

EXECUTIVE COUNCIL TOP LINES – TUESDAY 7 APRIL 2020

St Helena Equality & Human Rights Commission Framework Agreement

- **Executive Council approved the draft Framework Agreement between SHG and the Equality & Human Rights Commission (EHRC)**
- The draft Framework Agreement had previously been discussed with the Social & Community Development Committee
- Members welcomed the Draft Framework Agreement which gives the Commission a clearer status in terms of what their remit is and how they engage with SHG
- The Agreement will be published and people will then be better informed about the relationship between the two parties and the respective roles and responsibilities
- Members noted that Commission plays a very important role in the community and publishing the Framework Agreement will help the public understand the role of the Commission

Background

- The EHRC met with the previous Governor and Elected Members of the Executive Council last year and agreed that the working relationship between SHG and the EHRC together with respective responsibilities should be detailed in a Framework Agreement
- The draft Agreement is based on the Commission for Equality and Human Rights Ordinance, 2015 and the Paris and Belgrade Principles which are included as appendices 2 and 3 of the draft Agreement. It also draws on the format of the Northern Ireland Human Rights Commission Framework document
- The draft Agreement was developed in consultation with the EHRC and has been reviewed by the AG's Chambers
- The Commission for Equality and Human Rights Ordinance, schedule 1, section 3, requires SHG to pay the Commission such sums as appear to the Legislative Council reasonably sufficient for the purpose of enabling the Commission to perform its functions
- As stated in the draft Agreement, the level of funding from SHG will be determined during SHG's Medium Term Expenditure Framework (MTEF) cycle, based on the EHRC's Strategic Plan and annual work plan. The sum of £67,000 has been appropriated for the current financial year 2019/20.

ExCo sat as the Planning Authority for the following two items

Proposed extension to existing building to form a Psychiatric Intensive Care Unit at General Hospital, Jamestown

- **Executive Council, sitting as the Planning Authority, approved full development permission be granted, with Conditions, for the Proposed Extension to an Existing Building to form a Psychiatric Intensive Care Unit, at the General Hospital as recommended by the Land Development Control Authority**
- Community Psychiatric Nurse (CPN) Ian Rummery joined the meeting for this item
- Finding a solution to provide this kind of support for members of our community has been the topic of discussion for a number of years
- Members agreed that Mental Health patients should receive the same level of treatment as general health patients
- Discussion ensued around security and sound proofing in terms of other patients and this was clarified by the CPN. The facility will allow the treatment of someone safely and raises our threshold to treat Mental Health patients on-Island
- The addition of specialist health care facilities at the Hospital is welcomed. The development will create a positive impact with improved facilities for patient care
- Members noted this was long overdue and will be of much use for the Hospital and potentially become a multi-purpose room when not used by the Mental Health Team.

Background

- In accordance with the directions issued by the Governor in Council to the Chief Planning Officer on 14 April 2014 under Section 23(1) of the Land Planning and Development Control (LPDC) Ordinance, 2013, the Chief Planning Officer is required to refer to the Governor-in-Council all applications for Development Permission which proposes to be (or are proposed to be) used for (a) the provision of medical, dental or other health service, including facilities for the custodial, shelter or otherwise supervised, accommodation of the elderly or of persons who suffer psychiatric or psychological illness or disorder
- The ultimate objective of the proposal is to provide a specialist facility at the General Hospital for a patient with psychiatric intensive care needs and also to accommodate the patient's carer. It was considered that with some alterations to the building this can be provided within the Hospital, however the proposal will require alterations that will alter the external appearance of

- the main elevation to the hospital building. The Hospital is located within a conservation area and it was important that the proposed alterations would not impact the historic character of the building or the area
- The proposal is to convert the ward into a psychiatric intensive care unit. This will involve demolishing the existing blockwork wall and removing the existing window and storage cupboard on the external wall. The corner of the verandah will then be enclosed. This room will be utilised as an en-suite. At the entrance to the unit, a sally port is proposed, where a block wall and doors will be constructed to separate the carer from the patient. Between the proposed sally port and en-suite will be the bedroom and living area for the patient.

Renewal of Development Permission 2012/66 and 2015/119 (SHELCO) at Broad Bottom

- **Executive Council, sitting as the Planning Authority, was asked to consider and advise whether FULL Development Permission be granted to SHELCO under Development Application references 2012/66 and 2015/119 with Conditions, for a 70 Suite Eco-Luxury Hotel, 18 Garden Suites, a 30 Bed Staff Accommodation Building, 165 Leisure-related residences, a Golf Clubhouse, a Lookout Interpretation Centre, a Sebastapol Centre, Golf Maintenance Facilities and a Golf Course at Broad Bottom should be renewed as recommended by the Land Development Control Authority (LDCA)**
- **Executive Council approved renewal of the application for a period of five years noting that this was an extensive piece of development predicated on improved air access and if this development goes ahead, three years as recommended by the LDCA is a short time for the developer to start development. To keep this developer we should extend to five years with an extensive review after three years to be included as a Condition**
- Four representations had been received and were concerned with principles of development, barren land, fragile eco-system and water resources
- Members agreed that the Planning Authority will not consider any further application for the renewal of this development permission after the five year period has lapsed
- The applicant is also required to have undertaken substantial development subject of this permission, to be agreed with the Chief Planning Officer (CPO) on behalf of the LDCA before the expiration of the day three years from the date of the Decision Notice
- Members agreed to a renewal of five years with some caveat that work should be done by year three, recognising that 2020 is a lost year due to the

current international situation where economic predictions for global development are weak

- Members recognised that the developer is very keen to invest in St Helena. We have signed up to remove barriers from investment and we should continue to do this. We need economic development to develop
- If we genuinely want to attract significant investment we have to be as attractive as possible
- Members recognised that since January when the LDCA recommended a three year renewal we are in a totally different international economic climate, so extending to a longer period would now be sensible
- ExCo will review progress in three years and will expect in that time an informative update from the developer on progress.

Background

- In accordance with the directions issued by the Governor in Council to the Chief Planning Officer on 14 April 2014 under Section 23(1) of the Land Planning and Development Control (LPDC) Ordinance, 2013, the Chief Planning Officer is required to refer to the Governor-in-Council all applications for the Development of a site (or group of two or more sites in same vicinity) which exceeds (or exceeds in aggregate) five acres in area (Section 1).
- The development application is seeking renewal of the previously approved full development permission for the leisure development incorporating a 70 Suite Eco-Luxury Hotel, 18 Garden Suites, a 30 Bed Staff Accommodation Building, 165 Leisure-related residences, a Golf Clubhouse, a Lookout Interpretation Centre, a Sebastapol Centre, Golf Maintenance Facilities and a Golf Course at Broad Bottom, in the Thompsons Hill Registration Area that was granted consent on 15 June 2012 under development application reference 2012/66/TH and development consent amended on 14 February 2017 under development application reference 2015/119. The development permission consented above expires on 15 June 2020.
- This is an ambitious housing, tourism and golf course development, that if implemented would be unprecedented in scale on St Helena although golf course and leisure resort development of this kind is commonplace in other parts of the world. The principle of house building on this commercial scale in the Green Heartland was accepted partly to enable funding of the hotel and golf course construction and ancillary buildings. The application was presented in 2012 as the World's 'greenest tourism hotel with environmentally responsible leisure related residences around a world class eco golf course at its heart'
- Many of the issues raised by the representation question the impact of the proposed development on the Island's natural environment and eco-system, in particular the scarce water resources. Whilst the impact on the environment and Island's water resource is an important issue with water shortage due to

- lack of rainfall, however periods of drought has been cyclical and the development application has previously considered the potential impact of the proposal on the environment. It is now eight years since the first development application was made accompanied by detailed plans and drawings and supporting documents that included an EIA and Environmental Management Plan and over four years since the requested for review of conditions was made. The previous reports to Governor-in-Council set out full assessment of the proposal and permission was granted with a number of conditions
- It is considered that environmental conditions in the area of the development application have probably changed little over recent years as there has been little or no change in this part of the Island with other developments whilst there has been some change due to developments in other parts of Island, more noticeably with the development and operation of the Airport on the southeast of the Island. There have also been no changes to the Ordinance or development plan policy since the grant of previous permission
 - The development proposal as set out in this application for renewal of development permission granted under references 2012/66/TH and 2015/119 accords with the principles of the policy objectives in the LDCP in particular the most significant policy for the Green Heartland Zone. The renewal request also remains in compliance with the various LDCP policies against which the development has been assessed.

ExCo
7 April 2020