



## **Formal meeting of the Ascension Island Council**

**1630 on Thursday 23 July 2020 at the Court House**

### **MINUTES**

Present: HE Dr Philip Rushbrook, Governor  
HH Sean Burns, Administrator  
Gareth Morris, Director of Resources  
Allen Cansick, Attorney General

Councillor Andrew Ellick  
Councillor Kitty George  
Councillor Andrew Hobson  
Councillor Alan Nicholls

In attendance: Dr Diane Baum, Director of Conservation & Fisheries  
*One member of the public*

Rob Cheeseman, Crown Counsel  
Jane Disley, Clerk of Council

#### **1. Welcome and approval of minutes**

The Administrator welcomed all parties and explained who was present for those attending by phone.

#### **2. MPA Management Plan Update**

The Director of Conservation & Fisheries had circulated a written update on the MPA Mgt Plan ahead of the meeting. She also advised that the UK govt had announced its Spending Review would take place in the autumn and inputs were required by 21 Sep. £150k for Ascension was already included in the planned submission from Blue Belt Foundation, so no further action was required. Cllr George asked if it was possible to publish the update and spending review details; this was agreed.

Dir Cons & Fisheries also suggested further consultation with Council members – ideally outside the usual meeting schedule – to agree objectives for the management actions, such as the endowment fund. This was also agreed.

**Actions: Dir Cons & Fisheries to publish the MPA Mgt Plan update and spending review information and consult Council members about arranging a meeting to discuss MPA management objectives.**

#### **3. Employment Reform Working Group (ERWG) Update**

A memorandum produced by the Policy Officer had been circulated ahead of the meeting, along with supporting documents. Crown Counsel explained that Council were invited to recommend that the draft policy created by the ERWG be shared with employing organisations (EOs) for consultation. Approximately 6 weeks had been allowed for this to allow sufficient opportunity for each company's HR and HQ staff to review the document. Once feedback from EOs had been considered a revised version would be brought back to the ERWG for consideration. The document would then go to public consultation. More detail on the timeline and inputs was contained in one of the supporting documents. It was hoped that drafting of the new legislation could begin early next year and enacted by June 2021.

Cllr Hobson reiterated his request for a written explanation of why permanent contracts threatened the right of abode policy. Until then he could not support the proposal. The Administrator advised that it had taken some time, but he was able to provide written confirmation of AIG's and HMG's position, which was as follows:

There is no right of abode in Ascension. Extending the maximum duration of employment contracts creates the risk that AIG or UKG could be challenged along the lines that there is a de facto right of abode. Increasing the maximum duration of employment contracts also risks creating the

misperception that the UK Government may be moving towards a policy of recognising a de facto right of abode in Ascension.

Cllr Hobson compared this to the UK and said that he did not see how Ascension was different in terms of a permanent contract necessarily having an impact on an individual's right to remain. He did not see that there was any risk, that there was no justification for presuming such a risk and therefore it was simply a bald statement. The Administrator noted his view, but explained that Ascension was different to the UK and as such, the reality was that other factors (such as the right of abode) had to be considered.

Cllr Hobson explained that he did not want to delay the legislation and understood that EOs would need to have an input. He welcomed the clause about notice periods and that boundaries had been pushed in terms of contract length, so in principle he would support the proposal. However, he asked why contract lengths were 30 months and not longer. It was confirmed that AIG contracts were 24 months and IDL 27 months; there was no ideal length but 30 months had been proposed in order to minimise disruption to the EOs' existing arrangements. Cllr Hobson felt that this should be extended as a shorter contract was an administrative burden for them, but it was agreed that EOs should make their own comment on this as part of the consultation process. The Governor also added that EOs based in the UK or EU might be more influenced by the way legislation affected them there than here so they might seek some flexibility.

Cllr Hobson noted that this was an exemplary piece of work: comprehensive, authoritative and well written.

**Decision:** All agreed that the draft Policy on Regulation of Employment on Ascension should now go out to Employing Organisations for consultation.

#### 4. Approval of Minutes

**Decision:** The minutes of the previous formal meeting on 18 Jun were accepted with one minor alteration requested. In accordance with the Council Rules these had already been agreed by Council members and published. Cllr Nicholls also asked about the need for minutes to be signed in writing and the Administrator agreed to look into this.

**Action:** Administrator to consider the need for minutes to be signed in writing by the chair rather than electronically by the Clerk.

#### 5. Matters arising – actions tracker

- a. **Animal welfare:** This would remain on the tracker until more information was known about the future flight schedule.
- b. **Capital projects:** Cllr Hobson confirmed that the Public Works Committee was due to meet on 3 Aug and feedback from his fellow councillors on their preferences and priorities would be required asap. He confirmed that the Director of Operations and Facilities (Dir Ops & Fac) would update the Committee about relevant projects and confirmed that he had ordered some street lights but was still trialling others.
- c. **Illumination of flags:** Work was ongoing to research and supply suitable illumination for the Ascension flag.
- d. **Formation of Committees:** The Administrator confirmed that the voluntary position on the Ascension Island Safeguarding Children Board attracted no stipend or free internet.
- e. **Use of the Sea Rescue boat:** Cllr Ellick's enquiry on this topic had been answered and the reply sent to him and his fellow councillors.
- f. **Switchboard message:** Work to update the switchboard message was ongoing.
- g. **Post-16 studies:** The Director of Resources (Dir Res) confirmed that the Head Teacher would be available to brief councillors at the next informal meeting.
- h. **IDL Waste:** The Administrator confirmed that Commander Ascension Island Base had picked up on this topic and spoken to his team. A draft notice had been prepared for public circulation and Cllr



Ellick had submitted a councillor enquiry form on a similar topic. Cllr Hobson advised he had been told that IDL burned their waste because they had been asked to do so by AIG. In reply Dir Res advised that the increase in business levy was to cover the cost of incinerating waste so it was not in their interest to do something different. It was confirmed that IDL did not sort their waste in a way that allowed for incineration, but Dir Ops & Fac would maintain liaison and follow this up.

## 6. Global Human Rights Sanctions Scheme

A memorandum had been circulated in advance to explain the new Global Human Rights Sanctions Scheme. Crown Counsel advised that the purpose was to impose sanctions on people considered to be involved in human rights abuses. The scheme covered OTs as well as the UK but the consequences for Ascension were predominantly with regard to immigration and would have limited impact financially. He explained Ascension would work with St Helena and Tristan da Cunha to ensure consistency across the territories.

## 7. Coronavirus update

The Administrator reported that the next humanitarian flight was due to arrive next Monday and leave on Tuesday. There were 42 passengers and 10 crew; 28 would stay at Travellers Hill and 14 passengers plus the crew would stay in Georgetown. He confirmed that the flights would now use the main check-in area. There would be a buffer zone to allow visitors to see the passengers but not get close. Similarly, with the accommodation, there would be fencing/barricades to prevent close contact.

The Administrator also confirmed that the request for Ascension residents to quarantine in their own home when visiting St Helena had been denied. Also, a charging policy for staying at Bradley's camp had finally been published. There would be more flights before the end of the year and as much notice as possible would be provided to allow people to plan ahead. The Governor said the current mood was not to relax the current requirement for all to quarantine at Bradley's Camp. However, there remained a balance between the high cost of providing the aircraft to allow St Helena residents to travel and the perceived risks from creating conditions that would allow Ascension residents to travel thereby offsetting that cost for St Helena. He outlined the concerns about cross contamination from the crew and some of the options that had been considered to minimise the risk. He said it was important to have a forward programme with an acceptable net cost and suggested that Ascension councillors might wish to engage with their St Helena counterparts to represent the strength of feeling and to try to find a mutually acceptable way forward. He also suggested that the hope was for a 6-weekly charter, but this partly depended on resolution of this issue. There would shortly be a meeting of the Air Access Team.

Cllr George thanked the Governor for his support and reiterated the disappointment of families on Ascension, especially given that nobody questioned the need for quarantine, only the location. She also questioned why some visitors to St Helena were being charged £60 and others £30. It appeared that St Helena was trying to make up its deficit from Ascension residents, thus deterring them from travelling which then impacted on St Helena's ability to recoup the flight cost. Cllr George confirmed that direct contact between Ascension's and St Helena's elected members had already been considered in order to discuss the issues surrounding the quarantine concerns.

The Administrator advised that more PPE from the FCO was due in the next two months and that the air compressor had not made it onto the recent ATI flight but would be on the next.

**Action: Elected Ascension Island Council members would contact their St Helena counterparts to discuss the quarantine issue.**

## 8. Runway project update

The Administrator reported that there would be a meeting with the runway contractors the following day and so had no update at that time.

## 9. Any other business

Several AOB points were raised:

- a. DEFRA letter. A letter had been received from DEFRA about the Darwin Initiative and Darwin Plus funding. This had been circulated to all Council members.
- b. Future Borders and Immigration Minister (FBIM). A letter had been received from Kevin Foster, the FBIM, about the UK's new points-based immigration system. This had been circulated to all Council members.
- c. AIG Finance. The Dir Res provided some financial data which suggested that the AIG's situation was starting to improve slightly. There followed a brief discussion about the business levy, which some EOs had been unhappy about, more because of the timing that the increase itself so work was being done to try to set budget parameters earlier this year. Dir Res also suggested that councillors consider membership of the Finance Committee for the coming year and confirmed that Q1 forecast results for 20/21 would be on the agenda for the next informal Council meeting.  
**Action: Clerk to include Q1 Forecast for FY20/21 on the agenda of the next meeting.**
- d. AIG budget setting for FY21/22. Cllr Ellick asked that budget setting for the coming year be included in the tracker. Dir Res confirmed that budget work had started and included discussion about planning a longer term strategy eg for investment, vehicle/equipment replacement, so as updates were provided any actions would naturally be picked up on the tracker.
- e. Mountain road. Cllr Nicholls reported concerns about the state of the mountain road from the Residency turn off up to the Red Lion area. The many potholes and overgrown vegetation narrowed the road considerably making it hard to see the edges and thus constituted a hazard for people accessing the mountain sites. The Administrator reported that a digger had recently arrived near the Residency so perhaps there was an intention to do some clearing/repair work. Cllr Nicholls also asked about the archway to the garden area. Cllr Hobson advised that the Heritage Society had already had some discussions about this and other structures. Without the scaffold in place the arch would probably collapse, but it needed sensitive restoration, so a difficult decision was needed about repairing/restoring the brickwork. He stressed that similar decisions would need to be made about other buildings, eg the Red Lion clock tower. The Administrator suggested that the MPA Community Fund might be one option and advised that on St Helena the National Trust had provided specialist training to support local restoration work.

## 10. Date of next meetings

The proposed dates for the next few meetings are as follows:

- Informal – Thursday 20 Aug at 1630
- Proposed by-election – Thursday 3 Sep at 1630
- Formal – to be confirmed

There was no further business and the meeting ended at 1740.

J Disley

Jane Disley

Clerk of Council

*I certify that this is a true record of the meeting to which it relates.*

  
Sean Burns

On behalf of HE the Governor, Dr Philip Rushbrook