

Minutes of the Meeting of Executive Council held on Monday, 15<sup>th</sup> November 2021 at 10:00am in  
the Council Chamber

Present: His Excellency the Governor (Dr Philip Rushbrook)  
The Hon. Chief Minister/Employment Skills & Education (J D Thomas)  
The Hon Attorney General (Mr A T Cansick)  
The Hon Minister Treasury Infrastructure & Sustainable Development (M A Brooks)  
The Hon Minister Safety, Security & Home Affairs (J R Ellick)  
The Hon Minister Health & Social Care (M D Henry)  
The Hon Minister Environment, Natural Resources & Planning (C L Scipio)

In attendance: Secretary to Executive Council (Mrs N M Bargo)  
The Chief Secretary (Mrs S O'Bey)  
Head of News (Mrs K A M Yon)

Overseas: The Head of Governor's Office (Mr G C R Gibson)

**OPEN SESSION**

1.1 Welcome

The Governor welcomed all present to the first open session meeting of Executive Council under the new ministerial system of government. He stated the Executive Council were sitting as the Governor in Council (Chic) for the one item of business for the open session of the meeting.

Six members of the public were in attendance for the open session.

1.2 Development Application: Proposed Fuel Station, Convenience Store with an In-Store Café and Supporting Services (ExCo Memo 58/2021)

The Chief Planning Officer (CPO), Mr Ismail Mohammed was in attendance for this item of business.

The Hon Chief Minister invited the Hon Minister of Environment Natural Resources and Planning (ENR&P) Portfolio to introduce the Memorandum asking Executive Council to advise whether Full Development Permission should be granted, with Conditions, for the development application for a proposed Fuel Station, Convenience Store with In-Store Café and Supporting Services, on an area of open undeveloped land on the north of the Haul Road and just west of the junction of the road from Longwood, as recommended by the Land Development Control Authority (LDCA).

The Hon Minister ENRP then explained the reasons why the application was being presented to Executive Council and made reference to the Chief Planning Officer's Report, highlighting the following points:

- The current Fuel Station at the Longwood Supermarket is dated and poses health and safety risks to staff of the business unit, the local community/customers and tourists and visitors to the Island;
- The current fuel service provision is considered to be inadequate, with little scope to be upgraded/improved to enable commercial growth;
- The site for the proposed Fuel Station was identified by the Environment Natural Resources Directorate;
- With reference to NH.3 of the Land Development Control Policy, 2012 where a proposed development could have adverse effects on St Helena's native species and habitats, the application site is mostly covered by invasive plant species. No endemic plants species are evident on the site;
- Whilst the application site is part of the site designated as a National Conservation Area (NCA) at Bottom Woods as being important for Wirebirds; the site has been declared as a poor quality Wirebird habitat and is not a key breeding ground for Wirebirds. It is a fact that the Wirebird tends to move between Deadwood, Prosperous Bay and Bottom Woods areas.

The Hon Minister ENRP explained that the CPO would make a presentation of the development application, for which the public would be present followed by questions raised by Ministers relating to the application. She sought the approval of the Governor, for Members to undertake their deliberation without the public being present and to then invite the public back to the meeting to hear the decision and a summary of the key points discussed.

The CPO presented Members with a detailed Power Point Presentation which covered the following aspects:

- Site location
- Other developments in and around the location
- Site layout and sections across the site
- Volume and visual impact of the development proposed
- 3D perspective of the Convenience Store, Service Booth and Fuel Pump
- Store Room design concept and elevation
- LDCA Policy consideration
- Representations from the St Helena National Trust (SHNT) and the Heritage Society
- Environmental Impact Assessment
- Chief Environment Officer Assessment
- Impact Assessments
- Material Considerations

At this point members of the public were asked to leave the meeting.

Key points highlighted by the CPO were:-

- Whilst the coastal zone policy seeks to retain the character and protect the landscape of the said area, the policy also considers that some form of developments may be acceptable; such as tourism activities and operations, commercial agriculture or forestry and essential infrastructure;
- The development can be considered to partially support and relate to tourism activity and operation. The strategic position of the facility on a strategic highway provides a positive image and will assist visitors to the Island;

- The development of a Fuel Station is considered to be essential infrastructure as its provision is for private transport to enable movement and travel and as such is consistent with the policy;
- The development concept is new to St Helena but is a standard service provision on a highway internationally;
- The proposed development will provide training and employment opportunities for both the construction of the development and for the operation of the use;
- The Bottom Woods area is identified for growth with a Comprehensive Development Areas (CDA) and other developments, including a new prison, taking place in the vicinity of the application site.


The Hon Attorney General asked why the LDCA had referred the application to the Governor-in-Council, the CPO replied that the LDCA did not have a specific reason of their own but took the advice of the CPO. The Attorney General explained that it is a requirement of the CPO to refer to the Governor-in-Council applications where it appears to the LDCA that granting the application would be inconsistent with a Development Plan but that there are material planning considerations which suggest that permission should nevertheless be granted.

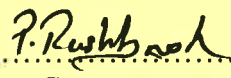
Following discussion, Council advised and the Governor agreed, that Full Development Permission with Conditions for the development application for the proposed Fuel Station, Convenience Store with In-Store Café and Supporting Services as recommended by the Land Development Authority (LDCA) should be granted subject to the wording “on behalf of the Land Development Control Authority” being deleted from Condition 6 to read:

“Condition 6 would be reworded as follows ‘before any construction work commences, the applicant will undertake a “walk over” of the development site (to be completed by the end of this calendar year) with a specialist nature conservation professional to assess the impact on any endemic invertebrate that may be affected and to set out mitigation measures that will be taken to overcome any adverse impact. These measures will be submitted to the CPO in writing for approval.”

The members of the public were invited to return to the meeting and the Hon Minister ENRP conveyed the decision of Governor in Council.

**(Action: Secretary to Executive Council)**

  
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Secretary to Executive Council

  
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Governor

*23-12-21*  
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Date

