

Minutes of the Governor in Council Meeting held on Tuesday 1 August 2023 at 9:00am in the Council Chamber

Present: His Excellency the Governor (Mr N J Phillips CBE)  
The Hon Chief Minister/Minister Education, Skills & Employment (Mrs J D Thomas)  
The Hon Attorney General (Mr D F Ballantyne)  
The Hon Minister Treasury, Infrastructure & Sustainable Development (Mr M A Brooks)  
The Hon Minister Health & Social Care (Mr M D Henry)  
The Hon Minister Environment, Natural Resources & Planning (Ms C L Scipio)  
The Hon Minister Safety, Security & Home Affairs (Mr J R Ellick)

In attendance: Secretary to Executive Council (Mrs N M Bargo)  
The Financial Secretary (Mr D L Richards)  
The Chief Secretary (Mrs S O'Bey)

**OPEN SESSION**

8.1 Welcome

The Governor welcomed all present at the meeting of Governor in Council.

There was one member of the public seated in the gallery.

The Acting Chief Planning Officer, Mr Shane Williams and the Planning Officer, Miss Petra Joshua, were in attendance at this meeting.

8.2 Declarations of Conflict of Interest

There were no declarations of conflict of interest.

8.3 Development Application for the proposed Renovations of the HM Prison for additional Cells and Conversion of the Pipe Store into a Rehabilitation Area (GiC Memo 03/2023)

The Minister for Environment, Natural Resources and Planning (ENRP) introduced this Memorandum and explained the background to this development application and the reason for the referral of this application to Governor in Council.

It was noted that a previous application had been submitted to the Land Development Control Authority (Authority) on 2 May 2023 to convert the section of the Pipe Store, which had previously been used as a Flax Mill Museum and where the Robey steam engine is currently located, into dormitory cells with toilet and shower facilities and a communal area. That application had been considered by the Authority in June 2023 but was deferred in order to understand how the steam engine, which was considered an important feature, would be removed.

Following the deferral, the Authority received a revised development application on 7 June to use the area occupied as the Flax Mill Museum as a workshop and the current HM Prison workshop to be developed into the additional accommodation. This application was considered on 6 July 2023.

The Acting Chief Planning Officer took Ministers through the development application, including the additional conditions proposed to those recommended by the LDCA. It was noted that there was no formal agreement between the St Helena National Trust (Trust) for the use of the Pipe Store as a Flax Mill Museum, however, SHG had given an undertaking to the Trust to honour the current arrangement for the Pipe Store. This, however, was not a matter for the Authority or Governor in Council.

The Minister advised she had seen a letter from the Commission for Equality and Human Rights which has, for a number of years, expressed concern regarding the occupancy levels of the Prison and as well as a letter supporting the development plans for the Prison given the capacity within the Prison.

The Minister explained that a representations were received from the Trust and the St Helena Heritage Society, and the additional conditions proposed took into consideration the concerns raised by these organisations. Ministers had had sight of these representations.

With regard to the Authority's recommendation that Governor in Council should authorise the Attorney General (acting on behalf of His Majesty in right of His Government of St Helena) to enter into a Section 25 Development Agreement with the developer (Safety Security and Home Affairs Portfolio and essentially SHG), the Attorney General advised that SHG could not enter into an agreement with itself, this would not be appropriate. The concerns raised could be addressed through the conditions attached to the development application. The Acting Chief Planning Officer clarified that the suggestion of a Development Agreement was made by a public observer at the meeting of the Authority. The Acting Chief Planning Officer considered that the concerns could be adequately addressed through conditions attached to the development application.

**Following discussion, Council advised and the Governor agreed, that the development application for the proposed renovations of the HM Prison Workshop for additional cells and conversion of the Pipe Store into a rehabilitation area should be granted with the conditions 1 – 7 as outlined in the Acting Chief Planning Officer's report subject to:**

- **The addition of a new condition that the heavy duty rubber matting must not be glued to the existing timber floor within section of the Pipe Store, where the steam engine is located, which will be used as workshop/rehabilitation area.**

**Reason: to ensure that the timber floor is not spoilt for future use once the HM Prison Service vacate the area, in accordance with LDCP policy BH3 where the works should not adversely affect the special interest of the historic asset.**

With regards the condition at (a) for stipulation under the proposed Development Agreement and noting the advice above from the Attorney General, such should be amended to read as set out below and to form part of the conditions attached to the development application:

- **Prior to development commencing, the St Helena Heritage Society shall be consulted on the works to the Pipe Store and the work to conserve and protect the Robey steam engine.**

**Reason: to ensure that the proposed works does not adversely impact the special interest of the historic asset in accordance with LDCP policy BH3.**

In respect of the condition proposed at (b), SHG should give an undertaking to enter into a Lease Agreement with the Trust for the Pipe Store, to take effect on vacation from use by the Prison service, in perpetuity for museum purposes. This would not form part of the conditions attached to the development application but the matter should be taken forward with the SHG Property section.

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

#### 8.4 Development Application for the proposed Construction of a Storage Facility near the Combined Building, St Helena Airport (GiC Memo 04/2023)

The Minister for Environment, Natural Resources and Planning (ENRP) explained the background to this application and the reason for the referral of this application to Governor in Council.

The Acting Chief Planning Officer took Ministers through the development application, including the conditions recommended by the LDCA.

**Following discussion, Council advised and the Governor agreed that the development application for the proposed construction of a storage facility at the St Helena Airport to accommodate all Ground Servicing Equipment should be granted with the conditions 1 – 8 as outlined in the Acting Chief Planning Officer's report.**

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

#### 8.5 Publicity/Briefing to the Press

**Arrangements would be made with both radio stations for the Minister ENRP and the Acting Chief Planning officer to brief the public on the development applications.**

**(Action: Chief Secretary)**

At this point open meeting session ended and the member of the public left the meeting.

The Minister ENRP advised that during the site visit to the Airport in relation to the development application, the Airport enquired as to their point of contact in SHG. The Chief

Secretary advised that the St Helena Airport Project (SHAP) Legacy projects fall under the Project Management Office, and Mr Paul Cherrett was the SHG point of contact.

There being no further business the meeting ended at 9:45am.

N M Bargo  
Secretary to Executive Council

G C R Gibson  
Acting Governor

30 August 2023