

MINUTES OF THE ASCENSION ISLAND COUNCIL (AIC)

MEETING HELD IN THE COURT HOUSE,

Monday, 22nd February 2016 at 09:00hrs

Present: (by telephone) HE Governor, Mark Capes
Marc Holland, Administrator
(by telephone) Angelo Berbotto, Acting Attorney General
Jamie Manson, Director of Resources
Councillor Samantha Arms-Lawrence
Councillor Jacqui Ellick
Councillor Nicholas John
Councillor Cyril Leo
Councillor Larry Poultney
Councillor Caroline Yon

Apologies: Councillor Keturah George

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

1. Introductions

Following introductions, the Administrator made the following introductory remarks.

Farewell to Governor Capes

It was a sad occasion as this was the last Council meeting for Governor Capes and the Administrator wanted to extend thanks to him on behalf of the residents of Ascension and in particular the members of the Island Council. The Governor had forged a good relationship with successive Councils over the last four years, despite dealing with some tricky dossiers. The Administrator noted other areas where the Governor had done good work for Ascension, especially fisheries and in the recent air- and sea-link discussions.

The Governor agreed that it was a sad occasion and he wished that he could have attended the meeting in person. He commented that with the airlink in place soon it might be possible in the future for the Governor to make more frequent visits to Ascension. It has been an extraordinary few years and he had worked with members on some huge pieces of work, all of which have taken time despite the effort that everyone has put in. The Governor commented that some of the work was new and being carried out for the first time and he recognised that across both islands there was a lack of resources, but there was a need to get things right even if it all took time. He finished by saying that he had enjoyed working with Councillors and it had been rewarding work; he regretted not getting to Ascension more frequently, but each time he had visited it had been a privilege and a treat to be able to spend time on the island.

Resignation of Cllr Larry Poultney

The second farewell was to Cllr Larry Poultney who had made it known informally that he was resigning from Council with effect from 29 February. The Administrator thanked Cllr Poultney for all the work that he had done for the Council, particularly on the Post 2016 Access Committee in which he was able to bring his aviation expertise to the fore; also on the Finance Committee. Cllr Poultney had also contributed to the debates on fish, on which he took a principled position. The Administrator wished Cllr Poultney well in his retirement in the UK.

The Governor also reiterated the Administrator's thanks to Cllr Poultney and thanked him for his contribution over the past years and for his clear-minded input. He thanked Cllr Poultney for his service to Ascension and to the Council and the Governor also wished him well in retirement.

Elections/By-election

The Administrator highlighted to members that Council would need to think about a by-election to fill the vacant seat. He also referred to informal discussions that Council recently held about the forthcoming General Election later this year and the timing of the dissolution of the Island Council. There was an intention to get the new Council in place by the JMC (Joint Ministerial Council) which would be held earlier this year at the end of October.

Cllr Jacqueline Ellick, MBE

The final point that the Administrator wished to make was to congratulate Cllr Jacqueline Ellick who received an MBE in this year's New Year's Honours list. Cllr Ellick was awarded this honour for her services to the environment and the community on Ascension Island.

2. Confirmation of Minutes

The minutes of the Island Council meeting held on 26 November 2015 were confirmed with the following amendment:

- 1.1. Item 7, to amend the first sentence to read: "*The Ascension Island Safeguarding Children Board (AISCB) has drafted a child-minder policy, following an agreed understanding for the need to regulate and manage child-minders on Ascension.*"

3. Matters Arising

3.1. Child Minder Policy

The Administrator sought clarification from members about what had been agreed in respect of the Child Minder Policy as the minutes were not entirely clear about Council's decision. Members were in agreement that the Policy was agreed subject to further discussions with Child Minders and the community about implementation. Cllr Leo asked whether changes could be made now that the policy had been agreed. The Solicitor General told members that minor tweaks could be incorporated. Members agreed that implementation should be delayed for a period of 3 months from the date of the current meeting, which would enable the Social Worker to work with Child Minders in the run up to the date of commencement. It would also give the Social Worker time to come back to Council with any adjustments to the Policy that might be necessary.

In summing up, the Administrator said that the Policy had been adopted at the November Council, but would, if necessary, be brought back to Council before final implementation if further consultation pointed to the need to make some further adjustments. The Safeguarding Board (AISCB) would also need to meet with Childminders during this time.

Decision: Implementation of the Policy delayed for 3 months

3.2. Children's Playground in Georgetown

Council noted the opening of the Children's Playground in Georgetown on Tuesday, 2 February. The Administrator said that the refurbishment of the playground had been largely due to the drive of Nicholas Herne and Nicholas Benjamin and the hard work of their teams. Cllr John also played a pivotal role in the project and he agreed that it had been a success.

3.3. Local Fuel Prices

At a recent informal meeting Cllr Ellick asked about fuel prices and why they had remained static while global fuel prices had decreased. The Director of Resources (DoR) had written to Solomons who referred him to Babcock for a response.

Action: DoR to write to Babcock re. fuel prices

3.4. Governor Designate

The Administrator advised members that the Governor Designate, Lisa Phillips, intended to visit the island on a recce, possibly on 17 and 18 March¹.

3.5. JMC

Cllr Leo referred to the November meeting during which Council was preparing for the 2015 JMC (Joint Ministerial Council) meeting. Cllr Leo asked whether it was possible for members to have some feedback from this meeting.

Action: Cllrs Yon & Ellick indicated that they would prepare something

3.6. Cllr Leo's Memo, dated 22 February

Cllr Leo submitted a memo entitled, "Self Determination and Development for political, social and economic advancement for the Electorate of Ascension". The memo formally requested the Councils of Ascension, St Helena and Tristan da Cunha to ask the UK Government to honour its obligations to the people of Ascension according to the United Nations Charter (article 73).

In his report to Council, Cllr Leo said that he was concerned that the concerns of the people of Ascension had been discussed at ministerial level a few months ago, but were now being put on the back burner. Cllr Yon asked Cllr Leo to clarify that the reason for seeking Council support in St Helena and Tristan da Cunha was because of the effect on the whole territory. Cllr Leo confirmed that this was his reason.

4. Airlink / Ship link

Members were provided with a written report on the airlink project from Toni Bendall, which gave an update on the latest negotiations with the inter-island air service and an update on a Sea Freight service. The Administrator referred to the recent announcement on Friday, 19 February by SHG that a contract had been signed between AW Ship Management Ltd and the St Helena Government for the provision of sea freight services between Cape Town and St Helena. This was good news for Ascension as the service would be extended to Ascension; further details would follow this initial announcement.

On the airlink service, the Administrator told councillors that there were still a few issues to be finalised, however, it was hoped to be able to achieve a final ticket price around the cost of an 'A' deck cabin on the RMS. The team was still waiting on the cost of the Sunday opening of the St Helena airport. There was good news regarding fuel costs in St Helena which was better than originally expected. The Governor assured councillors that officials in St Helena were working hard to finalise this piece of work; he explained that it was a complex issue, but one that had officials full attention. The other outstanding were the Wideawake Agreement and agreement by the SA/UK authorities on cabotage rights.

Cllr Leo said that there was concern among the community that the airlink service to Ascension would mean that people would lose the option of going to the UK on their annual leave. The Administrator said that this was a matter for Employers to decide what their vacation policies were. In essence Employers' contributions to the airlink were based on historical travel patterns so these would have allowed for some travel to the UK. It was expected that those who traditionally took leave in the UK would be able to continue doing so.

5. Fish

The Director of Fisheries (DoF) was not at the meeting but had prepared a written report. Since the last meeting the Island had been declared a marine reserve in January 2016 which meant that just over 50% of Ascension waters would be closed to fishing. To enable this commitment Blue Marine Foundation

¹ This visit will now take place as soon as it is practicably possible after the new Governor is sworn in on St Helena.

had pledged a sum of £300K for the coming year to cover the cost of monitoring and enforcement. Councillors were informed that a patrol vessel had been contracted for a month and was currently patrolling the waters around the island. On board was the DoF and an observer and during this period the patrol would conduct inspections and also carry out scientific research. To date the patrol had been going well.

Cllr Leo asked that on her return that DoF updated the public on progress. He told Council that there was speculation that tax-payers were paying for the patrol vessel.

6. Corporation Tax

The Director of Resources (DoR) updated Council on the proposal to introduce Corporation Tax from 1 April. This was a proposal that came out of the Tax Review which was held in 2015. Currently only Sure paid Corporation Tax and it was proposed to extend this to all limited companies operating on Ascension.

The proposal would be rolled out in two phases. The first phase would be implemented on 1 April 2016 and would extend to Interserve, Babcock and Sure and, after a period of consultation, it was planned to roll phase 2 out on 1 April 2017 which would extend to all remaining limited companies.

DoR said that the proposal would mirror UK Corporation Tax and there would not be any additional tax liabilities for the larger companies who already pay corporation tax in the UK as the UK tax authority allows for tax relief on taxes paid outside of the UK. The introduction of Corporation Tax would mean that an additional £275/£300K could be generated as revenue. Cllr Poultney commented that it would be good for the island to be able to have the means to generate extra revenue. The next stage would be to update the current Income Tax Ordinance to include new regulations and provisions for administering Corporation Tax.

7. Police Salary Review

At their last formal meeting in November, Cllr Poultney raised the issue of local Police salaries which were lower than their colleagues in St Helena. Since this meeting the DoR had looked at this issue in detail and had drawn up an alignment of salaries. The review also noted the disparity between police constable and fire fighter salaries; as a result, it was recommended that the salaries paid to police constables were brought in line with fire fighter salaries. It was further recommended that the weekly on call allowance paid to all eligible staff (firefighters, duty electrician, plumber and crane operator) be increased by a further £7 per week.

Council was happy with the proposed increases, which would be sent to the Chief of Police, Trevor Botting, for final sign-off. All increases were effective from 1 April 2016.

8. Budget Update

The DoR gave an oral update on this year's budget setting process. Finance Committee had held a first meeting and were due to meet again soon to discuss the various elements of the budget. This year's budget process was proving to be particularly challenging and while AIG would have a balanced budget it would be tighter than in recent years.

Revenue was expected to be lower than forecast, this was due to the lack of fishing licences sold since November as well a loss of revenue in port and cargo handling dues once the RMS St Helena goes offline. DoR indicated that the figures for this year indicated an expenditure of £7.4million against revenue of £7.5million, giving AIG a surplus of 100K.

In answer to Cllr Leo's question whether AIG had looked to see what savings could be made, DoR confirmed that AIG had looked at where efficiency savings could be made and gave an example where the Hospital had recruited an additional member of staff, which would prove to be a saving in the long run as there would no longer be a need to recruit locum staff.

9. Council Committees

With the resignation of Cllr Poultney this opened up vacancies on the following committees, Finance Committee and Post 2016 Access Committee. After some discussion, Councillors proposed the following appointments:

Finance Committee: **Cllr Samantha Arms-Lawrence was proposed to join the committee.** Other members of the committee are: DoR, Cllr Nicholas John and Cllr Cyril Leo.

Biodiversity & Fisheries Protection Committee: **Cllr Samantha Arms-Lawrence would be replaced by Cllr Jacqui Ellick.** Other members of the committee are: Cllr Caroline Yon (chair), Cllr Keturah George and Dr Sam Weber.

Post 2016 Access Committee: Cllr Larry Poultney (Chairman) resigned. The remaining members of the committee are: Cllr Keturah George and Cllr Nicholas John.

Council debated whether there was a need for the Post 2016 Access Committee to continue, in the meantime however, **Cllr George was proposed to take Cllr Poultney's place on the Airlink Committee.**

All members present were in consensus with regards the proposed appointments.

10. Hydroponics

Council was given a progress report on the hydroponics project. Stephen Herron, who was the expert consultant on the project, had recently been on island for three weeks in order to carry out the construction of the polytunnel structure. This had been completed; Stephen was transiting Ascension for a day, but it was planned that he would return for a longer period to oversee the construction of the hydroponics system alongside the new Site Manager. The recruitment of the new Site Manager was delayed as the successful candidate had withdrawn their application. The post had since been re-advertised but this has delayed the expected completion date for the project by about 2 months. Stephen Herron has confirmed his commitment to the project and has offered to stay involved once the project is up and running if needed.

11. Bakery

At their informal meeting on 9 February Council gave the go-ahead for the purchase of 5 oven controls which would be used to refurbish the Bakery in Georgetown. The cost of the bid which was submitted was £5K. Once the ovens had been refurbished, the bakery would be made available to provide fresh bread for the community. Council had considered and previously given approval for a business application from a local resident. It was hoped that the replacement controls would be received on the FIRS in April and would be fitted as soon as practicable after.

Councillors took a formal vote on the project, which formed part of the 2016/17 Development Fund, and all six councillors who were present gave their consent.

12. Any Other Business

12.1. Cllr Leo formally responds to the Wass Report

At a previous meeting Councillors were given the opportunity to formally respond to the publication of the Wass Report. Cllr Leo took the opportunity at the meeting to formally read his written response (published in Annex A). Cllr Leo highlighted a statement in the report, at 4.24 (page 58) and which was repeated at 19.63 (page 178), which he said was insulting as it smeared the residents, parents and the Island Council. Cllr Leo requested a copy of his presentation be formally sent to Sasha Wass and to the FCO.

It was noted that the Inquiry Panel had concluded their work; however, the Administrator said that he would liaise with the official working in the FCO Safeguarding Unit about the best method of sending feedback from Councillors. The Governor told members that the panel was entirely at liberty to make their comments; and that Councillors were right to feed back their responses via the Safeguarding Unit or through Ginny Ferson (UK Senior Officer in the WASS Report implementation).

A copy of Cllr Leo's formal statement would be sent to the Administrator to forward to the Governor and to FCO

12.2. Two Boats Playground (Cllr Leo)

Cllr Leo said that parents had raised concerns once more about broken glass bottle in the children's playground at Two Boats. The concern would be passed on to the Operations Department, however, this was not the first time that this had happened. Cllr Leo asked about raising awareness about this; the question was asked whether Two Boats Club could put up notices in the Club to draw attention to this.

Cllr Yon said that there was general problem with litter on Ascension; this stemmed from attitude of complacency towards littering. The Police Force do make checks of the parks on their beat, however, they would be asked to make more regular checks of the play areas.

Action: Police to be asked to make more regular checks of the playgrounds

12.3. Georgetown Tennis Court

Cllr Leo enquired about reopening the Georgetown Tennis Court. This was a project that could be factored into the capital bids for the new Financial Year.

12.4. Road leading to the MT Garage, Georgetown

Council were updated about the road leading to the MT Garage which had recently been repaired. In recent months it had fallen into disrepair with lots of potholes.

12.5. Employment Ordinance

Cllr Ellick asked for the latest progress on the Employment Ordinance. Work on this piece of work had halted as there were other pressing projects which had taken precedence over the last year such as hydroponics and the airlink. The Administrator said that he hoped that this would be something that the next HR Director would drive forward and had been put in the job description for the role.

12.6. Cllr Poultney thanks the Council

Cllr Poultney took the opportunity to thank his colleagues. He said that the last two years had been very challenging, but it was a pleasure to work with such a dedicated team. The Administrator in turn, thanked Cllr Poultney for his input.

12.7. Leadership arrangements for Conservation Section

Cllr John said that he had recently discovered that Dr Judith Brown had taken over the role of Head of Conservation. He commented that Council had not been told of this change in leadership and wondered if his colleagues had any thoughts. Cllr Leo said that Council should not get involved in employment issues, but he was pleased to see AIG making a saving in this respect. The appointment of Dr Brown was being soft-launched and would be officially announced soon.

12.8. Darwin Initiative

Cllr John enquired generally about the Darwin Initiative; there was very little understanding about the contribution that NGOs generally made to Ascension. The DoR said that he would take this enquiry offline and would report back to Council.

Action: DoR to follow up and report back to Council

In his closing remarks the Governor thanked all for their input into the morning's deliberations. As this was his last meeting he wished members well and hoped that their paths would cross in the future.

The meeting finished at 11.00hrs.

Nicola Dillon
Clerk of Council

Annex A

Formal Council Meeting – 22 February 2016

Wass Report: Presentation by Councillor Leo

I attended two meetings with the Wass Inquiry Panel. At both meetings, and particularly so at the public meeting, it was made quite clear to Wass and her colleagues that residents and elected members supported the Sale of Alcohol and Access to Bars (Children and Young Persons) Ordinance, but was concerned at the social implications for families if the restrictions were too extreme. It was explained that there are limited public facilities on Ascension for families to socialise. The Saints Members Club and the Two Boats Members Club are community social facilities used by families. There was absolutely no objection to the restrictions placed on children during the school week, but the social needs of families, parents and children had to be given careful consideration during holidays, weekends and special functions and celebrations. The Wass Panel chose to ignore and omit those facts and instead printed the following misleading statement: "The Inquiry Panel was told by the Ascension Island Administrator Marc Holland that the licensing laws are followed, despite being unpopular with the majority of Ascension Island residents and indeed the Island Council."

The misleading statement was printed twice in the Report – on page 58 and again on page 178. Standing on its own, the statement is an insult as it smears the residents, parents and the Island Council as being somewhat irresponsible.

I would also like to draw attention to the following: The Wass Inquiry Report into Allegations Surrounding Child Safeguarding Issues on St Helena and Ascension Island published biased personal political and economic conclusions on the future of Ascension. The Report question if the residents of Ascension live on a "Military base or residential island."

The Report stated that (quote) "...without the military there would be no economic justification for being on the island. There are no resources, industry or agriculture and little in the way of tourist attractions beyond the turtle egg laying season and deep sea fishing. If the military did not use Ascension as a stepping stone to the Falkland Islands the small economy would wither away.

We concluded that, while Ascension has a civilian population with a degree of autonomy, in reality it is merely an adjunct to the military. If the military departed, the island's civilians would have no future on Ascension as they are not in a position to become, and are never likely to be, self-reliant. While not all occupations on Ascension are directly linked to the military, they are funded indirectly by, and are dependent upon, the military economy." (Unquote)

The Panel's conclusions are biased against the civilian population of Ascension, and based only on the one-sided assumption of the United Kingdom **not** using Ascension as a stepping-stone to the Falkland Islands to protect and uphold that people's right to self-determination.

Such personal opinions, assumptions and conclusions on the future of Ascension and on the future prospects of the people of Ascension should not have been published in such an influential Report. The statements show a lack of awareness and consideration on the part of the Wass Panel as elected representatives' strives to attain democratic rights and the rights of self-determination for the people of Ascension and that includes the children of Ascension.

The hypothetical biased conclusions on the future of Ascension and published in such an influential Report is of no help to the numerous children born on Ascension and calls Ascension home. The conclusive statement only serves to undermine the efforts of elected representatives to make political, social and economic progress on behalf of the people of Ascension according to Chapter X1 Article 73 of the United Nations Charter.