

The Bermuda National Trust's Concerns about the Decision to Build the New Hospital on the Botanical Gardens

The Bermuda National Trust has serious concerns with respect to the Government's announcement that the Botanical Gardens will be the site of the new acute care hospital facility. Improving Bermuda's health care system is of paramount importance to the people of Bermuda and if there ever was a national project that warranted the application of Sustainable Development principles then this was it, unfortunately an opportunity has been lost.

Background for our concerns

In reaching this decision the core principles of sustainable development were ignored

With the introduction of the Government's Sustainable Development initiative a commitment was made by Government to manage and protect Bermuda's environment effectively and adopt an holistic approach when reaching decisions by evaluating and incorporating social, economic and environmental costs and benefits. As such, an assurance was made that broad participation would be encouraged and a precautionary approach employed in decision-making processes.

The first draft of the Sustainable Development Strategy and Implementation Plan highlights again the critical importance of public participation and the necessity of Government to maintain transparency and accountability when large decisions affecting the whole Island need to be made. The Plan asks *all* of us to put the core principles of this initiative at the heart of what we do. To read the core principles for a sustainable Bermuda go to www.chartingourcourse.gov.bm.

The public consultation was inadequate

In this case a decision reached the final stages without *broad* public input. The largest infrastructure project Bermuda has seen in decades warrants more than three public presentations and two local presentations on the various site options held over one year ago.

Following the Bermuda Hospitals Board (BHB) architect's public presentation in Cathedral Hall, Hamilton last year the National Trust supplied input in a letter dated June 20, 2005. There has been no response to this letter or any reaction by the BHB to the public input given at that time. It appears that the BHB made a unilateral decision that affects all of Bermuda and public land outside of its jurisdiction. The full-page advertisement of the plan in the Gazette on Thursday August 31, 2006 by the BHB was insufficient and came too late after the event.

Large-scale developments often have the biggest impact on our small island community, and the process of approval ought to offer adequate opportunity for public input and feedback prior to any decision being made. Adequate public participation is essential to enable the whole Island to support a project of such great importance.

Traditional mechanisms for protecting land have been compromised setting a dangerous precedent

Over the last few years we have seen the traditional mechanisms for protecting land compromised. Special Development Orders have been supplied granting planning permission for a number of tourism/residential developments providing no opportunity for public input. In certain cases these developments did not meet the provisions set out in Bermuda's Development Plan. This last year an Agreement made under Section 34 of the 1974 Development and Planning Act was amended to enable development to go ahead in protected woodland. And finally, to develop the Botanical Gardens we understand will require an amendment to Legislation.

Undermining protective measures, such as the 1986 Parks Act and the 1974 Development and Planning Act, to enable development in protected areas sets a dangerous precedent that all the land they serve to protect can now be perceived as developable.

Can we be assured that there will be a net gain of Open Space

It is doubtful at this time, due to vulnerability of the traditional mechanisms used to protect land that there will be a net gain of open space when the existing hospital site is returned.

It had been acknowledged that the existing site of the KEMH is to be assigned for development when, in the future, a new hospital is needed and this process repeated again. As such, if the long-term future of the existing site is to be redeveloped its viability as green space is uncertain.

If this land cannot be protected and as such is developed when a site is required for another new hospital, it is logical to assume that the hospital development will encroach further into the Botanical Gardens as has happened on the other two previous occasions.

What should have happened and what needs to happen next

Establish a Code of Practice for public and stakeholder consultation

It is becoming best practice in many jurisdictions to establish a set of operating procedures / criteria necessary to undertake an effective stakeholder and public consultation. These typically include mechanisms to ensure the widest possible channel of communication between stakeholders lasting the duration of the decision making process. They also set guidelines that guarantee clear and concise information is offered and that the consultation is made widely accessible on an adequate timescale. Provisions are established to ensure that the public and stakeholders are made aware of who might be affected by any decision that is made and also that they receive feedback to their questions and are informed as to how their input was used.

They establish the importance that all impact assessments e.g. economic, environmental are undertaken prior to any final decision being made. In fact, the *Environmental Charter*, a contract between the Bermuda Government and the UK Government under the signature of Premier Dame Jennifer Smith requires that Environmental Impact Assessments shall be prepared *before* approving major projects. In this instance we must therefore presume that an Environmental Impact Assessment was prepared for this plan and we have requested it to be made available.

Ultimately, without adequate feedback and information the Trust still feels that the new hospital has to adopt the existing site and that the price, in land and dollars of the utilisation of a greenfield site is too high. We accept that this presents logistical and economic challenges, but Bermuda has no choice but to overcome these. The challenges presented will likely be no more than experienced in other urbanised and city hospital sites where it is necessary to redevelop on its existing confined site.

The Government and BHB must revisit the decision on the proposed site

Not until it has been shown that the decision makers are informed of all the possibilities and impacts can a quality decision be made. A decision of this magnitude requires a very strong evidence base. Therefore, if the consultation process and research is undertaken correctly we may find that it does indeed result in a similar conclusion regarding the new hospital site. However, it is the closing out of the public and stakeholders that eliminates willingness and ability to understand and support such a decision.

We believe that until this is done and the questions below have been addressed we cannot support this decision.

Questions still to be answered:

- If the BHB is convinced that this is the only option and sustainable development principles have really been followed then why was there concern about sharing the decision making process with the public prior to the final site selection?
- Were economic and environmental impact studies done prior to the decision and if so can they be supplied to the public?

- In the absence of the detailed cost estimates of the three named sites, how can the public be sure that the \$100m to build on the existing site is a realistic cost and how do we know if this is too high a price to pay?
- How can a full final commitment have been made if the BHB plan approved by the Cabinet is merely a conceptual plan, and how were the other sites discounted?
- What experience do the architects have of rehabilitating such facilities on a small urban site?
- If you do not apply the principles of Sustainable Development to this project then when do we apply them?
- What were the architects brief and were they told of the Sustainable Development process?
- In other jurisdictions hospital facilities are often developed on existing sites, despite the difficulties this poses. If Bermuda cannot afford to rehabilitate an existing site then why are other countries able to do so?
- Can evidence be shown, openly and transparently, that to redevelop the existing site (including the extended land area to Point Finger Road) is impossible?

Please see below the Trust actions to date:

We have written to the Premier expressing our concerns and asked for a series of public forums to allow the prompt resolution of these and other questions. It is our belief that only after such meetings could public consensus be reached, allowing the Island to unite behind a project of such overwhelming importance.

- Letter detailing our concerns was sent to the Premier - September 6, 2006

Copies sent to:

BHB Acting CEO – Mrs. Vernetta Symonds

SDRT Chair – Mr. Malcolm L. Butterfield

Minister of the Environment – The Hon. K.H. Randolph Horton, JP, MP

Director of Sustainable Development - Ms Erica Smith, B. Arch, MCP, Cert (UD) AICP

- Meeting with Bermuda Hospitals Board - August 30 & 31, 2006

- Press Release - August 30, 2006

- Letter to the Bermuda Hospitals Board – June 20, 2005

- Press Release – Jun 16, 2005

What you can do - Have your say!

If you have concerns regarding the Government's announcement that the new acute care hospital site will be in the Botanical Gardens please contact the following: The Premier, your local MP, the Minister of Health and Family Services, the Bermuda Hospitals Board, the Sustainable Development Unit, the Sustainable Development Round Table, the Leader of the Opposition and the media.

Also, the Bermuda Hospitals Board has invited people in Bermuda to attend a meeting to discuss the next steps following Government's announcement. The meetings will be held in the First Floor Conference Room King Edward VII Hospital (KEMH) on the following days:

Thursday 21 September 2006 6.30pm

Friday 22 September 2006 5.30pm

Saturday 23 September 2006 10.00am

If you require any more information or have any questions please contact our Environmental Conservation Officer, Dorcas Roberts at Dorcas@bnt.bm or call 236 6483.