
Clerk of Council?

Motion No. 5 – The Honourable Nigel Dollery.

The Speaker –
Honourable Member?

The Hon. Nigel Dollery –
Mr Speaker, I beg to move that this House resolves further to the practice of good governance that the reports of the Public Accounts Committee as contained in Sessional Paper 02/16, namely the Report to Legislative Council on the PAC Review of the St Helena Government Accounts 2012/13 and Audit Management Letter; and, Sessional Paper 03/16, namely the Report to Legislative Council on the Formal Session of the Public Accounts Committee held on 11th November 2015, are adopted by this Council and requests the responsible member of the Executive Council, in accordance with Section 69(9) of the Constitution of St Helena, to advise the Legislative Council of the action proposed to be taken in respect of these reports.

The Speaker –
Thank you, Honourable Member. Is there a seconder to the Motion?

The Hon. Dr Corinda Essex –
Mr Speaker, I beg to second.

The Speaker –
Thank you, Honourable Member. Honourable Mover, would you like to speak now, please?

The Hon. Nigel Dollery –
Mr Speaker, first I must declare an interest as a member of the Public Accounts Committee at the time of these reports under the Chairmanship of Mr Rodney Buckley. As a member of the PAC, I must apologise for any inconvenience that may have been caused to any official or other persons due to the late submission of this Motion. The fact that it appears in the Order Paper gives an

idea of the support that is given to members if they do get into difficulties, thank you to all who made it happen.

The precedent for this Motion was established at the December 2014 sitting of this House when I moved a similar Motion in respect of the previous PAC report, Sessional Paper 35/2014. The purpose of this Motion is to ensure the House is made aware of the findings of PAC reported to Legislative Council in the two formal reports of Public Accounts Committee laid at this session. The first PAC report is Sessional Paper 2/16, Report of the PAC consideration of the financial statements of Government for 2012/13 and the accompanying Audit Report. The second PAC Report in Sessional Paper 3/16 – Report of the public hearing of PAC held on 11th November 2015 which focused on the audit of the St Helena Airport Project and the audit of St Helena Line, the holding company for the RMS St Helena. The Constitution, Section 69 (9) provides for Legislative Council to adopt the reports of PAC such that Government may then respond to the recommendations made therein. Accordingly, Mr Speaker, I beg to move.

The Speaker –

Thank you, Honourable Member. The Motion is that this House resolves that further to the practice of good governance, that the Reports of the Public Accounts Committee as contained in Sessional Paper 02/16, namely the Report to Legislative Council on the PAC Review of the St Helena Government Accounts 2012/13 and Audit Management Letter; and, Sessional Paper 03/16, namely the Report to Legislative Council on the Formal Session of the Public Accounts Committee held on 11th November 2015, are adopted by this Council and request the responsible member of the Executive Council, in accordance with Section 69(9) of the Constitution of St Helena, to advise the Legislative Council of the action proposed to be taken in respect of these reports. Honourable Members, the Motion is now open to debate/ And may I remind Members to switch off their mobile phones. Thank you. Does any member wish to speak to the Motion? Honourable Financial Secretary?

The Hon. Colin Owen –

Thank you, Mr Speaker. Just to say I rise in support of the Motion being put forward. I am the responsible member of the Executive Council and I believe over the last year this has certainly worked well, the reporting structure, so we now have a process where we capture the recommendations of the PAC and it gives us an opportunity to respond. I would say that the responses in the report are not just of Government but of all the bodies where recommendations are put forward by the PAC. Thank you.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member wish to speak to the Motion? Honourable Brian Isaac?

The Hon. Brian Isaac –

Mr Speaker, I rise in support of the Motion. The Public Accounts Committee is a very important part of Government. When it comes to scrutiny of Government it plays a major role. I thank my Honourable Friend for addressing this House and I give my full support to this Motion. Thank you, Mr Speaker.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member wish to speak to the Motion? No other speakers? Honourable Mover, would you like to sum up, wind up?

The Hon. Nigel Dollery –

Thank you, Mr Speaker. Firstly, I wish to thank those two who spoke in this matter. PAC operates as a select committee of this House and its task is the scrutiny of accounts and audit

reports on behalf of Legislative Council. In closing then, as a member of the PAC, I wish to acknowledge the service of Mr Rodney Buckley who stands down as Committee Chairman on completion of this reporting. Mr Buckley has worked with members to raise the standing of this Committee in promoting good government and accountability in the public finances of St Helena. Thank you, Mr Speaker.

The Speaker –

Thank you, Honourable Member. The question is that this House resolves, further to the practice of good governance, that the Reports of the Public Accounts Committee as contained in Sessional Paper 02/16, namely the Report to Legislative Council on the PAC Review of the St Helena Government Accounts 2012/13 and Audit Management Letter; and, Sessional Paper 03/16, namely the Report to Legislative Council on the Formal Session of the Public Accounts Committee held on 11th November 2015, are adopted by this Council and requests the responsible member of the Executive Council, in accordance with Section 69(9) of the Constitution of St Helena, to advise the Legislative Council of the action proposed to be taken in respect of these reports.

Question on Motion, put and agreed to.

The Motion is carried.

The Speaker –

Thank you. Clerk?

8.

ADJOURNMENT DEBATE

The Hon. Roy Burke –

Mr Speaker, I beg to move that the House do now adjourn until 10.00 am on 18th March 2016, the day for the budget.

The Speaker –

Thank you very much, Honourable Member. Is there a seconder?

The Hon. Colin Owen –

I wish to second.

The Speaker –

The Motion is that the House do now adjourn to 18th March 2016. Any member wish to speak? Okay, everybody. Honourable Brian Isaac?

The Hon. Brian Isaac –

Mr Speaker, I support the adjournment debate and with your permission I would wish to speak. Mr Speaker, this has been the first sitting for the Acting Attorney General and I wish him well in his acting position until the substantive post can be filled.

Mr Speaker, the recent announcement by Connect St Helena in the media with reference to the proposed increases in utilities has caused much concern amongst the wider community and I, along with my colleagues, have been approached by some members of the public who are in the low income bracket and recipients of social benefits who felt that the increase would impact their livelihood and they could be worse off. I would wish to inform those people that a proposal has been recommended that those on income related benefits and basic island pension will receive the annual minimum income standard in line with inflation. In addition to that, it has been proposed,

with the approval of Executive Council, an additional increase in the benefits to compensate for the increase in utilities. There has been a proposal also to increase an allowance for the sewage charges and with the removal of the Standing Charges and the proposed increase those on social security benefits and basic island pension should see little or no changes in their utility account. A further announcement of the proposal will be made once final approval has been sought through Corporate Finance and the Attorney General's Chambers. A SHG Press Release and Information Package informing the public will be made via both radio stations.

Mr Speaker, I would also like to wish to comment on the Motion raised in this Honourable House with reference to the upgrading of the Ruperts beach area and toilet facilities. It has received a low rating by the Environment and Natural Resources Directorate and it has been disappointing for those constituents who have raised this matter with me. I would ask that the Chairman and members of the A&NRC Committee to reconsider their priority on this matter. It is often commented that there is no funding for certain proposals but better management of resources can at times support some projects and will improve the standard of lifestyle for the island as the island develops.

Mr Speaker, I was also fortunate to recently visit the airport site and the Ruperts Jetty project and from my personal opinion the development at the airport and at Ruperts, I can only comment on the high standard of workmanship in and around the airport and the terminal building. The standard of skills of Saints who were in training at the time of the visit were of a very high standard and I am sure they will be an asset to the operation and performance once the airport is opened. It has often been said that Saints, given the opportunity, can perform to international standards and this has been proved. It was also pleasing to see some returning Saints who have taken up jobs at the airport.

Mr Speaker, the Ruperts Jetty has been a major engineering project and it has presented the island with a major piece of infrastructure that will serve the island in future and I would commend all who have worked on that project.

Speaking of returning Saints, some who have returned to the island, many are frustrated as they have been encouraged to return and bring their skills with them, but once on island many find that opportunities to resettle are far and wide. I've spoken to some who have taken this challenge and sold off property back in the UK with the intentions of buying land on the island to resettle, but many have had very little success and the opportunity to do so has left many very frustrated. I understand that a revised policy in respect of land purchase will be currently finalised by the A&NRC Committee at a meeting to be held on 18th February. I would ask my Honourable Colleagues around this table today who are members of that Committee that careful consideration be given to the revision and that the public are fully consulted on this matter before giving the final approval. The current policy has presented many monopolies and uncertainties for first time house builders and returning Saints. The Motion raised in the House today also addressed some of these concerns and was supported.

Mr Speaker, I would wish to commend all involved with the redevelopment of the Hospital and the related high tech equipment. From what I have seen and what is proposed, I am sure that the island will receive a higher quality health service in future which will highly improve the current service, but with such high standards it will also require a high standard of service delivery. I would also take this opportunity to thank the Doctors and staff throughout the Directorate for their service provided at the time with limited resources, but because of their personal commitment much has been achieved. This is not to say of the services provided by staff in our care homes who at time have to perform their duties under difficult circumstances when there are staff shortage and unforeseen situations.

In concluding, Mr Speaker, I would wish to express farewell wishes to His Excellency the Governor and Mrs Capes as they depart the island shortly after a four-year term of office and hope that His Excellency's final official duty in Paris will bring much prosperity to our tourism industry and the industry grows. Also, I would wish to thank all involved in giving their support and the opportunity for the residents of Ebony View as they prepare themselves for a holiday of a

lifetime and leave our shores for a holiday on Ascension. And one final comment, Mr Speaker, I would like to raise, observing the outside of the Court House today, the disgrace of the debris and leaves that are lying around at the front of this House. This is an Honourable House and with the entrance being covered in debris it casts a shadow over the House. Mr Speaker, I beg to move.

The Speaker –

Thank you, Honourable Member.

The Hon. Dr Corinda Essex –

Mr Speaker, I'd like to rise on a point of information, in fact, two points of information, with your permission, please?

The Speaker –

Yes.

The Hon. Dr Corinda Essex –

Firstly, the ENRC Committee have never been presented with any bid relating to the development of Ruperts, so I'm not quite sure how this misunderstanding occurred, I'm not sure in what **forum** that **document** was presented, but it did not come to ENRC. And, secondly, with regard to the Land Disposal Policy, the new Land and **Building Disposal** Policy has already been out for two rounds of public consultation.

The Speaker –

Thank you, Honourable Member.

The Hon. Brian Isaac –

A point of information?

The Speaker –

Yes, clarification?

The Hon. Brian Isaac –

Thank you, Mr Speaker and I thank my Honourable Colleague for the clarification. I understood that such a Motion that was raised in this House would get the blessing of the Committee, unfortunately the response I had was from the Directorate who I thought would have consulted with his Committee on this Motion that was raised. Thank you, Mr Speaker.

The Speaker –

Thank you. Okay, these are points of information or not? No, you're speaking. The next speaker who caught my eye is Dr Corinda Essex?

The Hon. Dr Corinda Essex –

Thank you, Mr Speaker. Mr Speaker, let me first declare my interest as President of the Chamber of Commerce, as an importer and as a resident of Jamestown.

Mr Speaker, it is very pleasing to note that the importance of recognising the skills and knowledge of local staff is at last being accepted and that constructive steps are being taken to improve the situation relating to the terms and conditions of local staff members. The outcome of the recent Cadre Reviews in three Directorates is a step in the right direction, although I believe that this should be extended further to give recognition to all our highly skilled and qualified staff. Another step in the right direction is the succession planning that is being established for the phasing out of many Technical Cooperation posts over the next few years. The focus on investing in our own human capital must be maintained as a key policy priority. Sadly, however,

it seems that progress is not really forthcoming in from other key areas and I will now touch on some of these.

Firstly, development of the port facilities in Ruperts Bay and associated infrastructure, which is an issue I raised in this Honourable House on numerous previous occasions. A consultant was due to arrive here over a year ago, according to the first response that I received, but still such input is lacking, although we have been informed today that recruitment is now underway. We were also told that the Working Group had been set up, but what are the terms of reference for this Group and with whom is it networking? The clock is ticking ominously and it appears to elected members, let alone the public, that the issue of Ruperts is one that is still a long way from being resolved. This situation is most unsatisfactory. What are the remaining **log jams**, what is being done to clear these and when is it hoped that they will have been successfully cleared? Similarly, there has been little progress regarding parking in Jamestown. Despite constant pressure from elected members, the plan developed to address the issue has not been finalised and no budget provision has been made for its implementation because it is claimed that there are still too many unknowns. Among the reasons put forward to account for the delay is that key officials had been on overseas leave. Surely cover arrangements are in place that should ensure that important matters are not stalled because of staff absence, or, if these are really genuinely not feasible to put in place, leave should be staggered. Mr Speaker, every elected member and official within St Helena Government must be fully aware of the chaotic state of parking in Jamestown which is deteriorating further as more vehicles reach the island. How can we pretend that action is not required urgently and why it is obstacle after obstacle emerged to prevent the matter moving forward? Members of the public are starting to question the motives of those whom they perceive to be trying to dodge the issue and their suspicion heightens the frustration and discomfort that they are already experiencing. Delay still seems to be a keyword associated with too many of St Helena Government's activities. They've already demonstrated this in the debates that have already taken place within this Honourable House earlier today relating to the capital programme and the Comprehensive Development Areas so I will not provide further evidence from elsewhere in St Helena Government at this point in time. The **root** causes of lack of progress must be identified and addressed before St Helena falls further behind. I am aware that some of these causes are beyond our immediate sphere of influence, they are outside of our control, but, Mr Speaker, I firmly believe that a number of them are within our sphere of **influence** and should and could be addressed. It appears to the public that there are too many individuals either following their own agendas, endeavouring to hide their incompetence or indulging in childish point scoring rather than trying to work together constructively to move St Helena forward. I am confident that senior officials are monitoring performance and will take corrective action where necessary.

I fully support the development of the ten-year plan as I firmly believe that short-termism is unproductive and is also a contributory factor to the delays that we've been experiencing on a broad front. However, I also sympathise with constituents who query that the value of a ten-year plan when delivery against the three-year plan is weak in many areas. Mr Speaker, I am not suggesting that there are weaknesses in all areas. Indeed, I fully recognise that there are pockets of excellence within St Helena Government of which we should, and I feel sure are, extremely proud. I am not in any way undermining the work that is being done by a great number of individuals employed within SHG and, indeed, other agencies that work with SHG, but there is no room for complacency. In some instances, the track record is poor, I'm afraid one cannot put this in any other way. We, as a Government, have to face that, accept it, admit **it** and try and do something to rectify it.

On a different matter, there is growing public concern regarding the ease with which non St Helenians can obtain jobs locally. In some instances, individuals obtain positions that have not even been advertised and here I'm not saying within Government, I am saying on the island as a whole, I am aware that positions in Government are normally fully advertised, but this does not happen across the board, and in some cases these persons are employed more or less immediately

following their arrival on St Helena. I realise that this is permissible under the current Immigration legislation, but it has been brought to my attention that in some instances newcomers are filling positions for which there are suitable local candidates. At this point in time when unemployment is exceptionally low, this is perhaps not such a burning issue as it is likely to become in the future. It is likely that there will be a call for a review of Immigration legislation before very long, if the situation escalates.

To end on a positive note, I was privileged to visit the airport last week and to take part in a security training exercise. The high standard of professionalism shown by all involved was a credit to St Helena and demonstrated that our people have the ability and the commitment to perform to the highest international standards. Thank you, Mr Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Lawson Henry caught my eye next?

The Hon. Lawson Henry –

Thank you, Mr Speaker. Mr Speaker, I rise in support of this adjournment debate and would first invite the House to join me in paying tribute to our emergency service on the island for their continued good work and for keeping us all safe. They have worked hard over recent months and played a key role, and still does, in the accreditation process for our airport. Sometimes they perhaps get things wrong, but none of us is infallible and it is important that we learn from what we might get wrong. As a former Police Officer of some years, I know what it is like to be constantly in the public eye. That same public can sometimes only see when things go wrong and that is what they talk or write about, they can even say it and write about it without putting their name to it, whatever they have written. I would just say, spare a little thought for a fellow human and think of the impact some of the harsh comments that have recently appeared in the press is having on the morale of those who serve in our emergency services and on their families. A few years ago, we heard of the incredible rescue that was done by our Fire Service in Blue Hill where they risked life and limb to rescue a person. As a community, we seem to be blinded by the common good when they get things right and dwell too much when on occasion they might not live up to our expectations. I wish also to pay tribute to the CEO and staff from Enterprise St Helena for the initiative in hosting an Information Day on Monday, 8th February. It was informative, inspiring and certainly a good news story when you get to meet the team and see some of the projects that are ongoing to develop the island's much needed infrastructure. All too often we tend to see the negatives and are blinded by this and the good things that are happening around us are overlooked. I therefore congratulate the team at ESH for a job well done and look forward to seeing more of the successes on our behalf.

And finally, Mr Speaker, I would like to also join my Honourable Colleague, Brian Isaac, in wishing Governor Capes and Mrs Capes all the very best for the future, having served as our Governor for the last three years and more and I would like that to be placed on record as well. Thank you.

The Speaker –

Thank you, Honourable Member. The Honourable Gavin Ellick. Sorry, the Honourable Derek Thomas.

The Hon. Derek Thomas –

Mr Speaker, I rise in support of the adjournment debate and before I speak I will, on this particular issue, declare my interest. I'm going to be talking about parking in the Duke of Edinburgh Playground, I own property in that area, but I'm talking and representing the wider public.

Mr Speaker, my understanding is that under the laws of St Helena the Highways Authority is responsible for designating parking areas. In this case it will be the ENRD Committee. Many

months back, through a Motion in this House, Council gave full support for the Duke of Edinburgh Playground to be turned into a parking area to assist in alleviating the parking difficulty we face on the street. A simple process which seemed to take ages to happen. This is where frustration with the public is created. Mr Speaker, however, during the Christmas period, and up to just last weekend, the public were allowed to park in the Playground and many members of the public commented on how well this was appreciated. This was supported by the Council and even the Police. It assisted with parking problems. In the meantime, it was my understanding from our meetings that the Highways Authority were doing all they could in pushing the relevant officials in designating this area into an official car park. Now, all of a sudden, a barrier has been placed at the main entrance prevent vehicles from entering the Playground and the public has been told this was done in the interest of public safety by the Roads Section. Mr Speaker, this seems to be obstructive and sheer spite. What public safety, when all over the Christmas period, the busiest time of the year, the Playground was fully utilized with parking and there was not a single incident, according to the Police. Why now it suddenly becomes dangerous? Where is the justification? And I question what authority the Road Section has to act on their own and take this action when the authority for designating parking areas, including temporary parking areas, is invested within the Highway Authority? The Highway Authority, Mr Speaker, was very supportive in allowing this to continue to happen. It is another case, like the public toilets in the Playground, put out of operation for nine months for a minor issue which took one day to fix. Where is the discretion? Mr Speaker, it seems that ways are being looked at not to allow things to progress and happen instead of being supportive and to make it happen. I will ask the Chief Secretary to take some immediate action. Council has given the go ahead for the area to be used as a parking area. We are now saying this can be overruled by the Roads Section alone. We surely don't want to be faced with another public toilet episode with the Duke of Edinburgh Playground.

Mr Speaker, another area of concern in the public is the very limited respite care for those persons in the community who needs it. Safeguarding Directorate has said there is no space in the Community Care Complex at Ladder Hill to accept persons for periods of respite care. This is a serious concern and will soon break down if no action is taken. In certain cases it is becoming a real strain on full time carers who are caring for those who are in need of respite care. I understand that Barn View is soon to be opened and I do hope that this facility is not taken up by fulltime clients and certain beds be made available to accept clients on respite care. Thank you, Mr Speaker.

The Speaker –

Thank you, Honourable Member. Honourable Nigel Dollery is the next who caught my eye.

The Hon. Nigel Dollery –

Mr Speaker, mine will be short and to the point. I intend to speak about something which could be thought to be a bit tricky, that's anonymity in the Press. I've been reading a letter in one of our newspapers recently, a letter written by someone called Saint Karma, I'm well aware that Saint could refer to someone having St Helena status like myself or wishing that they did have it. It could also signify religious marriage in Christianity and other religions, such as Sufism, a mystical branch of Islam. I'm also aware that karma relates to both Buddhism and Hinduism and informally it's good or bad luck resulting from one's actions. I do not know the writer. I do believe that if you are going to snipe or attack at named or identifiable individuals in the Press you should write under your own name. There are people named or identifiable who are unable to respond appropriately because the writer's identity is secret. This is a form of bullying amongst adults. If I had a problem with an individual I'd go to that person and say, you, I have a problem with and I'd get the appropriate response. If Saint Karma thinks inappropriate behavior has taken place by an official, go and ask them or go through the complaints procedure, don't just witter on in the Press under a secret identity. For those who have read this chap's, what's his

name, Saint Karma's name and his letter, I would point out to him that although my name is Nigel Dollery, I could, if I chose, change it to, I don't know, Augustus **Zeppelin**, and that information would be in the public domain, all quite content with that. The fact that my wife and I would then have different surnames is none of your business. Those who have read the letter know what I'm talking about. If you write in the press and want to get at named or identifiable individuals, then at least have the courtesy and the courage to identify yourself. I would add a rider and that's only because the lawyer's here. This may not be a sensible course of action, if what you say is not true and our population changes to include people who will not just write off such comments as trivial. Thank you, Mr Speaker.

The Speaker –

Thank you, Honourable Member. Honourable Attorney General?

The Hon. Angelo Berbotto –

Thank you. I just want to provide some clarification and firstly I'd like to address the issue that the Honourable Nigel Dollery is raising. There is in St Helena something called the Media Standards Commission and under the Ordinance that creates this Media Standards Commission there are responsibilities that any media provider, say, newspapers, radio stations, who are licensed in St Helena, there actually is a code that they should uphold. Ultimately it is the responsibility of those in the media what they publish and if they choose to publish account and not signed by somebody or somebody who uses a pseudonym, like the case at hand, there should be no doubt to those media providers that they are responsible, so if, in this case, the Honourable Nigel Dollery feels aggrieved by any publications, I invite him to consider the media code and whether it is appropriate to make a complaint to the Media Standards Commission. And I want to finish this part by saying that it is a huge privilege to be the voice of the people, but with that comes responsibility.

And secondly, I want to, also a point of clarification to the intervention of the Honourable Derek Thomas. At the moment, and I don't have the Ordinance in front of me, but at the moment there is in force the Playground Ordinance, I think it's called the Recreation Places and Playgrounds, and that Ordinance designates the Duke of Edinburgh as a playground. Until the Duke of Edinburgh playground is removed from that Ordinance, the Duke of Edinburgh is legally a playground, a playground to which children are encouraged to play, so in law we have a bit of an issue of treating this place as a parking space. I don't know the ins and outs that generated this debate, but what I want to leave it clear is that on my last reading of the Ordinance the Duke of Edinburgh playground is still there, so it would create liability to the Government if a child went there to a lawful playground and got injured, so I just wanted to flag that, Mr Speaker. Thank you.

The Speaker –

Thank you very much.

The Hon. Dr Corinda Essex –

Mr Speaker, may I rise on a point of information following on from the Acting Attorney General?

The Speaker –

Yes, you may.

The Hon. Dr Corinda Essex –

The ENRC Committee is aware of the fact that there needs to be a change in usage and it requested that an application be put forward for that purpose literally months ago, I can't tell you how many months ago, and we were assured that that would form part of the planning application, so we have not actually authorised people to use that as a parking area, however, we

were aware that it was being used as a parking area and we have been endeavouring to get the proper procedures in place for a formal change of use for longer than I dare to think about. Thank you.

The Speaker –

Thank you, Honourable Member. Is it explanations?

The Hon. Lawson Henry?

Yes, it is.

The Speaker –

The Honourable Lawson Henry?

The Hon. Lawson Henry –

Mr Speaker, the Attorney General referred to it as being a playground and we should be encouraging children to play there, but it's not been used in that designation for a number of years and I'm just wondering if it's fit for purpose for children to play and the fact that it's been mentioned here today, we wouldn't want children going there to play if it's not fit for purpose. Thank you.

The Speaker –

Thank you, Honourable Member. Right, thank you for that. Yes?

The Hon. Brian Isaac –

Thank you, Mr Speaker, I would just like to reassure my Honourable Colleague, Dr Corinda Essex on her comment on the Immigration Ordinance, the Social and Community Development Committee currently is taking a strong stand on this and it's being reviewed as I stand here today. Thank you, Mr Speaker, and I thank my Honourable Friend.

The Speaker –

Okay, thank you. Any other member wish to speak to the adjournment debate? No. Honourable Chief Secretary, would you like to wind up?

The Hon. Roy Burke –

Thank you, Mr Speaker. I'm grateful to my Honourable Colleagues for the comments raised today, I'm also grateful to the Honourable Acting Attorney General for answering some of those, on my behalf, in fact, perhaps we could change seats.....

There's a lot of comments there which I suppose reflect on the debate earlier today, so I don't want to repeat anything that's been said already. I, too, am unsighted on the Ruperts beach upgrading issue, so I will take that issue away, as raised by the Honourable Brian Isaac, I'm not sure what's happening there at all, but it is good to hear some praise for the Health Directorate and I thank the Honourable Member for his comments about the Health Directorate. It's still a long way to go before we're finished but there would be a direction of travel I think is very positive.

I, too, have concerns about the outside of the Court House and some of the other public buildings on Main Street. One of the issues that we've undertaken to address with the inauguration of the new governor, which is only a couple of months away, is to walk through the journey that she will take on her arrival and make sure that those areas which are public do receive the appropriate attention. That's not to neglect everything else that needs to be attended to, but the outside of the Court House is one of those areas that we need to address.

The Honourable Dr Corinda Essex mentioned the Cadre Review and I, too, think that the recognition for our local staff is long overdue. Members will be aware that I sent out a note to all

staff this week to announce a relatively small pay increase for locally employed staff, but also gave an undertaking that there will be a Pay and Grading Review during the course of this year, which will address the rest of the staff, so I think that's positive news as well, all of which has to be funded somewhere, but that's part of the challenge to make sure that we're as efficient as we possibly can be.

The port facilities in Ruperts Bay, the Honourable Member is correct, there is a Ruperts Working Party and I will make sure that terms of reference are circulated so that everybody can see exactly what's happening. We're still, I'm afraid a very long way from being resolved in Ruperts and every time we think we're moving towards a solution something changes and actually something quite fundamental changes in the structure down there so it's making life very difficult for the Acting, the Assistant Chief Financial Secretary, start again, the Acting Financial Secretary is leading that programme to actually get to a point where we can be to have any certainty.

The issue about parking in Jamestown and key officials being on overseas leave. We created ourselves a situation where we've got a number of single points of failure in our organisation and that is unhelpful, so that issue is also being addressed to make sure that if a member of staff, whether that's a TC Officer or a locally employed member of staff is on overseas leave, the work that he or she is carrying on will carry on. It must do.

I'm looking forward to the discussions next week about the ten-year plan with members of the community and I know that all members in the House today will be taking part in some way, shape or form. The three-year plan we do need to make sure that's delivered, but the ten-year plan, in my view, is a very important tool to enable us to have a much longer term view of the future and make sure the three-year plans mesh with that ten-year plan.

I was going to talk about the Duke of Edinburgh Playground, but those issues have been dealt with.

Safeguarding, of course, we do need to make sure that respite care is dealt with; it's a really important issue, as the Honourable Derek Thomas has mentioned, that work will continue with the new Manager at the CCC.

The Honourable Nigel Dollery made a few comments which I would like to associate myself with. I know that Mrs Dollery probably doesn't want to be called Mrs **Zeppelin** at any point in time, but Honourable Members will be aware that I and my wife have different surnames, because my wife didn't want to be a Burke. That's the end of my contribution, Sir, and I beg to move.

The Speaker –

Thank you very much. Honourable Member?

The Hon. Wilson Duncan –

Am I allowed to say something?

The Speaker –

Are you raising a point of order?

The Hon. Wilson Duncan –

Kind of, Mr Speaker.

The Speaker –

Pardon?

The Hon. Wilson Duncan –

Yes.

The Speaker –

You're raising a point of order, yes.

The Hon. Wilson Duncan –

Mr Speaker, I'd like to take the Chief Secretary up on a point. He said that they're going to walk down where a prominent person is going to be arriving on the island to make sure that everything is all spruced up. Now, I don't have any objection to that, but it should be done on a regular basis, not because a prominent person is about to arrive on the island.

The Speaker –

Thank you. Right, the question is that this Council do now adjourn until 18th March 2016.

Question put and agreed to.

The Speaker –

Thank you, Honourable Members for quite a useful session today. Council is now adjourned.

Council adjourned.

