

MINUTES OF THE ASCENSION ISLAND COUNCIL
MEETING HELD IN THE COURT HOUSE,
Friday, 10th January 2014 at 11:00 hrs

Present: HE The Governor, Mark Capes
Colin Wells, Administrator
(by telephone) Frank Wastall, Attorney General
Catherine Leo, Director of Resources
Councillor Samantha Arms-Lawrence
(by telephone) Councillor Toni Bendall
Councillor Keturah George
Councillor Nicholas John
Councillor Cyril Leo
Councillor Caroline Yon

In attendance: Ed Haynes, Director of Operations
Nicola Dillon, Clerk of Council

Absent overseas: Councillor Larry Poultney

1. Introductory Remarks

The Governor opened the meeting by welcoming all members and congratulating the Attorney General on his appointment, commenting that this was the AG's first meeting in his substantive role. The Governor was particularly pleased that the General Election which was held in October 2013 resulted in an expanded Council which brought with it a breadth of experience and interest.

2. Confirmation of Minutes

The minutes of the inaugural AIC meeting held on 1 November 2013, which were produced as a transcript, were confirmed as a true record.

3. Matters Arising

There were no matters arising from the inaugural meeting.

4. Legislation

- i) The Island Government (Ascension) Ordinance, 2008
Public Offices (Disqualification for Elected Membership) Regulations, 2014

The draft Ordinance was brought before Council to amend a clause in the Island Government Ordinance which disqualified a number of public officers from standing for Council. The proposal sought to remove the Conservation Officer, Dentist and Head Teacher from the list. A brief discussion ensued which touched on the Resolution tabled at item 6 for the creation of Council Committees. Cllr Yon felt that it was too soon to make a decision and asked whether the draft Ordinance could be looked at again once the proposed Council Committees were in place and Council was better placed to consider the requirements of the draft. Councillors agreed to postpone consideration of this draft Ordinance for 12 months.

Action: To review the draft Public Offices (Disqualification for Elected Membership) Regulations, 2014 in January 2015

5. Policy Paper:

i) Improving Ascension Island's Protected Areas Network

The policy paper which was before Council sought to honour the island's commitments to protect and restore areas of internationally important biodiversity, and proposed to extend the number of areas which were designated as protected sites. Prior to the formal meeting Councillors had met with the Conservation Team who provided them with an extensive background to the paper. The Administrator commented that the policy paper was the first step and Council would work alongside the Conservation Team to formulate relevant legislation to achieve the aims of the policy.

Council adopted the paper unanimously.

6. Resolution:

i) Creation of Council Committees

The Administrator presented Council with a resolution to establish two new committees, a) Biodiversity and Fisheries Protection Committee, and, b) Post-2016 Committee.

The Biodiversity and Fisheries Protection Committee would work with the Conservation Team and stakeholders to formulate legislation for the protection of the island's biodiversity and fisheries, and the establishment/management of a fisheries regime. The second committee would be established to work with the Administrator and strategic partners, including the Island's major employers, to develop air and freight links with St Helena following the decommissioning of the RMS St Helena in 2016.

The Administrator informed members that he would instruct the AG to draft a generic set of rules setting the direction of the committees, which he hoped to present to Council at the next formal meeting in February.

The resolution was adopted unanimously.

7. Paper:

i) Education: Two Boats School (Cllr Leo)

Cllr Leo presented the Island Council with a memorandum entitled Education: Two Boats School.

In addressing the Governor, Cllr Leo said that taxpayers on Ascension invest some £6000 per child for their education at Two Boats School, a total of £600,000 in this financial year. This, he said, was a significant investment in the Island's children. As a result elected representatives have a responsibility to ensure value for money and maintain political oversight of Two Boats School. Cllr Leo said that concerns had been brought to his attention in relation to the Two Boats School that need to be looked into. He stated that it was of paramount importance that Council first have experts clarify if there is justification for the concerns and if necessary, obtain advice and introduce corrective measures sooner rather than later for the sake of the children and their futures. He summarised the concerns by asking the following three questions:

1. Is the current working and learning environment of Two Boats School conducive and acceptable for both teachers and pupils?
2. Is the level and quality of education provided by Two Boats School proving value for money based on exam results and feedback from children?
3. Have the decisions taken by the Administrator and the Headmaster of Two Boats

School been in the best interests of the children?

Cllr Leo concluded by saying that The Children Act 1989 and the Children Act 2004 provides that where decisions involving children and young people are taken, the best interests of the children and young people are the paramount consideration. In order to reassure the taxpayers of Ascension in general, the parents in particular and most of all our children, he strongly recommended that elected representatives voted on a motion to request OFSTED to carry out an urgent review of Two Boats School and present Council with a full report.

The Governor thanked Cllr Leo for his statement. The Governor said that he heard and understood the statement Cllr Leo made but he was still unclear as to what the concerns were as the Councillor's statements were not specific. The Governor did not doubt that Cllr Leo was seriously concerned about the management of the School.

The Administrator said the delivery of a quality education service at Two Boats School was one of the Government's top priority. To that end the Government had a quality team of teachers, teaching assistants and support staff in place. Government invested in competitive international salaries to ensure the recruitment and retention of highly qualified teachers. The Administrator said he too thought a review of the progress made by the school would be helpful. It would be done in 2014, but subject to pressures on ISI's commitments, possibly before the end of this school year.

Cllr Yon was asked in her role as Chair of the School Governor's Committee (SGC) to comment on Cllr Leo's concerns. Cllr Yon was very cautious in responding given the personal nature of the concerns and in her own role as Chairman and being sensitive with the information she received in this role. She confirmed that there have been concerns raised within the community about the style of management at the School and these issues she has raised in her role as chairman of SGC with the Director of Education and the Administrator. There were perceived confidence issues in the school.

The SGC, Cllr Yon said, had requested a meeting with the Governor to talk through their concerns; she said that there was a fear factor among people in raising issues individually as they felt that there would be repercussions in doing so. The Governor reassured Cllr Yon that one of the principles of good governance is that people should be able to say what they want without any kind of fear of retaliation. Cllr Yon agreed that an independent review might be a good way forward to re-establish confidence.

In response to the request by the SGC to meet with the Governor the Administrator replied that the Governor would ordinarily expect the Administrator to deal with these concerns first. He agreed that it would be pertinent for the SGC to meet with the Administrator soon.

Cllr George referred to a meeting that the previous Island Council had with a group of students from the school. The students also wrote to the Council in June 2013 to express their concerns. Cllr George said that she would circulate a copy of the letter to members.

Cllr Yon referred to a review which the Head teacher carried out in November 2013, she questioned the format of the survey and enquired what happened to the survey and who authorised it and what happened to the results because, she felt, this might be a foundation to build on.

The Administrator said that the survey sounds like an initiative that arose from previous representations made by Council that more should be done to listen to parents' concerns. It was important for senior management at the school to embrace the concerns of parents.

Cllr John asked to receive a copy of a "360" review conducted in 2013. The Administrator said that was a personnel matter which clearly fell out of the Council's responsibilities, and was conducted in an inappropriate manner, outside of any existing AIG framework. It would

not be released. Cllr Leo told the Administrator that his preference not to accept the review carried out by the Director of Education was an indication that he had something to protect or hide. The Administrator said he was protecting HR standards which had not been followed and he had a responsibility to set and follow high HR standards. No-one was being protected.

The Governor concluded discussion on this topic by confirming that Councillors have a clear acceptance from the Administrator to hold a review. He agreed that it would be wrong for the SGC to circumvent the Administrator and the committee should meet with him first; if there were still concerns then he would be happy to hear from them.

Action: Carry out an independent/objective review of Two Boats School by the end the school year
Administrator to meet with the School Governors' Committee

8. Any Other Business

8.1. JMC 2013 Feedback (Cllr Bendall)

Cllr Bendall gave a brief report on her recent attendance at the Joint Ministerial Council meeting which was held in London in November. Overall the conference was a positive experience and one of the outcomes of her visit was an invitation from UKOTA (United Kingdom Overseas Territories Association) for Ascension to become a member. The two days of the conference consisted of a variety of sessions which both she and the Administrator attended as Ascension Island representatives and topics included: The Global Economy, Employment and Vocational Education, the EU and the Overseas Territories, Renewable Energy, Health, the Environment, Passports and Visas. Cllr Bendall also attended a meeting with the Minister for the Overseas Territories, Mark Simmonds, during which she was able to raise issues relating to Ascension. She also met with Peter Hayes, Director of the Overseas Territories Department.

8.2. Clarification of the process by which project documentation is presented to the council (Cllr John)

Cllr John asked for clarification of the process by which project documentation is presented to the Council and sought to define running costs, or remedial works, as opposed to capital projects in terms of costs. As an example, Cllr John enquired about Wasp Block in Two Boats and asked to determine what was presented to Council. He was aware that the recent Supplementary Appropriation Ordinance delegated a certain amount, but he said that there was insufficient detail for Council to make a decision on.

The Director of Resources (DoR) explained that Wasp Block was handed back to AIG by the MOD in July 2012 and along with several other properties which were handed back needed maintenance, which was provided for under the on-going maintenance budget. This would have been necessary before the house could be occupied. Council were consulted when funds amounting to £66K were needed to complete the works including the upper floor, which was approved under the Supplementary Appropriation Ordinance in September 2013. DoR circulated a document which presented the costs to date for the work done at Wasp Block; it showed costs to be within the approved amount. DoR ended by saying that in future every project business case would be presented to Council for approval.

A discussion ensued about the lack of information that members felt that the previous Council received in relation to Wasp Block. The Administrator said that the work done at Wasp Block was not AIG's finest hour. He regretted that he had inadvertently misled the Council in his briefing earlier in 2013. He had been misled by a senior official on the scale of the project which went beyond what he had informally approved. The lack of a business case ran contrary to AIG practices. That matter was subject to an ongoing legal case. The

Administrator continued that Wasp Block was an opportunity for AIG to learn lessons from; AIG were listening to and recognising constituent's concerns which continued to be brought to Councillors. He ended by saying that business cases would be presented to the finance committee when DoR met with them to discuss the Budget. It was right that Council quality check capital projects. The Administrator apologised for AIG's handling of the Wasp Block project.

Cllr George enquired about the future use of Wasp Block. The Administrator replied that his thinking at this stage is that it could be used as a residence for his successor who has a young family and it might be more appropriate for a family to live in Two Boats with the Residency continuing to be used for official functions and for accommodation of VIPs. Cllr George suggested the FCO pay for the works in that case. The Administrator said AIG provided the Administrator's accommodation free of charge; the FCO pays his salary and allowances.

Cllr Leo asked DoR to confirm if there was written evidence that the previous Council agreed to the £66K to do the top floor of Wasp Block. DoR referred to the minutes of the 30 September in which members approved the funding presented in Supplementary Appropriation Ordinance 2013.

Cllr Yon questioned whether the work done at Wasp Block was standard maintenance given the future plans for the building. DoO said that the work which had been done at Wasp Block was consistent with bungalow maintenance across AIG and many of the original components from the bungalow were reused where appropriate.

Cllr Leo told the Governor that this is another example of AIG officials spending taxpayers' money and putting Councillors on the blind side. The Administrator said that there had been very thorough discussions and meetings with the previous Council as he sought approval for the Supplementary Appropriation Ordinance in September 2013. There was every intention to be open and to answer all of the questions that Councillors put to officials.

The Governor concluded that lessons had been learnt and the previous system of presenting Councillors with businesses cases for capital expenditure should be reinstated. DoR ended by informing members that the draft budget for the new financial year could be ready for presentation to the Finance Committee at the end of January.

8.3. Councillor Support by Clerk of Councils (Cllr Arms-Lawrence)

Cllr Arms-Lawrence referred to correspondence which members recently received from the Administrator relating to use by Councillors of the Clerk of Council to circulate messages to the general public on their behalf and sought clarification of this decision. The Administrator advised that there was a concern that some of the messages which were circulated could conflict with AIG policy and was therefore inappropriate for the Clerk to circulate. The Governor agreed with the Administrator that Councillors should communicate directly with their constituents.

8.4. Council's meeting with Chief of Police (Cllr Yon)

Cllr Yon informed Council that Councillors had met with the Chief of Police who was currently on an official visit to Ascension. She said that members had good discussions with the CoP and there was a good exchange of views; the CoP wanted to be more in touch and engaged with matters on Ascension. The CoP also expressed an interest in meeting with members regularly via telephone. The Governor agreed.

8.5. Council's meeting with Public Solicitor (Cllr Leo)

Cllr Leo reported that Councillors also had a very constructive meeting with the visiting

Public Solicitor and hoped that as a result of her visit there would be renewed confidence in the judicial service within the community. The Administrator was pleased to advise that during the Public Solicitor's visit she was able to appoint two new lay advocates both from within the Saint community.

8.6. Forthcoming Away Day (Administrator)

The Administrator informed members that he would like to hold an Away Day towards the end of January during which he would like to reintroduce the Workers Ordinance among other issues.

8.7. Ascension Island Charities Fund (Administrator)

Since the dissolution of the previous council a vacancy had opened on the Ascension Island Charities Fund committee. The previous Island Council representative was Neil Lawrence. The Administrator proposed to discuss this further at the Away Day in January.

8.8. Training for new Councillors (Cllr John)

Cllr John enquired about whether new Councillors would receive CPA training similar to that which newly elected Councillors received in St Helena. The Administrator said that he would follow this up and would report back to Councillors soon.

Action: To follow up with the CPA about possible training for the new Island Council

This concluded Council's business for the session. The Governor said that he was pleased to be able to chair the meeting on Ascension; he found it much easier and it was good to see the faces around the table rather than attend by telephone. In picking up a point which was made earlier in the meeting about FCO financing the expenditure at Wasp Block, the Governor said budgetary pressures are not going away; he had recently read that FCO was being asked to make 10% reduction in their headcount in the UK by 2015. There was a continual downward pressure on budgets. The good news though is that the UK was beginning to come out of the worst of the recession and there was economic growth forecast.

The Governor thanked members for their contribution and he looked forward to working with them over the coming months.

The Council's business came to a close at 12.30pm.

Nicola Dillon
Clerk of Council