

# MINUTES OF THE ASCENSION ISLAND COUNCIL (AIC)

## MEETING HELD IN THE COURT HOUSE,

Thursday, 14<sup>th</sup> December 2017 at 16:30hrs

Present: (by telephone) HE the Acting Governor Louise MacMorran  
(by telephone) Attorney General Designate Sara O'Donnell  
(by telephone) Andrew Sigley, Foreign Office  
HH Administrator Nick Kennedy  
Mark Neale, Crown Counsel  
Jamie Manson, Director of Resources (DoR)  
Councillor Kitty George  
Councillor Samantha Arms-Lawrence  
Councillor Jacqui Ellick  
Councillor Terence Young

In attendance: Emma Corrigan, Clerk of Council

Apologies: Councillor Nicholas John

### 1. Welcome

The Administrator welcomed all to the meeting including Cllr Young following his election to the Council on 30 November 2017. The Acting Governor, Louise MacMorran and Attorney General Designate, Sara O'Donnell were pleased to be able to attend via telephone as was Andrew Sigley of FCO.

### 2. Confirmation of Minutes: AIC meeting 26 September 2017

The minutes of the AIC meeting which was held on 26 September 2017 were formally adopted and would be published on the AIG website ([www.ascension-island.gov.ac](http://www.ascension-island.gov.ac)).

### 3. Matters Arising/Actions from AIC meeting 26 September 2017

3.1: The Crown Counsel to investigate the logistics of an imposition of a prison sentence as part of the review on Judicial Ordinance. Cllr George stated this had referred to the question of whether AIG would be liable to settle the costs incurred of transporting a prisoner to either St Helena or the UK. Mark Neale responded this had not yet been addressed and the item was to be deferred to the next Council meeting.

**Action: Mark Neale to investigate if AIG would be liable for the costs incurred to transfer a prisoner from Ascension back to either St Helena or the UK and report back at next Council meeting.**

3.2: Current documentation on Employment Law to be circulated to the Council. Jamie Manson stated it had been agreed the Employment Legislation was put on hold until the future working model of Ascension was established.

3.3: Fuel on Ascension was to be raised at the JMC. The Administrator confirmed a meeting was held Wednesday 13 December between FCO, DFID and the Ministers and this item was to be covered later in AOB.

3.4: Shark risk. The Administrator reported the USAF had kindly arranged for Prof. George Burgess to come to Ascension in early January and once Prof Burgess had provided his report and professional advice to AIG this item would be revisited at a future Council meeting when all Councillors would be present together with the subject of adoption of Spear Guns Control Ordinance.

**Action: Spear Guns Control Ordinance to be added to next Council meeting agenda**

3.5: Dir of Operations to investigate the siting of a car wash area away from the Pier Head. It had been investigated for the public to use the AIG car wash at the Motor Pool but the tank was not large enough with no provision for the run off of oils and drainage channels therefore funding was required for the required modifications. Council agreed this was not a priority at present.

#### **4. Civil Aviation (Investigation of Air Accidents and Incidents) (Ascension) Regulations 2017**

Mark Neale explained the proposed regulations allowed the Governor to appoint an external investigator should a civil air accident or incident occur.

**Action: The Council voted unanimously for the adoption of the Regulations by the Governor.**

#### **5. St Helena Law (Law Revision [Miscellaneous Amendments] Ordinance 2017) Application Order 2017**

Mark Neale explained the Law commissioner, John Wilson, had undertaken a law revision on St Helena and some laws affect Ascension. The law enforcement was effected on 19 September 2017 but this lay outside the cut-off date of 1 April 2017 for the application of St Helena laws to Ascension Island. Therefore an enactment of those revisions must be made to adopt them on Ascension with all revisions listed in the Full Guidance notes.

**Action: The Council voted unanimously for the adoption of the Application Order by the Governor.**

#### **6. Update on the Joint Ministerial Council (JMC) meeting attended by Cllr Ellick**

Cllr Ellick reported the bi-lateral meeting with Lord Ahmad was held on 27 November in which the letters written by the Council were discussed regarding the issue of access. Lord Ahmad replied the Ministers had looked into the possibility of increasing the frequency of flights to and from Ascension via Johannesburg. The delay of the Ministerial meeting to decide on the future of Ascension Island was also discussed. Cllr Ellick also raised the subjects of the poor infrastructure and financial status of the island had effected low morale. On 28 November Cllr Ellick went to meet the Prime Minister with other political leaders and discussed the hurricane response and recovery in the Caribbean, Brexit and the transparency of financial services. Cllr Ellick again raised the lack of access issues. A meeting with the Foreign Secretary again covered the hurricane response and Brexit. The subsequent plenary sessions covered the hurricane, Brexit, Health, future trade and climate change. A session on Safeguarding Children was held during which Cllr Ellick presented the report on the Safeguarding work done on Ascension; Cllr Ellick was to distribute the report issued by the Ministerial Steering Board. On the second day the Communique was adopted and the final version was to be loaded on to the Government website. Cllr Ellick also had meetings with Katie McMillan and Alex Cameron of the FCO. Cllr Ellick advised the Council on her feeling of isolation at the JMC as other delegations had been much larger and she had received more support from the Caribbean and Tristan da Cunha delegations than that from St Helena and stressed the importance for at least two councillors to attend future JMC meetings.

**Action: Cllr Ellick to circulate the Safeguarding report issued by the Steering Board.**

#### **7. Any Other Business**

##### **7.1. Ministerial Meeting**

Andrew Sigley reported the meeting had been held Wednesday 13 December at which all three ministers were in attendance. The focus had been on the required immediate repairs and the associated funding together with the future of Ascension. The ministers looked at the frequency of air access and further options were being investigated. Fuel was discussed and cleaner fuel had been secured and supply agreed for the Pier Head crane.

Overall it was recognised the issues faced by Ascension are difficult with no immediate answers but progress had started and ministers would return with further proposals.

##### **7.2. Fuel**

The Administrator clarified that clean fuel was to be provided for the Pier Head crane and work was to be done to secure clean diesel for the island. The main areas for improvements to the island's infrastructure were incinerators, fire hydrants, electrical testing replacement, replacement of the sewage plants and the refurbishment of the fuel station with the provision of clean diesel. Andrew Sigley confirmed the ministers had recognised the immediate action required on those areas and were working with the MOD to secure cleaner diesel.

Cllr George had circulated an independently researched two-fold proposal on an option for the supply of both fuelling equipment and fuel from a German company, Krampitz Tanksystem. The Administrator explained that the USAF had supplied petrol for as long as they possibly could and that AIG and the FCO had been working hard to determine whether AIG-led petrol provision would be viable. AIG had made repairs to the old fuel station ahead of the diesel pump being moved to this site from the Motor Pool

area.

Jamie Manson added that previously the amount of petrol alone used on the island was so little that procurement through the MOD supply chain for just petrol was not an option. However, now that AIG had re-opened enquiries with the MoD's fuel supplier about clean diesel they would see whether petrol could be provided on the same supply chain. Initial investigations showed that this to be a much cheaper and more regular supply than sourcing fuel from South Africa, although AIG would of course continue to look at every option.

The Administrator explained that petrol was a far more volatile substance than diesel which made handling and storing it much more challenging. The closing down of Solomon's petrol station showed what happened when it was stored incorrectly. A further challenge might be posed by MoD's decision to cease bringing petrol to Ascension for themselves and the US by 2020 at the latest and it would be necessary to consider the cost of building and running petrol infrastructure. So although AIG and FCO would continue working hard to find a viable solution there was no guarantee that it would be possible. Even if, as hoped, it was possible over the coming months to navigate all the issues and reach a viable solution then it would take around six more months from that point until the infrastructure was fully installed. .

The Administrator stressed the delicacy of the on-going negotiations between AIG and the MoD's supplier. He thanked Cllr George for her engagement with the issue but explained the need for only one line of enquiry. Mark Neale added that Cllr George's enquiry had risked creating two issues; the MOD might have thought AIG had made alternative arrangements and that they were therefore no longer required to continue with negotiations and Cllr George could have inadvertently entered into a contract with an alternative supplier and would have been held liable. Cllr George stressed that she had always maintained very clearly that her enquiry was as a councillor/member of the public and had at no point given the impression she had represented AIG or was leading on this.

The Administrator said that more regular updates on the fuel situation could be given to the Island Council going forward. The Acting Governor said she recognised the fuel situation on Ascension was a very difficult issue and a genuine concern and that AIG had been working hard to resolve it. She agreed more regular updates to both the Council and the public would be beneficial.

### 7.3. Closure of the Fuel Station

The Administrator said that from 1<sup>st</sup> January 2018 the US would no longer dispense petrol. Cllr Ellick added the public felt the closure of Solomon's fuel station, based on health & safety risk, had been an over-reaction by AIG. Jamie Manson clarified that Solomon & Co occupied the site at the time and a Prohibition Notice and an Improvement Notice had been issued for Solomon & Co to address those health & safety issues but these were not done, even after additional time had been given. Cllr Young asked if the WYG report would be made public. The Administrator said he would check whether WYG had given permission for the report to be circulated further. In any case a summary of the actions taken at the time could certainly be circulated to the Council.

**Action: Jamie Manson to compile a summary of actions taken following the WYG report on Solomon's fuel station and circulate to the Island Council.**

### 7.4. Quality of road repairs

Cllr Young asked if the taxpayers received value for money over the substandard road repairs. The Administrator replied the tax paid on Ascension only covered a small fraction of the costs for all the services provided, ie hospital, dental surgery, sewage works, roads etc. There had been a number of emergency repairs required; water had undermined part of the road at Two Boats and increased rain had caused pot-hole damage to the Green Mountain road that had required repair ahead of the Dew Pond run. The roads team had been taken off core work to address these repairs which had led to some overtime. Cllr George added this issue had been raised many times before and Cllr Young added he had also received comments on the lack of road markings.

7.5. Rates for Ship to Shore containers

Cllr Young asked why the cost on Ascension is three times that of St Helena. Cllr George explained the ship to shore handling charges here included all wharfage duty, customs duty and all other costs, whereas in St Helena these were additional to the container cost so overall it was actually more expensive on St Helena. Jamie Manson added the employing organisations declined to donate towards the costs to improve the Pier Head which had resulted in a slight increase in container rates; the operation was also more hazardous on Ascension than on St Helena.

7.6. Minimum wage law UK

Cllr Young asked if there had been plans to introduce the UK minimum wage law on Ascension. Jamie Manson replied this was covered in Employment Law but Ascension is not comparable to the UK living wage as the employment framework was very different on Ascension, with free housing, food allowance etc., and the island had a very diverse workforce with some employers having previously shown reluctance in the adoption of a minimum wage.

7.7. MV Helena update

Cllr Arms-Lawrence asked if any further information had been received regarding the MV Helena. Cllr George advised that Andrew Weir Shipping had confirmed the MV Helena was considered safe to operate on Ascension Island.

7.8. Chandlery update

Cllr Young asked what contingency plan was in place for stock supply to the Chandlery once the RMS service had finished. Jamie Manson explained the Chandlery should not be effected too much as they received the bulk of their stock from the UK via the FIRS.

7.9. Vet to Ascension

Cllr George stated residents in Two Boats had reported being disturbed by the noise of the sheep in the village and concerns over their condition. Caz Yon had requested for a vet to come to Ascension to check pets on the island so perhaps the vet could check on the condition of the sheep and donkeys at the same time. Caz had also asked if the vet could have a seat on the inter-island plane. The Administrator replied the organisations who had signed the agreement regarding the airlink were to meet the following day and the question of the vet having a seat was to be asked at that meeting.

7.10. Limitation of chickens in residential areas

Cllr George had been approached by residents who had concerns of chickens being kept in residential areas as they encouraged rats. Mark Neale stated he was unaware of any regulations in place regarding chickens being kept in towns. Jamie Manson confirmed the Importation Order was still in place for eggs and chicken products from South Africa but islanders could bring live chickens over from St Helena.

7.11. Amendment to LOP for Glamour

Selena Lawrence of Glamour had submitted an application for the LOP for Glamour to be amended to include household items, seasonal goods and lunch box items.

**Action: The Council unanimously agreed the application be approved and the LOP to be amended.**

There was no further business and the meeting ended at 1810hrs.

Emma Corrigan  
Clerk of Council

## Action Points/Decisions from meeting

Item	Comment	Responsible	Completed
2	Minutes of meeting held 26 September 2017 to be published on AIG website	Emma Corrigan	20.12.17
3.1	Mark Neale to investigate if AIG would be liable for the costs incurred to transfer a prisoner from Ascension back to either St Helena or the UK and report back at next Council meeting	Mark Neale	
3.4	Spear Guns Control Ordinance to be added to next Council meeting agenda	Emma Corrigan	
6	Cllr Ellick to circulate the Safeguarding steering board report to all Councillors	Cllr Ellick	17.01.18
7.3	Jamie Manson to compile a summary of actions taken following the WYG report on Solomon's fuel station and circulate to the Council	Jamie Manson	
7.11	Amendment to LOP for Glamour to be made	Emma Corrigan	19.12.17