

# **THE LANDS COMMITTEE**

## **Minutes**

Wednesday 2<sup>nd</sup> July 2014  
At 1.30pm in the Liberation Room

Distribution List:-

**Hon Mr M Poole MLA**  
**Hon Mrs J Cheek MLA**  
**Director of Public Works**  
**Director of Natural Resources**  
**Environmental Planning Officer**  
**Head of Legal Services**

**Office of Legislative Assembly**  
**HE The Governor**  
**Chief Executive**  
**Committee Coordinator**  
**Senior Clerk, Admin (PWD)**

## **LANDS COMMITTEE**

### **Minutes**

*Held at 1.30pm on Wednesday 2<sup>nd</sup> July 2014  
in the Liberation Room*

**These minutes are draft minutes until confirmed by resolution at the next meeting of this Committee.**

<b>Present:</b>	Hon Mr M Poole MLA	Chairperson
	Hon Mrs J Cheek MLA	JC
	Colin Summers, Deputy Director of Public Works	DDPW
	John Barton, Director of Natural Resources	DNR
	Steve Butler, Head of Environmental Planning	HoEP
	Ros Cheek, Head of Legal Services	HLS
	Ulia Sytchova, Paralegal	PL

**Secretary:** Roxanne Regalado

**Public & Press:** 1

### **Action**

**1. Apologies for absence:**

Director of Public Works, Manfred Keenleyside, was unable to attend, with Deputy Director of Public Works, Colin Summers attending in his place.

**2. Declarations of interest:**

Chair stated these would be declared as items were approached.

**3.** Chair requested that an urgent item be added to the end of Part I. It is proposed that it will be dealt with under a Certificate of Urgency on the basis that no date has been set for the next meeting of the Lands Committee, and that any delay will affect the applicant's ability to complete construction works within the required timescale.

It was also note that an element of this application would be dealt with at the end of Part II of the meeting, due the inclusion in the application of financial information.

**4. Confirmation of the Minutes of the meeting held on 11<sup>th</sup> June 2014**

The minutes were confirmed with no amendments.

**5. Matters arising from the Minutes of the meeting held on 11<sup>th</sup> June 2014**

- 5.1 Simon & Sandra Goss: request to purchase land in instalments HLS  
(Page 2, item 4.1 refers)
- HLS advised that research into this is ongoing, due a significant workload within Chambers.
- 5.2 Fortuna Limited: Application to lease land at the Camber (Page 3, item 4.2 refers)
- Chair advised that this application was approved by Executive Council.
- 5.3 Marvin & Trudi Clarke: Application to lease land at Keil Canal Road DPW  
(Page 3, item 4.3 refers)
- Chair advised that further discussion had been held with the applicants and with DDPW confirmed that further work on land release in the area was awaited, and the application therefore on hold.
- 5.4 Falklands Archery Association: Application to use land south of the FIDF Hall HLS  
(Page 3, item 4.5 refers)
- HLS informed the Committee that further checks were to be completed prior to the preparation of a paper for presentation to Executive Council.
- 5.5 Planning Applications: Murray Heights South (Page 4, item 5 refers)
- DDPW confirmed that the current system for the release of plots at Murray Heights South was to be continued, with no change to the process.
- 5.6 Richard Short: Application to purchase land west of 17 Goss Road AGC  
(Page 4, item 7 refers)
- HLS confirmed that work had commenced on the tender documents for the piece of land in question.
- 5.7 Darrel Ford: Application to extend building plot at 29 Rex Hunt Road HoEP &  
AGC  
(Page 6, item 8 refers)
- Chair requested confirmation the Stanley Common Ordinance was on the drafting list for 2014/15 (reference the link between this application and proposed alterations to the common boundary). HLS confirmed that the drafting had been on the 13/14 priorities list, and thought it likely it was the case for 14/15. HoEP confirmed that work was to be carried out by his department on a number of outstanding issues relating to the common (before any legislative drafting can begin), with a report being sent to the Environmental Committee in September.

- 5.8 Sullivan Shipping: 3 Gordon Lines Road (Page 7, item 14 refers) HLS

HLS confirmed that a paper had been drafted, and that it would hopefully be presented to the next meeting of Executive Council (although the internal deadline had been missed due to workload).

- 5.9 Byron Holdings Limited: Applications in relation to 5-7 and 1-3 Boxer Bridge Road (Page 8, item 15 refers) HLS

HLS confirmed that a paper had been drafted, and that it would hopefully be presented to the next meeting of Executive Council (although the internal deadline had been missed due to workload).

## 6. **Planning Applications**

The Committee noted the planning applications.

7. **Serena Sinclair: Application to extend building plot at 11 Rex Hunt Road** AGC

*\*HoEP declared an interest as Miss Sinclair's employer, but stated this would not prejudice his approach to the application\**

After much discussion regarding future plans for the area, different options for expansion of plots and concerns regarding precedents being set, the committee concluded that at this time, such an application is considered premature, as it is too early in the development to know whether the relevant land should be made available for the purpose of garden extensions. It was therefore agreed that the applicant should be advised to resubmit her request to the Lands Committee in twelve months' time, when more information will be available and further plans for the area are more likely to be clear.

8. **Jay Moffatt: Application to lease land at VPC Road** AGC/  
DDPW

It was noted that progress needs to be made to secure the availability of Keil Canal Road and potentially additional sites for commercial development, because many applications are being received and deferred whilst awaiting policy decisions on release of land. DDPW confirmed that work is ongoing in relation to the Keil Canal site, but awaits the return of the Director. HoEP suggested that some decisions as to location could be made from a planning point of view, based on the aesthetics of the design (ie closed sites could be closer to Airport Road, while open work sites (lorry parks etc) could be based more at Keil Canal Road).

Considerable discussion was held about the three sites applied for in this case, and future use for them. It was noted that the two VPC road sites are designated for commercial use and are therefore areas of land which the Lands Committee has delegated authority to dispose of in accordance with its terms of reference. The third site applied for, near the airport road, is not within an area designated for disposal for commercial use.

The Secretary noted that other parties had previously shown an interest in 4 VPC

Road and had been advised that the land was not available (the Sea Cadets have indicated that they intend surrendering their occupation of the land soon, but have not done so yet). The Committee decided that it would be unfair to other parties to release to a single application when other interested applicants had been turned away, and that the most reasonable method of release would be by competitive tender, once the site has been handed back to FIG by the current lessee. The application for this land is therefore refused, but the applicant would be entitled to tender for the land in due course.

Further research is to be done into the situation regarding 2 VPC Road, following an objection from Stanley Services stating that this area was reserved for an extension to the fuel station. The application will be returned to the Committee reference the outcome of that research.

In relation to the third site, the application is deferred pending resolution of work on the alternative commercial use site at Keil Canal Road.

With more complex applications for industrial land, it was suggested that a proposal might be made to Executive Council to extend the Lands Committee's delegated powers to make the distribution of undesignated industrial/commercial land easier, as the committee is currently bound by a maximum value clause which means that a considerable number of applications for industrial land will have to be referred to Executive Council, when the Lands Committee could potentially make the decision and speed up processes.

9. **Urgent Item:**  
**Stanley Services Limited: Application to purchase land at 3 Bill Roberts Way**

AGC/  
HLS

*\*JC declared an interest as Chair of Stanley Services\**

After some discussion regarding the actions permitted to Lands Committee under delegated powers from ExCo, it was confirmed that land at Bill Roberts Way was within an area designated as commercial land for the purposes of land disposal, and the Lands Committee have delegated authority to dispose of the site.

It was also noted that no application for planning permission had been submitted. Chair therefore requested that Secretary contact the applicant and advise of the deadline for the next Planning & Building Committee.

The committee concluded that in this instance they approve the application, subject to planning permission being granted for the site.

10. **Date of Next Meeting**

The date and time of the next meeting will be confirmed at a later date by email to all committee members.

11. **Exclusion of Press and Public**

The public were excluded from the meeting for these items of business by virtue of paragraph 9, information about others' financial and business affairs, of Schedule 3 of the Committees (Public Access) Ordinance 2012

The Chairman moved as follows:

*"I move that the press and public be now excluded on the ground that the next items of business to be considered are likely to disclose exempt information under paragraph 9, Information about others' financial and business affairs, of Schedule 3 of the Committees (Public Access) Ordinance 2012."*

## **PART II**

### **12. Confirmation of the Exempt Minutes of the meeting held on 11<sup>th</sup> June 2014**

The exempt minutes were confirmed with no amendments.

### **13. Matters arising from the Exempt Minutes of the meeting held on 11<sup>th</sup> June 2014**

AGC

See items 5.8 and 5.9 above

*(Not for publication by virtue of Paragraph 9 of Schedule 3 of the Committees (Public Access) Ordinance 2012, relating to the financial or business affairs of any particular person)*

### **14. Adventis Education Association: Application for a licence to hold property**

AGC

It was noted that, as an application for a licence to hold an existing property, rather than a building plot, the application is a variation from existing policy, and the final decision would need to be made by Executive Council.

The Committee took into consideration the points raised in the application and covering paper. On the basis that the approval of this application would not appear to have the potential to negatively impact the current housing situation, and that another locally registered charity had been permitted to purchase an existing property, the committee decided to refer to Executive Council with the recommendation that it be approved.

*(Not for publication by virtue of Paragraph 9 of Schedule 3 of the Committees (Public Access) Ordinance 2012, relating to the financial or business affairs of any particular person)*

### **15. Urgent Item (price): Stanley Services Limited: Application to purchase land at 3 Bill Roberts Way**

AGC

*\*JC declared an interest as Chair of Stanley Services\**

The value of the land was discussed by the committee and a conclusion reached.

*(Not for publication by virtue of Paragraph 9 of Schedule 3 of the Committees (Public Access) Ordinance 2012, relating to the financial or business affairs of any particular person)*

*The meeting closed at 1500hrs*

*Confirmed this day of*

*2014*

---

*Chairperson*