

EXECUTIVE COUNCIL

RESTRICTED

Title of Report: Clean Planet – Application for Licence to Hold Land for Lease of Recycling Plant at Eliza Cove Road

Paper No: 33/09

Date: 26 February 2009

Report of: Senior Crown Counsel

1.0 Purpose

To consider a request by Octavio Enrique Marinovic Dey and Jessy Ann Hutt Calisto trading as Clean Planet for a Licence to Hold Land under the Land (Non-Residents) Ordinance for the 5-year lease of a small area of land at Eliza Cove Road, north of Eliza Cove Tip, for use as a recycling plant.

2.0 Recommendations

The Lands Committee recommend that Executive Council approve the issue of a Licence to Hold Land under the Land (Non-residents) Ordinance to Octavio Enrique Marinovic Dey and Jessy Ann Hutt Calisto trading as Clean Planet enabling them to take on lease for a term of 5 years a small area of land at Eliza Cove Road, north of Eliza Cove Tip, for use as a recycling plant.

3.0 Summary of Financial Implications

None

4.0 Background

- 4.1 Clean Planet is a recent business venture launched by Octavio Marinovic and Jessy Hutt. They collect aluminium cans, crush them, and ship the recovered material to Chile for recycling. All but two of Stanley's bars separate out their aluminium cans and place them into containers provided and regularly emptied by Clean Planet. MOD contractors Interserve Defence are proposing to start delivering aluminium cans to Clean Planet for recycling.
- 4.2 Clean Planet currently occupy a small site measuring 20 ft x 16 ft adjacent to Eliza Cove Tip, by informal agreement of the Director of Public Works. The close proximity of the site to the tip means that it does not require separate planning permission. The site comprises a cage for the storage of aluminium cans, together with a portacabin containing the crushing equipment. Clean

Planet want to expand their site to 20 ft x 40 ft. This would comprise the current cage together with four containers. One of the containers would be adapted so that cans from MPA could be deposited directly into it. The other three containers would be used for compression of cans and storage prior to shipment to Chile.

- 4.3 In the light of the growth of the business, and on the advice of the Director of Public Works, Clean Planet applied to the Lands Committee to lease land at Eliza Cove Road, north of Eliza Cove Tip, for use as a recycling unit. The application has been approved by the Lands Committee on the terms set out below, subject to Executive Council approving Clean Planet's associated application for a Licence to Hold Land.
- 4.4 The Lands Committee have agreed to offer Clean Planet a 5 year lease at a peppercorn rent of an expanded site in its present location. The lease will be on standard terms, eg. indemnify FIG against any claim, keep site fenced, comply with planning and other relevant legislation, and will also require Clean Planet to comply with any directions of the tip managers.

5.0 The Applicants

- 5.1 Octavio Enrique Marinovic Dey was born on 27 May 1962 in Punta Arenas and has Chilean nationality. His connections with the Falkland Islands are through his wife. He came to the Falkland Islands to work for the Falkland Islands Company Limited three years ago, and is now employed by FIG as a mechanic.
- 5.2 Jessy Ann Hutt Calisto was born on 17 February 1964 in Santiago and has Chilean nationality. She has been living in the Falkland Islands for two years, and is employed by Domestic Bliss as a commercial cleaner.
- 5.3 Ms Hutt's great-grandfather John Coleman, a master baker, emigrated from Somerset to the Falkland Islands in the 1880s. Her grandmother Lily Malvina Colman was born in the Falkland Islands on 12 August 1894, and emigrated to South America immediately before the First World War. Most of the Coleman family remained in the Falkland Islands (the last of the family to bear the Coleman name died in the hospital fire in 1983) and Jessy has many second cousins living in the Falkland Islands, including Olive Smith who has made a house available for the family to use at Johnsons Harbour.
- 5.4 Mr Marinovic and Ms Hutt have been together 18 years, and were married in Stanley in December 2008. They have 2 children, Daniella (age 15) and Zlodovan (age 8) who are in education at FICS and IJS respectively. The family live at 56 Davies Street. Mr Marinovic and Ms Hutt say that their intention is to build up the Clean Planet business into a full-scale recycling plant, and to remain in the Falkland Islands permanently.

6.0 Financial Implications

There are no direct financial implications for FIG to this application, although the increased recycling of waste will reduce costs spent by FIG on waste management.

7.0 Legal Implications

Mr Marinovic and Ms Hutt do not have Permanent Residence Permits or Falkland Islands Status, and therefore require a Licence to Hold Land under the Land (Non-residents) Ordinance before they can be granted any interest in land other than either a lease or licence for up to three years of residential premises not exceeding two acres in area, or a lease or licence for up to twelve months of business premises not exceeding five acres in area.

8.0 Human Resources Implications

There are no human resource implications to this application.