



Formal meeting of the Ascension Island Council

1630 on Thursday 22 August 2019 at the Court House

MINUTES

Present: HE Dr Philip Rushbrook, Governor
HH Steven Chandler, Administrator
Gareth Morris, Director of Resources
Aine Hurley, Acting Attorney General
Councillor Keturah George
Councillor Nicholas John
Councillor Alan Nicholls
Councillor Terence Young

In attendance: Dr Diane Baum, Director of Resources & Fisheries
Nicola Canty, Crown Counsel (Marine)
Jane Disley, Clerk of Council
Apologies:

1. Welcome

The Administrator welcomed all parties, and thanked everybody for joining the meeting.

2. Approval of minutes

Minutes from the formal meeting on 27 Jun were approved.

Action: Clerk to place the minutes on the AIG website/noticeboards and circulate by email.

3. Matters arising

The following matters arising from the minutes of the previous formal meeting on 27 Jun 19 were discussed.

3.4 Marine Protected Area (MPA) Designation:

The Governor had proposed that legislation be drawn up to designate the MPA but include the condition for UK Govt funding support. This would allow the current Council to conclude its MPA work and put less pressure on the new Council members who would be less familiar with the details. There were also potential gains to declaring Ascension's intent at an early stage. Councillors had agreed to consider this while work to draft the relevant documents was pursued within the AG Chambers.

Update: See Item 4 below.

3.5.a) Hydroponics Committee:

The Committee had not yet been able to visit the AIG and US hydroponics sites. At the informal meeting on 8 Aug, Dir Res had provided information about the Hydroponics background, and operating costs to inform further discussion about its future. More information was needed to determine possible alternative options for the hydroponics operation.

Action: Councillors to seek public views and suggestions for alternative future arrangements.

Update: There was some interest from members of the public in helping to run Hydroponics in future, but there were concerns about serviceability and cost of water. A youth training contract had been signed up to Christmas for one young person who had expressed a particular interest.

4./5. Road Safety (Amendment) Ordinance/Appropriation (Amendment) Ordinance:

Action was underway to arrange for publication of these ordinances in the Gazette and other associated publications to formalise the amendments.

Update: *These had been formalised and published.*

7. Waste Management Strategy:

This remained outstanding as the Dir Ops was off island.

Update: *No update was available so this would need to be raised at a future meeting.*

Action: Clerk to add this topic to the agenda of a future meeting of the new Council.

8.a) Georgetown swimming pool:

The corroded ladders had been removed and new ladders were awaited. In the meantime, the underground pipes and pump solution would soon be tested.

Update: *The ladders had arrived and could now be affixed. The mobile pump, which had been fixed, would be taken to the pool to allow the underground pipes to be tested in different sea conditions. However, with a lot of ship to shore operations due in the coming weeks, this might take a while. Once essential equipment was serviceable and tested, redecoration could be started.*

8.b) AIG website:

Gavin Tyte had been contracted to update the AIG website.

Update: *The update was nearing completion and a decision was expected next week on a 'go-live' date (probably early September).*

4. Income Tax Rates and Allowances Order:

As a stop-gap measure, the Order had to be amended to include additional companies. The Order was approved by the Council and Governor and needed to be formalised.

Update: *This action had been completed and the Order published.*

5. General election:

A dissolution/general election notice had been prepared for the Governor's signature.

Update: *This had been published and election plans were in full swing, including public notices in the Islander/notice boards, update of the Register of Electors, appointment of election officers, etc.*

6. Medical complaints policy:

After consultation, the medical complaints policy had been produced and agreed and needed to be published.

Update: *This had been published via the hospital.*

7.a) Body worn cameras:

There was a need to make the public aware of the use of body worn cameras by the Police. Inspector Kewley agreed to draft a public notice to explain the procedures and legislation surrounding their use.

Update: *This action had been completed.*

7.c) MUGA nets:

A request had been made for additional nets around the MUGA to prevent balls being lost in the surrounding Mexican thorn. Work had begun to clear the plants from around the MUGA to minimise potential problems. In the meantime, Dir Res would investigate whether or not the Charity Fund could be used as a source of funding for the nets if they were still needed once the thorn was cleared.

Update: *Thorn-clearing work had progressed but remained ongoing. The Charity Committee was*

due to meet in September so an awareness campaign would be initiated to request bids. In the meantime a problem with glass on the MUGA surface had been reported via Cllr John. The Administrator suggested this could be addressed via Inspector Kewley's work to create a new community action group (as set out in Priority 1 of his Policing Plan 2019/20). He also offered to issue a public notice about littering, which could include emphasis on the dangers of broken glass on the surfaces of sports/games/play areas.

Action: Administrator to bring this matter to the attention of Inspector Kewley and publish a public notice about littering. Administrator also to seek engagement from the Two Boats Club committee to assist with cleaning up litter/broken glass below their premises.

4. MPA Designation

The Administrator introduced the topic by reminding Council members of the previous discussion. He also explained the documents which had been provided ahead of the meeting: the draft legislation and Order for designation of the MPA including the funding caveat.

Dir Cons summarised the background to the current discussion and responded to a variety of concerns raised. She explained that the Governor had proposed that the MPA might be designated via legislation which included the caveat that it could not be implemented without UK Govt funding being in place. After consultation with the AG's chambers it was felt this could be achieved by designating the MPA by Order and amending the National Protected Areas Ordinance (NPAO) to allow the Governor to adopt an MPA Management Plan once certain criteria (such as adequate funding) had been met. Regulations governing the MPA could be delayed until funding was secured. Such an action would enable the Council to complete its work on the MPA before dissolution without committing the Ascension Island Government (AIG) to the associated cost burden. She explained that designation itself did not come with a cost burden; rather, this was attached to *management* of the MPA. Although there was some scepticism about a piecemeal approach, Dir Cons advised that a staged approach, such as was being recommended now, was not unusual and would allow greater time to develop the management tools. Since there was no cost to designation of an MPA, if no funding were to be forthcoming AIG would have no legal obligation. The next stage, with management obligations attached, would be triggered only by the allocation of UK Govt funding.

An initial MPA Management Plan had been drafted but the delay in confirming funding could be used as an opportunity for more detailed work to be done in the interim. This could include seeking inputs from subject matter experts around the world, reviewing similar plans of existing MPAs and obtaining feedback on Ascension's draft plan from MPA managers elsewhere. It was also important to make the draft available for public consultation and to outline the future actions. Work on an updated draft would likely take until the end of this calendar year, but a final draft could not be adopted until around June 2020 because of the need to take the funding decision into account.

If the MPA were to be designated without funding support until the UK Govt's 2020 Spending Review, much of the necessary monitoring work could continue because the Blue Belt funds for staff/surveillance to check on illegal fishing was already secured until March 2021 as part of the CSSF-funded programme to prepare for the MPA. Without an MPA, there would be no such funding support beyond March 2021, yet Ascension would still have to continue to manage its Exclusive Economic Zone (EEZ). Dir Cons also emphasised that there were other positive reasons for early designation of the MPA, eg reputation, potential for investment via blue carbon markets, creation of a scientific hub for research, showcase of Ascension on the global stage (Ascension would be one of the largest MPAs in the world) and a boost for future tourism. Early designation would make Ascension's intent clear to the UK Govt and place the onus on them to provide the funding.

Although all indications were that the UK Govt did intend to support the MPA with funding, it was not possible to provide final confirmation ahead of the Spending Review now due in mid-2020. No government could guarantee funding sources beyond 3-4 years so all government bodies had to plan on that basis. However, the UK Govt had demonstrated that it was committed to the MPA policy; it wanted to be seen as a world leader in marine conservation and had a 25-year Environment Plan and new Ocean Strategy in which MPAs around the OTs had been mentioned. As a result there would be continual pressure on the UK Govt to support the efforts of OTs to fulfil MPA obligations or risk public criticism. Hence, designation of the 100% MPA now would minimise the risk of the funding not being allocated.

The Governor endorsed the previous comments and confirmed the UK Govt's direction as aiming to be leaders in marine protection. Not only did the recent letter from Lord Ahmad indicate this, but also the new DfID/DEFRA Ministers had shown support previously; indeed, the latter had been an ardent campaigner for oceans and this was likely to continue to be a priority. Designation now would put Ascension Island ahead of the game and would bring as much leverage as possible. It would provide Ministers the means to demonstrate UK Govt intentions which would bring credit with other negotiations. He reiterated that MPA designation would happen, so it was important to act early and take the lead. Although there were no guarantees, he was confident that the funding would be agreed. In response to concerns about ensuring the draft legislation was perfect, he also explained that it was quite common nowadays to have enabling legislation that contained variable factors at the beginning but which would be refined as required. He also confirmed that he would consult the Council with regard to the arrangements for management of the MPA.

Concern was raised about the wording of the proposed amendment to the NPAO which referred to the Governor's powers and Governor's approval of the MPA Management Plan. The Administrator explained that most Ordinances were phrased in such a way but there was an implicit requirement for the Governor to consult Council to seek their input and recommendation. However, councillors felt that a minor change was required to the legislation amendment to ensure the legislation explicitly required the Governor to consult a future Council.

The Administrator asked if councillors were content to recommend to the Governor that the MPA be designated by Order, subject to the minor amendment to the NPAO. All councillors agreed and confirmed that they were content for the Governor to do so without consulting the Council again on the agreed minor amendment. It was confirmed that the MPA would cover the entire EEZ, ie up to 200 nautical miles, with the inshore boundary set as Mean High Water Springs.

Action: AG's Chambers to reword the amended legislation (NPAO) to include the specific requirement for the Governor to consult the Island Council before the adoption and publication of an MPA management plan and on the conditions to be considered before such a determination was made. HE Governor to sign the Order and approve the amended NPAO.

5. Any other business

Several AOB points were raised as follows:

- a) Cap on download limit: A concern had been raised by a member of the public that Sure had told him/her it was not able to apply a cap to domestic download limits to prevent customers from going over the limit and incurring charges. However, it was understood that such a cap was already being applied to RAF personnel. Councillors agreed that this ought to be pursued by the customer directly with Sure to achieve a satisfactory outcome before Council involvement would be appropriate.

b) Management of Members' clubs: Following on from the discussion at the informal meeting on 25 July it was proposed that there be a further Council discussion about how clubs were managed.

Action: Clerk to add this topic to the agenda of a future meeting of the new Council.

c) Fire MoU: A question was raised about the cost of providing fire cover via the MoU with the MOD. It was confirmed that the reciprocal agreement was between AIG and the MOD, not IDL. Any additional costs associated with the provision of secondary fire cover would in the first instance need to be discussed between the MOD and IDL.

d) Solar street light trial: A query was raised about the proposed locations of the solar lights to be tested, since most were in Two Boats. The proposed location plans were intended as a basis for discussion so feedback was welcome in order to ensure the locations were ideal both for the community and to allow a worthwhile trial.

Action: Councillors to provide feedback direct to the Ops Manager as soon as possible.

9. Date of next meetings

Since the Council was due to dissolve on 1 Sep this was the final formal meeting. Thanks were offered by the Administrator (and echoed by the Governor) to elected Council members for their commitment and dedication to good governance and decision making in the interests of those who live and work on Ascension. He wished all councillors best wishes for the future, whether standing for election again or not.

There was no further business and the meeting ended at 1805hrs.

J Disley

Jane Disley

Clerk of Council