

MINUTES OF THE ASCENSION ISLAND COUNCIL (AIC)

MEETING HELD IN THE COURT HOUSE,

Thursday, 25th June at 13:30hrs

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

Apologies: Councillor Nicholas John

In attendance: Nicola Dillon, Clerk of Council

1. Introductions

The Acting Governor attended the meeting by telephone from St Helena; he would be joined by the Attorney General later in the meeting. There was nearly a full Council attending from the Ascension side, with the exception of Cllr Nicholas John who was unable to attend due to work commitments. This was the first formal meeting for the newly appointed Director of Resources, Jamie Manson.

The Administrator told the Acting Governor that sitting in the public gallery was Mr William Pryer (Senior Policy Officer, Southern Oceans Department, FCO) who was visiting Ascension for two days; and Miss Amy Soar (Head of Policy Development) who would be providing updates on a number of topics on the agenda.

Some of the preliminary work was covered in an informal meeting, which the Council held on 23 June. Most of the business before Council was for update only and were not decision points.

2. Confirmation of Minutes

The unabridged minutes of the meeting which was held on Wednesday, 6 May 2015, were confirmed.

3. Matters Arising

3.1 Draft Employment Ordinance

At the last meeting Cllr Ellick asked to resume the review of the employment law; subsequently a copy of the latest version of the draft Employment Ordinance was circulated to members. This was last reviewed by the previous Council in early 2013. The draft Ordinance was accompanied by a memo, which proposed a roadmap for how the employment legislation would be introduced. The Administrator said that the timing of the review was quite important in light of any changes that might occur as a result of the termination of the RMS St Helena in July next year. The Solicitor General and the Head of Policy Development (HoPD) would work together to review the legislation. In the meantime, in response to Cllr Leo's question about whether the documents could be made public, it was suggested that a summary document could be drafted. Council was informed that there would be a consultation period and an 'Away Day' would be scheduled later in the year for members to go through the draft Ordinance. It was a big piece of work due to the complexity of employment law and how it linked into the island, and Council would focus on this issue over the coming months.

Actions:

1. Write a summary document which will be used as part of the public consultation process.
2. To arrange a workshop for Council to go through the Ordinance.

(Action: Solicitor General/HoPD)

3.2 Land & Business Policy Review

The Administrator told Council that the current record-keeping of how AIG managed its estate and the consistency and approach on what is given to different businesses could be improved. In addition, he advised that the current Land and Business Policy was last revised in 2008 and was in need of an update. The review would be led by the Director of Resources over a 2 – 3 month timeline; some work has started and there is a better understanding of the issues and which properties AIG has and the fees which are being charged. The next stage is to look at whether the charges are appropriate. It was confirmed that Council would be consulted as part of the review process. The Administrator explained that the policy would be reviewed within the existing rules, so issues such as ‘right of abode’ would not form part of the review process.

Actions:

1. To update the Land & Business Policy.
2. Council to be consulted as part of the Policy Review.

(Action: Director of Resources)

4. Food Supply (Amy Soar, Head of Policy Development)

The HoPD provided Council with an update regarding the various options that she was researching in relation to on-island food supply, and to address some of the questions surrounding historic food production methods on the island. Of the four options which were being looked at, Hydroponics seems to be the most viable option. The other three options included allotments, a farm and a bakery. For various reasons some of these options have struggled to stay financially viable. A food security expert would be visiting the island in July and it was hoped that Council would be in a position to move towards making a commitment to pursuing the hydroponics route. The aim was to close any gap between the RMS schedule ending and the establishment of a sustainable on-island food supply.

Councillors felt that they would defer comment until after the visit of the food security expert and Cllr Leo asked for a public meeting to be arranged to gauge public interest and concerns. Both Cllrs Yon and Leo felt that the public should be able to make suggestions; for instance, garden allotments need not necessarily be confined to Green Mountain, there could be other areas which could be identified. The Administrator supported this idea as it would help to engage the public as well as the current food suppliers on island. He told Council that food supply was an important issue and he asked that members make the most of the visit in July so that a decision could be made soon.

Action: To hold a public meeting in July when the food security expert visits. (HoPD)

5. Bicentenary (Amy Soar, Head of Policy Development)

The HoPD gave Council an update on the various strands of the Bicentenary project: the Bicentenary Park, Children’s Park and Events.

Bicentenary Park

The major construction works for the Bicentenary Park had been completed and work had already started on the construction of the gazebo and planting of a hedge border around the park area. There was a slight risk that the monument would not be delivered on time, and HoPD was in discussion with the MOD to try to resolve this issue.

Children’s Park

The Children’s Park will have a long overdue upgrade as some of the existing equipment was not up to

safety standards. The aim will be to provide a safe play area for children of all ages and to also have a space for adults to enjoy. HoPD told Council that the park equipment and materials had been ordered and was due to arrive in August¹; however there was a risk that there could be a delay in shipping or the order could be bumped to a later sailing. The completion date for the Children's Park was more flexible than the other project components, so it was not tied to the October deadline, but it was hoped to have the Park completed by November (in time for the Governor's visit).

Bicentenary Events

The HoPD said that the Bicentenary Co-ordinator was in the process of planning a series of commemorative events leading up to, and including the Bicentenary weekend. A draft programme for the Bicentenary weekend had been circulated to members, who were informed that Commodore Darren Bone had been invited to be a guest of honour for the Bicentenary weekend. It was hoped that the events leading up to and during the Bicentenary weekend would involve and interest all members of the community and councillors were encouraged to approach the Bicentenary Co-ordinator with their suggestions and ideas. The Administrator reported to members that the AIG Marketing Officer was also in touch with military newspapers and the press to seek publicity for the events during this weekend; it was still hoped that there would be a naval visit which would mean that the draft programme would be changed to accommodate this.

6. 2016 Air & Sea Access (Toni Bendall)

Toni Bendall gave Council an update on where the tender process (for both air and sea access) was. The ITT (Invitation to Tender) had been sent to 12 potential operators on 12 June and the Project Team were receiving back expressions of interest from bidders with an aim to receive submissions by the 10 July. Of the 12 operators, five had responded positively. Following receipt of the final bids, Simon Walker (the Tender Adviser) would produce a recommendations paper for the Tender Board, who are scheduled to meet to consider the bids in mid-August.

Toni told Council that in tandem with the Tender process, she was also looking in more detail at the 'long way around'. With regards sea-freight, Toni highlighted the recent development in St Helena in which Andrew Weir Ship Management Limited was awarded the contract to provide a sea-freight service. SHG would be having detailed discussions with AWSML to confirm the arrangements and to look at the type of service which would be provided. Toni said that there would be an opportunity for Ascension to enter into discussion to negotiate an extension of this service.

Following on from a point which was raised at a previous informal meeting by Cllr Leo, the Administrator strove to address the issue of whether members of the Island Council would have sight of the bids and who would make the decision. The Administrator said that Tender Board consisted of representatives from the organisations which would be paying for the service (AIG, FCO, MOD, BBC, Sure and also the Chairman of the Island Council's Post 2016 Vision Committee) – there were 8 members in total.

With regards whether councillors would see the individual bids, the Administrator said that confidentiality was very important; however, councillors could feed into the process through Cllr Poultney, who as Chairman of the Post 2016 Vision Committee, was invited to be a member of the Board. Following the Board's recommendations, the Administrator would report back to the BCF who would make the final decision. The members of the BCF had given a commitment to fund the service for the first year at least.

Cllr Leo responded to the Administrator's explanations; he was content that councillors would have the opportunity to feed into the process via Cllr Poultney as he was originally concerned that the process would by-pass elected members.

The implications of confidentiality were debated at length and the Acting Governor and Attorney

¹ Equipment for the children's park will now arrive in September.

General gave Council an overview of the process in St Helena which was regulated by SHG Procurement Regulations. Councillors were concerned that while the process was not politically driven, they would ultimately be answerable to the electorate if the outcome was not a desirable one.

The Administrator agreed that the views of the public would be important and by also looking at the 'long way around' it will mean that all of the facts will be presented to all involved in the decision making process. Cllr Yon highlighted the potential problem that if the right solution was not found for employers and employees, then it could result in people looking for jobs elsewhere leaving the island with a skill drain in key areas.

The Administrator concluded that the discussion had opened up some interesting questions which Council would need to return to.

7. Paper for formal adoption: Child Protection Procedures

The Child Protection Procedures were first submitted to Council for consideration at the formal meeting on 6 May. The Procedures had been updated by the AISCB as the previous procedures were out-dated and were drawn up when there was no resident social worker cover on the island. The procedures provided guidelines for professionals and volunteers working with children to ensure that best practice is followed and that there are clear procedures. Once adopted the procedures would be published on the AIG website.

The Administrator reported to Council that the Foreign Office had provided positive feedback regarding the updated procedures. He also reported that the recent social worker recruitment had been successful and Mr Robert Parfrey had accepted the position and would hopefully arrive in mid-September.

A vote was taken to adopt the Child Protection Procedures and all six councillors present voted in favour, with nil votes against and nil abstentions.

Action: Child Protection Procedures to be published on the Ascension Island Government website²

8. Youth Training Scheme (Director of Resources)

The Director of Resources (DoR) updated Council on the 2015 Youth Training Programme (YTP), which it was hoped to re-launch in August. DoR referred to the Disabled Young Persons (16-18 year olds) Post School Training Policy, which was introduced in 2014. It was intended that the re-launch of the YTP would make reasonable adjustments for disabled and SEN participants. This year's expected intake of youth trainees was quite low, so AIG intended to operate the scheme within the organisation and was not seeking assistance from other Employers. The scheme was open to all school leavers between the ages of 16 and 18 years who had completed year 11 at school and had studied towards and gained awards at GCSE level. They would also be required to have a satisfactory school report. It was hoped that the scheme would be advertised in the Islander in due course. The YTP was not a full apprenticeship, but would offer participants the opportunity to gain valuable work experience and to develop new, transferable skills from a variety of vocations.

Cllr Yon asked whether the scheme had a limit on numbers as although the classes were small for the next year, the class sizes for future years were quite large. Council was told that AIG would employ four young persons, male or female, at any one period. DoR said that once the scheme was up and running, it was hoped that other Employers would also participate and offer placements. Cllr Leo said that it was good that the YTP was being re-launched and that the programme would be widened to include disabled youths and he expressed thanks to all the people who would be involved in delivering the programme. The Administrator elaborated on this by reporting to Council that the staff members who were involved in delivering training to disabled members of the scheme were being recognised by a special bonus.

² www.ascension-island.gov.ac. The Child Protection Procedures were published on the website on 1 July.

The Youth Training Programme (Terms & Conditions) was adopted and would be published on the AIG website.

Action: To publish on the AIG website. (Director of Resources)

9. Business Permit Applications

Three applications to operate businesses were before Council for approval:

- i. Atlantis Divers: a request to use 'Reflections' as a Dive Club;
- ii. Atlantic Physio and Mini Spa: applicant, Marta Keays, a request to operate a physiotherapy consultation, advice and treatment service from her residence in Two Boats;
- iii. Threadz: applicant, Keren John, a request to operate a clothes shop from the former 'Turtle Nest Shop' in Georgetown.

Councillors shared some concerns regarding applications (i) and (iii), which were operating from AIG premises, but were happy to approve the request for Atlantic Physio and Mini Spa. Cllr Yon summarised the issues that members shared which arose from the wider discussions that they had about the limited resources and skills-set within AIG. As some of the premises required repairs which would potentially be carried out by non-AIG people, there was currently no mechanism in place to ensure that materials provided were being properly used and that the work was completed to an acceptable standard. While councillors were in favour of supporting local businesses, it was important that the business policy approach was consistent across the board and backed up by clear guidelines.

The Director of Operations (Steve Brown) was asked to give his view and he said that if AIG was going to let properties out for use, they should be in good order to begin with. Unfortunately, in the recent past there had been a few instances where properties had been let in a less than ideal condition and this had led to a change in policy regarding renovating the property. Due to a lack of resources within AIG, properties had been let under condition that the business owners take responsibility for repairs and renovations with materials supplied by AIG. This had been offset to the business through reduced property rents.

Council agreed that a policy should be produced which would set out the guidelines for new businesses with regards property assessment and investment by both the business applicant and AIG. It was decided to put a hold on the decision to invest in properties until a policy had been drawn up.

Actions/Decision

1. The application by Atlantic Physio and Mini Spa was approved.
2. A new Business Policy would be presented to Council by the second week in August.
(Amy Soar/Jamie Manson/Steve Brown)
3. Atlantis Divers and Threadz bids would be put on hold until a policy was approved.
4. The application which was approved for the former Village Takeaway on 6 May would also be put on hold and followed up in line with the new policy when produced.

10. Financial Support for Tertiary Education (Director of Resources)

A request had been submitted from a resident couple requesting financial support for students undertaking tertiary education in the UK. In their submission the residents gave examples of other overseas territories, including the Falklands and St Helena, where financial support is given through scholarships or students have access to local colleges or universities. The DoR said that AIG had no constitutional obligation or financial resources to provide financial support to students who continue to further their education in the UK or elsewhere. Having carried out research, it was evident that the resources needed would put a strain on AIG finances.

The submission also included a request for flexibility to allow dependants over the age of 18, who were still in full time education, to work when visiting the island. The current Entry Control policy does not allow people to work on a tourist visa. The Administrator explained that there was potential for some flexibility to allow dependents to work in the form of short term contracts, which would require the

employer to take responsibility for all costs relating to the employee, including medical care. This was something that needed to be looked at in more depth and councillors were invited to submit their views to the DoR.

Cllr Yon said that in the past if a child was still in full-time education, they would still be considered a dependant and suggested that this could be one way of dealing with the issue as dependants could work on household status contracts. Cllr Poultny referred to the request for financial support and he informed Council of the past practice by AIG of sponsoring the students from Two Boats School to study at Chichester College. This scheme ran throughout the early 2000s and ended in 2009.

The Administrator concluded that in the immediate future, there was a solution to the issue of employing youths while visiting the island by short-term employment contracts. The longer-term issue of students in full-time education being given dependant status would be raised by the Administrator with Heads of Employing Organisations at their next meeting.

Action: To raise the issue of young persons in full-time education retaining “Dependant” status with Heads of EOs

11. Assistant National Park Warden (Director of Resources)

A proposal was put forward by the Conservation Officer to recruit a full-time Conservation Fieldworker (National Parks). The DoR told Councillors that at the moment, the National Park Warden was supported by a Youth Trainee, who was due to finish the scheme in a few months' time. In order to meet the objectives of the Biodiversity Action Plan, which currently focuses on Green Mountain National Park, many of the tasks have been successfully completed by having this additional support. DoR explained that many of the tasks involved working in remote and challenging areas of the island, often using power tools such as a chainsaw and brush cutter, so would not be safe for a lone worker to undertake. With the completion of the youth trainee's contract in August, the National Park Warden would revert to being reliant on the availability of volunteers to support fieldwork.

The paper was being put to Council for information only, and DoR said that the position would be advertised shortly as there was funding available within the Conservation budget, due to a delay in recruiting a Tourism Officer. It was hoped that there would be someone in place by August/September. Cllr Yon referred to the recent debate in March, when Council looked at the budget. At the time questions were raised about staff costs in the Conservation Office and she asked whether the tourism function (recently a part-time role) could be fulfilled using existing staff within the office? Cllr Yon felt that when the next budget session was due, this could lessen the extent to which the Conservation Office came under the microscope.

The Administrator listened to the views expressed by Councillors on the subject of staffing within the Conservation Office and recognised their concerns. In the short-term, he said that the recruitment would go ahead.

Action: To go ahead and advertise the post of Conservation Fieldworker (National Parks)
(Director of Resources/Director of Human Resources)

12. JMC/ letter from Mr Duddridge, dated 10 June 2015 (Administrator)

The Administrator referred to a letter which was sent to members of the Council from the Minister for Africa, the Overseas Territories, and the Carribean, Mr James Duddridge, MP on 10 June. The Administrator said that the Minister had written to members about this year's JMC (due to take place in London during the week beginning 30 November), and said that he shared members' desire to make the JMC an effective forum. Minister Duddridge set out his plans to achieve this and he invited members to contact him directly to comment on his suggestions and to put forward ideas.

Cllr Caroline Yon was appointed in May by her fellow councillors to represent Ascension at this year's

JMC and it was agreed that a second member of council should accompany her. Members would decide among themselves who would attend.³ Cllr Yon said that she welcomed the Minister's intentions to go back to basics, which she felt would facilitate effective debates and outcomes.

In response to the letter Cllr Leo responded in a formal presentation (see Annex A) and gave his views on the three key themes outlined by Minister Duddridge: (i) economic development, (ii) child safeguarding, and (iii) the UK and Overseas Territories in 2030. With regards to the latter he said that as members attempt to map out a strategic plan (for the next 15 years), he hoped the resident taxpayers and children of Ascension would be encouraged and keen to get involved; and that their aspirations and expectations would be realised through a partnership of the local democratic process and UK Government.

The Acting Governor thanked Cllr Leo for his response and said that he would look at his letter.

Actions:

1. Councillors would nominate a second member to attend JMC 2015
2. The Acting Governor would look at Cllr Leo's correspondence.

13. Governor Capes' visit, 25 – 27 November 2015 (Administrator)

The Administrator told Councillors that the Governor would be visiting Ascension in November (Wednesday, 25 – Friday, 27 November) and again in January (Thursday, 7 – Friday, 8 January).

14. Any Other Business

14.1. Concern about procedures at the Georgetown Hospital

At a recent informal meeting, councillors raised concerns about certain procedures at the Georgetown Hospital, notably the over reliance of C-sections, lack of thorough medical examinations and waiting times at the clinic. The DoR would investigate these issues, including a breach of patient confidentiality.

Action: **Director of Resources** would investigate these concerns

14.2. Pier Head: uncleanliness by fishermen

Cllr Yon asked whether a salt water pump could be installed at the Pier Head. This would help to address issues of uncleanliness where there have been complaints that the steps and fishing bench were not cleaned following fishing excursions.

Actions: To investigate concerns and the feasibility of Cllr Yon's request (Director of Operations)

14.3. Pay conditions for staff working ship

Councillors raised concerns about the conditions for staff working ship, including:

- Pay – some members of staff were given a supplement to work ship, however, it was felt that this allowance was unfairly given and did not take account of the level of skill or circumstances of staff and their duties.
- Work rotation – staff working ship sometimes do a 13-hour shift in very limiting work environments over several days. It was suggested that where practical staff should be rotated.
- Providing staff with an option of an evening meal at the end of a long shift, particularly single staff members who would not have access to a ready cooked meal.

Actions:

1. To look at pay & conditions for staff working ship.

³ Cllr Jacqui Ellick was later chosen to accompany Cllr Yon at the JMC 2015.

2. To review the work roster, so that where possible staff are rotated, especially if working ship over long periods.
 3. To investigate arrangements to provide an evening meal especially for single staff who work long hours and do not have access to a ready cooked meal.
- (Director of Operations/Head of Policy Development)**

14.4. Update on EU Funding

Cllr John submitted his question via email as he unable to attend the meeting. He asked for an update on the next tranche of EU Funding, for which Ascension had submitted a bid to improve the safety of the Pier Head. The Acting Governor said that although he was not familiar with the process for EU Funding, as a word of caution he said that the application process could take a number of years. The Administrator told Council that he would ask the HoPD to follow up with Dax Richards, Assistant Financial Secretary (SHG) who was coordinating the bids for St Helena and Ascension. Councillors would also nominate a member to represent them on the EU Monitoring Committee (SHG).

Actions:

1. To seek an update from SHG **(Head of Policy Development)**
2. Council to nominate a representative for the EU Monitoring committee (SHG).

14.5. Review of Fish Permit guidelines

Cllr George said that she had received several requests to increase the amount of fish that can be exported to St Helena. Cllr Leo enquired whether the Director of Fisheries could consider an increase during periods when fish catches are abundant. Cllr Yon added to this comment by suggesting that increases are considered on a species basis, i.e., when Tuna is plentiful, other species might not be. The Biodiversity and Fisheries Committee would be asked to review the guidelines to look at i.e., granting permits on a species basis, seasonal basis.

Action: To review the current fish permit guidelines (Director of Fisheries/B&FP Committee)

14.6. Replacement of old vehicles AIG fleet

Cllr George asked about the procedure for old AIG vehicles which had been replaced. The Director of Resources was asked to look into the procedure, including the resulting tendering process. He was also asked to answer a question that Council had about the former police vehicle, which had been recently been replaced.

Action: To review the procedure for replacement vehicles (Director of Resources)

14.7. Update on Cinema

The Administrator was asked to provide an update on the cinema. As far as he was aware, the the equipment had been purchased and installation was planned to be completed before the current Base Commander's departure in October.

Action: To provide members with an update on the Cinema Project (Administrator/PoHD)

There was no further business and the meeting drew to a close at 15:30hrs.

Nicola Dillon
Clerk of Council

ANNEX A

Formal Council Meeting - 25 June 2015

Response to letter from James Duddridge MP, FCO, dated 10 June 2015.

Governor,

The UK Government allowed the people of Ascension to have democracy in November 2002. Aspirations and expectations were raised by the FCO and supported by the 1999 White Paper – Partnership for Progress and Prosperity – The United Kingdom and the Overseas Territories.

A Fiscal and Economic Report, commissioned by the FCO, was carried out by the University of Portsmouth and published in March 2000.

With the full knowledge of the FCO, the Ascension Island Strategic Plan 2003 – 2008 was drawn up. Residency rights and property rights were included in that strategic plan. Work started to progress accordingly on behalf of the people of Ascension by their elected representatives.

In September 2005, the FCO funded an Economic Study of Ascension Island. The Report was published on 10 October 2005. One quote from that report read “...allowing an increasingly elderly population of retired people to remain on Ascension increases the potential costs to the AIG of health and social care, and thus the contingent liability to HMG.” In my opinion, that statement in itself is clearly discrimination against age, and a breach of the Ascension Constitution. Her Majesty’s Government approves of resident taxpayers contributing towards the self-financing economy of Ascension until they become a potential contingent liability through age.

On 30 November 2005, an FCO Minister informed elected representatives that residency and property rights will not be developed on Ascension because of the contingent liability concerns of Her Majesty’s Government.

On reading Minister Duddridge’s third proposal referring to the UK and Overseas Territories in 2030, and asking where we collectively want the relationship to head and how we go about turning that into reality, I was encouraged by the positives of the Minister’s invitation to Councillors.

Governor, I would like you to request Minister Duddridge follow up on the House of Commons, Foreign Affairs Committee’s Report of 2007-08 relating to Ascension. Quote: “We further recommend that the FCO should work with elected representatives to consider the potential contingent liabilities of a permanent base on Ascension Island, and means of reducing these liabilities, with the ultimate aim of granting rights of property and abode to residents.”

As we once again attempt to map out a strategic plan, this time for the next 15 years, I hope the resident taxpayers and children of Ascension will be encouraged and will be keen to get involved; and their aspirations and expectations will be fully realised through local democratic process and UK Government loyal partnership.

Her Majesty’s Government has an international obligation to further develop the democratic and civil rights of people living on Ascension Island

Cllr Leo