

MINUTES OF THE ASCENSION ISLAND COUNCIL (AIC)

MEETING HELD IN THE COURT HOUSE,

Wednesday, 6th May at 10:00hrs

Present: (by telephone) HE The Acting Governor, Sean Burns
Marc Holland, Administrator
(by telephone) Nicola Moore, Attorney General
Catherine Leo, Acting Director of Resources
Councillor Samantha Arms-Lawrence
Councillor Jacqui Ellick
Councillor Keturah George
Councillor Nicholas John
Councillor Cyril Leo
Councillor Caroline Yon

Apologies: Councillor Larry Poultney

In attendance: Walter Scott, Solicitor General
Nicola Dillon, Clerk of Council

1. Introductions

The Administrator outlined the order of the morning's meeting and invited the Acting Governor to give his introductory remarks. The Acting Governor told Council that during the visit of Alex Cameron (Head of Department, Falklands & Southern Oceans, FCO) recently, members of the St Helena Legislative Council lobbied hard for an inter-island link. Discussions were on-going for post-RMS arrangements and he noted that this was on the agenda for discussion later in the meeting. On the shipping link, the Acting Governor talked Councillors through the process for the bidding and said that it will be at least two weeks before a preferred bidder was known which would be followed by a month of negotiations with them. It would be at this stage that the preferred bidder would enter into dialogue with AIG on a transport link between islands. It was noted that the Governor was away until 8 July.

2. Confirmation of Minutes

Cllr Nicky John raised a point of clarification on the minutes of the AIC meeting held on 23 March. The Administrator suggested the following amendment:

- i. Page 4, penultimate paragraph, last sentence: *Dr Weber and DoR explained that some costs, such as accommodation (but not utility bills) etc. are picked up by AIG, but other costs such as the salaries, travel, fuel and purchasing of some vehicles etc are entirely funded by the Darwin Initiative.*

The suggested revision addressed Cllr John's point and the minutes were agreed subject to the clarification above.

3. Matters Arising

3.1 Ascension Island Appropriation Ordinance, 2015: Utilities

During the presentation of the Ascension Island Appropriation Ordinance at the last meeting, the Governor asked the reason for the 3.75% increase in utilities by Babcock despite the fall in world fuel prices. Babcock responded with an explanation saying that the increase was lower than in previous years and that they were still using fuel from a consignment bought a few years ago, which was purchased at peak fuel prices. As the population continues to decline and as companies

use power more efficiently, sales from Babcock have gone down which has meant that the cost per unit has had to be increased slightly in order to meet operating costs.

3.2 MiSaint Pension Scheme

At the last meeting, under AOB, Cllr John also asked for further information about the MiSaint Pension Scheme which operated in St Helena. The Administrator followed this up with the Financial Secretary in St Helena who sent through some information on both the MiSaint Pension Scheme which was operated by Solomons and also the New Life Account, which was offered by the Bank of St Helena.

The Administrator explained that the MiSaint Pension was run by a Guernsey based company, in conjunction with Solomons and was available to all Saints on Ascension. Employees could put their tax-free gratuity directly into the pension scheme or make a monthly payment from their salary. The Administrator commented that the scheme was not very well publicised.

Cllr John opened the discussion by saying that not everyone has a mechanism to make a contribution while being exempt from taxation. The DoR explained that this was addressed in the annual tax return. The Administrator observed that it might prove useful to have a link on the AIG website to the relevant information. Cllr John raised several points about the scheme and taxation and it was felt that further discussion was needed on this topic.

Cllr Leo phrased his question on behalf of local taxpayers and asked what taxpayers get in terms of a pension scheme in relation to the taxes that they pay on island? In response, the Administrator said that the Government is not obligated to provide a pension scheme as there is no right of abode and employees leave at the end of their service. In other countries there would be an additional tax, i.e., in the UK there is a National Insurance Scheme, which is used to provide for pensions. The Solicitor General (SG) concurred with the Administrator and commented that there is no legislative link to how taxes should be spent. The Attorney General (AG) also gave an explanation on what arrangements were in place in St Helena.

The Administrator concluded that while AIG was not obligated to provide a pension scheme, the Government could facilitate by making the information readily available to the public and to raise awareness at the BCF (Budget Consultation Forum) to encourage companies to make it easier to pay into these schemes.

Action: To update the AIG website with a link to the two options and to raise awareness at BCF

4. Post 2016 Update

The Administrator gave councillors an overview of the project in the absence of Toni Bendall who was unable to be connected due to communication issues.

Following their visits in March 2015, COWI had submitted their report in which they reviewed available transport options and provided an economic analysis of the most viable option. In addition, two subsequent bids had been put forward by two private companies, Atlantic Star¹ and David Parsons who is also connected to SHELCO, which have indicated that other air options might be available.

At the recent BCF meeting on 30 April the 2016 Access issue was discussed and members were interested to know whether this should be put to tender and what type of tender process should be held and who should run the tender process. The discussions and advice received was that there should be a restricted tender process with set criteria.

¹ Atlantic Star was one of the bidders for the St Helena airlink

The Acting Governor asked the Administrator to explain how the tender process would work. The Administrator explained that it would be run by a 'Tender Manager' with Terms of Reference which were set by the Government. The Tender Manager would have a period to make contact with companies who were able to meet the requirements of the ToRs and were interested in tendering and formally invite them to submit bids. Alongside this, there will be further talks with the USAF about whether the ATI plane could be deployed once a month to St Helena; this presents some limitations and will not be part of the tender process.

Council was informed that four consultancy firms had been approached to manage the air service tender process and the recommended proposal was to secure the services of Simon Walker, a private consultant who was currently contracted by DfID, based on his knowledge of both St Helena and Ascension and the cost of his services. After explaining in-depth how this decision was arrived at the Administrator opened up the floor to comments from Councillors.

Having heard all the views from Councillors and officials, Council was formally asked to ratify the following decisions:

- i. Agree with the recommendation to move to restricted tender starting as soon as possible.

Council took a vote and all six councillors present supported this decision. There were nil votes against, and nil abstentions.

- ii. Support the procurement of external technical expertise to manage the tender process and, if so, which provider is preferred.

Council took a vote and all six councillors present voted in favour of Simon Walker being the preferred provider for Consultancy Services to manage the Tender Process. There were nil votes against, and nil abstentions.

5. Future Food Supply (Amy Soar)

The Policy Officer, Amy Soar, presented Council with the current status on the options which were arising from the Hydroponics project. In his introduction, the Administrator said that there were two elements to this project, i) to have a contingency plan in place for when the RMS finishes in 2016, which will impact our existing food supplies, and ii) to improve peoples' health and quality of lives by having more fresh food available.

The PO told Council that she was not expecting any decisions from them that day and this was merely an opportunity to update members on the status of the project. A memo had been previously circulated to Council which set out the background of the project and outline the two proposals which had been received:

- i. A proposal from Tim Miller who currently runs a successful hydroponics business on the Falkland Islands, and
- ii. A proposal from Stephen Herron, a food security expert, with experience of setting up a high quality, reliable hydroponics project in the Cayman Islands.

Both proposals offered slightly different options: one was a private venture, owned by a third party but requiring government to underwrite 75% of a capital loan; the second proposal was a public venture which would be fully owned by AIG and managed by a consultant.

Council was aware that Mr Miller and his wife, both partners in the business, were arriving on island the following day and this was a good opportunity to go through the points to consider in preparation for the visit. The PO told members that the private venture would require a capital investment of around £150K, two thirds of which would need to be financed through a loan, which was difficult as the Bank of St Helena has confirmed that they could not offer a loan due to a lack of viable security. The business

also proposed exporting the majority of produce to the Falklands in order to make the project financially viable and due to the small demand on Ascension would mean that prices would be higher than typical UK prices. The current timeline to produce crops for sale in the scheme would be October 2016, which presented AIG with a gap between the decommissioning of the ship and fresh food being available.

The second proposal gave AIG full control over the hydroponics venture, including pricing and timeline. Mr Herron proposed that he could have produce available for sale by Christmas 2015. Mr Herron already has reliable suppliers in the UK and was confident that he is able to set up a hydroponics site easily and quickly. In the Cayman Islands he was able to produce a first crop within four months of the venture starting. This venture would not be under the same pressure to operate at a profit and could sell produce at lower prices. Mr Herron had previously supplied the Ritz Carlton and Waitrose with his produce and would produce equally high quality crops which meet international standards for the Ascension market.

Both ventures would invest in training local employees to manage the sites and would likely be overseen from off-shore. As well as interest from the local employing organisations, both military bases have expressed interest in utilising the service as well. Councillors George and Yon both expressed interest in the second proposal, a joint venture between AIG and Mr Herron. Cllr Yon said that she liked the idea of having a venture which was controlled by AIG; however, she suggested that if AIG was prepared to subsidise one venture, then the second venture should also be given the same option.

The Administrator told Council that this would be put to tender as soon as possible and both parties would be invited to submit bids. The tender process would need to be an open and transparent process. Council was supportive of the process and a further update would be provided at the next Council meeting in June.

6. Small Business Permit Applications

Council was presented with three Small Business Permit Applications from individuals who were interested in setting up local businesses. They were:

- i. Mrs Deborah Thomas proposed to set up a takeaway business from the property formerly occupied by the Village Takeaway in Two Boats;
- ii. Mrs Wendy Greentree proposed to open a clothing shop ("Pebbles"), which would cater for young children. This would be run from the property formerly occupied by "Atlantic Appliances".
- iii. Mr Justin Stevens proposed to run a Passport Photo service from his residence in Georgetown.

All three businesses were supported by Council and approval was given for these permits to be granted.

Action: To advise businesses of the outcome of their applications and to process Small Business Permits to complete the application process.

7. Visiting Family Accommodation Policy (Acting Director of Resources)

The Acting DoR presented Council with a proposal to update the current Residential Occupancy Permit, which was aimed at employees working on Ascension Island whose dependants cannot be brought to the island, and supported by their employer, due to their terms of service. The current scheme utilised two bungalows in Georgetown, which were allocated for this purpose, however, there was very little take-up of the scheme and the bungalows were mainly used by AIG to house visiting consultants. The proposed update was to extend the permit to allow parents and siblings to be added to the scheme. The scheme would continue to be offered for stays between one and three months, and a monthly fee and utilities would be charged.

A vote was taken and all six Councillors voted in favour of the revised permit with the following amendments:

- i. To include 'Dependants' in the opening paragraph on page 1 (line 5)
- ii. To update telephone and internet supplier in point 8, from Cable & Wireless to Sure Ltd.

There were nil votes against and nil abstentions.

8. Child Safeguarding issues (Alison Blunt, Social Worker)

- i. Letter from Minister Swire, dated 13 February 2015

The Rt Hon Hugo Swire wrote to the Island Council about implementing safeguarding measures within territories and asked for an update on plans for a child-safeguarding review, where one has not already been conducted. In response to the letter, the AISCB (Ascension Island Safeguarding Children Board) drafted a reply for Council to consider. The letter also addressed the Social Worker issue and welcomed any technical and financial support that HMG was able to provide in this respect. Council was informed that DfID had provided SHG with funding of £1.2million to extend the Social Work currently being provided in St Helena, which included legal services and training. In the meantime, the Administrator approached FCO for financial support, but this request was rejected on the basis that AIG should pay for the service.

Cllr Ellick was approached and asked if she would consider being the Island Council's champion on safeguarding issues to which she agreed. She was also asked to coordinate the final draft of the Island Council's response to Minister Swire's letter, which would be sent via the Clerk of Council.

Action: Cllr Ellick to respond to the invitation to be the Island Council Champion for Safeguarding and to finalise letter to send to Minister Swire.

- ii. Child Protection Procedures

The Child Protection Procedures were updated to reflect relevant legislation and guidance as they were drawn up at a time when there was no resident social worker on island. Since the procedures were first introduced there have been significant updates in UK guidance, particularly Working Together to Safeguard Children, which was last updated earlier in 2015. The procedures would be used by all agencies with key roles with children, particularly Two Boats School, the police, health staff and the social worker and would ensure that all professionals and volunteers were given clear procedures and followed best practice.

Due to the short period of time that Council had to look at the procedures, Cllr John requested that this item was looked at more in-depth at a future meeting. This was agreed.

Action: To be tabled at the next Island Council meeting

- iii. Safe Housing Policy

A draft paper, 'Policy for temporary safety of victims', was presented to Council by the Social Worker. Recent reviews in 2006 and 2013 raised concerns that the lack of a 'right of abode' meant that victims of abuse were reluctant to report or to seek help, for fear that they would be removed from the Island. This concern was also raised by the Sasha Wass Inquiry Panel when they visited in March 2015.

The policy was designed to address the issue of under-reporting so that the AISCB with support from employing organisations could encourage victims of abuse to come forward. This would reassure people that disclosure of abuse would not mean immediate removal from Ascension and they could remain in accommodation outside of their family home while investigations and prosecutions were ongoing.

Councillors spoke favourably to the policy and all six councillors voted for the policy to be adopted, with nil votes against and nil abstentions.

Action: to adopt the 'Policy for temporary safety of victims' and to consult with Heads of Employing Organisations

iv. Future Social Worker

The final paper from the Social Worker was an explanation behind the decision by AIG to recruit a full-time Social Worker². The current Social Worker started in the role on a part-time basis but has seen the role develop over the past few years. Previous to this social care was provided remotely from St Helena and the current Social Worker told Council that it would be difficult to provide support remotely or to bring someone in on a case by case basis. As a member of the AISC, the Social Worker provides advice and assistance to the Board on policy and procedures and has assisted with drafting this in line with UK procedures. The AISC recommended that a full time replacement is sought and that the job description was expanded to include other roles such as mental health counselling, probation work, safeguarding training, learning mentor at the school, and support for victims of domestic violence, depending on the skills of the successor.

In the accompanying paper, Council was informed of the benefits of having a full-time resident Social Worker, which meant that more could be done to promote good parenting and safeguarding on Ascension, which will lead to more positive outcomes for the children here.

9. Bicentenary

Amy Soar, Jane Murray-Stringer (Bicentenary Project Manager) and Glenda Schutgens-Jonis (Bicentenary Coordinator) were present an update the Council on the Bicentenary planning, which was intended to mark the 200th anniversary of the garrisoning of Ascension on 22 October 2015. The project was three-fold and included an upgrade of the existing Children's Playground in Georgetown, the creation of a new Bicentenary Park adjacent to the Exiles building and to mark the bicentenary by planning a calendar of events to celebrate the occasion.

Children's Park

The upgrade for the park constituted for the majority of the finances (approx. £85K) from the project funds which totalled £100K. Currently the park was not fit for purpose and much of the equipment did not meet safety standards and was out-dated. Furthermore it was inaccessible for children with physical disabilities or developmental difficulties. The intention was to rejuvenate the playground with new equipment and to incorporate five activity zones, which would be suitable for children of all ages. By renovating the playground with safe and accessible equipment it was hoped that this would improve the quality of social life for all island residents.

In her comments about the park, Cllr Yon said that the Children's Playground was a project that Council had approved and was not inextricably linked to the Bicentenary and therefore the deadline to complete the project was a little more flexible than the Bicentenary anniversary, 22 October.

Bicentenary Park

The Bicentenary Park would be located adjacent to the Exiles' building and would provide a public space for the community. The project involved placing seating, a gazebo and a variety of visual elements which will represent the island's character, while using the Exile's Club as an architectural centrepiece. The funding for this element of the project was £15K; which was supplemented by donations of materials and labour. The anticipated completion date was 30 September 2015, which was dependent on shipping, although this risk was being mitigated as far as possible by the support provided

² The current incumbent is due to leave Ascension shortly.

by the MOD.

Bicentenary Events

The Bicentenary on Ascension is being marked with a bank holiday weekend; with a one-off public holiday on Friday, 23 October (the actual Bicentenary anniversary is Thursday, 22 October 2015). A Bicentenary Co-ordinator was appointed for the purpose of co-ordinating events and activities during the latter part of 2015, with emphasis on a programme of activities over the holiday weekend in October.

The BC told Council that there was a huge amount of planning involved in these activities and while she had a support team, she was also reliant on volunteers and support from the community. She appealed to Councillors to inspire islanders to get involved. The budget for this section of the project was £5K (funded separately from the Consolidated Fund); events would be run at a minimal cost.

The Administrator reiterated the BC's point about local support and suggested that Councillors might like to champion events themselves and he invited them to talk privately to the BC with their ideas and suggestions. He thanked the team for attending and for their updates to Council.

10. Any Other Business

10.1. UKOTA/JMC 2015 (Cllr Yon)

Cllr Yon told Council that since Ascension became a member of UKOTA (UK Overseas Territories Association) the flow of information that she was receiving had increased in preparation for the next JMC (Joint Ministerial Council) later this year. She informed Council that following online canvassing she had been nominated by her colleagues to represent Ascension at this year's JMC once again. It was agreed that if funds are available that Cllr Yon would be supported by a second councillor and members would discuss nominations among themselves.

Action: Elected representatives to agree a second team member to attend JMC 2015

10.2. Workman's Protection Ordinance

Cllr Ellick asked that the Workman's Protection Ordinance (the draft Employment Ordinance) be put back on the Council Agenda. The Administrator told members that this is something that the Policy Officer (Amy Soar) would be working on in the coming months. The Solicitor General told members that he would circulate a copy of the current draft, along with relevant comments which were in existence when the draft Ordinance was last revisited.

Actions: 1. To put the draft Employment Ordinance back on the Council Agenda
2. SG to circulate current draft of the Employment Ordinance and relevant comments

10.3. Review of the Land and Business Policy (Cllr Leo)

In his opening statement Cllr Leo said that the introduction of the Ascension Constitution noted the resourcefulness of the people of Ascension and recognised the right of all peoples to self-determination and the freedom to pursue their economic development. The UK Government's White Paper on Overseas Territories stated that the UK Government would continue to work with overseas territories to help them develop their economy. Cllr Leo referred to a statement from the Administrator earlier in the meeting that expenditure was increasing and revenue was decreasing. Cllr Leo said that as elected representatives continued with attempts to develop and strengthen the local economy, he requested the Government to agree to a review of the Land and Business Policy with an aim that the policy was designed to encourage more local investment and new inward investment to the island.

The Attorney General enquired why the issue was not tabled as a substantive item on the Agenda to which the Administrator explained that Council was not ready to have a full discussion on the

subject. The Administrator undertook to send the Attorney General a copy of the Land and Business Policy, which was issued in 2008; he felt that the policy should be brought back to Council as it needed updating. Council was informed that the Government was in the process of updating its records of businesses on the island. The Administrator explained that one of the underpinnings of the policy was that land was owned by the Crown and this might be a disincentive for external investment. This was a policy remit from the UK Government, that there is no right of abode or property rights on Ascension. The Administrator commented that these questions would be looked at with the 2016 issue and by the new UK Government and he foresaw the issue as being a strand of work over the coming year.

Cllr Leo was asked to put his request in writing to the Acting Governor. In his final comments, Cllr Leo said that he did not intend for his request to be an individual attempt and he saw it as a collective effort by Council to bring this policy back to the table as it formed the structure to attract more inward investment to the island. The Administrator concurred that it was a conundrum and said that it formed part of the bigger picture of how Ascension was funded and what is its future.

Cllr Yon picked up on the Administrator's point about how the island was funded and stated that the Government was often asked to comply with international regulations and laws, but very often it was not given the tools with which to work with and funding had to come from somewhere. She said that either the UK Government gave more financial assistance, or loosened the reins a little.

Actions: 1. To send the AG a copy of the Land and Business Policy, 2008
2. Cllr Leo to submit his request in writing to the Acting Governor

The Council discussed the options for marine management of Ascension Island's offshore waters in the closed session. The open session of Council drew to a close at 1.00pm

Nicola Dillon
Clerk of Council