

ST. HELENA
LEGISLATIVE COUNCIL

THE SPEAKER

Mrs Margaret Anne Catherine Hopkins MBE

EX-OFFICIO MEMBERS

The Honourable Acting Chief Secretary	-	Mrs Gillian Ann Francis
The Honourable Financial Secretary	-	Mr Paul Blessington
The Honourable Attorney General	-	Mr Kenneth Ian Baddon

ELECTED MEMBERS

The Honourable Rodney Garth Buckley	-	East Electoral Area
The Honourable John Gilbert Cranfield	-	“ “ “
The Honourable Cyril Keith Gunnell	-	“ “ “
The Honourable Brian William Isaac	-	“ “ “
The Honourable Bernice Alicia Olsson	-	“ “ “
The Honourable Tara Louise Thomas	-	“ “ “
The Honourable Michael Anthony Benjamin	-	West Electoral Area
The Honourable Stedson Graham Francis	-	“ “ “
The Honourable Anthony Arthur Green	-	“ “ “
The Honourable Raymond Kenneth Williams	-	“ “ “
The Honourable Mervyn Robert Yon	-	“ “ “
The Honourable Derek Franklin Thomas	-	West Electoral Area (Overseas)

CLERK OF COUNCILS

Miss Gina Benjamin

PROCEEDINGS OF THE LEGISLATIVE COUNCIL

Monday, 2nd August, 2010

The Council met at 10.00 am
in the Court House, Jamestown

(The Speaker in the Chair)

ORDER OF THE DAY

1. FORMAL ENTRY BY THE PRESIDENT

2. PRAYERS

(Archdeacon Fr. Fred George)

3. ADDRESS BY THE PRESIDENT

Honourable Members, Archdeacon, Heads of Departments and members of the public. Welcome to this first sitting of the third meeting of Legislative Council. It was with deep regret that we heard of the death of former Councillor Robert Macmillan Robertson after a long period of illness. Given his long service to the island as a Councillor, it is appropriate to begin this sitting by paying tribute to him. Bobby, as we all knew him, served the island as a Councillor from 1993 until his retirement from public office in 2009. His work as a people person meant long hours spent visiting constituents, taking up their problems and showing his caring spirit in his work on their behalf. He held regular Saturday morning constituency surgeries on Longwood Green no matter what the weather or how much other LegCo work he had on his desk, the people always came first. And because of his dedication to the people, he successfully defended his seat in elections, others came and went, but he remained and became one of our elder statesmen. He represented Elected Members at overseas conferences, taking Dulcie with him on several occasions. He continued to maintain a heavy workload even when his health began to fail and wouldn't allow it to interfere with his work programme. Bobby didn't restrict his work to the political arena. He contributed enormously to the community through his interest in Arts and Crafts and was a founder member of the Art and Crafts Association along with Dulcie his wife, to whom he always alluded as "Precious One". They were to celebrate their diamond wedding anniversary together and I think we all knew what a wonderfully loving relationship they shared. He was also a founder

member of the St. Helena Community Help Association and right up until last month he continued to distribute items donated to the Association around the island – books, television sets, clothing, toys and on one memorable occasion frozen chickens at Christmas. Nothing was ever too much for him to do when it came to helping those less fortunate than himself. Outside his council and charity work, Bobby enjoyed writing poetry and also produced books of short stories. Quite how he found the time to do all of this with the workload of his council duties I really am not sure. Bobby was a real character; all of us who knew him will have special memories of his mannerisms. He was ever the gentleman towards me but not above trying to take advantage of any slight lapse in concentration by the Speaker to flout Standing Orders by trying to introduce a new matter when asking supplementary questions in the House. His questions often revealed his very perceptive brain. He would get to the nub of the matter and rather like a dog with a bone, he wouldn't let go until he'd got the information he wanted. It was a privilege to know Bobby as a friend, a fellow Councillor and then in that slightly different relationship when I was elected Speaker. Honourable Members, we all know that Bobby's heart was mainly in the island, focused upon the people for whom he sought a better quality of life and hope for the future. I am confident that he will be watching over St. Helena as air access and associated development becomes a reality. How he would have loved to have been a part of it all. I am sure he would urge everyone charged with the responsibility to take forward the access project to think twice and action once and get it right for the benefit of all islanders. On behalf of this Council, I should like to extend deepest sympathy to Dulcie and the children and ask God's blessing on them as they mourn his passing. May God reach out his healing hands and give you comfort.

I would now ask Honourable Members to stand and pay tribute to Bobby in a minute's silence after which Fr. Fred will lead us in a short prayer. Please stand.

Minute's silence observed.

Prayer offered by Archdeacon Fr. Fred George.

The Speaker –

Thank you Honourable Members.

Please be seated. From sadness, I should like to turn to something far happier if we are to judge from the reaction to the Ministerial statement made on 22nd July regarding the airport project for St. Helena. It has to be good for the island to know that after such a long period of uncertainty the all-important issue of improved access is finally to be tackled. Honourable Members, you will find yourselves facing an increased burden of responsibility with this decision from HMG. The future of the island relies upon your decisions regarding policy and strategy to ensure that Saints benefit from the airport development and associated inward investment into tourism and other business opportunities. His Excellency the Governor said how important it was to ensure that what attracts tourists here in terms of our people, our natural and built environment, our culture, is conserved to continue to attract visitors as it has been realised that this will undoubtedly be the mainstay of a developing economy for the island. The importance of carrying the public with you at this demanding time in the island's history means added consultation and information sharing, getting social policies into place, employment law, the immigration and inward investment legislation amended as required by HMG to meet their conditions for agreeing the airport development. So if you thought your workload was tough, Honourable Members, it's just got tougher. And I suggest that this also will be the case for the Administration and the private sector too. We have one chance to get

it right. If ever there was a time for teamwork it is now. The need for responsible and accountable government is perhaps greater now than at any time in the island's history.

Turning to other matters. The four months since the Budget session of this Honourable House has seen many meetings of Informal Legislative Council and several meetings of the CPA. Among the issues discussed and presentations made were the following:-

Strategy for Lifelong Learning; Financial Management Reform; Policy Management; Social Benefit Reform; Infrastructure; Safeguarding Children; Private Sector Development; Pasture Reform; Critical Species Recovery; Reports from Councillor Yon and the Chief Development Officer on the EU OCT Conference in Brussels, Shipping and reports to CPA from Councillors Tara Thomas and Stedson Francis. The St. Helena National Trust hosted a workshop on Strategic Plans for the Trust and also hosted visits to the Heart Shaped Waterfall project and High Knoll Fort.

Another presentation was given to the Council by Monsieur Martineau on the plans for celebrating the 200th anniversary of Napoleon's stay on St. Helena and highlighted the forward planning going in to the celebrations being planned by the French and including restoration to the French Properties on St. Helena; it is pleasing to see that arising from this presentation, there is a Motion on the Order Paper for today which will be moved by the Honourable Rodney Buckley and I look forward to hearing the debate later on.

Elected Members also attended an Away Day on Strategic Planning with Heads of Departments.

Outside the Informal Legislative Council and CPA meetings, it was good to see members take advantage of the Human Rights Training Programme in June and also to see St. Helena Government staff and NGOs participate fully in that programme.

The Elected Members have conducted a further round of constituency meetings with a reasonably good attendance at the various venues and they have also met again with the Chamber of Commerce and St. Helena Development Authority.

Before we move to the next item of business on the Order Paper, I should like to thank the contractor and his team of workers, the project managers and others who have been instrumental in refurbishing the Court House. It has all taken rather longer than was planned but hopefully the furnishings, the air conditioning and sound systems will all mean a more comfortable meeting place and better acoustics.

The Order Paper has a number of sessional papers to be laid on the table; 12 Questions and 7 Motions including one adjourned from the last sitting. I look forward to informed debate and would ask you Honourable Members to use your name cards to indicate to me when you wish to speak in case you fail to catch my eye. I'm not sure if you could just turn the name card to one side or something just to make sure I know you wish to speak please. Thank you. We will now move to the next item of business Clerk.

4.

PAPERS

The Hon. Financial Secretary (Mr Paul Blessington) -

Madam Speaker, I beg to present Sessional Paper 5/10 the SHG Financial Statements and Chief Auditor's Management Letter for the year ended 31st March 2009.

Ordered to lie on the table.

The Hon. Financial Secretary –

Madam Speaker, I beg to present Sessional Paper 6/10 the Currency Fund Financial Statements and Chief Auditor's Management Letter for the year ended 31st March 2009.

Ordered to lie on the table.

The Hon. Acting Chief Secretary (Mrs Gillian Francis) -

Madam Speaker, I beg to present Sessional Paper No. 14/2010 St. Helena Audit Services – Performance Indicators in Public Works and Services Department Value for Money Report of March 2010.

Ordered to lie on the table.

The Hon. Financial Secretary –

Madam Speaker, I beg to present Sessional Paper No. 15/2010 St Helena Audit Services 2009/10 – Interim Summary Value for Money Audits for Public Accounts Committee, 8th March 2010.

Ordered to lie on the table.

The Hon. Financial Secretary –

Madam Speaker, I beg to present Sessional Paper No. 16/2010 St Helena Audit Services – Electricity Usage Value for Money Report V14 – May 2010.

Ordered to lie on the table.

The Hon. Attorney General (Mr Kenneth Baddon) –

Madam Speaker, I beg to present Sessional Paper No. 17/2010. This is an Order for the Rectification of the Welfare of Children Ordinance, 2008, made by the Attorney General under the Interpretation Ordinance, Cap 3. I am entitled to say a few words by way of explanation, Madam, and for the benefit of Members and the listening public perhaps I should explain that section 32 (a) of the Ordinance enables the Attorney General to correct technical and printing errors in Ordinances. We found an error in one of the headings in the Welfare of Children Ordinance and the purpose of this Order is to correct it.

The Speaker –

Thank you, Honourable Attorney General.

Ordered to lie on the table.

The Hon. Acting Chief Secretary –

Madam Speaker, I beg to present Sessional Paper No. 18/2010 – Independent Commission to review the recommendations of Remuneration of Councillors, Speaker and Deputy Speaker Report, 31st May 2010.

Ordered to lie on the table.

The Hon. Acting Chief Secretary –

Madam Speaker, I beg to present Sessional Paper No. 19/2010, A Bill for Legislative Council (Remuneration and Allowances) (Amendment) Ordinance, 2010.

Ordered to lie on the table.

The Hon. Financial Secretary –

Madam Speaker, I beg to present Sessional Paper No. 20/2010, Special Warrants 2009/2010 and 2010/2011.

Ordered to lie on the table.

The Hon. Financial Secretary –

Madam Speaker, I beg to present Sessional Paper No. 21/2010, the Income Tax Ordinance (Amendment) (No. 2) Bill, 2010. If I may just explain, the cover of this document describes it as the Income Tax Ordinance 2009, that is actually a printing error and the correct title is as I have described.

The Speaker –

Thank you, Honourable Financial Secretary.

Ordered to lie on the table.

The Hon. Stedson Francis –

Madam Speaker, I beg to present Sessional Paper No. 22/2010 entitled the St. Helena Public Accounts Committee report to Legislative Council on the April 2010 Public Accounts Committee meeting, which includes the formal session of PAC held on 30th April, 2010, recommendations made in previous Public Accounts Committee reports requiring follow up future PAC sessions, items deemed to be referred to the PAC that have not yet been considered by the PAC and the recommendations made with the St. Helena Government.

The Speaker –

Thank you, Honourable Member.

Ordered to lie on the table.

The Hon. Acting Chief Secretary –

Madam Speaker, I beg to present Sessional Paper No. 23/2010 Proceedings of the Legislative Council meeting held on 26th June 2009.

Ordered to lie on the table.

The Hon. Attorney General –

Madam Speaker, on a point of order, because that was a record of proceedings of the House, having ordered it to lie upon the table, I respectfully suggest that Order 2 (3) (a), you ought to put the question that the draft record be confirmed and that question be voted on without question or debate.

The Speaker –

Thank you, Honourable Attorney General.

Question that the draft record be confirmed, put and agreed.

The Hon. Acting Chief Secretary –

Madam Speaker, I beg to present Sessional Paper No. 24/2010 Proceedings of the Legislative Council held on 29th June 2009.

Question that the draft record be confirmed, put and agreed.

Ordered to lie on the table.

The Hon. Acting Chief Secretary –

Madam Speaker, I beg to present Sessional Paper No. 25/2010 Proceedings of the Legislative Council held on 24th August 2009.

Question that the draft record be confirmed, put and agreed to.

Ordered to lie on the table.

The Hon. Acting Chief Secretary –

Madam Speaker, I beg to present Sessional Paper No. 26/2010 Proceedings of the Legislative Council meeting held on 13th November 2009.

Question that the draft record be confirmed, put and agreed to.

Ordered to lie on the table.

The Speaker –

Next item of business.

5.

QUESTIONS

Question 1. The Hon. Raymond Williams to ask the Hon. Acting Chief Secretary.

The Hon. Raymond Williams –

Madam Speaker, as there can be traffic build-up at cemeteries during funeral processions, can Government give a commitment to provide a policing service to direct traffic at these times?

The Speaker –

Thank you, Honourable Member. Honourable Gillian Francis?

The Hon. Gillian Francis –

Thank you, Madam Speaker. The Police Department has confirmed that traffic management and road safety is one of its priorities. The Department is therefore committed to assisting with traffic flow at funerals when there is traffic congestion, subject, of course, to other operational commitments prevailing at the time. Members of the public should, however, contact the Police Department whenever such assistance is needed. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Gillian Francis. Any supplementary questions?

The Hon. Raymond Williams –

Thank you, Madam Speaker.

The Speaker –

Next question, please?

Question 2. The Honourable Mervyn Yon to ask the Chairman, Access and Transport Committee.

The Hon. Mervyn Yon –

Madam Speaker, how many vehicles are there within SHG and how are they utilised?

The Speaker –

Thank you, Honourable Member. The Honourable John Cranfield?

The Hon. John Cranfield –

Thank you, Madam Speaker, thank you Councillor for the question. There are a total of 155 vehicles and plant assets within the St. Helena Government fleet. The vehicles analysed by type are 38 Landrovers, 28 cars, 17 buses, 13 vans, 11 lorries and 8 motorcycles. The remainder are specialist vehicles and plant, for example, JCBs, Fire Appliances, Ambulances, etc. 37% of the fleet cost is PW&SD, 23% of the fleet costs are Public Health, 15% of the fleet cost is A&NRD, 14% of the fleet cost is Police and 37% of the fleet cost is Social Security. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Mervyn Yon?

The Hon. Mervyn Yon –

Thank you, Madam Speaker. Madam Speaker, how many of these vehicles are below ten years of age?

The Speaker –

The Honourable John Cranfield?

The Hon. John Cranfield –

Sorry, Madam Speaker, I'm going to need notice of that question to be able to give an answer or if the Honourable Member prefer I can give him a written response to that question.

The Speaker –

Thank you, Honourable John Cranfield. Honourable Mervyn Yon?

The Hon. Mervyn Yon –

A bit disappointing, Madam Speaker, but I will accept, thank you. Can I continue? Madam Speaker, although some of these vehicles are allocated to different sections within SHG, what happens to them at the end of each working day?

The Speaker –

Honourable John Cranfield?

The Hon. John Cranfield –

Sorry, Madam Speaker. Most of them are parked, Madam Speaker, although some are used for home to duty whenever necessary, although that is going to be shortly taken up with the home to duty private bus service or the public bus service, so hopefully in the near future that all SHG vehicles will be parked after their working hours.

The Speaker –

Thank you, Honourable John Cranfield. Honourable Mervyn Yon?

The Hon. Mervyn Yon –

I thank the Honourable Member for that reply. Madam Speaker, how many of these vehicles are used as call-out vehicles and where are they located after work?

The Hon. John Cranfield –

Madam Speaker, I can find out from various Departments and give a written response to the Honourable Member if that is acceptable.

The Speaker –

Thank you, Honourable Chairman. Honourable Mervyn Yon?

The Hon. Mervyn Yon –

I thank the Honourable Member for that, Madam Speaker, I will accept. My final question, Madam Speaker, who monitor their mileage books when used as call-out vehicles?

The Hon. John Cranfield –

Madam Speaker, the mileage books should be checked by the Head of Department or their Line Managers whenever it's used for call out, Madam Speaker.

The Speaker –

Thank you, Honourable John Cranfield. Honourable Mervyn Yon?

The Hon. Mervyn Yon –

Thank you, Madam Speaker. Will the Honourable Chairman give me a commitment that he will follow up to make absolutely sure that these mileage books are being monitored?

The Speaker –

Honourable John Cranfield?

The Hon. John Cranfield –

I can give that commitment, Madam Speaker.

The Speaker –

Thank you.

The Hon. Mervyn Yon –

Thank you, Madam Speaker, I thank the Honourable Chairman.

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. When the written responses are given to the Honourable Mervyn Yon, could we all have a written response, please?

The Speaker –

Thank you, Honourable Member. I can see the Honourable Chairman nodding his head already so I take it that all written responses will be circulated.

The Hon. John Cranfield –

That is correct, Madam Speaker.

The Hon. Cyril Gunnell –

Another question, Madam Speaker, are all journeys logged?

The Speaker –

Honourable John Cranfield?

The Hon. John Cranfield –

I can't say offhand, Madam Speaker, but I can check that with the Heads of Department to ensure that all journeys are logged.

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, I think I asked the Chief Secretary the same question in the last LegCo, I don't have a response yet, but I would like to know, are all journeys logged and what is the procedure for logging all journeys. If I can carry on with this, Madam Speaker, vehicles are sometimes seen in places, I know I am speaking....some vehicles are seen in places.....

The Speaker –

Sorry, Honourable Member, you've already made a point; you have made your point. You are clearly concerned that the logging of journeys is checked upon and you require an answer to that and the Honourable Chairman has offered to make sure that you have your answers. Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. Could I ask him to give a time when he can report that back?

The Speaker –

Honourable John Cranfield?

The Hon. John Cranfield –

In the next two weeks, Madam Speaker.

The Speaker –

Thank you. I think that seems a reasonable length of time, Honourable Member, if the answer will be provided within two weeks. Any further supplementary questions on this matter? Next item of business.

Question 3. The Honourable Stedson Francis to ask the Chairman, Infrastructure and Utilities Committee.

The Hon. Stedson Francis –

Will the Chairman, Infrastructure and Utilities Committee confirm if water is now available in the Alarm Forest area to enable House building to recommence?

The Speaker –

Thank you, Honourable Member. Honourable Mervyn Yon?

The Hon. Mervyn Yon –

Thank you, Madam Speaker, I thank the Honourable Stedson Francis for his question. Madam Speaker, the short answer to the question is, no. However, in anticipation of supplementary questions, I will elaborate on this as follows: there has been a water constraint on new developments in the Alarm Forest area for some years because of undersized infrastructure; a two-inch main supplying this area from the Hutts Gate Water Treatment works. The replacement of this water mains has been recognised as necessary and is included in the Infrastructure Programme under W2, Water Infrastructure Upgrading – Immediate Needs. This Programme has now been approved and funding secured from DfID. I can confirm that this replacement water mains has been given the highest priority within this Programme and will be constructed using local resources. Survey work has been completed along the route of the new water mains from Hutts Gate to Alarm Forest. Tender documents will be drawn up and a contract awarded as soon as possible. Once a contract has been awarded, Water Division staff will notify all consumers affected by this constraint and discuss with them their requirements. Discussions have also been held with the Planning Department to agree suitable routes of pipelines within the proposed development to serve the individual properties. I anticipate that water constraints in the Alarm Forest area will be lifted by the end of this financial year. For additional information, I am sure that Members will be aware that planning approval was recently given for the construction of car parking and toilet facilities in the Tomb Road area. This was done to secure funding under a Tourism Grant and required an undertaking from Water Division to supply water to the toilets. Agreement was reached to allow water to be provided from the existing and limited water supply. Strict controls were included into this agreement to avoid problems with the supply to existing consumers. The toilets have yet to be built and if this supply adversely affects any existing consumer then it will be discontinued immediately and an alternative solution sought. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Mervyn Yon. Honourable Stedson Francis?

The Hon. Stedson Francis –

Thank you, Honourable Member. It seems as if the Honourable Member has pre-empted my supplementary questions. Waiting until December is quite a long time to wait. Can I ask, is it not possible for those waiting on the service to use the water that would normally be used by unoccupied houses?

The Speaker –

Honourable Chairman?

The Hon. Mervyn Yon –

That could be something that could be taken up with my Department and considered, Honourable Member.

The Speaker –
Honourable Stedson Francis?

The Hon. Stedson Francis –
As regards water for the toilets that are to be built near the Tomb Road, why was priority given over the public toilets as opposed to providing water to newly built homes and homes that are waiting to be constructed?

The Speaker –
Honourable Mervyn Yon?

The Hon. Mervyn Yon –
I'm not too sure if priority was given to these toilets, but this was something that the Department considered to put in place if and when the toilets were built.

The Hon. Stedson Francis –
Is it not a priority when you give water to toilets and not people who need water for their homes?

The Speaker –
Honourable Mervyn Yon?

The Hon. Mervyn Yon –
The system that was supposed to have been put in place was not to deprive people of water to their homes, it was something that would be used during the hours when water was not being utilised by the homes.

The Speaker –
Next item of business? Sorry, Honourable Rodney Buckley?

The Hon. Rodney Buckley –
Thank you, Madam Speaker. Can the Chairman of the Works say if the water project and the roads project along the Tomb Road go hand in hand?

The Hon. Mervyn Yon –
Yes, Honourable Member.

The Hon. Rodney Buckley –
That means we will get our road by the end of this financial year as well?

The Speaker –
You've just made a statement, Honourable Member, do you wish to ask a question? I think the Honourable Mervyn Yon is prepared to respond as though it was a question however.

The Hon. Mervyn Yon –
Your questions, Honourable Member, was do we get a road at the same time?

The Hon. Rodney Buckley –
Yes.

The Hon. Mervyn Yon –

That will be considered because we're hoping that both things will go hand in hand and as such it would mean that hopefully the both things would be going together.

The Hon. Rodney Buckley –

Yes, Madam Speaker, I mean, we would not want to dig up the road and then go back and dig it up again the second time for a pipeline.

The Hon. Mervyn Yon –

That is not anticipated, Honourable Member.

The Hon. Rodney Buckley –

Thank you.

The Speaker –

Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, before I ask my question could I just declare that I am Deputy Chairman of the Infrastructure and Utilities Committee and a Member of the Tourism Committee and I'm fully aware what is happening with the water situation in the Tomb area, but for the benefit of the listening public I would like to ask the Honourable Chairman to state what sort of mechanism is put in place for the Tomb toilets for collecting the water when it is not required by the residential homes? Thank you, Madam Speaker.

The Speaker –

Honourable Mervyn Yon?

The Hon. Mervyn Yon –

I'm not too sure of the mechanism that will be put in place, Madam Speaker, but I believe that what was talked about is that the system would collect water from night use when the other homes are not using water. There would be a tank put at the top of the hill, I imagine, which would then supply the toilets if and when they were used.

The Speaker –

Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, I would like to thank the Honourable Chairman for his question and I think he is correct in what he said, but my question is, Madam Chairman, if you will allow it, why wasn't this made available to the public when they have asked for similar mechanisms to be put in place; a tank near their home with a meter that will fill overnight when everyone is asleep or when everyone is at work? Thank you, Madam Speaker.

The Speaker –

Honourable Chairman?

The Hon. Mervyn Yon –

Madam Speaker, I'm not too sure about that question since I believe that if a request was made it was before we became part of the Infrastructure and Utilities Committee.

The Hon. Brian Isaac –

Thank you, Madam Speaker and I thank the Honourable Chairman. He is correct in what he's saying but for the benefit of the public I was asked to raise this as this is an issue on the Order Paper and I have raised it and I thank you very much, but this was an issue raised with the Department. Sorry for not putting the question, but it is a point of information.

The Speaker –

You're making a point of information.

The Hon. Brian Isaac –

Thank you, Madam Speaker.

The Speaker –

Could I just say it's a point of information from the start, Honourable Members, please. Next item of business.

Question 4. The Honourable Raymond Williams to ask the Honourable Financial Secretary.

The Hon. Raymond Williams –

Madam Speaker, should there be damage to people or property during, or as a result of the Jamestown Rockfall Protection Programme works, will SHG provide compensation?

The Speaker –

The Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, if SHG is legally liable for any damage to people or property, then, of course, it would meet its liability. If there is no legal liability, SHG would need to be able to justify the use of taxpayer's money for any proposed ex gratia payment that might be made. If, however, the rockfall occurs due to the contractor having been negligent then he would be the person with the legal liability and he, rather than SHG, would be required to pay compensation.

The Speaker –

Thank you, Honourable Member.

The Hon. Raymond Williams –

Thank you, Madam Speaker, thank you, Honourable Member.

The Speaker –

Next item, please?

Question 5. The Honourable Mervyn Yon to ask the Honourable Acting Chief Secretary.

The Hon. Mervyn Yon –

Madam Speaker, will the St. Helena Government consider putting in place a policy that before making any appointments to Statutory or Non Statutory Boards they must be advertised in the public domain?

The Speaker –

Thank you, Honourable Member. The Honourable Gillian Francis?

The Hon. Gillian Francis –

Thank you, Madam Speaker. The Honourable Member will be aware that this matter was raised in a recent meeting of the Executive Council when it was agreed that the Home and International Committee should be tasked with the development of a policy to provide for the recruitment of persons to serve on Statutory and Non Statutory Boards and Committees. Thus, for the moment, the development of such a policy is very much in the hands of that particular Committee. If the Committee believes that Board and Committee positions should be advertised, then I assume that this will be incorporated in the policy for consideration. In this regard, it should be noted that we have in the past, through the local media, invited members of the public to register their interest in serving on Boards and Committees. Regrettably, the response was poor. It is also worth mentioning that Statutory appointments are made in accordance with the provisions of the relevant Ordinances which sometimes specify who can or cannot serve on Statutory Boards and Committees. Thank you, Madam Speaker.

The Speaker –

Honourable Mervyn Yon?

The Hon. Mervyn Yon –

Thank you, Madam Speaker. When these posts are advertised, do the advert cover a remuneration as well?

The Speaker –

Honourable Gillian Francis?

The Hon. Gillian Francis –

The actual positions aren't currently advertised, but as I said just now, once we get the policy in place and if it is the case of the policy requires each position to be advertised, then, of course, we will actually state the amount of remuneration that goes with the position. And, Madam Speaker, currently the remuneration for persons serving on Statutory Boards and Committees amounts to £20.00 per meeting with the Chairman getting £60.00 per Chairman's Allowance per quarter and mileage expenses

The Hon. Kenneth Baddon (Attorney General) –

Madam Speaker, may I offer a point of information. I am aware, just following up the Honourable Acting Chief Secretary's last comment, that the Home and International Committee is actually reviewing, as well as the question of advertising, the question of whether the rates and allowances ought to be adjusted, so that is a matter which is very much also in the minds of the Home and International Committee at the moment.

The Speaker –

Thank you, Honourable Attorney General. Honourable Mervyn Yon?

The Hon. Mervyn Yon –

I thank the Honourable Members for their replies.

The Speaker –

Next item. Sorry, did you want to speak, Honourable Tara Thomas?

The Hon. Tara Thomas –

Sorry, Madam Speaker, just to say that if Members would like, as the Deputy Chairperson for Home and International in the absence of our Chairperson, Derek Thomas, I can clarify that point further if Members require it. Yes?

The Speaker –

I think the Honourable Mervyn Yon would like further clarification.

The Hon. Tara Thomas –

As the Honourable Chief Secretary rightly pointed out, the Home and International Committee is currently reviewing that, for which the Honourable Mervyn Yon is also a member. What we're hoping to do is we introduce a policy that will ensure the level of remuneration awarded to people serving on Statutory and Non Statutory Boards reflect the level of responsibility that is given to them in that role.

The Speaker –

Thank you. Honourable Mervyn Yon?

The Hon. Mervyn Yon –

Thank you, Madam Speaker. Just to say, yes, I am aware I'm a member of that Committee, but just to say that my question had already been put in to the Clerk of Councils before it was raised in Executive Council last Tuesday. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Next item, please?

Question 6. The Honourable Raymond Williams to ask the Honourable Acting Chief Secretary.

The Hon. Raymond Williams –

Madam Speaker, now that the Chief Engineer has been made redundant can Government say what will transpire when major infrastructure projects need to be facilitated and monitored?

The Speaker –

Thank you, Honourable Member. The Honourable Gillian Francis?

The Hon. Gillian Francis –

Thank you, Madam Speaker. The Honourable Member will be aware that SHG has three Engineering Managers who, under the management of the Access and Infrastructure Programme Manager, are tasked with the implementation of the current five priority Infrastructure Projects. I am aware of no evidence to suggest that any of the ongoing infrastructure projects has been prejudiced by the absence of a Chief Engineer. Nevertheless, the possibility of needing a Manager with engineering experience has been kept in view in

the context of the overall restructuring of SHG in general and the Public Works and Services Department in particular. The recent positive airport announcement has created a very different scenario from that which existed at a time when the Chief Engineer was made redundant and even from that in which we were operating some two weeks ago. As a result, the Governor has approved in principle the creation of a new position that will call for someone with a civil engineering background and strong management skills. This will enable the Access and Infrastructure Programme Manager to relinquish her management responsibilities for the Infrastructure Projects so that she is able to focus her attention on the airport project and shipping responsibilities. Officials are currently working on draft terms of reference and person specifications for this new position. Thank you, Madam Speaker.

The Speaker –

Thank you. There are three Honourable Members waiting to ask questions, perhaps the Honourable Stedson Francis first?

The Hon. Stedson Francis –

Thank you, Madam Speaker. Is the Honourable Acting Chief Secretary not aware that the Infrastructure Plan Report of 2008 recommended the recruitment of four new Engineering Managers with the Chief Engineer continuing to provide responsibility for services and supervision within SHG?

The Speaker –

Honourable Gillian Francis?

The Hon. Gillian Francis –

Thank you, Madam Speaker. I was not aware that the 2008 Infrastructure Plan required that, but I'm aware that the terms of reference for the Chief Engineer position did make reference to the Infrastructure Plan.

The Speaker –

Honourable Stedson Francis?

The Hon. Stedson Francis –

Can assurance be given that the success of the Infrastructure Project will not be hampered by the loss of this post?

The Speaker –

Honourable Gillian Francis?

The Hon. Gillian Francis –

I can give the Honourable Member an assurance that the redundancy of the Chief Engineer position will not hamper the Infrastructure Project. As I mentioned earlier, we have in place three Engineers who are currently responsible for the implementation of the Infrastructure Project. Thank you, Madam Speaker.

The Speaker –

The Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, the question asked, now that the Chief Engineer has been made redundant, can I ask, Madam Speaker, do Government have a redundancy policy or procedure in place for redundancies? Thank you, Madam Speaker.

The Speaker –

Honourable Gillian Francis?

The Hon. Gillian Francis –

Madam Speaker, I am aware that there is no current redundancy policy in place, but there is provision under the Pensions Ordinance for redundancies to be made within the St. Helena Government Public Service, but with regard to the Chief Engineer position, I am not one hundred percent sure whether the Pensions Ordinance would apply to a Contract Officer.

The Speaker –

Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, can I ask if the Chief Engineer's post was it a SHG posting or was it a TCO posting?

The Speaker –

I think the Honourable Acting Chief Secretary has already mentionedwith her last..... Honourable Gillian Francis?

The Hon. Gillian Francis –

If I'm correct, your question, Honourable Member, was whether or not the Chief Engineer's position is a TC or local post?

The Hon. Brian Isaac –

Correct, Madam Speaker.

The Hon. Gillian Francis –

It was a TC position, yes.

The Hon. Brian Isaac –

Thank you, Madam Speaker.

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. Can I ask the Honourable Chief Secretary to say whether the Chief Engineer post has been made redundant as well as Chief Engineer?

The Speaker –

Thank you, Honourable Member. The Honourable Gillian Francis?

The Hon. Gillian Francis –

Yes, Madam Speaker, the Chief Engineer post has been made redundant. Thank you, Madam Speaker.

The Speaker –
Honourable Tony Green?

The Hon. Anthony Green –

Madam Speaker, based on the previous answers given by the Honourable Acting Chief Secretary, I wonder if she would actually say why Government were not aware that the Infrastructure Plan that was agreed by the St. Helena Government was based on that human resources must be adequate, that most importantly this was about adequate engineering management, that it was also pointed out in these reports which DfID were involved in, that as well as having adequate manpower, we also needed for operations and maintenance, which also would be full-time requirement and that the proposed action to mitigate and provide safeguards against this was to recruit and have in place four Engineering Managers?

The Speaker –
Honourable Gillian Francis?

The Hon. Gillian Francis –

Thank you, Madam Speaker. As I said, I was not personally aware of the requirement in the Infrastructure Plan for the fourth Engineer, but as I said earlier, we do have three Engineers in post and I am advised that the Infrastructure projects are going to plan, so with the absence of a Chief Engineer, the Infrastructure projects have not been adversely affected. Thank you, Madam Speaker.

The Speaker –
Honourable Tony Green?

The Hon. Anthony Green –

Madam Speaker, the post of Chief Engineer we heard before was made redundant, but there was no consultation with the Legislative Council....

The Speaker –
Sorry, Honourable Member, would you ask a question, not make a statement, please?

The Hon. Anthony Green –

No, that is my introduction, Madam Speaker, and thank you for that, but what I was going to say, without consulting or even notifying Council will the Administration now be asking for a similar post to be reinstated with similar duties?

The Speaker –
Honourable Gillian Francis?

The Hon. Gillian Francis –

Thank you, Madam Speaker. As I said in my substantive reply to this question, the Governor has indicated his approval to create a new position that will require the incumbent to have strong management skills as well as a civil engineering background. Thank you, Madam Speaker.

The Speaker –
Honourable Tony Green?

The Hon. Anthony Green –

Madam Speaker, my final question is that while under the Constitution staff matters are the special responsibility of the Governor, will the Honourable Acting Chief Secretary acknowledge that officials can be called to account if properly set political priorities are not achieved, including where failure to achieve is the result of not securing the necessary human capacity for which budget provision was made available?

The Speaker –

Thank you, Honourable Member. Honourable Gillian Francis?

The Hon. Gillian Francis –

Madam Speaker, I confirm that that is the case.

The Speaker –

Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Thank you, Madam Speaker. Can the Acting Chief Secretary say what timeline is currently proposed for the new recruitment?

The Speaker –

Honourable Gillian Francis?

The Hon. Gillian Francis –

Whilst I do not have specific dates, Madam Speaker, that position and the writing of terms of reference and personal specifications will be given top priority. Thank you, Madam Speaker.

The Hon. Rodney Buckley –

Thank you.

The Speaker –

Next item of business, oh sorry, Honourable John Cranfield?

The Hon. John Cranfield –

Sorry, Madam Speaker, I was just going to ask if the Infrastructure is not being adversely affected by the absence of the Chief Engineer then why do we need another post?

The Speaker –

I think the Honourable Acting Chief Secretary has already mentioned the reason behind this, but I will ask if she will perhaps read you that clause. Honourable Gillian Francis?

The Hon. Gillian Francis –

Thank you, Madam Speaker. I did mention in my original response to this question that in light of the recent positive airport announcement, the need for someone with civil engineering background experience is essential and vital to the ongoing work of the island.

The Speaker –

Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, bearing in mind that staffing is ultra vires of Councillors' responsibility, can I ask the Chief Secretary, as a member of the Infrastructure and Utilities Committee, why wasn't the Chairman and the Committee members not informed that such an important post within the Department and in the Infrastructure Programme was not a brief given to the Committee that the redundancy would be required to revoke this post? Thank you, Madam Speaker.

The Speaker –

Honourable Gillian Francis?

The Hon. Gillian Francis –

Madam Speaker, with hindsight it should have been perhaps mentioned to the Committee, but I do take the point made by the Honourable Member and in future we will endeavour to keep Committees informed about staff movements wherever the work of the Government is concerned. Thank you.

The Speaker –

Honourable Tony Green?

The Hon. Brian Isaac –

I thank the.....

The Speaker –

Sorry, Honourable Tony Green had already....

The Hon. Brian Isaac –

Sorry, I was just going to respond.

The Hon. Anthony Green –

Madam Speaker, I just wonder if the Honourable Acting Chief Secretary would acknowledge that the airport construction and the Infrastructure Programme are two separate and because we've had another announcement there is no real relationship to having to reduce the capacity for engineering?

The Speaker –

Honourable Gillian Francis?

The Hon. Gillian Francis –

I wonder if the Honourable Member, Madam Speaker, could repeat that, was it a question or a statement?

The Hon. Anthony Green –

No, my question was do you accept, using slightly different wording, but do you acknowledge that the Infrastructure Project and the construction of the airport are two separate projects?

The Speaker –

Honourable Gillian Francis?

The Hon. Gillian Francis –

Madam Speaker, I do accept they are two separate projects but they do have some bearing on each other. For instance, the new position will require engineering support to the Access and Infrastructure Program Manager, the new position will ensure that Public Works and Services Department's business plans are adapted to accommodate their access and economic development, it will also help to prepare Public Works and Services Department to rise to the challenge of being the main enabling department for the project and in terms of preparing appropriate planned maintenance for potential new infrastructure that might be handed over to SHG once construction is completed, for example, the Rupert's Jetty, the Haul Road and the Bulk Fuel Farm, so whilst separate projects they are inter-related and will need ongoing support, sorry, the airport-related project will need ongoing support after, long after the airport is completed.

The Speaker –

Honourable Brian Isaac, did you want to come back?

The Hon. Brian Isaac –

Thank you, Madam Speaker. I just wanted to respond to thank the Honourable Chief Secretary for her response, but to say that the Infrastructure Programme, if not delivered, the majority of the responsibility will fall upon the Infrastructure and Utilities Committee. Thank you, Madam Speaker.

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, hindsight is a wonderful thing, but may I ask the Chief Secretary why when the Chief Engineer who is now redundant was considered for employment, why was it not considered necessary for him to have civil engineering experience?

The Speaker –

Honourable Gillian Francis?

The Hon. Gillian Francis –

I'm not able to answer that question directly. I'm sure that some engineering experience was needed for that particular post, Madam Speaker, but I can certainly let the Honourable Member have a written response to that question.

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Thank you, Madam Speaker, I said civil engineering experience, but thank you.

The Speaker –

Next item of business.

Question 7. The Honourable Stedson Francis to ask the Honourable Financial Secretary.

The Hon. Stedson Francis –

Will the Honourable Financial Secretary say what is the procedure for new private sector businesses to be included on the select list of tenderers for procurement and other contract bids?

The Speaker –

Thank you, Honourable Member. The Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, two types of list are used in relation to tenders for contracts expected to have a contract value in excess of £20,000; these are the ad hoc lists and standing lists. Ad hoc lists are put together in respect of particular tenders following a public notice in one or more of the local papers and on local radio. A decision on who to include on the ad hoc lists is then made by the Head of Department subject to approval of the Tender Board. New businesses can express an interest in being put on an ad hoc list in the same way as other businesses. Standing lists are prepared in a similar way to ad hoc lists but can then be used for other tenders for the same types of goods and services. They should be reviewed at least once a year. While there is no obligation on Heads of Department to review Standing Lists more frequently than once a year, new businesses seeking to be included on Standing Lists should contact the Heads of Department concerned. For contracts expected to have a contract value of less than £20,000 there is no requirement in Contract Regulations to conduct a full tender and precise procedures for obtaining quotes can vary from Department to Department. Further details are set out in the Contract Regulations and a copy of those is available in the Public Library. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Financial Secretary. Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. Could I ask the Financial Secretary if considering or reviewing the list once a year is not at all frequent and ought to be reviewed at least every couple of months or so?

The Speaker –

Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, as I said in my earlier reply, new businesses who wish to be included on a list are able to contact Departments and ask to be put on. Whilst I can see the Honourable Member's point that it may be beneficial to review the Lists more often, and I will certainly take that point into account, I think it is also an obligation of any business that is wanting to trade with SHG to ensure that it is proactive in ensuring that it is included on such a list. Thank you, Madam Speaker.

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, could I ask the Financial Secretary to make it known public, if he could make it known publicly that that is the procedure so that people do know what they have to

do to try to get on this list, because not being on the list makes it very difficult, especially in a climate where we are trying to grow business on St. Helena?

The Speaker –

Thank you, Honourable Member. Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, I fully concur with the Honourable Member's suggestion and I will certainly take steps to ensure that the method of getting on to the list is publicised. Thank you, Madam Speaker.

The Speaker –

Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Thank you, Madam Speaker. Would the Honourable Financial Secretary say with his extensive financial experience would he recommend to this Council that all of the Contract Regulations and Procedures throughout the St. Helena Government have a thorough overhaul?

The Speaker –

Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, I think it would be timely for the Contract Regulations and Procedures to have an overhaul and certainly SHG is currently considering ways of improving its whole procurement function. Thank you, Madam Speaker.

The Speaker –

Thank you.

The Hon. Rodney Buckley –

Thank you, Madam Speaker.

The Speaker –

Honourable Stedson Francis?

The Hon. Stedson Francis –

Thank you, Madam Speaker. Can I ask what are the main determining factors when selecting the preferred bidder?

The Speaker –

Honourable Financial Secretary?

The Hon. Financial Secretary –

Madam Speaker, I don't actually believe that that question is directly relevant to the original point and I would be needing to provide a written response to that request. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Paul Blessington. Honourable Stedson Francis?

The Hon. Stedson Francis –

I think one of the questions I would like to know is is the lowest bidder always accepted and what happens if there is only one bidder?

The Speaker –

Could I perhaps suggest that any Honourable Member who has a particular questions about the bidding should perhaps let the Honourable Financial Secretary have those after this meeting so that in his response he provide the information that's being sought, because I have a feeling otherwise we might be around this table with additional things coming up

The Hon. Paul Blessington –

Madam Speaker, yes, I would be very happy to answer detailed questions by written response from any of the Honourable Members who require further detailed information on procurement procedures and tender selection processes. Thank you, Madam Speaker.

The Speaker –

Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, I would just like to support the Honourable Rodney Buckley for his request that an overhaul be done of this particular policy. As a member of the Public Accounts Committee, we have various concerns relating to that and I give my full support and hope that it's not too long before this review takes place. Thank you, Madam Speaker.

The Speaker –

Next item of business?

Question 8. The Honourable Cyril Gunnell to ask the Honourable Acting Chief Secretary.

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. To what extent are the duties of the Electrical Engineer adversely affected by his additional responsibility for Transport?

The Speaker –

Thank you, Honourable Member. The Honourable Acting Chief Secretary.

The Hon. Gillian Francis –

Thank you, Madam Speaker. I am pleased to report that the duties of the Head of Energy have not been adversely affected by his added responsibility for overseeing the Transport Division operations. Currently, all of the Energy Division's strategic objectives are either on or ahead of target. The E1 and E2 Infrastructure Projects being managed by the Division are progressing to schedule and the Electricity Distribution Project is one year ahead of schedule. All six wind turbines continue to operate and with a service visit booked with the original equipment manufacturer for November this year it is envisaged that the current level of performance will continue. Conversely, a number of concerns raised by elected Members regarding the SHG's use of transport have been addressed. Firstly, all of the hire drive vehicles that were used by Public Works and Services Department have been returned to their

private sector owners; and, secondly, the sourcing and use of quality used parts have enabled the return to service of a number of SHG vehicles at a minimum cost. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Thank you, Madam Speaker, I'm glad to hear that all of the vehicles are being returned to the private sector, but the question I want to ask now is what was the necessity for this arrangement?

The Speaker –

Honourable Gillian Francis?

The Hon. Gillian Francis –

Thank you, Madam Speaker. This was done in response to the complaints about the performance of the Transport Division. Power generation is a mixture of both mechanical and electrical engineering and in practice many Chief Engineers in Power Stations are Chartered Mechanical Engineers. SHG is fortunate to have a Head of Energy with previous experience of fleet vehicle management covering procurement, maintenance and contract management and he has been able to strengthen the management and technical expertise in the Transport Division. The Head of Energy is keeping the management of Energy and Transport Divisions separate as it is recognised that once the Transport Division is functioning to the required level under the newly-appointed Senior Transport Manager, there will be less need for the Head of Energy's involvement in the Transport Division. Thank you, Madam Speaker.

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, why did it take so long to produce a replacement for the Senior Transport Manager?

The Speaker –

Honourable Gillian Francis?

The Hon. Gillian Francis –

My understanding, Madam Speaker, is that the post itself was under review and that review did not take place as soon as the post became vacant some time last year. The post, at the end of the day, was revised, sorry, the profile was revised and soon after it was graded it was advertised. Thank you, Madam Speaker.

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. Would the Honourable Chief Secretary not agree that during the time the post has been vacant that quite a lot of money, indeed, a lot of money, has been spent transporting the lady who was actually acting in a acting capacity?

The Speaker –

Honourable Gillian Francis?

The Hon. Gillian Francis –

Madam Speaker, some monies were spent with transporting the lady in question to the Transport Division at Donkey Plain but it was only £25.00 per month so that amounted to some £300 per year. Thank you, Madam Speaker.

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. Three hundred pounds too much in my opinion, but Madam Speaker, how long will the added responsibility for Transport continue?

The Hon. Gillian Francis –

The Honourable Member means added responsibility assigned to the Head of Energy. As I said earlier, the Head of Energy's involvement in the Transport Division will decrease as and when the newly-appointed Senior Transport Manager becomeswith the duties and settles into that new post so hopefully the time will come when the Head of Energy's involvement will be very minimum. Thank you, Madam Speaker.

The Speaker –

Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Thank you, Madam Speaker. More a point of clarification than a question, but isn't it wonderful news to hear that one of our Departments are one year ahead of schedule, wonderful news, can the Acting Chief Secretary give us some clarification please whether that is E1 and E2 are ahead of schedule or is it other aspects of the Department that are one year ahead of schedule?

The Speaker –

Thank you, Honourable Member. Honourable Gillian Francis?

The Hon. Gillian Francis –

Thank you, Madam Speaker. As I advised in my original response to this question, it is the Electricity Distribution Project, one of the legacy projects and not any of the new Infrastructure Planned Projects. Thank you, Madam Speaker.

The Hon. Rodney Buckley –

Thank you, Madam Speaker.

The Speaker –

Honourable Tony Green?

The Hon. Anthony Green –

Thank you, Madam Speaker. Bearing in mind the earlier discussions, may I ask if the implementation of the additional duties to the Energy Engineer, was that discussed with the Infrastructure and Utilities Committee?

The Speaker –

Honourable Gillian Francis?

The Hon. Gillian Francis –

Madam Speaker, I am advised that the arrangement was not discussed with the Committee concerned. Thank you, Madam Speaker.

The Speaker –

Next item of business, please?

Question 9. The Honourable Stedson Francis to ask the Honourable Acting Chief Secretary.

The Hon. Stedson Francis –

Will the Honourable Acting Chief Secretary say what was the Crown Estates budget allocation for 2009/2010 and how much of that money was spent?

The Speaker –

Thank you, Honourable Member. The Honourable Chief Secretary?

The Hon. Gillian Francis –

Thank you, Madam Speaker. The budget allocation for 2009/10 was £129,065 and the actual spend was £96,337 giving an underspend of £32,729. I am advised that the reason for this underspend was due mainly to the fact that a number of relatively large projects had been identified and subsequently committed against the budget allocation for implementation by the Public Works and Services Department. These projects included the following: Cladding for No. 2 Piccolo Hill, buttress wall at Pilling School, design and implementing the culvert outfall at the end of the Run, repairs to Red Gate House and a roof for the micro laboratory. Unfortunately, these projects were either only partially started or not started at all. In addition, over three hundred requisitions for various works were submitted by the Crown Estates to the Public Works and Services Department that have neither been completed or charges not debited to the Crown Estates budget. While there has been regular communication between the two Departments, the Public Works and Services Department with its limited resources has found it difficult to undertake or project manage all of the jobs that were actually requested. In some cases it has been possible to hire private sector contractors, but in other cases it has also proven difficult to get the private sector onboard. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Honourable Stedson Francis?

The Hon. Stedson Francis –

I believe this figure of £32,000 represented about 25% of the overall budget and am I right in saying, or the reason given is because the £32,000 wasn't enough for bigger projects, can I

ask why wasn't, I'm sure there must have been, why wasn't there smaller projects that could have utilised this money instead of going back into the Consolidated Fund, if you like, when there was so much needed to be done on Crown Estates around the island?

The Speaker –

Thank you. Honourable Gillian Francis?

The Hon. Gillian Francis –

Madam Speaker, I think the Honourable Member was suggesting that the £32,000 underspend wasn't sufficient to carry out larger projects which was why we ended up with the underspend in the first place. That is incorrect, Madam Speaker, there were a number of smaller projects, works that needed to be undertaken, but as I said earlier, the resources within the Public Services Department, which is really the implementing department, did not, or was not able to actually carry out the works in question. Thank you, Madam Speaker.

The Speaker –

Honourable Stedson Francis?

The Hon. Stedson Francis –

Can I ask, was not the private sector engaged to help with this work?

The Speaker –

Honourable Gillian Francis?

The Hon. Gillian Francis –

Madam Speaker, as I advised earlier, the private sector was engaged insofar as this was practicable to contract the private sector, but as I said, in other cases it was difficult to get the private sector onboard. Costs also need to be taken into consideration and in some cases the quotes that come in from private sector are not always acceptable in terms of them being quite high. Thank you, Madam Speaker.

The Speaker –

Honourable Stedson Francis?

The Hon. Stedson Francis –

We're always struggling to find funds to run the island and will the Acting Chief Secretary not agree that we should be doing more to try and make sure that this money is spent to keep our infrastructure in place and maintained and in her opinion is this acceptable?

The Speaker –

Honourable Gillian Francis?

The Hon. Gillian Francis –

The underspend, Madam Speaker, is regrettable. However, Crown Estates will be monitoring the situation very closely. No financial commitments will be made for the large scale projects unless an assurance or a guarantee can be given that the work will actually be carried out. As 2009/2010 was the first year for Crown Estates to manage the Building Maintenance budget, lessons have been learnt and will help to inform this year's management of that budget. It is also recognised that there is currently no proper management and maintenance schedule in place for the SHG Estate and to this end TC support will be enlisted to make

good this omission. In this regard, a detailed, conditional survey will need to be done on all of the Crown Estate. Thank you, Madam Speaker.

The Speaker –

Thank you. Honourable Stedson Francis?

The Hon. Stedson Francis –

We're always looking for funding for maintenance to our bus shelters, can I ask why wasn't this money used to upgrade our bus shelters?

The Speaker –

Honourable Gillian Francis?

The Hon. Gillian Francis –

Madam Speaker, I am advised that the maintenance or upgrades to bus shelters will be carried out this year. Thank you, Madam Speaker.

The Speaker –

Honourable Stedson Francis?

The Hon. Stedson Francis –

While I accept that to a point, you've got £32,000 that we've lost. Now we've got to put a new bid in. Is that acceptable, Madam Speaker?

The Speaker –

Honourable Gillian Francis?

The Hon. Gillian Francis –

Madam Speaker, I am advised that since various commitments were made against last year's budget allocation the upgrades and repairs to bus shelters wasn't able to be scheduled for last year, because, as I said, the budget was actually committed, but unfortunately some of the works weren't carried out.

The Hon. Stedson Francis –

I rest my case, Ma'am.

The Speaker –

Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Thank you, Madam Speaker. Can I ask the Acting Chief Secretary please if there is any plans in train from the Works Department to correct this situation that we're in of not being able to undertake these works so that we can correct these shortfalls in the coming future?

The Speaker –

Thank you, Honourable Member. Honourable Gillian Francis?

The Hon. Gillian Francis –

Madam Speaker, a function analysis is currently underway for the Public Works and Services Department and it is hoped that this analysis will identify issues that might be contributing to

the capacity problem and recommendations made accordingly as to how we might overcome those issues within the Department. Also, once we get a proper maintenance and management schedule strategy in place it will be easier for Public Works Department to plan their work rather than having to react to ad hoc requests as and when the need for repairs arise. Thank you, Madam Speaker.

The Speaker –
Honourable Rodney Buckley?

The Hon. Rodney Buckley –
Again, what is the timeline please on the completion of the function analysis?

The Speaker –
Honourable Gillian Francis?

The Hon. Gillian Francis –
I do not have that information to hand, but I know it is ongoing and I would like to think within the next few months, Madam Speaker. Thank you.

The Speaker –
Honourable Rodney Buckley?

The Hon. Rodney Buckley –
Disappointing to hear the next few months, Madam Speaker, it's a long time and we are more than half way, well nearly half way through our financial year, so we need to push on with some of these things.

The Hon. Gillian Francis –
I'd just like to respond to that, Madam Speaker. The team was actually carrying out the functional analysis of Public Works and Services Department has been involved with other training functions within the St. Helena Government and whilst the Honourable Member expresses his disappointment about the analysis not being completed within the next few months, I really can't commit to anything other than saying that, but I will, of course, talk to the relevant persons who are carrying out the analysis and provide a more definitive answer to the Honourable Member. Thank you, Madam Speaker.

The Speaker –
Thank you.

The Hon. Rodney Buckley –
Thank you, Madam Speaker. Honourable Tara Thomas?

The Hon. Tara Thomas –
Madam Speaker, can I just ask the Honourable Chief Secretary whether the £32K underspend is attributed to the lack of human resources within the Public Works Department?

The Speaker –
Honourable Gillian Francis?

The Hon. Gillian Francis –

Yes, I believe so, Madam Speaker, the expertise in terms of technical services and I believe in terms of doing up contracts and costings actually contributes to the underspend as well as the lack of resources within the Department itself. Thank you.

The Speaker –

Honourable Tara Thomas?

The Hon. Tara Thomas –

Madam Speaker, is it true that Public Works and Services Department has been identified as one of the Government Departments whose vacancies savings rate has been increased to offset some of the costs that have been incurred as a result of the pay and grading exercise?

The Speaker –

We are straying from the original question considerably. If the Honourable Acting Chief Secretary wishes to respond she may do so.

The Hon. Tara Thomas –

Sorry, Madam Speaker, this is a point of clarification. If it is that the lack of human resources is the result of the underspend of the £32K in the Crown Estates, if that Department has been identified to reduce their, to increase their vacancy savings rate, I don't see how we can actually improve the human resources in the Department when that condition is being imposed.

The Hon. Acting Chief Secretary –

Madam Speaker, I understand, yes, the vacancy savings are to be reduced within the Public Works and Services Department, but I really can't comment on what vacancies there are in the Public Works and Services Department and whether those vacancies will actually reflect on the work that we have been talking about relevant to the question. Thank you, Madam Speaker.

The Speaker –

Honourable Mervyn Yon?

The Hon. Mervyn Yon –

Thank you, Madam Speaker. Madam Speaker, due to the fact that the Public Works and Services have not got the resources and with not very good responses coming in from the private sector can I ask who would then be taking on the role of decorating the bus shelters in future?

The Speaker –

Honourable Gillian Francis?

The Hon. Gillian Francis –

Madam Speaker, I am advised that that is a possible candidate for outsourcing to the private sector. The maintenance or painting of bus shelters is relatively easy, I would suggest. Thank you, Madam Speaker.

The Hon. Mervyn Yon –

Thank you, Madam Speaker.

The Speaker –

Next question, please?

Question 10. The Honourable Mervyn Yon to ask the Honourable Chairman, Health and Social Welfare Committee.

The Hon. Mervyn Yon –

Madam Speaker, what action has been taken by the Department to upgrade or replace those pieces of equipment/facilities that have been identified as inadequate?

The Speaker –

Thank you, Honourable Member. The Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Thank you, Madam Speaker, I thank the Honourable Mervyn Yon for his very valuable question. Madam Speaker, during last year's strategic planning and budget preparations for the period 2010/11 to 2012/13 the opportunity was given to Departments to bid for funds for capital equipment. Up to three bids were permitted and the senior management team in the Department prioritised equipment that was most urgently required and submitted their bid for consideration. The outcome of that exercise was that £40,000 was made available for this financial year to procure a new autoclave for the Hospital; the second most urgent bid, that of a replacement **resusitair**, has been approved for 2011/12 and the third bid for replacement, a **weeders** machine for the Laboratory will be funded in 2012/13. The Department was also required to make provision in its budget for the depreciation of these pieces of equipment so that in theory an asset replacement fund will be built up over a number of years to fund their replacement. Madam Speaker, the Department believes that the exercise carried out last year was a step in the right direction as over the years whilst recurrent costs for the provision of all services have increased it has not always been possible to fund the cost of replacement equipment as and when the need arose. If the trend set last year continues that should ensure that major items of new equipment are replaced as they reach the end of their working life. With regard to facilities that may be inadequate, Honourable Members may be aware that the General Hospital needs to be modernised. To this end, the Department secured the services of a Hospital Architect in 2009 to recommend the best use of the existing buildings in the Hospital and Administration Block complex. The Architect's report has recommended a number of improvements that can be made within the existing available space with the addition of some new buildings. Some of the improvements proposed include clear definition between inpatient and outpatient functions, clear definition between outpatient and emergency attendances, improved patient access to pharmacy services, consolidation and reallocation of inpatient beds to improve nursing care, provision of semi private wards, consolidation of outpatient clinics to improve patient access, reallocation of central storage, improved work flow and sterilisation in operating theatre and the provision of a minor ops theatre, expansion of the x-ray department, relocation of the clinical laboratory, provision of a dedicated emergency entrance, piped medical gas to all beds and installation of a nurse call system. In addition to looking into space utilisation of the General Hospital, the Architect's terms of reference included a review of the Sheltered Accommodation Units and the Outpatient Clinics in the outlying areas. Recommendations for improvements to the Sheltered Accommodation include options for improved disabled access, recommendations to prevent further deterioration of the premises due to dampness, condensation and rain penetration and expansion of Cape Villa. Similar recommendations for improved disabled

access to the outlying patients clinics were also made and it is anticipated that the first of these improvements commencing with the Levelwood Clinic will be made this year. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Could I just ask perhaps if you could provide that answer in writing to all Members, because it was very detailed and I suspect that some of us will have forgotten parts of what you've actually said. It would be very helpful to have it in writing.

The Hon. Cyril Gunnell –

Madam Speaker, I will ask the Head of Department to do that, she will be glad to I'm certain.

The Speaker –

Thank you very much. Honourable Mervyn Yon?

The Hon. Mervyn Yon –

Thank you, Madam Speaker. I must say that I thank the Honourable Chairperson for that very comprehensive report. He does leave me no chance for a supplementary question, Madam Speaker, but I thank you very much for your request to have that report distributed to all elected Members. Thank you, Madam Speaker and thank you Chairman.

The Speaker –

The Honourable Tony Green?

The Hon. Anthony Green –

Madam Speaker, may I ask, if it's permissible, based on what the Honourable Cyril Gunnell has said, that we now do have to build up an asset replacement fund instead of capital items being replaced as I thought it used to be by DfID?

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, perhaps that would be a question aimed at the Honourable Financial Secretary.

The Speaker –

Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, whilst I completely agree that an asset replacement fund or some suchlike would be extremely valuable, unfortunately, under our current funding rules from DfID we are not able to set money aside for asset replacement unless that is in the form of a parastatalised, i.e. a corporate type entity, so unfortunately, much as I think it would be highly desirable for us to be able to set aside funds to replace these critical assets as they wear out, unless we can put those assets into some form of a parastatal body, we're not currently eligible to do so. Thank you, Madam Speaker.

Question 11. The Honourable Cyril Gunnell to ask the Honourable Chairman, Access and Transport Committee.

The Hon. Cyril Gunnell –

Madam Speaker, thank you. How much in total has been spent by SHG on the hire of transport from the private sector over the last two years and could the Honourable Chairman also give a breakdown of that total expenditure for both long term and short term hire?

The Speaker –

Thank you, Honourable Member. The Honourable John Cranfield.

The Hon. John Cranfield –

Thank you, Madam Speaker. In 2008/2009 financial year, the cost of hired in vehicles was £35,000 and in 2009/10, this increased to £80,000; 6% of the cost relates to short-term hire. There has, over the last six months, been considerable focus on reducing the burden of long-term hired vehicles and now only three long-term hire vehicles remain – Legal and Lands Department, A&NRD and the Police. One of the objectives set for the Transport Division is the elimination of long-term hire vehicles by financial year end and the Transport Division will work with these Departments with a view to taking these vehicles off hire. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable John Cranfield. The Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, what is considered to be long-term as compared to short-term?

The Speaker –

Honourable John Cranfield?

The Hon. John Cranfield –

Yes, Madam Speaker, long-term is Departments who don't have access to transport from the Transport Division so obviously they have to hire long-term from the private sector and short-term is obviously if a Department needs a vehicle for a day or so just to get them through their chores for that day or so.

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, could the Honourable Chairman of the Access and Transport Committee say how many vehicles were on long-term hire over the last two year as opposed to short-term for the same period?

The Speaker –

Honourable John Cranfield?

The Hon. John Cranfield –

Madam Speaker, I don't have that information to hand, but I can certainly get it from the relevant Department and give the Honourable Member or Members a written response.

The Speaker –
Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –
Madam Speaker, I accept that, but can I also ask why has it been necessary to hire transport to the extent that it has been?

The Hon. John Cranfield –
Madam Speaker, I can only say that Departments required the necessary vehicles in order to fulfil their commitments to their Department.

The Speaker –
Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –
Madam Speaker, is it correct to say that the hire of transport for one vehicle over the last couple of years exceeded £30,000?

The Hon. John Cranfield –
Again, Madam Speaker, I don't have that information to hand, but I can certainly get it from the Department and give a written response again.

The Speaker –
Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –
Madam Speaker, I look forward to that written response and can it also be made available to all of the other Honourable Members. To what extent would it have been cheaper to purchase new vehicles, especially with regard to long-term hire?

The Speaker –
Honourable John Cranfield?

The Hon. John Cranfield –
Madam Speaker, I've given that undertaking that I will give this information to all Members of Legislative Council.

The Speaker –
Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –
Madam Speaker, if we're talking about costs, what measures during the last two years were taken to keep down the cost of the hire of transport?

The Hon. John Cranfield –
Madam Speaker, I can certainly say that all efforts were made to reduce the hiring of private vehicles, but unfortunately we didn't have sufficient transport in the Division to cater for the needs of every Department so hence the reason why Departments were going out to the private sector in order to fulfil their requirements.

The Speaker –
Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –
Madam Speaker, with regard to saving on costs, spares and equipment, etc, what is SHG policy on purchasing locally, if such parts and equipment are manufactured or produced locally at reduced cost?

The Speaker –
We are straying from the original question; I suspect that you're going to be told that the answer will have to be provided in writing. Honourable John Cranfield?

The Hon. John Cranfield –
Sorry, thank you, Madam Speaker. With regards to the cost, every effort is being made now, under Contract Regulations, we have to look for the best value for our money, Madam Speaker.

The Hon. Cyril Gunnell –
Thank you, Madam Speaker and I'm glad that that is the practice now. I was speaking of the practice over the last couple of years and with regard to, we are talking about cost here, with regard to items that can be manufactured on the island, such as realignment of brake shoes and clutches, etc, in that context I was asking has locally produced products been accepted?

The Speaker –
Honourable John Cranfield?

The Hon. John Cranfield –
Madam Speaker, whenever there is resources within the private sector then I'm sure that the Department would pursue that.

The Hon. Cyril Gunnell –
Madam Speaker, can I ask for, once again, perhaps a written response this time, as to what effort or what was actually carried out over the last couple of years in that regard, referring of course to services that can be provided on the island and I am aware that there is a realigning of brake shoes and clutches carried out in Ruperts, I'd like to know to what extent, if any of those things were to be replaced, to what extent was that actually done, Madam Speaker, to cut the costs down.

The Speaker –
Honourable John Cranfield?

The Hon. John Cranfield –
I can give the Honourable Member assurance that I will follow this up, Madam Speaker, and I'll give a written response.

The Speaker –
Thank you, Honourable Member.

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. I'd just like to finally say is SHG not aware that the clutch and brake shoe realigning service offered locally and has been in operation for two years, once again, is certified as being competent with any service of its kind in South Africa, and, of course, Madam Speaker, on that basis is why I asked the question in the first place.

The Speaker –
Honourable Mervyn Yon?

The Hon. Mervyn Yon –
Thank you, Madam Speaker. Madam Speaker, who does the hiring of vehicles, private vehicles, to Departments, is it the Vehicle Fleet Manager or is it the Head of Department?

The Speaker –
Honourable John Cranfield?

The Hon. John Cranfield –
Madam Speaker, previously it was the Chief Secretary who was responsible, Departments would apply to the Chief Secretary for the hire of private vehicles, but recently, a year ago, I think it was handed over to the, responsibility has been handed over to the Senior Transport Manager for the hiring of private vehicles.

The Speaker –
Honourable Mervyn Yon?

The Hon. Mervyn Yon –
Thank you, Madam Speaker, I thank the Honourable John Cranfield. Can you tell me, Sir, if is this practice continually adhered to?

The Speaker –
Honourable John Cranfield?

The Hon. John Cranfield –
I'm unable to give that answer, Madam Speaker, I've been out of the post now for twelve, fifteen months and I don't know what's been going on in the Department so I cannot say how the Department's operating at this moment in time.

The Speaker –
Honourable Mervyn Yon?

The Hon. Mervyn Yon –
Thank you, Madam Speaker. Then could I ask if an investigation be carried out to see that it does happen?

The Speaker –
Honourable John Cranfield?

The Hon. John Cranfield –
Madam Speaker, I've just been informed that that is still the case.

The Speaker –

Honourable Mervyn Yon?

The Hon. Mervyn Yon –

I would just like for the Honourable John Cranfield to carry that investigation out to make absolutely sure that it still exists, Madam Speaker.

The Hon. John Cranfield –

Madam Speaker, I will certainly do that.

The Speaker –

Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Thank you, Madam Speaker. Can I ask the Chairman of the Access and Transport Committee if there is any ongoing plan or plans in hand to review the current policies of the transport system as the figures he's just given us in actual fact could buy seven or eight new landrovers that would last for ten years instead of two, so could I ask please if there is any ongoing plan or is there plans in hand to review the entire island policy on transport usage against Government owning vehicles in their own Departments as opposed to hiring?

The Speaker –

Honourable John Cranfield?

The Hon. John Cranfield –

Yes, Madam Speaker, I can give the Honourable Member and Members assurance that a review is currently being undertaken by the substantive Senior Transport Manager, a review of all policies with regard to transport and this will be brought back to the Infrastructure and Utilities Committee for approval, Madam Speaker.

The Speaker –

Thank you, Honourable Member.

Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Can I ask, Madam Speaker, if we can have assurance from the Chairman of the Works Department that all elected Members get involved since it's a great sensitive issue among the public and I think that it would be good practice if all of the elected Members had some involvement in the review of policies?

The Speaker –

Honourable Chairman?

The Hon. John Cranfield –

Okay, Madam Speaker, I can give the Honourable Member assurance that we will get all elected Members involved in the process.

The Speaker –

Thank you, Honourable Chairman. Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, can I ask the Honourable Chairperson for the Transport Division, are there any plans to reduce the long-term hire of private vehicles within SHG? Thank you.

The Hon. John Cranfield –

Madam Speaker, I thought I made that quite clear in my original response that we're hoping that year end that all private vehicles will be returned back to the owners.

The Speaker –

Thank you, Honourable Member, you did make it clear earlier.

The Hon. Brian Isaac –

I do apologise for that. Thank you.

The Speaker –

Honourable Mervyn Yon

The Hon. Mervyn Yon –

Thank you, Madam Speaker. Madam Speaker, would it be a little confusing if all elected members were involved with building a policy with regards to transport, how could that work?

The Speaker –

I'm not sure who you're addressing your question to, Honourable Member.

The Hon. Mervyn Yon –

Well, maybe the Attorney General could answer that for me if it's possible?

The Speaker –

Honourable Ken Baddon?

The Hon. Ken Baddon –

Madam Speaker, my recollection of the discussion was that Council was informed that there was an ongoing review. A Member, I think it was the Honourable Rodney Buckley, asked whether all Members could be involved because of the wide ranging implications and the Honourable Chairman of Access and Transport said that everything possible would be done to involve all Members. I imagine that it could be a discussion in an informal meeting of Councillors or it might be something less formal, it's really a matter for Councillors themselves to decide to what extent they want formality in their consultations amongst themselves.

The Speaker –

Thank you, Honourable Ken Baddon. Honourable Raymond Williams?

The Hon. Raymond Williams –

Madam Speaker, is there any restriction on the number of vehicles that can be hired from the private sector to Government Departments?

The Hon. John Cranfield –

Madam Speaker, there's no restrictions, it's down to the requirements for the Department. If the Department requires one, two, three vehicles then it's entirely up to the Senior Transport

Manager to agree that those three vehicles are necessary in order for them to achieve their objectives, Madam Speaker.

The Hon. Raymond Williams –

I thank the Honourable Chairman, thank you, Madam Speaker.

The Speaker –

Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Madam Speaker, thank you. Can I just make a point of clarification please on the issue of policies for transport? I merely make the point because I don't see much point in one Committee making a policy that governs the whole island and the rest of the elected Members do not have some input into that policy. Policies, in my view, affects the entire population and policies need to be agreed and accepted throughout, not just by a few people, so I just wanted to make the point, Madam Chairman, for my Honourable Friend across the table, that it's not a question of trying to do anybody's Committee in or any stuff like that, it's a question of everybody agreeing what is the best policy for the island as a whole.

The Speaker –

Thank you, Honourable Member. Honourable Mervyn Yon?

The Hon. Mervyn Yon –

I thank the Honourable Rodney Buckley for that comment, but I'm still a bit worried as to how could all Committees or all elected Members get together to decide a policy when policy issues for transport would come under the Utilities and Infrastructure Committee.

The Speaker –

Honourable Ken Baddon?

The Hon. Ken Baddon –

Madam Speaker, perhaps if I try to elaborate on my previous contribution. There is nothing at all to stop the members of a Committee consulting the other Members of the Council before the Committee itself formulates the policy.

The Speaker –

Thank you, Honourable Member. Next question, please?

Question 12. The Honourable Cyril Gunnell to ask the Honourable Financial Secretary.

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. How much in excess of the £465,000 provided by DFID is it likely to cost SHG to implement the Pay and Grading Review for this financial year?

The Speaker –

Thank you, Honourable Member. The Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, the planned increase for the current year's salary budget was £530,000 to implement the Pay and Grading structure. This was made up of £465,000 provided by DFID and a further £65,000 from Other Allowances which are now consolidated into salaries. Although the final cost of implementing the Pay and Grading structure is not yet finally known, as there still remain some appeals underway, we estimate that the new structure will cost a budgeted additional £216,000. However, due to the large number of unbudgeted vacancies across SHG which will remain unfilled for the remainder of this year, we do not envisage that there will be any cash overspend by the year end. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, can I ask, in that context then, what vacancies will not be filled?

The Speaker –

Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, I can't be specific as to the exact jobs that will not be filled, but the current budget allows for an expense, a 6% vacancy rate across SHG, that is positions that have been identified but due to the frictional effects of people changing jobs will not actually be filled over the average course of the year. However, there are three Departments which have got significantly higher vacancy rates than that which are Education, PWSD and A&NRD and there will be, some of those vacancies will not be filled during the remainder of this financial year.

The Speaker –

The Honourable Cyril Gunnell

The Hon. Cyril Gunnell –

Madam Speaker, can I ask the Honourable Financial Secretary how will any of this impact adversely on services provided by Government?

The Speaker –

Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, the extra cost of the Pay and Grading exercise will be contained by not recruiting to fill all of the vacancies currently across SHG. No existing services will be cut, but it is possible that some activities which would have been performed if the vacancies were filled may not get done. Thank you, Madam Speaker.

The Hon. Cyril Gunnell –

Madam Speaker, to what extent then will any projects already identified by Departments for implementing during this financial year will be put on hold to offset the additional funding needed?

The Speaker –

Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, I can't be specific as to any projects that might be put on hold, but the discussions that I and my colleagues have had with the Heads of those Departments affected suggest that they will be able to undertake the projects that are planned for this year within the current level of vacancies in their organisations.

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Thank you, Madam Speaker, I'm pleased to hear that. With regard to not filling the vacancies though, I understand there's about twenty-nine school leavers to leave school this year from Prince Andrew School, how will any of this impact on them being able to get a job?

The Speaker –

Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, SHG, although it does at the current time have a moratorium, a general moratorium on external recruitment except for specific frontline services, there is an exception made for school leavers. I believe there is a quota of ten places for school leavers to be recruited by SHG generally and, of course, if some school leavers have got specific skills that are related to frontline services then they could be recruited into those positions. I would add also that, of course, it's not expected that SHG should absorb the entire school leaver cadre from this year, we would expect people to look also for jobs in the private sector and also potentially to look for study at tertiary level,

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

One final question, Madam Speaker, £216,000, an awful lot of money in St. Helena, what is the reason for the very significant excess amount in proportion to the funding provided?

The Speaker –

Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, the Pay and Grading exercise was conducted and due to the decision to undertake a second review in order to ensure fairness of grading across the structure a number of jobs ended up being more highly graded and therefore more highly remunerated than was originally envisaged at the outset of the Pay and Grading structure and that is the main reason that the cost of, the budgeted cost of salaries after Pay and Grading has risen by this amount.

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. I was just going to ask what lessons can be learned from this exercise?

The Speaker –

Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, a Pay and Grading exercise, as I think we have learned and as the Honourable Councillor himself mentioned earlier today, hindsight is a wonderful thing, and I think with the benefit of that hindsight we might have done some things differently with the Pay and Grading process, we might have allowed some more time to complete it, although there were pressures to try and get the process completed by 1st April so that SHG staff and the island as a whole could benefit from the additional funding coming into the pay process, but I think what we have realised is that it is a very complex process, the last time that such a process was undertaken I believe was some twenty years ago and the number of distortions and changes that had to be corrected were more substantial than, I think, we realised for the resources that we had available, so probably more resource and more time would be the main lessons that I would take from this. Thank you.

The Speaker –

The Honourable Stedson Francis?

The Hon. Stedson Francis –

I'm not sure if this question has been answered or not, Madam Speaker, but with your permission I was going to ask why wasn't the Pay and Grading exercise carried out using only the amount of funding available instead of over budgeting by around 40% or £216,000?

The Speaker –

Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, the original budget and planned, call it planned grading exercise, was indeed designed to contain it within the £465,000 allocation. It was only at a late stage in the process as a result of a further review to iron out some anomalies within the Grading structure that had appeared that the extra costs came to light and at that point it would have been unfair to those workers to be penalised in comparison to others who had been regraded if they also hadn't been adjusted, so it was in the interests of fairness and equity to everybody involved that the total cost ended up exceeding the original allocation.

The Speaker –

Honourable Mervyn Yon?

The Hon. Mervyn Yon –

Thank you, Madam Speaker. Madam Speaker, was the Pay and Grading only used for local personnel or was it for expats as well?

The Speaker –

Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, the Pay and Grading exercise related to SHG staff, those are those established now, all established staff under the SHG pay structure, it did not apply to the TC funded staff.

The Speaker –

Honourable Mervyn Yon?

The Hon. Mervyn Yon –

Thank you, Madam Speaker. Madam Speaker, can I be told if there will be additional funding needed for future years for Pay and Grading?

The Speaker –

Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, an additional Pay and Grading funding has been identified in the budget for 2011/12 and 2012/13. £502,000 has been allocated for Pay and Grading next year and £562,000 has been set aside in the budget for Pay and Grading in 2012/13.

The Hon. Mervyn Yon –

Thank you, Madam Speaker.

The Speaker –

Honourable Bernice Olsson?

The Hon. Bernice Olsson –

Madam Speaker, can the Honourable Financial Secretary tell this House and the listening public why are we in this situation?

The Speaker –

The Honourable Paul Blessington? I think you have actually explained the reasons behind the situation, but

The Hon. Bernice Olsson –

Madam Speaker, the whole island is talking about Pay and Grading and there has been a mess up....

The Speaker –

Honourable Member, you've asked your question.....Thank you.

The Hon. Bernice Olsson –

That was a point of information.

The Speaker –

Actually it was an opinion....

The Hon. Paul Blessington –

Madam Speaker, the situation that I think the Honourable Member refers to is presumably the fact that the Pay and Grading exercise has taken longer than anticipated, and, indeed, cost

more than was originally budgeted for. The reasons for that I think are varied and complex, but I have tried to identify what I think the main reasons were and I've also outlined what, as Financial Secretary, the steps we are taking to ensure that this doesn't result in a cash overspend during the current year or, indeed, in future years.

The Hon. Cyril Gunnell –

Madam Speaker, I think I said final question earlier on, but just one final question then. What is the cut off time for appeals to be made?

The Speaker –

Honourable Paul Blessington?

The Hon. Paul Blessington –

The cut off time has already passed so the appeals that are currently underway will be the last appeals; there are no further appeals that will be accepted.

The Speaker –

Honourable Tony Green?

The Hon. Anthony Green –

Madam Speaker, may I just ask the Financial Secretary for a very simple clarification. I had made a note that he said that there would be no overspend because of unbudgeted vacancies; can he confirm that he did, indeed, say that?

The Speaker –

Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, yes, I can confirm that for this financial year there will not be a cash overspend because of vacancies above budgeted levels that will not be filled.

The Hon. Anthony Green –

Madam Speaker, thereby, it's probably my ignorance, but I fail to understand and could it be explained to me that if vacancies are unbudgeted how would that enable overspends not to exist or be created?

The Speaker –

Honourable Paul Blessington?

The Hon. Paul Blessington –

The vacancy level that is set in the budget is, as I explained earlier, was set at 6%. The actual level of vacancies that we're running currently is higher than 6% so the actual vacancy rate is above that budgeting.

The Hon. Anthony Green –

Madam Speaker, thank you. I think I need to speak separately to the Financial Secretary to get my mind around that. Thank you.

The Speaker –

Next item of business, please?

6.

MOTIONS

Motion 1. The Legislative Council (Remuneration and Allowances) (Amendment) Bill, 2010 – The Honourable Acting Chief Secretary.

The Hon. Acting Chief Secretary –

Madam Speaker, I beg to move that the Legislative Council (Remuneration and Allowances) (Amendment) Bill, 2010, be approved in principle and referred to a Committee of the whole Council.

The Speaker –

Thank you, Honourable Member. Is there a seconder?

The Hon. Attorney General –

Madam Speaker, I beg to second.

The Speaker –

Thank you. Honourable Mover?

The Hon. Chief Secretary –

Madam Speaker, this Bill, the full title of which is A Bill for an Ordinance to amend the Legislative Council (Remuneration and Allowances) Ordinance 2010 to adjust certain rates of remuneration and allowances and other benefits to which members of the Legislative Council are entitled provides for certain amendments to the current rates and allowances. The Constitution requires that the Legislative Council shall not proceed with the Bill unless a report by an independent body appointed by the Governor has been laid before this House and published. That report was presented to this House earlier today as Sessional Paper No. 18/2010. The Constitution also states that no Ordinance shall provide for levels of remuneration, allowances or benefits that exceed the levels recommended in such report. Madam Speaker, an independent Commission was appointed by the Governor on 27th April 2010 comprising Mrs Ethel Yon OBE as Chairperson and Mrs Barbara A George JP, Mrs Anne Dillon and Fr. Dale Bowers as Members. The Commission was requested to address a number of concerns relating to the current levels of remuneration for elected Members serving on the Public Accounts Committee and for elected Members who serve as Chairpersons of Council Committees, the current level of remuneration for Deputy Speaker, the current internet broadband package provided for Members, the accommodation used for Members when transiting Cape Town and the restriction on meetings and official functions that would qualify for the payment of mileage expenses. Having examined these concerns, the Commission was able to recommend the following adjustments to the remuneration, allowances and benefits for elected Members: Members serving on the Public Accounts Committee to receive an additional £1,000 per annum; accommodation in Cape Town not to exclude the Garden Centre and where costly accommodation is preferred, then SHG should determine whether it is affordable; and, mileage at the rate of 60p per mile to be paid to Members for attendance at all meetings in connection with their role, including any other official duties. The Bill, if passed, will implement those recommendations. Madam Speaker, I beg to move.

The Speaker –

Thank you, Honourable Mover. Does any other Honourable Member wish to speak to the Bill? The Honourable Ken Baddon.

The Hon. Ken Baddon –

Thank you, Madam Speaker, I have already seconded the Motion, but as you know, since I merely seconded, I did not comment, I'm entitled to speak again. May I, for the record, Madam Speaker, under Order 9, Rule 3(a) state that this Bill does have the recommendation of the Governor. That recommendation is needed under section 73(2) of the Constitution because it has the effect of imposing a charge on the Consolidated Fund. The other matter which I wanted to mention, Madam Speaker, is this. Your Honourable Deputy this morning identified a small technical point which I shall wish to address before we move to Stage 2, so unless by the end of Stage 1 we reach the point at which you propose to take the refreshment break, I put Honourable Members on notice so that they're not taken by surprise as I shall move the adjournment of Stage 2 until after lunch.

The Speaker –

Thank you, Honourable Member.

I put the question that the Legislative Council (Remuneration and Allowances) (Amendment) Bill, 2010, be approved in principle and referred to a Committee of the whole Council. The question is open for debate. Honourable Tony Green?

The Hon. Anthony Green –

Madam Speaker, just on a point of order, may I seek your advice on whether we should be declaring an interest?

The Speaker –

I think all Members, including myself, around this table, accept that we have an interest and I believe on the previous occasion all Members declined to speak.

The Hon. Ken Baddon –

Madam Speaker, may I suggest, for the record, it will be on the record anyway because it's being tape recorded, the record show that all Members are deemed to have declared their interest.

The Speaker –

If no Honourable Member wishes to speak, the Honourable Mover may reply to the non-existent debate.

The Hon. Acting Chief Secretary –

Madam Speaker, there has been no debate so I have nothing further to say. Thank you, Madam Speaker.

Question that the Bill be approved in principle and referred to a Committee of the whole Council, put and agreed to.

The Speaker –

I think the Honourable Ken Baddon is now going to move an adjournment.

The Hon. Ken Baddon –

Madam Speaker, as I indicated during Stage 1, there is a minor technicality which I wish to investigate before inviting Members to consider the details of the Bill. I therefore formally move that further proceedings on this Bill be adjourned until the first item of business after lunch.

The Speaker –
Thank you.

Question on adjournment, put and agreed to.

The Speaker –
The Bill has been adjourned. It will be the first item of business after lunch and Honourable Members, don't think you're going to get your lunch at this moment. Next item of business, please?

Motion No. 2 The Income Tax (Amendment) (No. 2) Bill, 2010

The Hon. Financial Secretary (Mr Paul Blessington) - –
Madam Speaker, I beg to move that the Income Tax (Amendment) (No. 2) Bill, 2010, be approved in principle and referred to a Committee of the whole Council.

The Speaker –
Thank you, Honourable Financial Secretary. Is there a seconder to the Motion?

The Hon. Acting Chief Secretary –
Madam Speaker, I beg to second.

The Speaker –
Thank you. Honourable Mover?

The Hon. Paul Blessington –
Madam Speaker, Honourable Members, the Income Tax (Amendment) (No. 2) Bill, 2010 contains a small, but nonetheless significant change to the new Income Tax Ordinance which came into effect on 1st April 2010 and for Members convenience the Attorney General has circulated a document during the morning recess that outlines in red the amendment to this Ordinance that is proposed in this Bill. A new Income Tax Ordinance is, by nature, a complex piece of legislation and until it is actually tested for real it is difficult for the legislators introducing the Bill to know how it will work in practice. Since the new Ordinance came into effect, the Income Tax Office has received comments and feedback from various sources on aspects of the new legislation with a particular emphasis on the added complexity and compliance costs which are claimed to be having a negative impact on the small business sector on the island. Many of the issues that have been raised will be taken into account in a review of the tax system, which I have initiated as Financial Secretary, to find ways to create a more business friendly tax environment. I expect the findings of that review to be available by December this year. However, the subject of this amendment Bill is to tackle an urgent issue which has been brought to my attention and which I believe can be resolved with a minor adjustment to the current legislation. Section 21 of the Income Tax Ordinance 2009 sets the business registration threshold at an annual income of £520 or an average of £10 per week. In hindsight, this level appears to be too low, as small scale

businesses, many of whom may not even be earning enough to pay income tax, will be obliged to register and to keep books of account and issue tax invoices in accordance with the Ordinance. Following discussions held with the St. Helena Growers Association, who expressed concern that a number of their members would be deterred from continuing to produce and sell to the Association, due to the additional book-keeping burden, I received a request to lift the registration threshold to £1,040 per annum or an average of £20 per week. The Growers estimated that this change would remove the great majority of their Members from the need to register their business with the Income Tax Office. Research conducted by the Income Tax Office shows that around twenty-five businesses currently registered would no longer need to do so if this new limit is introduced. There will be no loss to revenue as a result of this amendment. In fact, the change may be positive for revenue as producers who may otherwise have decided to shut down may continue to stay in business with the possibility of contributing to the tax base. This proposed change only affects the need to register the business, to keep tax invoices for all supplies purchased and to keep books of account. Those who derive any income from self employment, trade or business, will still be required to declare their income through an annual tax return in the normal way. I have held discussions with Honourable Members of the Economy and Finance Committee as to the adequacy of the changes to the registration threshold. Indeed, there have been suggestions that the threshold could be raised further still as income of £20 per week still does not allow very much activity before the registration requirement is reached. However, on reflection and in consideration of the recommendation received from St. Helena Growers Association, I believe that the proposed amendment, which doubles the current threshold, should be implemented and be given a chance to be properly tested. We will not know the effectiveness of this change until we have a chance to see it in action. If this amendment is approved, the Tax Office will continue to monitor the number of business registrations to see how many micro businesses are still required to register despite the increased threshold. Should this still remain a problem for business, I would propose that Honourable Members should revisit this issue in a further twelve months time. I therefore submit the suggested amendment Bill be approved by Council. Madam Speaker, I beg to move.

The Speaker –

Thank you, Honourable Member. I put the question that the Income Tax (Amendment) (No. 2) Bill, 2010 be approved in principle and referred to a Committee of the whole Council. The question is open for debate. Honourable Stedson Francis?

The Hon. Stedson Francis –

Madam Speaker, as a Member of the St. Helena Growers I declare my interest. May I continue?

The Speaker –

Yes, you may.

The Hon. Stedson Francis –

Madam Speaker, I can support this Motion. It means that a person must now before registering prescribed particulars to the Income Tax Commissioner earn in excess of £1,040 whereas currently the amount is £520. My concern is, however, I believe that there might be other amendments needed to the Tax Ordinance and is it right to be tackling this in a piecemeal fashion? Why can't we consider an allowance payable for agricultural income which would represent nett profit of, say, £1,000 and I accept some tax would need to be paid? The thrust of the argument is that the majority of the vegetable producers are of a

retired age and we must accept that old soldiers do not live forever, they fade away and we must do all we can to encourage every person back to the garden and after a full day's work working elsewhere the only incentive is to offer a tax rebate on what is provided. I also question why do we need this amendment submitted as a Sessional Paper? Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak? Honourable Ken Baddon?

The Hon. Ken Baddon –

Just on a point of order, Madam Speaker, on that last question from the Honourable Member. The Standing Orders were amended last year to require that Bills are presented as Sessional Papers before being moved on to Stage 1.

The Speaker –

Honourable Tony Green?

The Hon. Anthony Green –

Madam Speaker, this is a little difficult one in the sense that the change is very welcomed, but I myself ask, as my Honourable Friend did, does it go far enough? It also, we have to bear in mind that we have to encourage our agricultural producers and it's very correct to say that we need to support them as much we can. It's going to be difficult for me not to support what is proposed, but I also have great concerns over the process. We are talking about an airport and we must get our processes in place and as I read the Financial, Economic and Financial Committee Minutes, they have not approved what has been brought to this House today, in which case, there hasn't been a formal endorsement by the appropriate Committee; we probably will get clarification on that later, so it is difficult to object to it, and I don't intend to, but I think it is important for us to realise that the change that has been made for registrations, a mere doubling of £520 to £1040, if I recollect correctly, but that is income and that really relates to still a very, very small business and a very small business could sell three cars and make a thousand pounds and still have to register. I'm not sure whether it's realistic enough, but I can't refuse or cannot object, because it's the right thing to do, but I also want to mention publicly that I am concerned about the process, because if I am correct, that it's gone and coming as a Bill, which I'm not sure, I might be able to ask the Honourable Mover to tell me when it was published, because moving it as a Motion, doesn't allow it, up until this point, to be publicly debated as far as I'm aware, but of all these points I've missed and misdirected myself, I would be grateful for an update and some guidance. Thank you.

The Hon. Ken Baddon –

Madam Speaker, I wasn't involved in all of the machinations which led to the preparation of the Bill. My understanding was that there was a sufficient mandate for it to be prepared and printed and hence my Office prepared it. Of course, it is possible for any Bill to be presented to this Council without going through Committees, or, indeed, through Executive Council, although I do take the Honourable Tony Green's point that it is normal for a Bill to go through Committee and ExCo before being presented as Government business. It may be that we missed the trick, if we did, it may be that that was because this seemed to be something which was entirely friendly to the taxpayer and not hostile and was thought to be uncontroversial.

The Speaker –
Honourable Tara Thomas?

The Hon. Tara Thomas –

Madam Speaker, just to clarify as Chairperson for the Economy and Finance Committee, I mean, we are supportive of an increase in the threshold, like my colleagues, we were concerned about whether this increase went sufficiently to stimulate the sector, and, of course, because of that no discussions had taken place, it was just one area of the community, being the Growers Association. We are supportive of increasing the threshold to ensure that the Tax Ordinance acts as an economic stimulant to the private sector and may I ask that the level be reviewed whilst the Tax Reform is going ahead as well as the Social Welfare Reform?

The Speaker –
Honourable Raymond Williams?

The Hon. Raymond Williams –

Madam Speaker, the renewed allowances are welcomed, production will increase I'm sure, being in the farming business myself, although perhaps I should at some stage declare an interest here, but my statement is made on the benefit of those people who are the much older ones than me and still working in the garden. I support the Motion in terms of a temporary measure and should be reviewed, say, a year later. The figure allocated still may be too small, but we'll see in due course what is the outcome. Thank you, Madam Speaker.

The Speaker –
Thank you, Honourable Member. Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Thank you, Madam Speaker. Like my Honourable Friends, I will support the Motion, but not without first having my wish to say my piece. I will support it only because, in my view, it will help some of our senior citizens who are trying to help themselves to earn some food and to make a few pennies, but as far as I'm concerned, this only goes a little bit further to help the senior people, not the overall tax burden that we have, or the complex issue of the Tax law as it stands. In my view, this has come about because there is some confusion with members of the St. Helena Growers. For those who I have spoken to, there has been some confusion between £500 profit and £500 income and now the confusion goes further because of the £1000 turnover as opposed to the £1000 profit, but nevertheless, I will give it my support because I believe that it will help those to get started, but the Tax law is a cumbersome piece of legislation and we really do need to address it, but we need to take a bigger look at the bigger issues. We are using an extremely large piece of our brainpower in the Tax Office to collect £2,000 income tax from the farming community and £7,000 from the Fisheries, for a whole year as income tax and that to me is a total waste of power, brainpower and resources, not to mention a good laugh to collect that amount for the amount involved in that we're asking people to do now. I will continue to believe that our industry in this isolated community still need to have a tax free agricultural and fisheries industry, like they do in China, China did it some years ago, 800,000 workers in the farming field and made a tremendous boom out of it, so I don't see no reason why we need to spend all this brainpower and resources to collect £9,000. Forty years ago, there was no income tax on the island and all of the folks worked the land and some for a living, some for extra money and some for pleasure and there were loads of surplus fruit and vegetables, then that that was

surplus was fed to the animals and then some of our gentlemen around this table will bear me out on that as our fathers did that simple thing of feeding it to the animals. So I will not let go of that issue, that I do believe that our island need to go forward and that will be. Our tax law is a very cumbersome piece of legislation and I believe that we, as the new Government, need to have a look and reform that, more especially with developments around the corner, so I suggest Honourable Members that we need to review this in the not too distant future to review our whole tax position and to have a look how we can take our island forward. So, Madam Speaker, I will give my support to this, but not without feeling that we will need to make some serious amendments to our tax law before the financial year is over. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, I rise just to give support to the Bill. It is very necessary, it doesn't go far enough though, in my opinion. I'm very pleased to see that it will be revised in a year's time and perhaps it ought to be done even before then, but we're talking here about people earning small amounts of money and to be able to, to have to, you know, keep books and things just to show that you didn't earn the £10 or £20, you know, it does take a lot of time. We need to encourage people back into farming, there are only older people who are doing it now, we need to encourage people to go fishing, once again, only older people I think are doing that and we depend so heavily of course on part-time farmers, we hope that part-time farmers will one day become full-time farmers, that is the aim of the A&NRD or the Department anyway, so anything we can do in that regard. I was talking to somebody recently, a teacher at Prince Andrew School who was saying that she is very pleased to see that, I think she said five students had made themselves available for IGCSE in rural science, whatever they so call it these days, but that's it, they do it in school, what happens after they leave school, it doesn't sort of go out into farming and that kind of thing, but I do support the Bill as it stands with the condition though that it is reviewed in a short time. Thank you.

The Speaker –

Thank you, Honourable Member. The Honourable Mervyn Yon?

The Hon. Mervyn Yon –

Thank you, Madam Speaker. Madam Speaker, I rise in support of this Motion. This amendment not only encourages members of the Growers to continue, but it will also give the small farmers the same privileges, therefore encouraging him or her back to the land. Farming in St. Helena is of importance, we should treat it as an important issue and we should encourage our farmers to remain on the land as long as they possibly can. Therefore, we must encourage production and look forward to small farmers taking up this amendment and go back to the land. Madam Speaker.

The Speaker –

The Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, I support the Bill presented here today. I would like to thank my colleagues around the table and in the Administration for all the work in making it possible to have the increase in the allowance presented here today. This is a step in the right direction, we have a

long way to go, there will be other amendments along the way, and I look forward to similar support, but there is one particular body out there that we still haven't completed their concerns and that is the fishermen, we mustn't forget the fishermen and there are work to be done on those lines as well. Thank you, Madam Speaker.

The Speaker –

.....in that case I invite the Honourable Mover to wind up the debate?

The Hon. Paul Blessington –

Madam Speaker, I appreciate the widespread support that this amendment has from Honourable Members. I realise that although it's a small adjustment and that the Tax Ordinance may require significantly more change before everybody in this room is happy with it, it was nevertheless an urgent request so that we didn't lose any more producers from the production scene through fear of the additional paper work that was being imposed upon them, so I appreciate the support of Members to pass this measure. On the question of should it have been a turnover figure or a profit figure, I do understand the argument that turnover is, it's a relatively small amount, but I think it is something that is easier for a small business person or a grower to know how much they're selling than to work out what their profit is which you often can't do until after the end of the year when you've totted up all your expenses, so I think from being a practical measure it should be fairly easily implemented and everybody will know where they stand. I do agree that we have to take further steps, we'll have to, as part of the general review of taxation that I have commissioned and that is getting underway at the moment, look at broader needs, such as the level of exemptions to the farming and fishing industries, because of their critical importance to the island, and at some of the more cumbersome elements that were introduced with the new Tax Ordinance which maybe deterring business from starting up or expanding. Having said all that, I believe that this small amendment will be a valuable step along the way and I thank Honourable Members for voicing their support. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member.

Question that the Bill be approved in principle and referred to a Committee of the whole Council, put and agreed to.

The Hon. Paul Blessington –

Madam Speaker, I beg to move that Council do resolve itself into a Committee to consider the detailed provisions of the Bill.

The Speaker –

Is there a seconder, please?

The Hon. Acting Chief Secretary –

Madam Speaker, I beg to second.

Question that Council resolve itself into a Committee, put and agreed to.

Council in Committee

The Speaker –

I put the question that the Title, Enacting Clause and Clause 1 do stand part of the Bill. Does any Member wish to speak on this?

Title, Enacting Clause and Clause 1.

Question put and agreed to.

The Speaker –

I put the question that Clause 2 do stand part of the Bill. Does any Honourable Member wish to speak?

Clause 2.

Question put and agreed to.

Council resumed.

The Speaker –

Honourable Paul Blessington?

The Hon. Paul Blessington –

Madam Speaker, I beg to report that the Income Tax (Amendment) (No. 2) Bill, 2010 passed the Committee with no amendments and to move that this Council approves the said Bill and recommends to the Governor that it should be enacted.

The Speaker –

Is there a seconder, please?

The Hon. Acting Chief Secretary –

Madam Speaker, I beg to second.

The Speaker –

Honourable Mover wishes to speak to the Motion?

The Hon. Paul Blessington –

Madam Speaker, as the Bill has been widely supported, I have nothing more to add.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak? Honourable Stedson Francis?

The Hon. Stedson Francis –

Can I ask when will it come into force? It says on publication, when is that likely to be?

The Hon. Ken Baddon –

May I assist, Madam Speaker? I would anticipate, it's such a short matter that it can be printed and published by the end of the week, whichever date it's gazetted will be the date it comes into force.

Question that Council approves the Bill and recommends to the Governor that it should be enacted, put and agreed to.

The Speaker –

Honourable Members, I think it's an appropriate moment to take a lunch break; I suggest that we reconvene at ten minutes to two, ten minutes to two.

The Hon. Ken Baddon –

Madam Speaker, I hesitate to interrupt, but there is this technical point which I need to investigate before we resume debate on the outstanding Bill, may we have ten minutes past two, please?

The Speaker –

.....

The Hon. Ken Baddon –

I don't mean to bargain with you, Madam Speaker, how about two o'clock?

The Speaker –

We will resume at two o'clock.

Council suspended.

Council resumed.

The Speaker –

Honourable Members, I perhaps ought to apologise to the listening public for the slight delay in resuming after our lunch break.....we're ready now to proceed and we adjourned the Motion No. 1, we adjourned the Billat the point where we were going to move to Committee and I think I will invite the Honourable Mover to pick up from that point.

The Hon. Gillian Francis (Acting Chief Secretary) –

Thank you, Madam Speaker. Madam Speaker, I beg to move that the Council do resolve itself into a Committee to consider the detailed provisions of the Bill. Thank you.

The Hon. Ken Baddon –

Madam Speaker, I beg to second.

The Speaker –

Thank you.

Question that Council do resolve itself into a Committee, put and agreed to.

Council in Committee.

The Speaker –

I put the question that the Title, Enacting Clause and Clause 1 do stand part of the Bill. I invite any Member to speak.

The Hon. Ken Baddon –

Madam Speaker, I'm sorry I didn't warn Honourable Members of this, but this Bill was actually drafted when we expected the Council to meet before the end of July. We are, of course, now into August so we cannot come into force on 1st August in Clause 1 (1). Could I please propose an amendment that 1st August 2010 be deleted and in its place the word publication, so it will read "shall come into force on publication".

The Speaker –

Is there a seconder to the amendment, please?

The Hon. Gillian Francis –

Madam Speaker, I beg to second.

The Speaker –

Thank you. So Clause 1 will now read "This Ordinance may be cited as the Legislative Council (Remuneration and Allowances) (Amendment) Ordinance 2010 and shall come into force on publication. Honourable Tony Green?

The Hon. Anthony Green –

Madam Speaker, it's probably a pedantic point, but presumably it's okay to do that, because without doing that it can still come into force on publication anyway?

The Hon. Ken Baddon –

No, if it says come into force on 1st August 2010, the FCO will jump up and down on us when they see it and tell us that we've passed retrospective legislation.

The Hon. Anthony Green –

May I just clarify my point so's that I'm not being misunderstood?

The Speaker –

Indeed.

The Hon. Anthony Green –

I'm saying that if we took out 1st August and not put in a commencement date it will still automatically come into force on publication date, I think it is twenty-four hours after it's put on the noticeboard.

The Hon. Ken Baddon –

Well, actually on the day it goes on the noticeboard, but I would rather simply say on publicationof the thing.

The Speaker –

Any other comments from Members, please?

Question on amendment to Clause 1 (1), put and agreed to.

Title, Enacting Clause and Clause 1 (as amended)

Question put and agreed to.

The Speaker –

I put the question that Clauses 2 and 3 do stand part of the Bill. Does any Honourable Member wish to speak?

The Hon. Ken Baddon –

Madam Speaker, would it assist if I just say a few words about the effect of these clauses? Clause 2 changes part of the Schedule to the original Ordinance the actual effect of which is to leave the remuneration of Members unchanged except for the three elected Members of the Public Accounts Committee, who, if this is passed, will receive an additional remuneration of £1,000 per annum for their work in connection with the Public Accounts Committee. Clause 3 has two effects. One is to ensure that Members can claim mileage allowance for official business such as visiting constituents who have matters they wish to discuss, because the way it's written at the moment is very restrictive and would not actually include that. And then the second change is to remove, a rather strange provision, with hindsight, in the original law which says that the accommodation to be used in Cape Town should be the Garden Centre which makes the question what do we do if the Garden Centre is closed for refurbishment or fully booked. The amendment would give the Governor discretion to approve accommodation in Cape Town in the same way that he approves accommodation for use by public servants who pass through Cape Town.

The Speaker –

Thank you. Does any other Honourable Member wish to speak?

Clauses 2 and 3.

Question put and agreed to.

Council resumed.

The Hon. Gillian Francis –

Madam Speaker, I beg to report that the Legislative Council (Remuneration and Allowances) (Amendment) Bill 2010 passed the Committee with one amendment and to move that this Council approves the said Bill and recommends to the Governor that it should be enacted.

The Hon. Ken Baddon –

Madam Speaker, I beg to second.

The Speaker –

.....further?

The Hon. Gillian Francis –

No, Madam Speaker, nothing further to add.

The Speaker –

I put the question that this Council approves the Legislative Council (Remuneration and Allowances) (Amendment) Bill 2010 and recommends to the Governor that it should be

enacted. Does any Honourable Member wish to speak? Does the Honourable Mover wish tothis point?

The Hon. Gillian Francis –
No, Madam Speaker.

Question that Council approves the Bill and recommends to the Governor that it should be enacted, put and agreed to.

The Speaker –
Clerk of Councils?

Motion No. 3 – The Honourable Rodney Buckley.

The Speaker –
Honourable Members, the Motion before us was adjourned at the last meeting of Council at the stage when the Mover, the Honourable Rodney Buckley, was to wind up the debate. It is unusual, I would suggest, extremely unusual, for such an adjournment to take place. We're all well used to the adjournment of the Appropriation Bill after the Honourable Financial Secretary has moved the Bill, but he provides a written copy of his speech and the adjournment is over the weekend to allow all Members to prepare their responses. In this case, the adjournment has been over a period of several months and it is my considered view that it would therefore be sensible to have our memories refreshed on the content of the debate. Unfortunately, we do not have a Hansard of the last meeting to help us. Does any Member wish to raise a point of order at this point to the contrary? I am therefore suggesting that the Honourable Mover may have up to ten minutes to remind us of the points he made in support of the Motion and then any other Member may have up to five minutes to comment thereafter. It is my recollection that no Member spoke for as long as that in the last meeting and I therefore can see no justification to allow longer on this occasion. The Honourable Mover will then wind up the debate before the question is put. Does any Honourable Member wish to raise a point of order to the contrary? Honourable Mervyn Yon?

The Hon. Mervyn Yon –
Thank you, Madam Speaker. Madam Speaker, I welcome this suggestion since the Honourable Tara Thomas and myself was not privy to be here when the Motion was first put in place and I would now appreciate hearing what it contains. Thank you, Madam Speaker.

The Speaker –
Thank you, Honourable Member. I would point out that this should not be seen as setting a precedent. There is no slur intended or implied when I say that with hindsight it is always easy to do things differently. We don't have the benefit of hindsight and at the March meeting, at the time when the Motion was adjourned I don't think any of us appreciated that it would be four months before there was a further meeting and quite clearly, as I've said, it's my considered opinion that we do need to be reminded of the content of that debate. On which basis if there are no points of order being raised to the contrary, I will hand to the Honourable Rodney Buckley. It would be helpful I think to read the wording of the Motion before you start.

The Hon. Rodney Buckley –

Thank you, Madam Speaker, I have that in here and the Motion reads That this Council resolves that to provide the Island with twenty-first century communications, the St. Helena Government takes a look at the possibility of engaging a communications expert to represent the Islanders and establish with the communications provider if public finance to assist with capital investment would be conducive to a realistic pricing and proper business returns in the light of the Island's small customer base and report to this Council.

Madam Speaker, that is the Motion. Honourable Members, because I am a firm believer that everything that happens happen for a reason, on this occasion I can forgive the Government and my learned friend across the table for not being open and transparent in advising me when this Motion was first submitted that a consultant had already been engaged on communications in St. Helena in March 2008 and that report submitted in February 2009. Apec Economics were engaged to provide technical assistance for procuring telecommunications services for St. Helena and Ascension in the light of Cable & Wireless exclusive licence expiring in 2012 and the expectations at that time for an airport also in 2012. The report was submitted after the airport pause and it's a very good report on the current situation. What we need now are detailed information on infrastructure capital investment for comprehensive, twenty-first century services. The deferral of this Motion, Madam Speaker, from the last session to this, therefore gives me the opportunity to bring us where we are today, and I'm afraid, Madam Speaker, that hindsight obviously will have to come into play. Now that we have the wonderful news of airport development, it brings a whole new dimension to the aspect of communication, and, indeed, reinforces the intention behind this Motion which is to develop twenty-first century communications. The Motion calls on the Government to take a close look at getting expert assistance to help us develop our communications and in view, it's more relevant now, in the light of the airport announcement than when presented in March. The Strategic Development Plan in preparation for airport development before the pause states that "a modern telecommunications infrastructure is needed for reinvigorating and transforming the economy and for empowering the population providing them with virtual access to the rest of the world. Effective use of IT will allow more control of St. Helenians over tourism and investment promotion activities and the conducting of online transactions. The use of IT is furthermore needed to improve the efficiency of Government." The SDP further points out "that a fast internet connection is a top priority and is achieving a reduction in the cost of telecommunications". My vision is that air support services on the island will depend entirely on modern and low cost communications. The low per capita income is a constraining factor on demand for services, but nevertheless, in our isolated situation the expenditure on telecommunication services per head of population is quite high. Double our population and I suspect expenditure per head of population will still be quite high. Although the Telecommunications Ordinance of 1989 was revised in 2007, the Consultant's report records that it changed little since 1989 and is not fit for purpose since it predates the internet and digital communications. It records that a new law is needed to reflect the very different circumstances availing in the twenty-first century. Cable & Wireless St Helena is a unit within Cable & Wireless South Atlantic Ltd, integrating operations with Ascension and the Falkland Islands and modernising legislation on all three islands may well benefit all concerned. St. Helena's limited customer base for telecommunications cannot expect anything other than a monopoly market protected by legislation and I suggest that that also applies to Ascension and perhaps the Falkland Islands. I also suggest that it would be advantageous for all three Governments to contract with a single service provider on a partnership basis. Spreading the capital investment costs that is required can only benefit the entire population and stakeholders of all three islands. In my view, Tristan da Cunha should also come into the equation. I hold the view, Honourable Members, that our 500 year history

reflects that the island has not kept pace with modern communications and as a result our isolated position has not been in a position to sustain any sort of industry that would result in self sufficiency. Our history also shows that it has not been for the want of trying by people with experience second to none. My learned Friends, we have a ship plying our waters today without high speed communications and are not sustainable without a subsidy, Let us not let aeroplanes fly across our skies and not support them with high speed, comprehensive communications, because air services development cannot possibly be sustainable and bring us anywhere near self sufficiency without modern, comprehensive communications. I now call upon Honourable Members to vote for this Motion and give your support in seeking from DfID a communications consultant to work in partnership with Cable & Wireless South Atlantic Ltd, Cable & Wireless London and the Government of St. Helena to establish and agree partnership roles on what infrastructure capital investment is required to ensure twenty-first century high speed low cost comprehensive telecommunications that will be the backbone to ensuring sustainability of air services for the next ten-year exclusive licence period. For me, my Friends, without high speed low cost communications support facilities air services will send St. Helena's economy into an unimaginable dark hole. Let this Council ensure that that do not happen. Madam Speaker.

The Speaker –

Thank you, Honourable Rodney Buckley. As I indicated before, we are refreshing our memories on what was saidand I'm prepared to allow Members five minutes to comment. Does any Honourable Member wish to speak? The Honourable Tara Thomas.

The Hon. Tara Thomas –

Madam Speaker, just a point of clarification. Is the Honourable Member proposing to make an amendment to the existing Motion then, because I think it differs slightly to his concluding paragraph?

The Hon. Rodney Buckley –

No, I didn't have that intention, Madam Speaker, because I don't really think it does differ. The Motion calls for the Government to look at the possibility of engaging an experienced man/person to assist with capital investment and that's what I'm asking, to assist with what capital investment is needed to take the island forward.

The Hon. Tara Thomas –

Sorry, Madam Speaker, it's just to say that, because you mentioned about in partnership with SHG, DfID and St. Helena, Cable & Wireless St Helena Ltd, so I just wanted a point of clarification.

The Speaker –

The Motion is asking that the Government takes a look at the possibility of engaging an expert and establishing with the communications provider if public finance would be conducive to realistic pricing. I don't think the Honourable Mover would actually want to change anything?

The Hon. Rodney Buckley –

No.

The Speaker –

The Honourable Acting Chief Secretary, the Honourable Gillian Francis?

The Hon. Gillian Francis –

Further to the Honourable Tara Thomas's point of clarification, can I ask the Honourable Mover if it is his intention that we get an additional expert to what we have engaged already in the form of Chris Doyle?

The Hon. Rodney Buckley –

That was my intention, Madam Speaker, yes, because the final report was submitted in February of 2009 and that covers basically a value for money exercise on Cable & Wireless, is my reading of it, and I think what I'm saying is what we need now is to make some assessment of what capital investment is required to take the island forward as opposed to just leaving Cable & Wireless to invest what they will get a return on as a private company.

The Speaker –

Thank you. Honourable Gillian Francis?

The Hon. Gillian Francis –

Madam Speaker, I can advise this House that the consultant engaged at the moment, Chris Doyle, is tasked with helping us to prepare invitation to tender documents, closed invitation to tender documents that will form the basis of negotiations with the current service provider and I would hope that the consultant, Chris Doyle, during those negotiations will be able to advise whether public finance will be needed to help ensure the provision of twenty-first century communications to St. Helena and such negotiations, I believe, will need to take account of the recent, positive airport announcement which it is hoped will eventually result in a larger customer base and perhaps, I say, perhaps, thus obviate the need for public finance. Thank you, Madam Speaker.

The Speaker –

Could I just ask on a point of clarification, I'm not entirely clear, there is somebody already engaged by St. Helena Government, am I right?

The Hon. Gillian Francis –

Yes, Madam Speaker, it's the same consultant who produced the report referred to by the Honourable Mover, Rodney Buckley, and he's now engaged to help us with the negotiations with the current service provider.

The Speaker –

Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Would you like me to respond to that, Madam Speaker?

The Speaker –

If you want to make a point of information.

The Hon. Rodney Buckley –

A point of information, indeed, yes. Dr Doyle who is engaged now to assist St. Helena with the negotiations for the renewal of the licence with the company, the service provider, Cable & Wireless and my reading of that terms of reference is to assist the Government with renewing the licence. My Motion asks the Government, and I will point out to Members, that

the Motion calls for the Government to take a look at the possibility and we can probably then discuss this issue in detail. The Motion is asking for the Government to take a look at establishing what is required for capital investment. For me, and I think for any private company, it will be quite obvious that no company will be able to provide infrastructure that St. Helena requires for twenty-first century services and expect a return from our low customer base, so the question is whether this Government will look at the possibility of playing partnership roles to provide that infrastructure. We already heard over the weekend from Cable & Wireless that we're looking for something like £50M for fibre optics. Now, obviously, fibre optics is going to be 'the' thing for any communications anywhere in the world, but we're not going to be able to afford that, so what is our next best bet in terms of capital investment. Will it require £10M, £20M or £30M to get a space age communications and can any single company, service provider for St. Helena provide that level of injection without getting a proper return from a business point of view.

The Speaker –

Thank you, Honourable Member. I think the key words of the Motion, Honourable Member, if I might remind you are - this council resolves that to provide the Island with twenty-first century communications, the St. Helena Government takes a look at the possibility of engaging a communications expert, so it's not being binding on Government, the wording of the Motion. I think it's worth just reminding ourselves of that. The Honourable Tony Green.

The Hon. Anthony Green –

Thank you, Madam Speaker, may we just, for information, and the Attorney General can confirm, that I don't think any Motion is binding on the Government to do anything, but the point I wish to make is that, intended to make all the time, is that really I can support the Motion on the basis that we're being asked to take a look at the possibilities, because I would not personally wish to rule out that financing modern age technology couldn't come from the private sector if there are people who are prepared to put their money in and not involve Government I would be happy, but I have no objection. I will support the Motion on the basis that we're taking a look at the possibility. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. I think I can support the Motion, because what does it ask for? It asks for Government to take a look at the possibility of engaging a communications expert to represent the islanders and establish a communications provider etc, etc, etc and that's what the Motion is doing. I certainly agree with the principles, I agree that a fast internet connection is very important, there is, as the Honourable Member suggests, a monopoly in St. Helena when it comes to communications, partnership roles between SHG, Cable & Wireless and others is the way forward, surely that has to be the way, there's always others who we need to depend on and we need to know how much it would cost anyway, so I think we can't rule those things out. On that basis, Madam Speaker, I will gladly give the Member my support.

The Speaker –

Thank you, Honourable Member. The Honourable Brian Isaac.

The Hon. Brian Isaac –

Madam Speaker, I can support the sentiments of this Motion and from the previous meeting in this House, the last Sitting, I was able to respond to the Mover of the Motion, but I do have some concerns. We do have Dr Doyle employed to look into the possibility of our communications and taking the island forward into the twenty-first century, but I'm not sure, you know, with the support of this Motion, how it will affect Dr Doyle's role. I mean, I'm not sure, Madam Speaker, what sort of feedback elected Members have had from Dr Doyle, what sort of feedback Executive Council have had, so these issues I will have to take into account before giving support to this Motion, but, you know, it seems that if we have someone in place and to employ someone else do we need to terminate the terms and conditions of Dr Doyle and bring in someone else or, you know, we need to ask him to brush up and pull up his socks in providing us with further information, I'm not too sure so I do have some difficulty in supporting the Motion, but I can support the sentiments of high speed communications for the island. Thank you, Madam Speaker.

The Speaker –

The Honourable Stedson Francis?

The Hon. Stedson Francis –

Madam Speaker, the Motion simply asks that Council resolves to provide the Island with a look at the communications system here in collaboration with the service provider, an upgraded, more affordable system with the possibility of financial assistance with capital investment and therefore I have no problem in supporting the Motion. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Mervyn Yon?

The Hon. Mervyn Yon –

Thank you, Madam Speaker. Madam Speaker, I rise in support of the Motion. I think it is a good Motion, something that we should have in place and therefore I have no objections to supporting the Motion. Thank you.

The Speaker –

Honourable Raymond Williams?

The Hon. Raymond Williams –

I'm just rising in support of the Motion, Madam Speaker. Thank you.

The Speaker –

Thank you. Honourable Tara Thomas?

The Hon. Tara Thomas –

Yes, Madam Speaker, I support the Motion.

The Speaker –

Honourable Bernice Olsson?

The Hon. Bernice Olsson –

Madam Speaker, I support the Motion. Members have said a lot about the Motion, so I'm not going to repeat what they've said, but I do support this Motion.

The Speaker –
Honourable John Cranfield?

The Hon. John Cranfield –
I too, Madam Speaker, support the Motion wholeheartedly.

The Speaker –
The Honourable Michael Benjamin?

The Hon. Michael Benjamin –
I too, support the Motion, Madam Speaker.

The Speaker –
Thank you.would the Honourable Mover now like to wind up the debate please?

The Hon. Rodney Buckley –
Thank you, Madam Speaker, thank you Honourable Members for your support. Just to say, on a point, Councillor Isaac, it might well be that once we take a look at these things that the current terms of reference of Dr Doyle which simply ask him to provide technical assistance in the re-negotiation of the exclusive licence for the current service provider, Cable & Wireless, that those terms might well be able to be extended. At the moment, they do not cover looking at capital investment, so that's something that we can look forward to. But, Honourable Members, it is simply that we mustn't allow opportunities to pass us by. The island needs communications, the exclusive licence is about to be re-negotiated for the next ten years or so, or eight years, whatever it is, but we mustn't allow ourselves to lose opportunities to look at these possibilities and all the Motion asks for is for the island to look at what level of infrastructure is required to provide the island with the proper communications that we will need, that's all I'm asking and once that is established, whether it be fibre optics at £50M, whether that have to be the way forward and whether we can find another service provider who will come in and provide those funds, brilliant, but if there is nobody else then we need to look at what other options we have. So, basically, Honourable Members, it is to look at all of our options for the next ten years and also to take our economy forward. Thank you, Madam Speaker.

The Speaker –
Thank you, Honourable Member.

Question on Motion, put and agreed to.

The Motion is carried.

The Speaker –
Thank you, Clerk. Next item of business.

Motion No. 4 – The Honourable Cyril Gunnell.

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. Madam Speaker, I beg to move that this House believes that the yards at the back of Numbers 2 and 3 Main Street, Jamestown should be turned into car parks to help to alleviate the pressure on existing car parks in Jamestown.

The Speaker –

Thank you, Honourable Member. Is there a seconder to the Motion, please?

The Hon. Brian Isaac –

Madam Speaker, I beg to second.

The Hon. Cyril Gunnell –

Madam Speaker, I don't have to try and convince Honourable Members that there needs to be significantly more parking spaces in Jamestown than there presently are. The Highways Authority, I am certain, are always looking for available areas that they can allocate for additional spaces for parking. Sometimes the odd space is found, creating additional car parks for one or two cars, but a lot more parking space is needed. One sees cars parked on pavements where pedestrians are supposed to be able to walk without competing with a car for the same space. Cars are often seen double parked and yet what other choice do the drivers have. More and more vehicles are arriving to the island and it may be worth pointing out that it is no secret that fees paid to SHG in respect of wharfage and vehicle licenses is an important source of revenue. In fact, revenue earned from other sources would have to be found if there were to be a shortfall in revenue from vehicles. The two yards at the back of Numbers 2 and 3 Main Street could be turned into parking spaces. Indeed, I have been assured by the Police that the two areas knocked into one large area would accommodate up to thirty cars and could even be more. Think about it. At least thirty more parking spaces in Jamestown than we currently have, thirty more spaces to alleviate the pressure of a driver when they are trying to find a parking space. How much would it cost? Well, not a great deal is what I have been told. The wall which divides the two yards at the back of the two SHG office buildings would have to be taken down to create one space and an entrance to the car park would have to be made via Narra Backs. Madam Speaker, I would like to take a few minutes here to remind Honourable Members that this is not a new idea, the last time I put a recommendation that the two yards knocked into one would provide ideal car parking space the Chief of Police at that time saw merit in the idea and enthusiastically took up the challenge to make it all happen. He organised an assessment for the works to be carried out and identified funding. A new car park would have been created but there was one snag, there was an objection to the wall being taken down. That then, Honourable Members, was all it took to halt progress towards a new car park. Madam Speaker, there is no doubt in my own mind that St. Helena should look after its built heritage and protect it from falling into disrepair, no doubt in my mind at all, but the dividing wall referred to cannot even be seen from Main Street or Narra Backs, if it were to be taken down, how many people would even notice that it was there in the first place? Jamestown currently needs significantly more parking spaces, but space is limited, we all know that. The announcement that St. Helena will after all get an airport also means that even more car parking spaces will be needed in the not too distant future. As far as I am aware, there are no plans for a multi-storey car park in St. Helena. Honourable Members, there has to be a balance when decisions of this kind are to be made. In this situation, the right to protect the wall from being taken down has to be balanced against the right for people who have spent thousands of pounds importing a vehicle into the island to have a safe place to park that vehicle when they visit Jamestown. Compromise is needed if we are going to make progress. Madam Speaker, I believe the idea

of a parking area behind Numbers 2 and 3 Main Street, as was recommended previously, should be revisited. Madam Speaker, I would encourage Honourable Members to support this Motion. If they believe that the two yards referred to should be knocked into one larger area for car parks, arrangements will be made to secure the necessary estimate, planning permission and finance. Madam Speaker, I beg to move.

The Speaker –

Thank you, Honourable Member. The Motion is open for debate, does any other Honourable Member wish to speak? Honourable Brian Isaac.

The Hon. Brian Isaac –

Madam Speaker, I can support this Motion. I gave my support to this Motion some two years back when it was first tabled and the objection was, as the Honourable Mover said, that the piece of wall could not be knocked down because of heritage reasons and I was very disappointed with that, but just only this weekend it's been brought to my attention, Madam Speaker, that a piece of our heritage wall at Ladder Hill corner has been knocked down to give more access to a newly-built property in the area, I stand to be corrected, I haven't been to the site to actually see it, but it has been brought to my attention and I will follow this up, I'm sure that permission must have been given by the Building Authority for this piece of wall to be removed. In that case, I shouldn't see why there's a problem that we cannot have the piece of wall removed at the back of Number 1 and Number 2 to give additional access of thirty car parks in the area. I would like to give my support and it remains, when I was a Member of the Highways Authority and I'm still a Member of the Highways Authority, that that should have been approved and the estimate of materials and everything were made, and I think it was in the region of £20,000, I'm not sure, but I think it was £20,000 to make that a hard surface area to accommodate thirty cars. Madam Speaker, I give my full support to this Motion. Thank you, Madam.

The Speaker –

Honourable Tara Thomas?

The Hon. Tara Thomas –

Madam Speaker, I agree that we need to consider ways to alleviate the pressure on existing car parks in Jamestown; parking in Jamestown has been an ongoing concern for a number of years. However, the use of Numbers 2 and 3 Main Street needs to be considered as part of SHG's wider Crown Estates strategy, particularly in light of the recent air access decision. Numbers 2 and 3 Main Street are prime sites and I would like to see us investigate other means of parking areas in Jamestown before committing ourselves to using those two sites.

The Speaker –

Thank you, Honourable Member. Honourable Raymond Williams?

The Hon. Raymond Williams –

Thank you, Madam Speaker. Madam Speaker, additional car parks as described by the Honourable Cyril Gunnell, is in my opinion one way of increasing car parks in Jamestown and as a Member of the SHDA Board, know for a fact that the backyards of both these premises would be best utilised as a car park. I support the Motion.

The Speaker –

Honourable Mervyn Yon?

The Hon. Mervyn Yon –

Thank you, Madam Speaker. Madam Speaker, as Chairman of the Highways Authority I rise in support of this Motion. We all know that there is a problem with car parking in Jamestown and if there is an opportunity for some places to be identified and used for the purpose of car parking I think we, as elected Members, should support it fully. This is a major step forward, Madam Speaker, if we are to increase our car parking in Jamestown. I trust that all Honourable Members will give support to this Motion since it is very important. Thank you, Madam Speaker.

The Speaker –

The Honourable Chief Secretary?

The Hon. Mrs Gillian Francis –

Madam Speaker, as Honourable Members have said, there is some history to this Motion and I can advise this House that some eight years ago the Administration supported the proposal to convert the area in question into car parks. However, planning permission was refused by the Land Planning and Development Control Agency at the time and a subsequent appeal against the decision was also refused by the Planning and Development Appeals Board. The reasons for refusing the planning permission by the Agency, and I quote from the decision notice at that time, was that Numbers 1, 2 and 3 Main Street are terraced houses with back gardens surrounded by old stone walls, they are listed Grade 2 for their architectural value and setting in the main street of a Georgian town and to allow parking would destroy their character in a conservation area. I also understand that the matter was subsequently discussed in a Highways Authority meeting in 2008 when it was decided that no definitive decision should be made until it was clear as to what plans were being made to redevelop Lower Jamestown in line with tourism-related recommendations. The need for parking in Jamestown still exists and is perhaps greater now than it was some eight years ago. However, following the recent air access announcement, it will be even more important, I suggest, than it was before to ensure that all development in Jamestown is friendly to the environment, heritage and tourism. The proposal, as reflected in the Motion, should perhaps be considered in context of the island's wider economic and social development. Thank you, Madam Speaker.

The Speaker –

Honourable Attorney General?

The Hon. Ken Baddon –

Madam Speaker, I'm not going to enter into the politics by saying whether if I had a vote I would or I would not support the Motion. It occurs to me though to suggest in the context of the comment just made by the Honourable Acting Chief Secretary that it is important before considering interfering with heritage properties to ensure that all other options have been considered. We all know, every time we walk up and down the street that we see commercial vehicles parked in car parking spaces, sometimes left there for weeks on end, certainly very often left there for days on end. We see trailers, we see bulldozers parked in car parking spaces and there may be opportunity to improve car parking by imposing better control over the use of the existing spaces. As I say, Madam Speaker, I'm not going to say yes or no to the proposal, but I do urge that all other options be considered in parallel with this one.

The Speaker –

Thank you. The Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Thank you, Madam Speaker. The Motion as it reads says that this Council believes. Well, I'm perhaps feeling a little bit guilty because my Honourable Friend just supported my Motion, but I have to believe that, I do not believe that this is the best use of Number 2 and 3 Main Street. I think it's been quite well put by the Acting Chief Secretary. I think we need to consider our wider options and our town is so small and we need prime sites. We are going forward for development and unless we have prime sites to develop our only little city in a proper fashion then I think we will struggle. I agree one hundred percent that car parks are a bit of a hazard and they need to be dealt with, but I do believe that perhaps somewhere along the line we could dig some rocks out to make a car park somewhere. I'm of the view that this proposal ought to be reviewed in the light of our recent development on the airport and the need for Jamestown to have prime sites developed for the future. Perhaps had this come to the House before the announcement of the airport decision, I might well have been swayed to give it a temporary go, but I feel I can't support the Motion to give it as a car park because of our small spaces in town and the prime sites in town. That is a prime site and if we are to develop tourism then I'm pretty sure that we're going to need every prime site in Jamestown that we have. If we do not have Jamestown to back up our economy then we won't have an economy. Every town makes an economy, if there's no town there's no economy. Take PWD and all of the Castle and all of the Government people out of Jamestown and there would be no Jamestown, so we need to build up Jamestown, we need to keep people in Jamestown and we need to develop it. Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Tony Green?

The Hon. Anthony Green –

Thank you, Madam Speaker. I have no difficulty in supporting the sentiments of this Motion but I do understand that there is a need to be quite careful and I wonder if I'm in order to propose an amendment to the Motion, which would read something along the lines that "That this Council takes measures to alleviate pressure on existing parking in Jamestown and include in this assessment the yards at the back of Numbers 2 and 3 in Main Street".

The Speaker –

Could you please read your first amendment rather more slowly and I'll try and make a note of it.

The Hon. Anthony Green –

"That this Council takes measures to alleviate pressure on existing parking in Jamestown and include in this assessment the yards at the back of Number 2 and 3, Main Street". And I propose this amended Motion, Madam Speaker, only sitting here because I felt that resisting the increasing of parking was appropriate, but I felt that the prime sites at Number 1 and 2 we would have to look at the best use in the future because of car fumes and whatever, so I'm proposing a Motion.

The Speaker –

Thank you. You proposed an amendment. Honourable Members, there is an amendment proposed which reads that "That this Council takes measures to alleviate pressure on existing

parking in Jamestown and include in this assessment the yards at the back of Numbers 2 and 3 Main Street”. Is there a seconder to the amendment?

The Hon. Stedson Francis –

I beg to second, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Does any Honourable Member wish to speak now to the amended Motion? Honourable Ken Baddon?

The Hon. Ken Baddon –

Madam Speaker, I’m sorry to be technical, but this Council cannot take measures to the end suggested by the Honourable Member. Might I suggest, with his agreement, that his wording might be changed if he will agree to say that “This Council calls upon the Highway Authority to take measures to alleviate, etc”?

The Speaker –

Are you happy with that?

The Hon. Anthony Green –

I’m very happy with that, thank you.

The Speaker –

Thank you, Honourable Ken Baddon. So the amendment reads “That this Council calls upon the Highways Authority to take measures to alleviate pressure on existing parking in Jamestown and include in this assessment the yards at the back of Numbers 2 and 3 in Main Street”. Have I got it right?

The Hon. Ken Baddon –

Yes, Madam.

The Speaker –

Is there a seconder to the amendment, please?

The Hon. Stedson Francis –

I beg to second, Madam Speaker.

The Speaker –

Thank you, Honourable Member. So any Member now wishes to speak. We deal with the amended Motion before we deal with anything else, so the Motion before the House is the amended Motion, does any Honourable Member wish to speak, please? The Honourable Tara Thomas.

The Hon. Tara Thomas –

I can support that Motion, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak to the amended Motion? Honourable Stedson Francis?

The Hon. Stedson Francis –

Just to say I give my support to the amended Motion, Madam Speaker.

The Speaker –

Honourable Rodney Buckley?

The Hon. Rodney Buckley –

Thank you, Madam Speaker, yes, I'd just like to say I welcome the amendment to the Motion, obviously it fits in with my line of thinking.

The Speaker –

Honourable Acting Chief Secretary, Gillian Francis?

The Hon. Gillian Francis –

Madam Speaker, I support the amended Motion.

The Speaker –

Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Madam Speaker, I actually support the amended Motion, it wouldn't be the first time I've had a Motion snatched from under my feet, but that's the way it is in this game. You raise something and then somebody else finds a way to get it done and sometimes they put in things like, put in the word 'principle', or, I'm sorry, 'gives consideration' to get it through and so on. That doesn't work either, at the end of the day nothing actually works. As far as the Highways Authority though to take measures, why haven't they taken measures in the last hundred years, I don't know, so the Motion now asks for the Highways Authority to take measures, you know, it doesn't actually change anything as far as the back of Numbers 2 and 3 are concerned. What is actually going to happen at the back of Numbers 2 and 3? Nothing at the moment and maybe for the next ten years nothing will still happen there, they'll still be growing weeds and things in the back of there and so on, but I give support to this Motion and I think we would have to wait and see what happens. It is usual though, for a Mover of a Motion if he has it supported and it's passed to actually make certain that it's all carried out and I will be looking to the Honourable Tony Green to make certain that it all happens. Thank you.

The Speaker –

It is called making a rod for your own back, Honourable Member. Does any other Honourable Member wish to speak to the amended Motion? The Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, I can support the amended Motion and listening to the debate in this House this afternoon, Members spoke of other areas in the Jamestown area that could be utilised for car parking and as a Member of the Highway Authority I'm sure that we as a body would accept recommendations from Honourable Members in writing to the Highway Authority on proposed areas which could be used as car parking to be recommended by Highway Authority. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Raymond Williams?

The Hon. Raymond Williams –

I support the amended Motion, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Honourable Mervyn Yon?

The Hon. Mervyn Yon –

I rise in support of the amended Motion, Madam Speaker.

The Speaker –

Any other Honourable Member wish to speak to the amended Motion? In which case I invite the Mover of the amended Motion to wind up the debate if he so wishes.

The Hon. Anthony Green –

Thank you, Madam Speaker. I'd like to sincerely thank Members for their support, I'd like to thank the Attorney General for his advice and guidance on the precise wording and I'd also like to apologise to the Honourable Cyril Gunnell, because had I thought about the amendment before we came today I would have certainly discussed that, but we all seem to be singing off the same hymn sheet now, so thank you.

The Speaker –

Thank you, Honourable Member.

Question on amended Motion, put and agreed to.

The Speaker –

Next item of business, please?

Motion No. 5 – the Honourable Mervyn Yon.

The Hon. Mervyn Yon –

Madam Speaker, I beg to move that this House calls upon SHG to make an urgent request to Her Majesty's Government to seriously consider placing the extension of the island's Bulk Fuel Installation Project at a higher priority.

The Speaker –

Thank you, Honourable Member. Is there a seconder to this Motion, please?

The Hon. Bernice Olsson –

Madam Speaker, I beg to second.

The Speaker –

Thank you, Honourable Bernice Olsson. Honourable Mervyn Yon?

The Hon. Mervyn Yon –

Thank you, Madam Speaker. Madam Speaker, I am aware that any Motion brought to this House and approved does not bind SHG to implementing it, but I do trust that for the benefit of this island, this request for this Motion will be accepted and progressed. Honourable

Members, Madam Speaker, the BFI is a very important asset to this island. Without it, the island could come to a standstill, therefore I thought it would be permissible of me to bring this Motion to the House whereby I can give you some information as to why I am seeking a higher priority on the extensions. I would now like to draw your attention to some of my experiences and involvement with the BFI during my twelve years of serving the public as their representative. It includes the Public Accounts Committee and discussions over the years at various Council Committee meetings. I became more involved when funds were utilised from the BFI account to bridge the UK funding gap of the recurrent budget and our local resources in the financial year 2000. The BFI at Ruperts was designed and supervised by Taylor Woodrow of **Ayres** UK. The design took the form of a small fuel-holding capacity capable of meeting St. Helena's needs for up to approximately ten years or as demand dictates. Considering ships could only discharge through a four inch diameter hose from ship to shore, and knowing that the ship's normal discharge facilities were six inches, a manifold had to be manufactured locally to connect the four inch hose to the six inch facility onboard the ship. It should also be noted that the boom was constructed to keep the hoses off the rocky beach and capable only of carrying the weight of the watchman and two others when pumping. Increasing the flow through a six inch hose would have reduced the time of discharging and cutting back on the demurrage charge, but with the four inch pumping system in place this was not possible, therefore increasing delays occurred. Once all connections were in place on the tanker, the hose was then connected to the hoses at the end of the boom and fuel pumped through the metal six inch pipes to the receipt tanks from where fuel was pumped through a six inch underground pipe, one for each type of fuel, to the mid valley storage tanks. Smaller holding tanks for diesel were built before discharging to mid valley. The design took into account the need to replace the system either by demand or after ten years. You will also note that the waterway at the mid valley end was to be diverted to accommodate the future larger tanks. Because of the lack of funding, this was left until the new facility was approved. In its effect to accommodate the larger storage, the BFI Committee met the challenge and prepared itself for the change by 1999/2000 and had provided some £1M which was adequate for the extension at that time. The need for the upgrading of the BFI was also supported by the visiting Site Inspection Engineer. This whole exercise would have created an environment where people would be at the head of the island's development and to encourage future development expenditure for smaller projects and slowly easing our dependence on the UK aid. It was the island's people, through the buying of fuel from the outlets that was responsible for the savings. It was also cheaper fuel for the Power Station. Unfortunately though, people's efforts were destroyed when the savings was utilised to bridge the financial gap between the UK allocation and the island's local revenue sources. This can be found, Madam Speaker, in the record of the LegCo Proceedings in Hansard of 17th March, 2000 where you will see statements from the Financial Secretary and how he tried in vain to avoid this happening. It should also be noted that by enlarging the tanks to accommodate fifteen months storage on shore side, it would have been a positive step to reducing the call of the tanker to one call per year, thus reducing the present calls of four calls per year. The project for the extension also involved the anchorage to accommodate a much larger vessel carrying some 3,000 to 4,000 tonnes of mixed fuel. The entire project was to include the discharging and anchorage for the vessel at sea. It was also meant to include the replacement of the four inch hose pipe work at the beach that was part of the original design up to ten years. It is now twenty years plus, Honourable Members, creating a much higher cost to the island and one that they can ill afford and the knock-on effect is causing our people a great deal more professional handling of their very low income to meet the extra cost of fuel, together with other expenses caused by the knock-on effect since the year 2000. This higher landing cost, together with the high duty of some £450,000

per annum imposed adds to the burden as previously duty on fuel was set very low for economic reasons. The high duty was to help offset the fall in aid from the UK and added to the utilising of our savings to the tune of £1.6M. The high prices on fuel will unfortunately continue to be charged until the increased holding capacity is installed at Ruperts. The original project was to be the island's foundation for the development of its economy, but unfortunately, has proven not to be the case. If this had materialised it would have been in line with Britain's commitment to the Overseas Territories. Honourable Members, I regret to say that not all of these commitments have been adhered to, in particular the following: - the UK Government failed to recognise the commitment to meet the financial gap between recurrent Government expenditure and locally generated resources. Instead, in 2000/2001, Britain used the savings they called reserves from the Bulk Fuel account to offset the annual budget to the tune of £1.6M. This, together with other improprieties and high duty of £400,000 levied had deprived the island of a most vital asset to the island's economic development. This practice, Honourable Members, of higher charges, will be expected to carry on until there is an increase in fuel storage. Madam Speaker, Honourable Members, I draw your attention to the 1996/2001 Strategic Review. Under the heading of Expansion of Bulk Fuel Installation which description states – The project will increase the storage capacity of the existing BFI following on for reduction in the frequency of deliveries and resulting in a reduced unit cost of fuel landed. Under the heading of Justification for inclusion in the PSIP, which states, The Project will reduce fuel costs to the island paving the way for cheaper fuel and electricity prices. These are considered to be essential for the development of the private sector. It goes on to say that the estimated time for the project was 1998/99 to 1999/2000. The funding agent was to be a loan from the European Bank, although that wasn't necessary as the Asset Replacement Fund accrued more than sufficient funding to cover all the works at that time. There were inroads made into that account when the reserves in the current account were utilised by the UK Government to bridge the gap. This, and other local improprieties, has caused the BFI accounts to fall below an accepted level despite the warning given by DfID when utilising the £1.6M for the island's budget leaving nothing for the extension of the extra capacity and as a result, the Asset Replacement Fund had to be used to purchase fuel. Honourable Members, evidence of the state of the BFI Accounts can be seen in the BFI Account when it was brought to the Public Accounts Committee 1999 and 2000 when it was clearly stated by the Auditors that the £1.9M stated in the accounts could not be backed which brought questions to the House. It can be seen now, Honourable Members, that the recommendations of our then Economist saw the serious need for such a project as a vital entity in fuel and is a controlling factor in our economy of our island today. Approval of the airport, Madam Speaker, Honourable Members, will no doubt be seen as a way out for the Government, but it should be understood that the issues raised above are injustices that must be recognised and dealt with separately and independently as there will be some four years before the airport project is completed, taking into account there are various conditions to be seriously considered. The Authorities should be held accountable for the higher than necessary cost of retail fuel which is vital to taking the island forward. Having said this, Madam Speaker, we must all work together in making the island a better place, but we must not sweep under the carpet the issues that are responsible for the current price and will continue to pay until facilities at Ruperts are improved. The island's community see this as unnecessary, endless stress and threats to their livelihood. Madam Speaker, Honourable Members, I feel for the poor and vulnerable of our society. Madam Speaker, Honourable Members, another issue that is of great concern is the new methodology on the increase of fuel that was put in place several weeks ago. This methodology gives the Financial Secretary the right to increase or decrease prices of fuel whenever a tanker brings fuel to the island instead of getting approval from the Executive Council. This system,

Honourable Members, has a knock-on effect to our Power House, because since it was introduced, the Power House now has to pay the full cost of fuel, no more subsidised fuel for distributing electricity and in doing so, the Power House during this financial year will be at a loss of £45,000. Concerns were raised at higher places but was overruled. I feel I am obliged to let this Honourable House, together with the general public know that a request was brought to our Committee for an increase in electricity tariffs which was refused. Madam Speaker, I will conclude by accepting the views of my Committee who have rejected the recommendations to increase electricity tariffs even though it was agreed during the last DAPM visit that there would be an increase in electricity tariffs. This was rejected during discussions at Committee level. They feel that their right has been undermined by taking away the lower charges on fuel at the Power House knowing all too well that the fuel is pumped to the Power Station tanks direct and that the cost is already injected into the discharge element of the landing cost of fuel. The second element is that all fuel supplied to the Power House is not by tankers but by direct through pipes which is completely different to having tankers deliver. Needless to say, Madam Speaker, I carry my Committee's wishes to a high level. The decision to increase electricity tariffs undermines the democratic process we so often hear about and I am pleased to say that no decision to increase tariffs has been endorsed by them. It would be amiss of me and my Committee to make any drastic decisions knowing only too well that all of the elements for fuel installation and the generation of electricity from the Power House are in place. Madam Speaker, Honourable Members, in order to reinforce my Motion, which seeks to give the BFI a higher priority to improve the expansion of the Farm I request that your support is given for this information as read to be sent to the Secretary of State for International Development and also to the Secretary of State for Foreign and Commonwealth Affairs to inform them how the people of St. Helena have been deprived of one of the opportunities of the route for a sustainable, economic development by insisting the Bulk Fuel Account that was the only reserves that were available on the island having used all other reserves over previous years to bridge the budget gap. Also, Madam Speaker, it undermines the commitment to establish a firm partnership between the mother country and the overseas territories which we really wish to strengthen. Madam Speaker, I beg to move.

The Speaker –

Thank you, Honourable Member. The Motion is open for debate. Does any Honourable Member wish to speak? The Honourable Stedson Francis?

The Hon. Stedson Francis –

Thank you, Madam Speaker. While I fully understand the sentiments of this Motion and support the idea of increasing the storage capacity of the Bulk Fuel Installation, I feel that with the recent airport announcement that the extension of the BFI is imminent as it was programmed as one of the first things to do if the airport project was to go ahead. We should not forget that ever since its inception in 1982, Phase 2 of the BFI was to have been increased storage to reduce the call of four tankers to one and this never happened. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Bernice Olsson?

The Hon. Bernice Olsson –

Thank you, Madam Speaker. Madam Speaker, I can support this Motion. The island's development is severely held back due to high fuel prices. To a large extent, the transport

cost is the cause of St. Helena having amongst the highest fuel prices in the world. With an extended and refurbished Bulk Fuel Installation we could cut the transport costs by half as only two tankers arrival per year would be enough to supply the island in comparison with four or five as we have now. We once had money set aside for this purpose but it was taken away to balance the books of the St. Helena Government on the orders from DfID. The delay in expanding the Bulk Fuel Installation has already cost the island millions in additional transport expenditure and some rapid measures must be taken to stop this waste of money. I am fully aware that a new or expanded fuel farm is likely to be included in the airport planning but we must realise that it is not certain that we get an airport until all have signed on the dotted line. An extended fuel installation is necessary whether we have an airport or not so why not start building now. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. Once again, we're down to words and as the Honourable Eric Benjamin used to say to me when I was a Councillor coming on for the first time, that was many years ago now, when you consider the words of the Motion, you actually consider the wording of it, that's what you do. What you talk about doesn't really matter, it's the wording of the Motion that is passed and the wording of the Motion is that Her Majesty's Government is being asked to seriously consider, now those are the important words there, seriously consider placing the extension of the island's Bulk Fuel Installation Project at a higher priority. How can I not agree to that, so that's what I'm agreeing to? The extension of the island's Bulk Fuel Installation should be a very high priority, I heard there's an airport on the way, but as my Honourable Friend, Bernice Olsson said, until everything is signed on the dotted line we don't really know that for a fact, but even so it's going to be some years down the line. We need to have ships that come to the island, one ship to come to the island to bring sufficient fuel for a whole year is what is needed and that basically is what the Motion is all about anyway. I do remember the days when DfID took away that money, the Asset Replacement Fund, I know it very well and we were told to use that money to support the island's budget and if that hadn't been done, by now, of course, we would have had a much larger Bulk Fuel Installation and would be benefiting from the decreased fuel prices that that would have brought with it. I have no problem, Madam Speaker, in supporting the Motion.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member wish to speak to the Motion? Honourable Rodney Buckley.

The Hon. Rodney Buckley –

Thank you, Madam Speaker. Once again, I have to say I am a little bit at sea with this Motion. We are, in the course of development, we all know that we want the BFI to get up and running. This new Council from the election last year has been plugging the issue of increased Bulk Fuel Farm and the airport pause has put the cap on that. I have a little bit of difficulty with this Motion simply because I would not want to jeopardise the development of our Bulk Fuel Farm in the light of the now announced airport. It has always been a part of the Airport Project and obviously that would take a considerably new dimension in terms of the size of the Bulk Fuel Farm when it comes about. I'm just a little bit worried that if we change from that aspect right now we could end up with a BFI that suits our budget size and we all know that in the current planning there's £7½k that was earmarked for the BFI and that

will just provide a few tanks, that's not going to provide our future fuel supplies for the island as a whole, so I'm just a little bit worried here that if we jump the gun a little bit too quick and we move this from our potential development now of air access and as part of that if it is removed from the airport project currently under negotiations then there is also the possibility of outside private investment coming in to do the Farm. Now if that happens, the investment from the outside investor in private sector will probably multiply the British Treasury's finance that they would be prepared to give us, probably by three times, so I'm just a little bit concerned, Honourable Members, that we're not a little bit premature here today and I don't know if the Motion was submitted before the airport announcement, I suspect that it might well have been, but I'm just a little bit worried, Honourable Members, that we don't jeopardise ourselves and, as I said, shoot ourselves in the foot. It is part of the airport development and I'm just wondering perhaps if we should wait to see if the British Government wants to continue with that development in the air project. Obviously, if they do, then the size will obviously suit the island and the airport development. If we withdraw from that, we might be struggling for years to come. Madam Speaker.

The Speaker –

Thank you, Honourable Member. Does any other Honourable Member wish to speak? The Honourable Brian Isaac.

The Hon. Brian Isaac –

Madam Speaker, I'm very much of the same opinion as my Honourable Friend making his previous debate on the Motion. Only last week, we had a meeting with the Under Secretary of State who said that the infrastructure side of the airport development shouldn't differ very much from the previous plans made, which includes the Bulk Fuel Farm and the Jetty at Ruperts and, under those conditions, it is very difficult to support something to ask Her Majesty's Government to give us additional money to extend the Farm, so I do share the sentiments made by the Mover, but this is a commitment made some time back by Her Majesty's Government to extend the Fuel Farm and it's trying to hold Her Majesty's Government to that commitment. I take those views in consideration, but as new light has been shed on the airport development, a new commitment has been given by the Under Secretary of State, I think we must tread very carefully on making proposals to Her Majesty's Government. Though I support the sentiment of this Motion, I have difficulty to give my full support to the Motion. Thank you, Madam Speaker.

The Speaker –

Any other Honourable Member wish to speak to the Motion, please? Honourable Tony Green?

The Hon. Anthony Green –

Madam Speaker, I can understand exactly that we need to have an extended Bulk Fuel, but agreeing with some of the other sentiments expressed and not wish to duplicate what I've said earlier, I'm just wondering if I am allowed to suggest to the Honourable Mover that if after the word 'consider' we add the words 'providing an enhanced Bulk Fuel Installation as a high priority' that would read.....but I'm not going to raise an amended Motion, I'm wondering if he would, because actually looking at providing an extension maybe a little bit difficult in this time, but if he may wish to consider changing the Motion to, down to the second line of 'consider' and after that saying 'providing an enhanced bulk fuel installation as a high priority'. Thank you, Madam Speaker. I'm not proposing an amendment at this time.

The Speaker –

Thank you, Honourable Member. Councillor Tara Thomas?

The Hon. Tara Thomas –

Madam Speaker, I'd just like to concur with my colleagues, the Honourable Brian Isaac and the Honourable Rodney Buckley, I think in light of the recent announcement on the airport decision, and bearing in mind that the Bulk Fuel Farm is incorporated into the contract, there are a lot of legal implications that we have to take into consideration and although I fully support the sentiments of the Motion at this time I can't support it in its current format.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member wish to speak to the Motion, please? The Honourable Rodney Buckley, sorry.....

The Hon. Rodney Buckley –

Could I have point of information please, Madam Speaker, it is indeed a point of information. I appreciate and I realise that I can't speak a second time. Can it be asked, in the Honourable Mervyn Yon's speech he mentions sending his statement to the Secretary of State, can he clarify that please if he was asking us to send his statement to the Secretary of State? I picked up somewhere; I thought you asked us to endorse sending it to the Secretary?

The Hon. Mervyn Yon –

Yes, Madam Speaker, I'm not asking for the Honourable Members to send it, I'm asking for their approval to allow me to send it through the Governor.

The Speaker –

.....

The Hon. Rodney Buckley –

Thank you for that clarification.

The Speaker –

We're still with any Member wishing to contribute to the debate. In which case I'll invite the Honourable Mover to wind up the debate. The Honourable Mervyn Yon.

The Hon. Mervyn Yon –

I thank the Honourable Members, Madam Speaker. A little disappointed with regards to the outcome of Members' feelings. It shows me, Madam Speaker, that they are, although they might feel it that way, but they do not have the island at heart. This increase or extension of our BFI is one of the ways in which we can sustain what we have and not put our island in deeper jeopardy. The BFI is an asset to this island whereby if the prices continue to rise, well, everything else will rise with it, the shops, well, it will all reflect back to the consumer and I am feeling for the consumer, those who are vulnerable, and I think that the vulnerable people should be thought about more deeply on this island. Honourable Members, they will know that in my adjournment debate, if I am allowed to have this talk on an adjournment debate, I will make reference to that, which, in my case, Madam Speaker, I feel very disappointed that this issue of the extension of the BFI has not been fully supported. But nevertheless, everybody has a democratic right, they can do as they so wish within the House

with regards to Motions or Questions and therefore, Madam Speaker, I thank them for their support, who did, but I will leave it at that. Thank you.

The Speaker –

Thank you, Honourable Member.

Question on Motion put.

The Motion is not carried.

Division claimed.

The Speaker –

I think it was very clear that the Noes had it but I will accede to the Member for a Division.

<u>Ayes</u>	<u>Noes</u>	<u>Abstentions</u>
The Hon. Mervyn Yon	The Hon. Raymond Williams	
The Hon. Bernice Olsson	The Hon. Tara Thomas	
The Hon. Cyril Gunnell	The Hon. Brian Isaac	
The Hon. Anthony Green	The Hon. Stedson Francis	
	The Hon. John Cranfield	
	The Hon. Rodney Buckley	
	The Hon. Michael Benjamin	

The Speaker –

Honourable Members, the result of the Division, Ayes 4, Noes 7, in fact there were 11 votes. The Motion falls away.appropriate time to take a short break.....I suggest that we resume at five minutes to four. Thank you, Honourable Members.

Council suspended.

Council resumed.

The Speaker –

Clerk.....next item of business.

Motion No. 6 – The Honourable Cyril Gunnell.

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. Madam Speaker, I beg to move that this House believes that the Commissioner of Income Tax or any Officer authorised by the Commissioner should not have power to examine, retain or make copy of details contained in the St. Helena Bank accounts without notifying the holders of such bank accounts.

The Speaker –

Thank you, Honourable Member. Is there a seconder to the Motion, please?

The Hon. Bernice Olsson –

Madam Speaker, I beg to second.

The Speaker –

Just on a point of clarification, St. Helena Bank, I take it to mean Bank of St. Helena. Thank you. Sorry, yes, I didn't pick it up when the draft..... Thank you, Honourable Mover.

The Hon. Cyril Gunnell –

Thank you, Madam Speaker, thank you for picking that up and I don't think this is a Motion that my Honourable Friend, Tony Green is going to try and snatch from me. Madam Speaker, a couple of years ago, someone said to me that they would not be putting their money into the Bank of St. Helena because Government would know how much they have in their bank account. I tried to persuade them that this was not the case at all. How wrong I was. Yes, people, other than Bank staff, can have access to our bank details. I did know that the Police when they are carrying out an investigation could have access to a person's bank account details if this was necessary to help that investigation. Not for a moment did I think that any other Government personnel would have the need to know the details of someone's bank account in St. Helena. And how safe, one has to wonder, is the information once it has been retrieved, Madam Speaker, where, potentially, can it end up? If someone asked you for your bank account number or other sensitive, private details, would you willingly give it to them? I don't think so. Madam Speaker, at the public meetings that I attended during the public consultation process on the Income Tax Bill for an Ordinance, at no time was it made known that the Commissioner of Income Tax, or any Officer authorised by the Commissioner, could look into an individual's bank account details. And it certainly was not mentioned that they can have access to those details without informing the depositor and yet I know, I now know and now understand that this is not a new case, not a new clause. The power to look into people's bank account details was also in the previous Tax Ordinance. My thanks to the Income Tax Auditor, Skye Furner, for making it known at an informal Legislative Council meeting that she has the power to look into to gain information for tax purposes, people's bank accounts. But this is the amazing thing, Madam Speaker, the Tax Auditor or any other Officer authorised by the Commissioner can examine someone's bank account without, I repeat, without, the need to make reference to them. At a recent constituency meeting in the East, when this fact was reported following a question on income tax from the floor, people were very concerned that their privacy with the Bank could be invaded and without their knowledge. One has to wonder, Madam Speaker, if the terms and conditions under which a depositor entrusts their money with the Bank reflect the fact that details of their account can be taken possession of by the Income Tax authorities without their knowledge. The Income Tax Commissioner would argue that if people were to be informed by the Income Tax Office that they intended to examine, retain or make copy of details contained in a depositor's account, perhaps because the depositor was not complying with the Income Tax law, and an investigation was being carried out by the Income Tax Officer, the investigation could be compromised. The Commissioner may even argue that if someone were to be informed they may suddenly withdraw their money. Well, this point was discussed with some members of the public, and including at a recent constituency meeting, they said, and I agree with them, that the Bank statement will show all transactions even if money were to be suddenly withdrawn. Honourable Members, the power that the Income Tax Commissioner or any Officer authorised by the Commissioner has to examine, retain or make copy of details contained in St. Helena Bank accounts without the need to notify individuals is an unnecessary evil. This power, in my view, and it is also the view of other people I have spoken with, is exorbitant and should be removed, thus the Income Tax

Ordinance should be amended accordingly. Madam Speaker, I said at the beginning of this short exposition that I did know that the Police when they carry out an investigation and have access to a person's bank details, but that I would imagine would be if the investigation was of a criminal nature. I am prepared to accept that there could be times when, as a last resort, the examination of an individual's bank account details may be the only way left to conclude a successful investigation. At such times, however, the power to examine, retain or copy details contained in a person's bank account should only be exercised when the depositor concerned has been informed. Honourable Members, I look forward to a healthy debate. Madam Speaker, I beg to move.

The Speaker –

Thank you, Honourable Member. The Motion is open for debate. Does any Honourable Member wish to speak? The Honourable Bernice Olsson?

The Hon. Bernice Olsson –

Thank you, Madam Speaker and thank you to the Honourable Member for this Motion. Madam Speaker, I fully support the Honourable Member's Motion that the Commissioner of Income Tax or any other Officer authorised by the Commissioner should not have power to examine, retain or make copy of details contained in St. Helena Bank accounts without notifying the holders of such bank accounts. I would even go further to say that not even notification is enough for the authorities to lift any monies from somebody's bank account. This should only be possible after a court order has been obtained. We should take a stance to protect the people of this island as far as possible against potential misuse of power by officials. It is furthermore likely that the Bank of St. Helena would be severely affected by this provision as many people might withdraw their funds as their integrity is no longer protected in law. Madam Speaker, the new Tax legislation will undoubtedly be revised in the wake of the recent airport decision and the conditions attached thereto. It should also be noted that the private sector adviser from DfID, Cato, made DfID's views on the next Tax legislation absolutely clear. This is part of his report, which all Councillors, I assume, had. "It has added to the already significant cost of doing business in St. Helena and is stifling business enterprise and innovation which in turn has had the effect of discouraging businesses starting up. It also gives disincentive to local production and development of a sustainable tourism industry." All these different objections, lack of integrity, disincentives, to local and inward investment and promotion of a general decline of the economy must be addressed. Therefore, Madam Speaker, I urge this House to support this Motion. At least it is a start to tearing down the current tax regime and the creation of a system which actually promotes our objectives for this island. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member wish to speak? The Honourable Michael Benjamin?

The Hon. Michael Benjamin –

Thank you, Madam Speaker. From an investigation point of view I believe the Tax Commissioner should have the power to investigate bank accounts without notifying the account holder. To remove these valuable tools from our Tax Office would most certainly weaken its investigation powers and in many cases could cause additional problems as prior notice could have account holders moving funds around or even withdrawing them. These investigation tools are not a situation where Big Brother is watching over us, but rather to

ensure that we have a fair tax system where everyone meets their tax obligations. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Attorney General, Ken Baddon.

The Hon. Ken Baddon –

Thank you, Madam Speaker. I'll leave my Honourable Friend, the Financial Secretary in his capacity as Collector and Commissioner of Income Tax to reply on the detail of this specific legislation, but I think it would be remiss of me, as I have ultimate responsibility for enforcement of the criminal law on the island, to fail to mention my concern that the last thing anyone does when investigating a suspected fraud is to tell the suspect that you're about to start the investigation. That undoubtedly would compromise any possible investigation. Sometimes, I heard the Honourable Cyril Gunnell say, well, the statement will still show that the money disappeared. It doesn't alter the fact, Madam Speaker, that sometimes fraud investigations go on over many, many months and involve the accumulation of information over many months and the suspect, if alerted, is in a position to compromise the investigation by adjusting their affairs. I noticed that the Honourable Cyril Gunnell did recognise in his exposition that this is nothing new, the suggestion or implication, if I understood correctly, in the Honourable Bernice Olsson's speech, that this was new in the new Tax law, the Honourable Cyril Gunnell fairly accepted that it was in the old law and has been carried forward, and it's commonplace, not only in Tax legislation, but also in other potential fraud situations for this kind of power to exist in other jurisdictions. There was one thing that the Honourable Bernice Olsson said which, if I heard her correctly, left me somewhat puzzled. I thought she said that she had the impression that the Tax Officers could lift money from a bank account. That certainly is not the position. They have the power to gain information about a bank account. So, Madam Speaker, my concern is that the removal of this power, if it were to take place, would weaken the ability of the Tax Office to detect fraud. And, of course, it must be remembered, that when people escape their Tax liabilities by fraud, all that does is increase the burden on the honest taxpayer.

The Speaker –

Thank you, Honourable Member. Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, I can support the Motion. I take into account the information provided by the Attorney General and I understand the tools that need to be to carry out any investigation and this is one of the main, important tools, but I support that the Commissioner or he's going to appoint anyone to examine people's personal accounts, but I would just like to, on the courtesy of it, make people aware that they're going to do this. Again, as the Honourable Mover said, statements of the account will show that money has been moved, and I'm sure that would be a criminal offence if someone that is under investigation. I'm afraid that at this time I will not accept the advice of the Attorney General and will refer to my own adviceof this Motion and give my support to this Motion asking that people will be informed within probably a limited time of twenty-four hours that this action will be taken. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Tony Green.

The Hon. Anthony Green –

Thank you, Madam Speaker. I understand that if perhaps St. Helena was on a sort of no progress path I would support the Motion, but I cannot at this point agree to support the Motion. We have, as Councillors, signed up to the partnership values, which requires us to have sound, financial management and I would have thought that 99% perhaps of our transactions would be fine, but we are going to need the tools to be able to detect if there are problems and I think we would be failing in our responsibility to Britain, and I think that instead of being a burden on the Bank, I think that people will realise that the Bank is much more safer with those controls. I would also feel that in providing these essential safeguards, so not actually agreeing with what is proposed, that any Commissioner would use his discretion only in exceptional circumstances or also to delegate that power only to anyone who is trusted, and, in any case, every public servant who actually signs up for a job signs up for confidentiality, so I fully understand the sentiments of it, but I can't agree to support the Motion.

The Speaker –

Thank you, Honourable Member. The Honourable Rodney Buckley.

The Hon. Rodney Buckley –

Thank you, Madam Speaker, my Honourable Friend, Anthony Green, stole my line. We are on the course of development, on the course of improvements and I must admit I find it exceptionally difficult at this point in time when the island is moving forward to develop and on the course of improvement in all aspects. We will need mechanisms in place to control our island and our future and obviously any audit organisation where we do need the surprise element to be able to do a proper audit, so I'm afraid, Madam Speaker, I have to go along with my Honourable Friend, Anthony Green, and I have some trouble in supporting the Motion.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member wishes to speak? The Honourable Mervyn Yon?

The Hon. Mervyn Yon –

Just to say I rise in support of the Motion, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Financial Secretary, the Honourable Paul Blessington.

The Hon. Paul Blessington –

Madam Speaker, I can understand the concerns that have been expressed and the reason why the Motion has come up, but I would like to reassure all Members here that although the Tax Office does have investigative powers and it justifiably needs to have those to ensure that it can carry out its function effectively, these are powers that are used very sparingly and judiciously. In the time that I've been Financial Secretary, I have not delegated those powers for an investigation and I think it would be very much the exception rather than the rule whether this would happen would be necessary. I'd just like to read a couple of sentences from the explanatory memorandum that accompanied the Income Tax Ordinance 2009 which talks about the powers that the Commissioner and the access to information that he has. I quote, "the Commissioner generally relies on the majority of people complying voluntarily

with the Income Tax law, but there will inevitably be instances of non compliance either because of ignorance, inadvertence or deliberate evasion. Without the powers conferred by these sections, (and by that I mean the ability to access information including the access of information in bank accounts) without the powers conferred by these sections, the Commissioner would be unable to ensure that the laws are applied fairly and equitably to everyone.” That is the purpose for which the access power is there. It is not to allow the Commissioner or any of his other staff to be busybodies and to nose into the affairs, the financial affairs of members of the island community, it is simply there to ensure that the Tax Ordinance and the tax paying is done fairly by everybody on this island and everybody who does pay their tax fairly is in no harm’s way from this investigative power, it is purely there, as reserve power to be used very sparingly and that is the way it is used. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Tara Thomas?

The Hon. Tara Thomas –

Madam Speaker, whilst I accept the goodwill intended by this Motion, I would have to disagree with the Honourable Mover. I don’t believe that this is an unnecessary power and this investigative power serves to protect those honest, law abiding taxpayers of the society by ensuring that those suspected of evading tax are investigated. Any notification would compromise an investigation, as my other Honourable colleagues have highlighted, and make the investigative powers of the Tax Commissioner largely ineffective. I can’t support this Motion.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member wishes to speak? In which caseInn which case, I invite the Honourable Mover to wind up the debate.

The Hon. Cyril Gunnell –

Thank you, Madam Speaker, I acknowledge what everyone has said, those that have spoken, I would like to have heard what all of my colleagues would have said and so I’m not quite certain how the vote would go. But I’m upset, not upset really, but deeply concerned that people would rather that someone is able to look into their bank account and the Honourable Mike Benjamin he says a fair tax system where everyone should meet their obligations. Well, that’s fair, of course, everyone should meet their tax obligations. But, you know, tax is supposed to be something there, you know, it’s a sort of mutual thing where people are supposed to pay and encouraged to pay and that kind of a thing. And the Attorney General said it would weaken the ability to detect fraud. The Honourable Brian Isaac, I thank you Brian, he ought to be informed, he said, twenty-four hours before he intended to do so, why can’t that happen. What can someone do within twenty-four hours? The Honourable Tony Green, he can’t agree. The Bank would be much more safe to have it so that people can look into other people’s bank accounts. The Honourable Rodney Buckley, he can’t agree either. The Honourable Mervyn Yon, thank you for your support once again, Mervyn, and Bernice Olsson, of course, she put it very squarely there. Financial Secretary, can understand the concerns, but this is a reserve power, he said, which should be used very, very sparingly and he doesn’t know that it has been used, well certainly not by him before and the Honourable Tara Thomas thinks that don’t believe that this is an unnecessary power. Well, it is an

unnecessary power, Madam Speaker, it is an unnecessary evil. We'll see how it goes to the vote. I certainly shall ask for it to be counted. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member.

Question on Motion put.

Division claimed.

Ayes

Noes

Abstentions

The Hon. Mervyn Yon
The Hon. Bernice Olsson
The Hon. Brian Isaac
The Hon. Cyril Gunnell

The Hon. Tara Thomas
The Hon. Anthony Green
The Hon. Stedson Francis
The Hon. Rodney Buckley
The Hon. Michael Benjamin

The Hon. Raymond Williams
The Hon. John Cranfield

The Speaker –

Results of the Division, Honourable Members, Ayes 4, Noes 5, Abstentions 2. The Motion falls away. Thank you, Honourable Members. Next item of business.

Motion. No. 7 – The Honourable Rodney Buckley.

The Hon. Rodney Buckley –

Thank you, Madam Speaker. I beg to move that this Council calls upon the Government to take advantage of the opportunity to strengthen our economy through Napoleonic tourism and initiates a policy statement, together with a strategic plan covering the period 2011 – 2021, specific to and aligned with plans by curators of French properties in St. Helena in celebration of the 200th anniversary of Napoleon's exile on our shores.

The Speaker –

Thank you, Honourable Member. Is there a seconder to the Motion, please?

The Hon. Michael Benjamin –

I beg to second, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Honourable Mover?

The Hon. Rodney Buckley –

Madam Speaker, I would first like to make an amendment to my Motion, it's a very simple one, more a typographical error than anything else. I'd like to replace the word "curators of French properties" with "Curator".

The Speaker –

With.....

The Hon. Rodney Buckley –

With “Curator”.

The Speaker –

So the last section of the Motion will read “specific to and aligned with plans by the Curator of French properties in St. Helena”?

The Hon. Rodney Buckley –

That is correct, Madam Speaker.

The Speaker –

Thank you. Is there somebody please who would like to second the amendment?

The Hon. Michael Benjamin –

I beg to second, Madam Speaker.

The Speaker –

Thank you, Honourable Member. So we’re now looking at the amended Motion, please. Would the Honourable Mover like to speak to the amended Motion?

The Hon. Rodney Buckley –

Thank you, Madam Speaker. Honourable Members, this Motion was drafted before the airport announcement and I am extremely pleased that its timing can only be described as perfect. Napoleon’s arrival bicentenary in 2015 and his departure bicentenary in 2010 presents our island with a perfect opportunity to make a huge contribution to the success of our airport services during that six-year period. All new businesses, regardless of their industry, struggle in their first few years to search for and build up their customer base. Thanks to Napoleon, St. Helena’s new business venture is being handed perhaps what will be their largest customer base on a plate. All we need to do is to put the pretty trimmings around the edge of that plate. Honourable Members, let us take advantage of our position and not miss this opportunity to strengthen our economy. Let us keep a clear and open mind in that our only intent is to use what is before us. On behalf of the people who elected us benefit the island as a whole and provide comfortable living for all of our people. Napoleonic bicentenary tourism fits exceptionally well with Government’s undertaking to develop the economy through tourism and investment and lends itself to be marketed separately, but alongside the island’s strategic tourism and investment plans. The reason I brought this Motion to this House is to try and ensure that over the next ten years the specific focus of this tourism opportunity is maintained and not lost in the midst of other tourism activities or lost over time with the change of personnel, and dare I say, perhaps the loss of this Council. A few years before the Millennium and the island’s Quincentenary in 2002, a small committee was established, set up by the Government, to take the lead on celebrations. This worked well as the end result showed. This, however, lasted for one year only on each occasion. The opportunity now before us is offering a ten-year planning period and requires a much more defined strategic structure to ensure its delivery. Without a commitment from our Government, serious doubts will be cast by the Curator of French properties and all other stakeholders and interested parties that the island is not supportive of both the large infrastructure investment being put into the island and the large investment in attracting the massive Napoleonic tourism market which will also have spin-offs in the general tourism market. Napoleon’s presence on St. Helena is now our claim to fame. In particular, I doubt very much if the present British Government, in spite of the historical past of British and French relations, will take kindly to a negative and no action approach to lose this

opportunity to support the British taxpayers' huge investments that will be put into our island over the next ten years. I therefore start, Honourable Members, with the suggestion that a statement on Napoleonic tourism, clearly setting out our Government's framework that will support the development of Napoleonic tourism and this statement is followed with a strategic plan that supports the policy statement over the next ten years. This statement and plan must be specific to but aligned with the Tourism Committee and the Tourism Commission policies. I further suggestion, Honourable Members, that the timing for this suits us perfectly as we have the opportunity to place this statement alongside the revised statements on immigration, investment and land disposal, which is currently in progress. It can only add spice to our fourth airport condition. If we have a long-term plan, Honourable Members, the road ahead will have fewer bumps. Continue to muddle along and we will surely lose our way, along with our people. Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Motion is open for debate. The Honourable Bernice Olsson?

The Hon. Bernice Olsson –

Thank you, Madam Speaker and thank you to the Honourable Member. Madam Speaker, I fully support this Motion and I can confirm that St. Helena Tourism will take advantage of every opportunity to maximise the possibility of raising visitors' numbers over this period and will do this in conjunction with the Curator of Napoleonic sites. We further confirm that a small working group will be established to formulate a policy statement supported by a strategic plan with an aim to co-ordinate the activities planned by all stakeholders during this period. This will ensure that St. Helena has a documented programme of events to develop and market for both the local and international markets. Madam Speaker, 2015 will mark the 200th anniversary of Napoleon's arrival on the island. 2021, the 200th anniversary of Napoleon's death and the Curator of the French properties has a massive plan to export many of the artefacts from Longwood House to France for a grand exhibition which is anticipated to attract many thousands of visitors. This exhibition will raise awareness of Napoleon's exile and St. Helena to a very wide audience and will give our island much needed publicity. Many of these artefacts are also in need of major restoration and this will be carried out whilst they are in France. This is a huge undertaking both financially and in the organisation and SHG wishes to support the Curator wherever possible. There are already Napoleonic tours being planned for 2010/2011. The first will take place in October where a group of 35 people will be on island for a week. It is proposed to offer these tours annually. The French Consul is also offering Napoleonic tours next year and after just one week of advertising has had a few hundred people interested in bookings. Unfortunately, Madam Speaker, he can only take a set quota to **build,,,,,,,,** on the RMS. However, this is a true indicator of the possibilities to offer similar tours throughout the years. The French Consul is also a member of the Tourism Commission and is quite involved with the formulation of the Tourism Development Plan and the overall future of tourism on St. Helena. Madam Speaker, I fully support this Motion. Thank you.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member wishes to speak to the Motion? The Honourable John Cranfield.

The Hon. John Cranfield –

Sorry, Madam Speaker, thank you very much. Just to say that I will fully support anything that will strengthen the economy of the island. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Honourable Raymond Williams?

The Hon. Raymond Williams –

Madam Speaker, in view of our future economy and the way forward for tourism to boost our economy I strongly support this Motion. Thank you.

The Speaker –

Thank you, Honourable Member. The Honourable Gillian Francis?

The Hon. Gillian Francis –

Madam Speaker, I support this Motion. The 200th anniversary of Napoleon's exile to St. Helena provides a wonderful opportunity for the island to promote St. Helena as a tourist destination. It is important for St. Helena to take advantage of this opportunity and to take whatever action is necessary to complement the French Curator's plans to celebrate the occasion. I support the Motion.

The Speaker –

Thank you, Honourable Member. Honourable Tara Thomas?

The Hon. Tara Thomas –

Madam Speaker, I'd like to congratulate both the Honourable Rodney Buckley and the Honourable Bernice Olsson for taking the initiative to bring these plans to the forefront of this House and I fully support the Motion.

The Speaker –

Thank you, Honourable Member. Honourable Brian Isaac?

The Hon. Brian Isaac –

Madam Speaker, I only can stand here and support the Motion here and I thank my Honourable Friend for bringing it to the House. As a member of the Tourism Committee, so much hinges on Napoleonic activities on the island and it is one way that perhaps could go forward if we want to promote tourism. After all, Madam Speaker, whenever a tourist ship comes, or any tourists to the island, the main attraction to the island is a visit to Napoleon's Tomb, Longwood Old House and the other beauty of the island. No, Madam Speaker, I can support this Motion.

The Speaker –

Thank you, Honourable Member. The Honourable Cyril Gunnell?

The Hon. Cyril Gunnell –

Thank you, Madam Speaker. I rise just to say that I fully support the Motion.

The Speaker –

Honourable Stedson Francis?

The Hon. Stedson Francis –

Just to say, Madam Speaker, that with the impending airport and the 200th anniversary of Napoleon's arrival in St. Helena in 1815 and his death in 1821, I fully support this Motion that Government takes advantage of the opportunity to strengthen our economy.

The Speaker –

Thank you, Honourable Member. Honourable Tony Green?

The Hon. Anthony Green –

Madam Speaker, I support the Motion.

The Speaker –

.....Honourable Mover.....

The Hon. Rodney Buckley –

Thank you once again, Madam Speaker. Just to wind up by thanking the Chairlady of the Tourism Committee and likewise the favourable words from our Acting Chief Secretary, I can only say it makes music to my ears. Thank you all for your wonderful support and I think that let us go forward and let this Council get together our development of St. Helena. What we need is a statement on the table, we need a plan so that Governments coming behind us and new members from the next Council will carry on what this Council set up and make sure that the island has continuity in development of its tourism industry. Madam Speaker, thank you.

Question on Motion, put and agreed to.

The Motion is carried.

The Speaker –

The original Motion falls away. We were voting on the amended Motion which was really only a matter of a typographical correction. Although not on the Order Paper, we've come to the point where I suspect somebody is going to move an adjournment.

The Hon. Gillian Francis –

Madam Speaker, I beg to move that this Council do now adjourn sine die. Madam Speaker, whilst we have not fixed a date for the next meeting, I suspect and anticipate that it will be in about two month's time.

The Speaker –

Thank you, Honourable Gillian Francis. Is there a seconder to the Motion to be adjourned?

The Hon. Ken Baddon –

Madam Speaker, I beg to second.

The Speaker –

Thank you, Honourable Member. I invite Honourable Members to speak to the adjournment. Honourable Cyril Gunnell? I'm sorry, your

The Hon. Cyril Gunnell –

No, sorry, Madam Speaker, I didn't realise it was like that, I thought I'd turned it back round the other way, but anyway I do have something I'd like to say and thank you for the

opportunity of this adjournment debate. In this adjournment debate, I'm going to try and do something different. Yes, I know there are many things that could be done better throughout Government and I could complain about them here, but there will be other opportunities for that I am certain. But I would like to publicly praise the efforts of the Public Health and Social Services Department. I'm not saying that everything is perfect. Why should I when I know that there are some shortcomings. Yes, there are barriers, but somehow, the management and staff try to overcome these and get by as best they can. You name it, we have it. Unreliable transport, shortage of ambulance drivers and handymen, shortage of nursing staff, only four doctors to deal with all of the activities thrown at them, we'd like to have some additional equipment, we still don't have a permanent electrician/ technician and listen to this, it is difficult to give TOIL and annual leave due to shortage of staff, and yet they carry on regardless. There are many sections, Madam Speaker, across the Public Health and Social Services Department, but I want to speak mainly about the Hospital and medical care where the doctors we currently have give a much better service than that would be expected of any UK GP and Surgeon. I said we have only four doctors, well, in fact, we have only three and a half doctors or three and three quarter doctors, because one of the doctors has to carry out a lot of paperwork as ordained by DfID. The public expectations of our doctors is enormous, more than would be expected of doctors in the UK. Recruiting doctors for St. Helena must be a headache in itself. From where, these days, when doctors tend to only specialise in certain areas, where you find four doctors with the expertise to competently carry out all of the areas of medicine that between them they have to deal with. They sometimes have to operate outside of their level of expertise. And yet they do. The Hospital works under very trying circumstances and do the very best they are able to under those circumstances and I think some confidence needs to be restored in that area. Of course there are cases and concerns and why shouldn't there be and these have to be dealt with and myself and my Committee, that's the Health and Social Welfare Committee will try our best to give the support and deal with those concerns. Now, when Sue Wardell was here, she praised the Hospital and said that she found it up to par with many places elsewhere in the world. I'd like to just provide you with some comparable statistics; that is between UK and St. Helena health services. Well, in the practising positions for a start, per head of population, includes GPs and Specialists. In the UK it is 1.7 per thousand and in St. Helena it is 1 per thousand. Now when it comes to patients to see a GP within two to three days in consulting rooms, in the UK it is 72% and in St. Helena it is 90%. Now GPs who work after hours, in the UK 4% work after hours, in St. Helena 100% work after hours. Waiting time for out of hours attention by a GP, in the UK, 55% of patients wait more than one hour, in St. Helena less than 5% of patients wait more than one hour. Number of patients seen by a GP per hour, same as the UK, 5 to 6 in the UK, 5 to 6 in St. Helena. Average amount of time spent waiting in waiting room for patient. In the UK, approximately one hour, in St. Helena approximately ten minutes. Time waiting for specialist consultation for non-urgent cases. In the UK, more than two months, in St. Helena, maximum of two weeks for local medical attention. Non-urgent referrals which can wait for a specialist to visit the island, can wait for up to twelve months. Time waiting for urgent referral to specialist. In the UK, up to ten days, in St. Helena, the patient will be referred to Cape Town on the first available sailing, sometimes just one day's notice. Patient attending a hospital in the UK will be seen within four hours, and not necessarily by a doctor; in St. Helena, patient will be seen within an hour by a doctor or within fifteen minutes by a nurse and as you know, policy has been changed whereby any person who goes to the Hospital after hours can ask for a doctor, rather the patient will be asked if you want to see a doctor and the doctor will come. There are some other points too. In the UK, 25% of patients attending GP consultation rooms are seen by a Nurse Practitioner, not a GP. Of the 4% of GPs who carry out out of hours work, only 33% of patients who seek

an after hours visit will actually get one and 55% of those will have to wait for more than an hour for the GP to arrive. And the NHS has a 18 week maximum time limit for patients to receive hospital treatment. Patients who can be operated on locally on St. Helena wait no more than two weeks. So, Madam Speaker, although there are loads of concerns, I think we do fairly well in St. Helena and I'd just like to put on record my praise for the Department. Thank you.

The Speaker –

Thank you, Honourable Member. Honourable Stedson Francis?

The Hon. Stedson Francis –

Madam Speaker, I support the adjournment sine die and in doing so and with your permission, I would just like to place on record our thanks to our new Coalition Government and the Secretary of State, the Honourable Andrew Mitchell, for the good news we received on 22nd July that we are at last to get our airport. Some might say we have heard that all before, but with the Coalition Government carrying no baggage and with significant technological improvements to allow a cheaper design and with the long-term benefits, I have every confidence this time that it will happen and thanks to those who have fought hard for this positive decision.

I understand that the idea of additional portfolios is to give political oversight to departments who were previously not driven by a Committee, but I see there is still no political oversight of the Human Resources Department or the Office of the Chief Secretary or maybe that is how it's supposed to be. Also, there has been some public concern that all expatriate staff hired by SHG are on six month's probation. If this is the case, then can we afford this? And Madam Speaker, we have heard so much recently about the Pay and Grading and Staff Appraisals, what has happened to the Investors in People? Finally, Madam Speaker, we heard this morning that persons in the Gallery found it difficult to hear what is being said. I would be interested to know if it was on the upgrading plans of this building to have the speakers repositioned to the ceiling directly opposite the microphones? It doesn't take rocket science to know that because of the location of the speakers, the audibility of the output cannot be increased because of feedback caused by the inappropriate location of the speakers in the roof. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. The Honourable Rodney Buckley.

The Hon. Rodney Buckley –

Thank you, Madam Speaker. Like my Honourable Friend, Cyril, I am going to be a little bit different and like my Honourable Stedson Francis I will also sing some praises and some criticisms. Firstly, Madam Speaker, like my Honourable Friend, Stedson Francis, I would like to place on record on behalf of the people of St. Helena, grateful thanks to the British Government for their unfailing drive in continuing to provide financial support to the island, and, in particular, the recent announcement on airport development. Islanders, by and large, enjoy a reasonable standard of living, are proud to be British and respect their mother country despite what one or two might say when the chips are down. For this support, Madam Speaker, we are grateful to the British Government.

Turning to airport development, records reflect that the majority of people who voted opted for an airport and records also reflect that a significant minority opted for a replacement ship. In my assessment, that is not to say that the entire majority and the entire minority wanted only the option they selected. It was merely a choice that had to be made at the time and

under the circumstances prevailing at the time. The same records also reflect that there is a silent group of close to 50% of the population that did not vote at all for whatever reason, but that is not to say they do not hold a view on either option or, like the vast number of those who did vote, would like to see both ship and airport. Clearly a decision making process of such magnitude required the steer from the people for the Government to consider all aspects of the proposal. This was done and a decision now reached. Obviously, in the best interests as a whole for the whole of the entire population of St. Helena, their family and friends overseas, calculated to be somewhere in the region between 12 to 14,000 Saints, and, of course, the British taxpayer. Nobody alive can say what the future holds once airport services are up and running, therefore it cannot be to anybody's advantage to ignore the old Chinese proverb – "Do not curse the darkness, but light the candle". Let us now put what is behind us, light that candle and get on with it. The responsibility for the voting air services in St. Helena is squarely in the hands of this Government. The road is far too mountainous for us to make it alone. We not only need help from outside the island, but also from within, both from the Administration and the entire population. If we are to protect and enhance all that is dear to us and to all those who live here on this isle of emerald set in bronze, then it is for the people who live here to call the shots. Since the announcement of the airport development, I have spent a number of sleepless nights and not able to shake off three words that keep hounding me "Yes we will". Since then on a couple of occasions, and, of course, St. Helenian couple, I have heard the same line during airport talks and my slogan is born and I start with, "Yes we will", meet our deadline for our fourth condition, "Yes we will", protect as much as we possibly can our emerald set in bronze and our people's way of life, "Yes we will", listen and take into account comments and suggestions put forward by the community, "Yes we will", be open and transparent as far as it is consistent with the aspects of confidentiality, "Yes we will", continue to put pressure on officials, including the Governor to relinquish power, "Yes we will", continue to put pressure on Departments to reduce costs and increase efficiency. The bottom line, Honourable Members, is "Yes we will" make it if we pull together in a positive manner and do whatever is necessary to achieve an affordable and reasonable standard of living, be it aeroplane, ship or boat. But I have no illusions that St. Helena's economy, whatever happens, will not have sufficient disposable income for all and sundry to scorn away. Disposable income to scorn away will require the talents of individuals to earn it. Turning now to eight months after the election of this Government operating under the island's new Constitution, clearly very good progress has been made in improving the governance of our island, but greater strides need to be made by officials, and that include the Governor, to shoulder the elected members with the responsibilities they were elected to carry. With the airport development in our midst, it will be vital for the Government elected by the people to be able to stand up and defend all and every decision made on their behalf. If the elected Government is not able to do that, the whole concept of developing our island through air services for the benefit of future generations will surely fall flat on its face. Elected by the people, our job is to unite the Saints to find our own solutions for a happy people and bring a new story to island politics, empowering the people and to restore credibility in their Government. I call upon this Council to also make greater strides in spelling out that the status quo is no longer acceptable and the time is here to build working platforms that will empower the people to find their own solutions to protect our emerald set in bronze. Madam Speaker.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member wish to speak?
Honourable Mervyn Yon?

The Hon. Mervyn Yon –

Thank you, Madam Speaker. Madam Speaker, I too have changed the slant of my adjournment debate this time round. The island has always been capable of being developed through its own labour force under keen and competent tradesmen and unemployment stood at 1%. This figure rose at 20% in the mid 90s when people had to leave in search of an improved living standard as the intended private sector development did not take off as expected. This was caused by the fall in UK aid. This is considerably evident in the 1990s that the fall in UK aid was a significant factor in the contraction of our economy. In effect, the economy contracted because the private sector, which includes export, offshore employment and domestic production and SHG's offshore revenue sources, which included fishing licenses and portfolio investments were unable to generate resources to replace those lost from the real fall in UK aid. See St. Helena Strategic 1996/97, 200/2001. All this has resulted in redundancies and the vacancies created from resignations that drove most of our tradesmen and others away in search of greener pastures and left the island in a situation where it has become difficult to replace quality staff in nursing and teaching. Our departments are feeling the strain from staff vacancies. Nurses and teaching staff are employed from overseas to assist at an extra cost. People often don't like going back, Madam Speaker. In St. Helena's position, we failed because we always deal with the problem and never find the cause. It is perhaps because we are afraid to look back as one might find ghosts that come back to haunt us. Unfortunately, islands often suffer with very serious mistakes that are causing the present day problems that are difficult and has become costly to rectify and is often founded through increased local revenue, added to which the island lost the benefit of our JapTuna fishing licenses to help the newly-formed Ascension Island Government. This hurt when the UK Government had already cut the island's budget aid allocation when the island had been earning up to £1m from JapTuna. This money was not replaced. Others were utilising savings that the BFI earmarked for the purpose of enlarging our holding capacity at Ruperts Farm to be used to bridge the gap in 2000. The rescheduling of the RMS and further extensions of the service, to name but a few, are the key causes. All has been seen by the community as causing a huge social decline and a threat to their livelihood. Honourable Members, Madam Speaker, we must seriously come together as one to address these very serious issues that will help take our island forward, along with other Government issues already under discussion. We must form our own ideas collectively for the benefit of the electorate whom we are chosen to represent. In particular, we must endeavour to encourage our society to respond more effectively to the material and spiritual needs of individuals, their families and the community in which they live. We must do so, not only as urgency but also as a matter of sustained and unshakeable commitment through the years ahead for the benefit of our children. We must be convinced that democracy, transparency, social justice and accountable governance and the administration and all sectors of our society are in dispensable foundations for the realisation of social and people centred sustainable development. We are not saying we shall ignore everything else, we cannot, but we must believe these are key issues we cannot afford to let slip away because they affect people's lives. We ought to acknowledge that people are at the centre of concern for sustainable development and that they are entitled to a healthy and productive life in harmony with the environment. Openness and transparency and freedom of information will play a huge part in achieving people centred sustainable development. The following figures, Honourable Members, were obtained from the Social Services Department and the Statistics Department. They give an idea of the people I referred to in my exposition of the Motion moved earlier in this sitting. From the Social Services Department, the following was given: Number of persons on IRD, Income Related Benefits to the end of June 2010 – 749. The rate of benefits for a single person - £41.60 and for a couple - £62.40. Number of persons on

unemployment allowances, to include four youth, to the end of June – 33. Rates £15.08 for a single and £30.16 for a couple. Number of persons on community work to the end of June – 20. Rate £32.73. Number of persons on disabled allowance to the end of June – 102. Rate for each person £9.45. From the Statistics Department, information was collated from the 2009 Household Expenditure Survey from which a 3% random sample of all households on the island were done. 260 households were selected of which 167 participated. It was found that there were 44 households (26%) in the lower income bracket, expenditure band up to £70. So it can be seen, Madam Speaker, Honourable Members, these are the people I referred to as the poor and the vulnerable in our society. If one were regarded as poor it is a disgrace, it is difficult to express one's feelings when an island of four thousand people in population, has a budget of some £22M and we have still been importing staff from outside at high cost with little or nothing to show with regards to taking the island forward. This is not a personal attack on individuals, Madam Speaker, it is a fact that brought about the Infrastructure Study some four to five years ago and at present we are no better off. Electricity and the BFI are valuable examples, creating losses and a downward trend to the island. I would like to see this adjournment debate, I believe, is pertinent to the future of St. Helena and its community. Madam Speaker, this is something I had come to me at a little later date. There are some concerns with regards to the large sum of money spent to erecting a building behind the classroom at Half Tree Hollow School. The building which was to be a mechanical workshop has been abandoned for over a year and there seem to be a waste of public money and therefore whatever the intention was in the first place, this building should be put to good use. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Member. Honourable Tony Green?

The Hon. Anthony Green –

Madam Speaker, I support the adjournment, but may I first, on a personal note, just reflect on what we did this morning and that is to pay recognition to former Councillor Bobby Robertson and send condolences to his widow and family, because he was one person, although I didn't know him too well and didn't serve long on Council, I was well aware that he tried and tested the boundaries of normal Council procedures and I would say that he was certainly a unique figure in St. Helena politics and I also would like to say that it was very appropriate that he was awarded the Certificate and Badge of Honour.

Now this morning I was very pleased to support the change to the Income Tax Ordinance, but I think there has to be lessons learnt, particularly about how this happened. That Bill, if I am correct, came direct from the Administration without formal endorsement of the relevant Committee, without agreement in Executive Council, without consultation and then direct to LegCo. Luckily, this was a matter that was in everyone's favour. In my opinion, no matter how small an amendment, the proper process must be followed and this must include public consultation.

I turn now to the airport and the provisional announcement on 22nd July by the DfID Secretary of State that subject to certain conditions we will get our airport and this to me is very good news. Thank you Secretary of State. Understandably, like any decision, it won't meet here in St. Helena with everyone's approval, but we need to bear in mind the bigger picture and that is the future of our island as a whole. If an airport goes ahead, hopefully it will provide the impetus to kick-start the economy. But on island now we have a very big task ahead of us. The fourth condition is that the St. Helena Government undertakes to implement the reforms needed to open the island's economy to inward investment and increased tourism. No longer can these simply be words, they must now be translated into

action. This will mean everyone signing up to what this really means. Our structure and processes will have to work properly. Accountability in key areas will be a must. We need strong leadership and everyone will need to work together. What a challenge we've been given and above all, we've now been given hope. And finally, to Education. Just to remind Members that today is launch day of AVES, the Adult and Vocational Educational Service, Life-long Learning Strategy. Do visit this launch which remains open until 6 o'clock this evening and you have about 55 minutes. Madam Speaker, I support the adjournment.

The Speaker –

Thank you, Honourable Member. Any other Honourable Member wish to speak? In which case, Iadjourn for five minutes to allow the Honourable Acting Chief Secretary time to collatefive minutes.

Council suspended.

Council resumed.

The Speaker –

.....adjournment debate.....The Honourable Gillian Francis.

The Hon. Gillian Francis –

Thank you, Madam Speaker. Some very interesting points were raised here this afternoon. I'd like to first respond to a comment on the points that were raised by the Honourable Cyril Gunnell. The Honourable Cyril Gunnell paid tribute to the work of the Public Health and Social Services Department, in particular the Hospital staff and I would like to add my support to what has been said. It's not easy to provide a perfect service and we do know that concerns have been expressed along the way, but I am sure that the officials, together with the relevant Committee, will endeavour to ensure that those concerns are addressed. The Honourable Cyril Gunnell also gave some comparable statistics with regard to the services on St. Helena and those in the UK and I must say that St. Helena, by those statistics, are put in quite a good light.

The Honourable Stedson Francis, he expressed thanks to the Coalition Government in the UK; I would like to add my thanks to that as well. The Honourable Stedson Francis also said that there is currently no political oversight of the HR Department and the Office of the Chief Secretary. I would just like to comment on the HR Department, because it would, in fact, be unconstitutional to give HR matters to a Committee of Council to have oversight of it. He also mentioned is there a need for expatriate staff to be placed on six month's probation. I would like to suggest, yes, there is a need, because if it is established that that officer is not performing then of course we would have to terminate the probationary period. The Honourable Stedson Francis also mentioned Investors in People. Unfortunately, Investors in People had to be curtailed some years ago only because there was lack of funding to continue. A number of Departments had gained Investors in People and it was in fact a very good standard, but as I said lack of funding prevented us from continuing. On the issue about persons in the Gallery finding it hard to listen and hear the proceedings of this Honourable House, I do know that the project actually provided for improved audio equipment and that is being pursued.

The Honourable Rodney Buckley he also expressed his thanks to the UK Government and again I would like to add to those thanks. He mentioned that the fourth condition and he

made those very positive words “Yes we will”, as officials and elected members, I would like to assure the Honourable Rodney Buckley and indeed the listening public that officials and elected members will work together to ensure that we do meet those conditions and that we do take the island forward. We have this opportunity which we cannot afford to not to work together.

The Honourable Mervyn Yon made some interesting comments about various matters. One that I would like to pick up on is he mentioned, you know, the need to import staff from outside and he also said something that with little or nothing to show. I would just like to comment here that St. Helena is in the position and indeed the Public Service is in the position where we can hardly do without importing staff from the outside. We have a lack of capacity on the island and in the Public Service and we really need to have the relevant expertise imported to the island. Concerns were also expressed by the Honourable Mervyn Yon about the erection of a building at the ex Half Tree Hollow School and that it had been abandoned. I would just like to comment that the Half Tree Hollow School, yes, it is vacant at the moment, but we do have a number of bids for that particular building and we will really need to consider what is the best use for Half Tree Hollow School.

The Honourable Tony Green paid tribute and added to the comments that the Honourable Speaker made in her address earlier today about the sad passing of Mr Bobby Robertson. He was indeed a unique figure in our community and I’m sure will be well remembered by all, including the people whom he supported on the island. The Honourable Tony Green also mentioned about the process that was followed in connection with the Income Tax Amendment Bill that was presented in the House this morning. I acknowledge what the Honourable Member said and the Administration will need to ensure that the correct procedures are followed in the future. The Honourable Tony Green ended by saying and commenting on the airport news. He said it was very good news and we want to meet with everyone’s approval and that we will need to work together to ensure that the fourth condition is met. And again, I would like to stress that it is incumbent upon officials and elected members alike to work together as a team to make sure that we do meet that condition. Thank you, Madam Speaker. And finally, I would just like to say, the Honourable Tony Green said that we’ve got 55 minutes to go and see what’s on display at the AVES Centre, but in fact I think you’ve got less now and we’ve got about 40 minutes. Thank you, Madam Speaker.

The Speaker –

Thank you, Honourable Gillian Francis.

Question that Council be adjourned sine die, put and agreed.

The Speaker –

Thank you, Honourable Members.

Council adjourned sine die.

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