

Lands Committee: Open Agenda

Wednesday 1st April 2020

For Consideration by Email

Note to the Public

It is recognised that taking decisions by email does prevent the general public from attending the meeting, and for this we apologise to anyone who had intended to attend. The minutes will be recorded and distributed as usual, and it is hoped that addressing these applications in this way will cause as little disruption as possible.

Any representations or concerns in relation to the matters in the agenda should be emailed to Roxi Crowie (cwmanager@sec.gov.fk) and received no later than 4pm on Tuesday 31st March.

Part One: Items for Open Publication

- 1: **Apologies for absence:**
- 2: **Declarations of interest:**
- 3: **Confirmation of the Minutes of the previous meeting**
- 4: **Matters arising from the Minutes of the previous meeting**
- 5: **Planning applications**

Head of Planning and Building Services to advise of any applications made in respect of Crown land.

- 6: **Matthew Eccles: Application to Purchase Additional Garden**

See attached

- 7: **Ryan Hawksworth: Application to Lease/Purchase Land at Kiel Canal Road**

See attached

- 8: **Sure South Atlantic Ltd: Application to Renew Existing Leases**

See attached

- 9: **Date of next meeting:**

The next meeting of the Lands Committee is scheduled for Wednesday 6th May 2020, to be held in the Liberation Room at 1.30pm.

Part Two: Items Exempt from Publication

10: Confirmation of the Exempt Minutes of the previous meeting

11: Matters arising from the Exempt Minutes of the previous meeting

12: Ashton Eccles: Application to Assign Building Licence

(not for publication by virtue of Paragraph 9 of Schedule 3 of the Committees (Public Access) Ordinance 2012, relating to the financial or business affairs of any particular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

13: South Atlantic Trading Ltd: Application for a Licence to Hold Land

(not for publication by virtue of Paragraph 9 of Schedule 3 of the Committees (Public Access) Ordinance 2012, relating to the financial or business affairs of any particular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: Cody, Torin and Zak Bound: Applications for Licences to Hold Land

(not for publication by virtue of Paragraph 9 of Schedule 3 of the Committees (Public Access) Ordinance 2012, relating to the financial or business affairs of any particular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

Distribution List:

Barry Elsby - Member of the Legislative Assembly

Mark Pollard - Member of the Legislative Assembly

Colin Summers - Director of Public Works

Simon Young - Attorney General

Andrea Clausen – Director of Natural Resources

Lee Kenebel – Head of Planning and Building Services

Nigel Phillips – Governor

Cherie Clifford - Clerk of the Legislative Assembly and Committees Coordinator

Barry Rowland - Chief Executive

Trudi Clarke - Senior Clerk (Admin), PWD

Beverley Glanville – PA to Director of Natural Resources

LANDS COMMITTEE

Title of Report: Matthew Eccles: Application for Additional Garden
Date: 1st April 2020
Report of: Legal Services as Secretary to the Lands Committee

1.0 Purpose

The purpose of the paper is to invite the Lands Committee to consider the application outlined in the title to this report.

2.0 Recommendation

It is recommended that the Committee APPROVE the application per the conclusion at 7.0 below

3.0 Potential Authority to Determine Application

The Lands Committee has delegated power from Executive Council to determine all applications to purchase, lease, or use Government land where the Committee is satisfied that the site in question has no strategic value and has a calculated value no greater than £10,000 (reference Executive Council paper number 183/06, considered in June 2006).

4.0 Background of the Application

- 4.1 Mr Eccles currently holds the property at 3 Jeremy Moore Avenue and has applied to the Committee to request that he be permitted to extend the garden to the south, in line with extensions granted to a number of neighbours. It is believed that some years ago, residents in the area were offered the option of extending their gardens, without a need to apply to the Committee.
- 4.2 It should be noted that within the application, Mr Eccles states that it is not his intention to develop the area, just to extend the garden.

5.0 Previous Decisions

- 5.1 Decisions might be guided by past practice, and records indicate that of relevance to the decision is whether the land requested is large enough to be developed into a housing site. If the plot is large enough, a process of advertisement for sale by tender to the highest bidder can be considered.
- 5.2 If the plot is not large enough for development of a new property, and the land has no value except as extension to the applicant's garden, then applications have usually been granted in the past; and the rate of £2.50 per square metre has been recently applied.

6.0 Options

6.1 Refuse the application

6.2 Approve the application

7.0 Conclusion

It is recommended that the Committee approve Mr Eccles' application to purchase the land, at the additional garden rate of £2.50 per square metre and instruct Government Legal Services in the preparation of a Crown Grant for the area, with the additional covenant that the land is for garden and ancillary use only and no garage or dwelling should be erected on this piece of land.



LAW & REGULATION DIRECTORATE
Application for Government Land:

Please note – if planning permission is required, this **must** be granted prior to submitting an application to the Lands Committee

| | |
|---|--|
| 1. APPLICANT DETAILS Name: Matthew Eccles Address: 3 Jeremy Moore Avenue, Stanley Tel No(s): 53891 Email: matt@rbc.co.fk | 2. ADDRESS OR LOCATION OF SITE APPLIED FOR 3 JEREMY Moore Avenue, Stanley. South side of the property, the land is situated at the rear of the property. 3. AREA (sqm): 152 4. PLAN ATTACHED? Yes |
|---|--|

| |
|--|
| 5. Is this an application for - FREEHOLD <input type="checkbox"/> The application is for the land to be purchased Freehold |
| 6. How do you intend to develop and use the site? The additional land will not be developed, other than to extend the current garden to the property. It is my my understanding that HV cables run through this area, so no development is possible. However the space can be used to allow our kids more space to play. 7. Price offered: 152 X £2.50 (£2.50 being the current amount set for the purchase of gardening land in Stanley) £380 |

| |
|--|
| For advice on questions 8-11 please contact the Environmental Planning Department on +500 28480 |
| 8. What is the area in question designated as in the Development Plan? Residential |
| 9. Is the proposal classed as 'development' as set out in the planning legislation? No <input type="checkbox"/> (if no go to question 12) |
| 10. Is the proposal permitted development? Yes <input type="checkbox"/> (if yes please state which class then go to question 12) No <input type="checkbox"/> |
| 11. Has planning permission been granted? Yes <input type="checkbox"/> (please provide ref number): No <input type="checkbox"/> |

12. What are the timescales for the development of the site? Please outline key milestones:

Substantial work is required to bring the area into usable garden space, also the construction of a fence. These would be achieved in the current year 2020.

13. Please provide details of the economic, social and environmental benefits of your proposal:

The social benefit is the access to more land for our children and there friends to play in.

14. Please provide details of any potentially negative economic, social and environmental impacts of your proposal and how you might avoid or mitigate these: **N/A**

15. Have you applied for land previously? (Please provide details): NO

16. Are you aware of any recent decisions which you feel should be regarded? (Please provide details): Other properties on the same street have been granted permission to purchase the land to the south of their properties

17. What is your Immigration Status? F.I. Status ☐

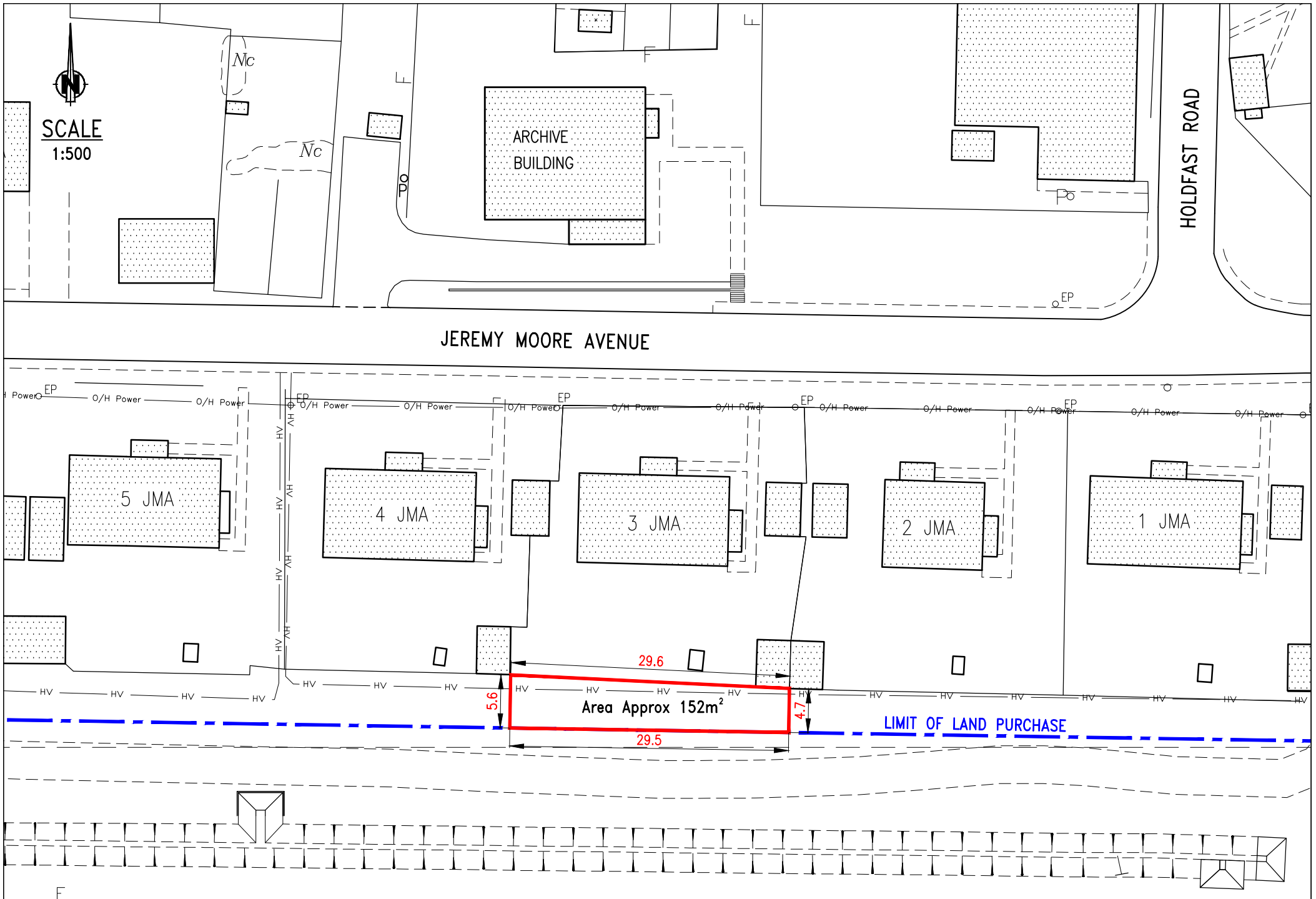
18. Other information to be taken into consideration:

Other properties situated along Jeremy Moore Avenue have been able to purchase the land to be able to extend their garden area.

I confirm that the above information is correct to the best of my knowledge.

Signed:  (applicant)

Dated: 02-03-2020



LANDS COMMITTEE

Title of Report: Ryan Hawksworth: Application to lease/purchase land at Kiel Canal Road

Date: 1st April 2020

Report of: Legal Services as Secretary to the Lands Committee

1.0 Purpose

The purpose of the paper is to invite the Lands Committee to consider the application outlined in the title of this report.

2.0 Recommendation

It is recommended that the Committee APPROVE the application.

3.0 Potential Authority to Determine Application

- 3.1 The Lands Committee has delegated authority from Executive Council (within guidelines) in relation to the allocation and management of Government-provided commercial development sites (ref. paper 183/06).
- 3.2 The Lands Committee has the delegated authority to release plots around the Kiel Canal Road area for commercial purposes on the same basis as other Government provided commercial sites.

4.0 Background of the Application

- 4.1 In September 2014, Executive Council approved the area of Kiel Canal Road as a designated commercial area for light industrial use, subject to outline planning permission being granted. This permission has now been granted.
- 4.2 Being able to lease/purchase the outlined land would enable the applicant to create a hard standing, and erect fencing for the safe storage of containers and equipment related to his construction business (he advises that these items are currently stored in various locations and a dedicated site would permit all items to be stored together in an appropriate place).

5.0 Previous Decisions

- 5.1 A number of plots in the Kiel Canal Road area have been allocated on a lease/purchase basis, one of which has already been sold following the completion of construction works.

6.0 Options

6.1 Refuse the application

6.2 Approve the application

7.0 Conclusion

It is recommended that the application is approved at the standard rate of £14 per square metre (rent at 10% of this), with construction works to be carried out prior to purchasing the freehold. These works will comprise at least 50% of the property covered with hard standing or buildings, and a satisfactory fence (to be agreed with DPW) erected around the whole site.



RECEIVED

09 MAR 2020

ATTORNEY GENERAL
FALKLAND ISLANDSLAW & REGULATION DIRECTORATE
Application for Government Land:Please note – if planning permission is required, this **must** be granted prior to submitting an application to the Lands Committee

| | |
|---|--|
| 1. APPLICANT DETAILS Name: <u>RYAN HAWKSWORTH</u> Address: <u>2 GOSS ROAD,</u> <u>STANLEY</u> Tel No(s): <u>52109</u> Email: <u>muttonandspuds@hotmail.com</u> | 2. ADDRESS OR LOCATION OF SITE APPLIED FOR <u>12 KIEL CANAL ROAD</u> 3. AREA (sqm): <u>1160 m²</u> 4. PLAN ATTACHED? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
|---|--|

5. Is this an application for -
99 YEAR LEASE ☐ FREEHOLD ☐ LEASE/PURCHASE ☒ OTHER ☐ (Please provide details below)

6. How do you intend to develop and use the site? I INTEND TO DIG THIS SITE OUT AND BACKFILL
IT WITH STONE TO FORM A HARDSTAND AREA THAT CAN BE SECURITY FENCED
FOR USE AS A CONSTRUCTION YARD. I HAVE FUTURE PLANS TO BRECT
A BUILDING / WORKSHOP.

7. Price offered:

For advice on questions 8-11 please contact the Environmental Planning Department on +500 28480

8. What is the area in question designated as in the Development Plan? Commercial/Industrial development

9. Is the proposal classed as 'development' as set out in the planning legislation?
Yes ☒ No ☐ (if no go to question 12)

10. Is the proposal permitted development?
Yes ☐ (if yes please state which class then go to question 12) No ☒

11. Has planning permission been granted?
Yes ☐ (please provide ref number): No ☒

12. What are the timescales for the development of the site? Please outline key milestones: IF A LEASEHOLD IS OBTAINED I WISH TO DIG OUT THE PLOT AND HAVE IT STONED AND SECURITY FENCED WITHIN THE FIRST 5 YEARS OF LEASE. WHEN THE FREEHOLD OF THE LAND IS OBTAINED I WISH TO ERECT A BUILDING.

13. Please provide details of the economic, social and environmental benefits of your proposal: I HOPE TO PROVIDE A NEAT/TIDY STORAGE AREA AND WORKSHOP THAT I CAN OPERATE FROM. THE USE OF THIS LAND AS AN INDUSTRIAL PLOT WOULD KEEP ALL MY CONTAINERS AND SCAFFOLDING IN ONE SECURE AREA INSTEAD OF HAVING THEM SCATTERED AROUND STANLEY

14. Please provide details of any potentially negative economic, social and environmental impacts of your proposal and how you might avoid or mitigate these: NONE

15. Have you applied for land previously? (Please provide details):

YES AT 2 GOSS ROAD, STANLEY

16. Are you aware of any recent decisions which you feel should be regarded? (Please provide details):

NO

17. What is your Immigration Status? F.I. Status ☒ PRP ☐ Work Permit Holder ☐ Other ☐ (please provide details)

18. Other information to be taken into consideration:

NONE

I confirm that the above information is correct to the best of my knowledge.

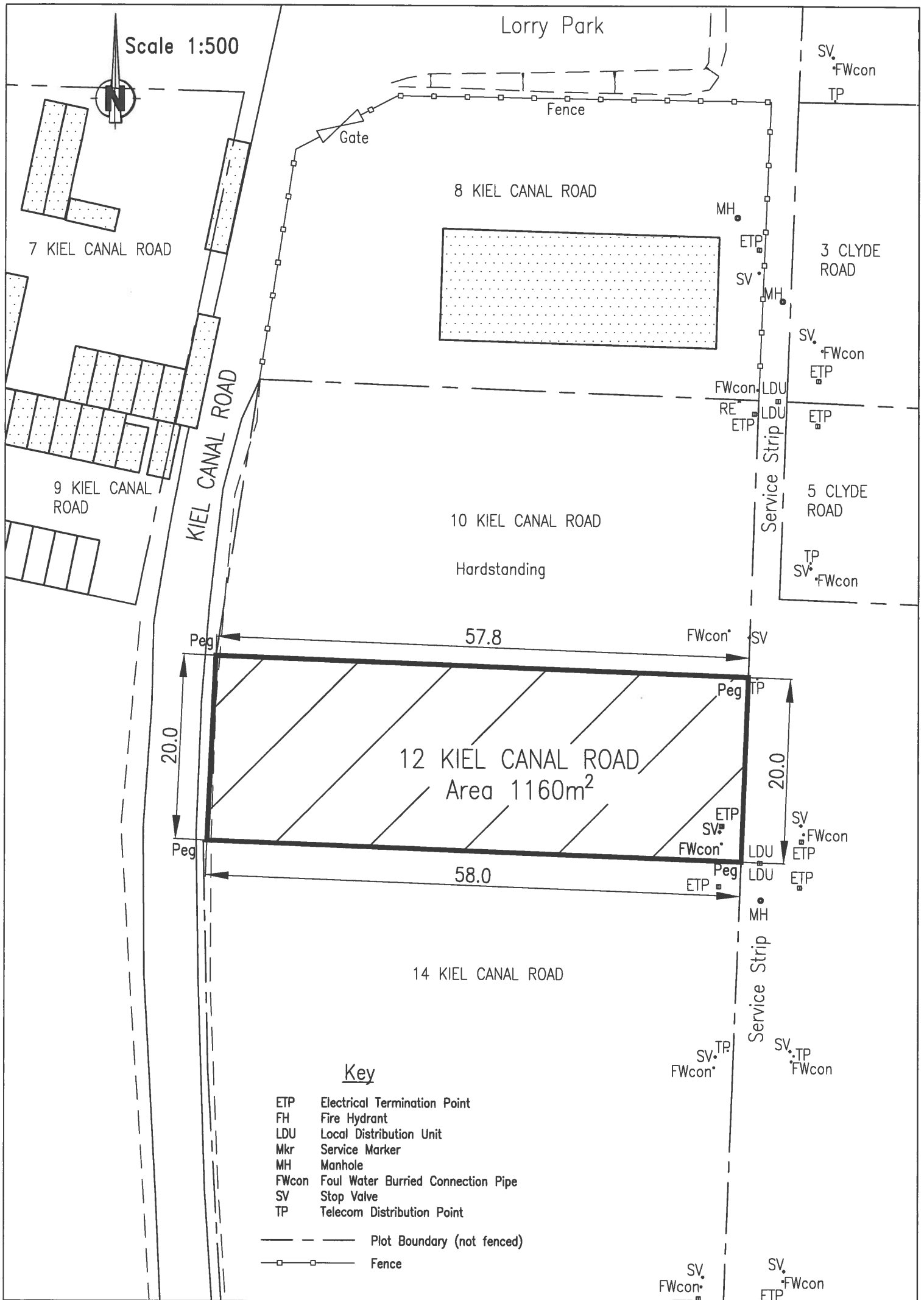
Signed:

Sybil Parkes

(applicant)

Dated:

MARCH 9TH 2020



LANDS COMMITTEE

Title of Report: Sure South Atlantic Ltd: Lease Renewals

Date: 1st April 2020

Report of: Legal Services as Secretary to the Lands Committee

1.0 Purpose

The purpose of the paper is to report to the Lands Committee the application outlined in the title of this report.

2.0 Recommendation

It is recommended that the Committee note the application, and approve the renewal of the leases of both Stewart House and the Earth Station, permitting that the lease periods should be coterminous with the Telecommunications Licence. Specifically, that the lease should have an initial end date of 31st December 2027, and an additional clause allowing for automatic extension (to be processed by the Attorney General's Chambers) in the event that the Telecommunications Licence is extended as permitted by the terms of that Licence.

3.0 Potential Authority to Determine Application

- 3.1 The Lands Committee has delegated power from Executive Council to determine all applications to purchase, lease, or use Government land where the Committee is satisfied that the site in question has no strategic value and has a calculated value no greater than £10,000 (reference Executive Council paper number 183/06, considered in June 2006).
- 3.2 It is considered that, were the sites in question not in use for telecommunications purposes, they would not be of any strategic value and (given the size) would be unlikely to have a calculated value (at the current rate) in excess of £10,000. Additionally, given that the Licence under which Sure are operating has been issued following the approval of Executive Council, and the need for them to have a base for such operations is clear, it is suggested that the Lands Committee does hold authority to approve the renewal of these leases as such approval is in line with the earlier Executive Council decision.

4.0 Background of Application

- 4.1 Sure South Atlantic Limited currently occupy two facilities within Stanley. The first is that site comprising Stewart House and adjacent land, and the second is the Earth Station facility on Sapper Hill which has been leased for 24 years to date. Each of the leases has a different end date, and it is intended that this be amended with the issuing of renewal leases.

- 4.2 The lease of the Earth Station has now expired, and the tenant is holding over and continuing to pay the rent in line with the terms of the lease.

5.0 This Application

- 5.1 The Tenant has provided no details of the terms of the renewal they seek, but it is recommended that renewal is approved on the same terms and at the same rate as the current lease.

6.0 Recommendation

It is recommended that the Lands Committee approve the renewal of both leases for the remainder of Sure's Telecommunications Licence, with a mind to be given to the fact that after the initial 12 years, there is the potential for that Licence to be extended.



Roxanne Crowie
Committee Members
Lands Committee
Falkland Islands

03 March 2020

Dear Roxanne,

Renewal of Crown Lease Number 236 & 562

The Crown Lease Number 236 and 562 between the Falkland Islands Government and Sure South Atlantic Ltd expires on the 31st March 2020.

Sure South Atlantic Ltd would like to apply to the Lands Committee to renew the agreement.

Kind regards,

Shara Robinson
Human Resources & Administration Manager

T: +500 20807
E: shara.robinson@sure.co.fk