

Minutes of the Meeting of Executive Council held on Tuesday, 10<sup>th</sup> December 2019 at  
9:30am in the Council Chamber

Present: His Excellency the Governor (Dr Philip Rushbrook)  
The Hon Chief Secretary (Mrs S O'Bey)  
The Hon Financial Secretary (Mr D L Richards)  
The Hon Attorney General (Mr A T Cansick)  
The Hon C R Beard  
The Hon A A Green  
The Hon L A Henry  
The Hon D F Thomas  
The Hon R K Yon

In attendance: Clerk of Councils (Mrs C C Johnson)  
Head of Corporate Support (Mrs C A George)  
Head of News (Mrs K Yon)  
Head of Governor's Office (Mr Greg Gibson)

**OPEN SESSION**

62.1 Welcome

The Governor welcomed all to the meeting.

62.2 Control of Tobacco and Related Products Bill, 2019 (ExCo Memo 60/2019)

The Acting Director of Health, Dr Kamar Tanyan, was in attendance for this item of business.

The Chairman of the Public Health Committee introduced the memorandum and asked Council to advise whether the Control of Tobacco and Related Products Bill 2019 together with the associated Policy should be approved and whether the Public Health Committee should commence public consultation on the draft bill in mid-January 2020 to allow time for all Elected Members to meet and go through the provisions of the Bill.

**(Action: Hon Chairman, Public Health Committee)**

Dr Kamar added that the main health risk on Island was chronic diseases and smoking was targeted because this was one of the main causes of death whether directly or indirectly related and in the long term this would reduce the level of chronic diseases.

The Hon Chairman of the Economic Development Committee, in voicing his support for the policy, added that we also need to have supporting evidence so that the public can see the actual cost of medical referrals and educate people and he asked that the Directorate prepare the statistics so people can see the actual costs. Dr Kamar advised that she would revert back with the numbers of medical referrals directly or indirectly related to smoking.

**(Action: Hon Chairman, Public Health Committee)**

All members voiced their support for the Policy, recognising the impacts of smoking on health in general. Members also support the Bill and in response to a query, it was noted that the legislation provided for the issuing of fixed penalty notices.

Following discussion, Council advised and the Governor agreed, that the Draft Control of Tobacco and Related Products Bill 2019 together with the associated Policy should be approved and the Public Health Committee should commence public consultation on the draft Bill, along with an explanatory note explaining costs to the health budget.

It was further agreed that work should be done to ensure key messages about the impacts of smoking on health, as well as on the public purse, should be carried out alongside the public consultation.

**(Action: Hon Chairman, Public Health Committee)**

At this point, the Acting Director of Health left the meeting.

### 62.3 Transfer of Land Back to Crown Estates from Land Protected Under the Airport Development Area Order (ExCo Memo 61/2019)

Head of Property, Mr Derek Pedley, was in attendance for this item of business.

The Chairman of the Environment & Natural Resources Committee introduced the memorandum and asked Council to advise whether the parcels of land listed in paragraph 3 of the memo, which were protected under the Airport Development Area Order (ADAO), should be transferred back to the Crown Estate.

The Chairman of the Environment & Natural Resources Committee explained that when the construction of the Airport began, a number of parcels of private and Crown Estate land, totalling 1,748 acres, were protected from development under the Airport Development Ordinance. The Ordinance created the Airport Development Areas (ADA), parcels of land which were to have restricted access for facilitating the airport. Following completion and opening of the airport, the Airport Directorate with Crown Estates has worked to see which parcels of land can be returned to the Crown Estate, some of which could be released to support Comprehensive Development Areas (CDA) and commercial development.

Under the terms of the ADAO designation the land would revert back to the former Land Development Control Plan designations. This would result in 699 acres being returned to National Conservation Areas, 112 acres to the private sector, 395 acres to the intermediate zone, 524 acres to the coastal zone and 24 acres to the green heart land, where there was a presumption against development. The transfer of some parcels back into the intermediate zone would assist in property and economic development.

Following discussion, Council advised and the Governor agreed, that the parcels of land listed in paragraph 3 of the memo, which had been protected under the Airport Development Area Order (ADAO), should be transferred back to the Crown Estate.

At this point, the Head of Property left the meeting.

62.4 Confirmation of Open Session Minutes of 12 November 2019

The minutes of the open session of 12<sup>th</sup> November 2019 were confirmed.

62.5 Matters Arising from the Open Session Minutes

There were no Matters Arising from the open session minutes.

62.6 Any Other Business

The Head of Governor's Office advised Members that:-

- four DfID plus FCO officials would be on Island later that day on what would be an intense 4.5 day visit
- Sir Simon McDonald, Permanent Under Secretary of State would be on Island from the 11 – 14 January 2020
- Professor Dr Jeremy Sarkin would be back on Island from the 25 January – 04 February



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Clerk of Councils



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Governor

21 January 2020

Date