

ASCENSION ISLAND GOVERNMENT

Clerk of Council's Office
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Formal meeting of the Ascension Island Council

1630 on Thursday 15 October 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 [by phone]

Councillor Alan Nicholls
Councillor Kitty George
Councillor Andrew Ellick

In attendance: *Two members of the public*

Xander Halliwell, Head of Administrator's Office
[by phone]
Luke Atkinson, FCDO Desk Officer [by phone]
Rob Cheeseman, Crown Counsel
Siobhan Stewart, Clerk of Council

1. Welcome and approval of minutes

The Administrator welcomed all parties and explained who was present for those attending by phone. The Administrator provided an update on the vessel close to Gough Island that has hit a rock, reporting that the MFV Geo Searcher, which is the Tristan da Cunha fishing vessel, was listing heavily and is now sinking. The crew, captain and two Tristanians have been evacuated close to Gough Island base. The Administrator said he would pass on the thoughts and prayers of councillors to the island community during this difficult time.

2. Approval of Summary

Decision: The summary of the previous Informal meeting on 20 August 2020 were accepted. In accordance with the Council Rules these had already been agreed by Council members and published on 07 September 2020.

3. Matters arising – actions tracker

- a. **Animal Welfare [pets]:** This would remain on the tracker until more information was known about the future flight schedule.
- b. **Capital Projects:** The Administrator explained that whilst there was no active Public Works Committee, the Director of Resources would welcome any ideas Councillors may have in relation to capital projects for the next financial year. The Director of Resources requested that whilst Committees were on hold pending a successful By-Election on 12 November 2020, it would be beneficial if the remaining three Councillors were to form a Finance Committee, then following a successful By-Election the other committees can be filled by the newly elected Councillors. He went on to explain that he would like to share a timetable and start going through things in more detail, such as capital bids. Councillor Ellick expressed concern that if he were to form part of the Finance Committee, he would be a member of all three Committees. The Director of Resources suggested a way forward would be that once a successful By-Election had taken place, Councillor Ellick could remove himself from some of the other Committees. The Director of Resources explained that he would like to arrange a meeting with the Finance Committee within the next two weeks to start discussing items in detail before Christmas and

- prior to him going on holiday in January 2020. All Councillors agreed to form a Finance Committee, with Councillor George adding that whilst she was happy to be a member of the Finance Committee temporarily, following a successful By-Election she would then come off it.
- c. **Illumination of flags:** The Operations and Facilities Director is currently looking into the possibility of having an adaptation made to one of the light fittings which due to arrive on the October FIRS. There was no further update at this time regarding the directional adjustments required for the illumination of the Union Flag on the Naval Flagstaff.
 - d. **Switchboard message:** The Director of Resources explained that whilst a quotation has since been received from Sure, further discussion was required around cost efficiency and service level improvements and ultimately a business case to justify the expenditure. Councillor Nicholls agreed and confirmed that the voice message on the switch board was the most important part and had since been updated.
 - e. **Finance Committee:** Membership to be addressed following a successful By-Election on 12 November 2020.
 - f. **Public Works Committee:** Membership to be addressed following a successful By-Election on 12 November 2020.
 - g. **JMC:** The Administrator reported to Council that Councillor Nicholls has now represented Council at two Joint Ministerial Council (JMC) pre meetings. Councillor Nicholls confirmed that he and the AIG Policy Officer attended a Sherpa meeting yesterday, whilst also joined by other Elected Officials from other Overseas Territories. He went on to explain that most of the ideas centred on getting more information and commitment around the post-Brexit financial and political settlements for Overseas Territories, as well as COVID-19 PHE planning and health impacts, and finally the economic resilience around Overseas Territories. Councillor Nicholls explained that he has given an indication that the Ascension Island Council would give a short presentation on the designation of the Marine Protected Area under the Maritime and Environment heading as a case study for other Overseas Territories. He went on to explain that it was a good opportunity for all Councillors to attend this year's JMC with it being held virtually, informing Council that FCDO colleagues have indicated that the Prime Minister may well make an address which will allow Overseas Territories to form a response. Councillor George asked for the dates of the Virtual JMC with Councillor Nicholls confirming it was due to take place during the last week in November 2020. Councillor George asked if Councillor Nicholls was leading on the planned presentation of the Marine Protected Area, Councillor Nicholls explained that whilst he didn't mind taking the lead, it could be discussed further at the planned meeting with fellow Councillors to consider potentially other topics that could be raised at the JMC. Finally, Councillor Nicholls confirmed that there would be no bilateral talks as councillors can seek bilaterals with ministers whenever they wish. Councillor Nicholls took the opportunity to thank the Policy Officer, Alasdair Bain for his work in preparing a thorough briefing pack.
 - h. **Reissuing of 3 tiered Covid-19 Response Levels:** Posters have been placed on Public Notice boards around the Island. The Head of the Administrator's Office added that the notice had also been distributed via email on 07 September 2020.
 - i. **Single-use Plastics:** Policy Officer to provide an update at a later meeting. Councillor Nicholls added that it would be helpful to be able to include the update in the presentation to the JMC in November 2020, especially in relation to the UN Climate Change Conference (COP 26) in November. The Administrator confirmed that the FCDO had also emailed regarding waste management.
 - j. **Lord (Zac) Goldsmith's pledge:** Director of Conservation and Fisheries to attend a future Council meeting to discuss the Leaders' Pledge for Nature, although Dr Diane Baum is currently on annual leave and is expected to be back in work around 11 November 2020.

4. Coronavirus update

The Head of the Administrator's Office reported that the bid to the UK Government for medical supplies (expected to last until the end of 2021) has now been submitted to the FCDO and is awaiting feedback on the final allocation. In the meantime, a delivery of PPE is expected on the November FIRS Ship, specifically gowns and masks. He went on to explain that, since testing became available on Ascension, 183 Covid-19 tests had been administered. By utilising a 'pooling technique' under advisement by PHE, only 97 testing cartridges had been used, preserving the precious resource.

The HoAO explained that there was an incident where three individuals entered the garden area of someone who was under compulsory isolation, with more details provided in the Public Notice that had been widely distributed. Assurance was given that the matter was fully investigated, social distance was adhered to whilst in the garden area, and subsequently a Covid-19 test was carried out on the isolated individual which returned negative, confirming there was not an active risk to the public, and therefore no requirement for the individuals that entered the garden area to isolate. The HoAO went on to address the wider issue around the breach, with the individuals' behaviour not constituting an explicit offence under the Regulations currently in place.

Crown Counsel confirmed that the regulation does not deem the act of entering a property in which a person is isolating to be an offence, principally for two reasons. Firstly the regulations were drafted at quite some pace and secondly it was considered that Ascension Island has very limited resources to enforce any offences created. Crown Counsel went on to explain that whilst drafting the regulations it was expected that the risk would be people who were isolating wanting to escape rather than people who were outside wanting to willingly expose themselves to someone that potentially had a serious virus.

The Administrator added that since isolation on arrival became law in March 2020, around 360-370 people have undergone isolation and this is the first known breach to have occurred. The Administrator acknowledged that there may be some desire to now make the conduct in question an offence, but questioned whether to do so would be the best use of limited resources.

Councillor George emphasised that it only takes one breach for there to be a potential health risk to the island, therefore the number of breaches so far should not be a deciding factor as to whether it should be criminalised in legislation. Crown Counsel explained that in order to create a consistent offence any areas that are potentially contaminated or infected must be fenced off, notices placed around the area and then removed to allow access afterwards, that this would also include individuals that are subject to restrictions short of compulsory isolation as they may also be infectious, and additionally places where people may be working subject to restrictions short of compulsory isolation, as well as vehicles that have been used. The Administrator asked if it was possible to place the responsibility on the person under isolation, although this presented its own set of issues around contact with the person under isolation and the visitor.

Councillor Ellick raised concerns over the perception that there were no repercussions for the breach, subsequently creating a loophole in the system. Councillor Nicholls shared Councillor Ellick's concerns around the public perception of no action being taken on this occasion resulting in people thinking that there will be no action taken against future breaches. Councillor Ellick added that public feedback was that real deterrents should be put in place to ensure there was no repeat. Councillor Nicholls added that there is considerable public concern on the matter. Councillor George shared her disappointment that someone on island would be so careless, whilst thanking Crown Counsel for his work so far, and felt there should be an addition to the legislation to prevent others from breaching the rules.

The Administrator acknowledged Councillors feedback and asked Crown Counsel to consider what available options there may be in introducing criminalisation in relation to breaches of the rules.

The Administrator provided a brief update on the runway contractors under quarantine, with all 40 testing negative yesterday, as a result they will be released from quarantine tomorrow. The HoAO gave an update of contractor employee movements, with 19 people planned to arrive via the ATI flight on the 27 October 2020, with a charter flight from Turkey expected to arrive on 13 November 2020 with 40 people.

Two Councillors confirmed they had received an anonymous complaint regarding a new arrival on the island who was co-isolating with someone already on island. Councillor George explained that whilst this is a valid complaint, anonymous letters do not allow a response to be provided. The Administrator stated that he does not respond to anonymous complaints, however, given the seriousness of the allegations, agreed to look into the complaints and provide a response to Councillors. [Councillor George confirmed on Sunday 18 October 2020 that she also received the anonymous complaint on Friday 16 October 2020]

5. Runway project update

The Head of the Administrator's Office provided an update on the runway project explaining that focus has been on improvement of communication, whilst seeing an increase in logistic meetings, especially with the imminent arrival of equipment in November 2020. Councillor Ellick asked if there were any updates with regards to the haulage route for the aggregate trucks. The Head of the Administrator's Office reported that Fluor had now reverted back to the original plan of using the main Georgetown road. Plans were still being discussed, with the AIG asking a number of questions on the Traffic Management Plan such as the road quality and repairs etc.

The Administrator confirmed that plans are coming through from the various contractors, such as Schuyler managing the shipping and aggregate, Fluor overseeing the project and 77 Construction who will be doing the bulk of the labour. The Administrator explained that there is a ship expected at the end of October with six thousand tonnes of freight on it, with the majority of that being heavy plant equipment, bearing in mind that all the vehicles will need to go through an MOT inspection. Additionally, there will also be a tug arriving in a couple of weeks which will remain for the best part of a year, assisting with the movements of the barges in Clarence Bay. The Administrator went on to explain that there will be three more 180 foot barges arriving soon, the Conservation and Fisheries Directorate are currently working with the contractors on Environmental Impact Assessments with regards to mooring points. The Administrator reported that it is expected to take around 20 days to offload the plant, with the expectation that the aggregate will arrive around December 2020 – January 2021.

The next stage will be the staging area in what is currently known as the boat yard, plans are underway to consider alternative locations for the boats, with the preferred option being the skate park, although consideration needs to be given to any impact that the move may have on residents in the area. There is a meeting with boat owners planned for Monday evening to discuss how AIG can support with the moving of boats. The Administrator assured Councillors that whilst the impact on the Georgetown community was being taken into consideration and mitigated where possible, there was no doubt that a number of people will be inconvenienced for a period of around four to five months whilst half a million tonnes of aggregate is transported from the pier to the airhead. Councillor Nicholls asked why the work around mooring locations and placements were left until now as opposed to being planned and approved months ago. The Administrator agreed that this was unfortunate but added that work going on behind the scenes had led to some delays as plans have been passed through multiple tiers before reaching the AIG.

Councillor Ellick asked if the public will still be able to access the steps at the pier head, The

Administrator confirmed that the final plan is expected imminently, the expectation is that access to the steps will be available, although it may be at limited times throughout the day with the exception of an emergency situation where access will of course be granted. The Administrator reported that the new Police Inspector Jonathan Thomas is managing Sea Rescue and is working with the contractors to ensure deployment is possible, including considering moving the Rescue boats current storage location.

The Administrator reported that the contractors have kindly offered to support with any **community projects** whilst they are not yet working, Councillors were asked to feed back any suggestions they may have to the Administrator. Councillor Ellick asked if they had a stone mason within the team who may be able to rebuild the arch at the entrance to Garden Cottage, the Administrator confirmed that Mick Hill is currently looking into this on behalf of the Heritage Society. The Director of Resources suggested that there may be some improvement work that can be completed at the school. Councillor George recommended the building of the sports facility at the current Two Boats sports field, although this project perhaps needed more time to invest in a project plan behind it, as well as a public consultation.

6. Budget Update

The Director of Resources provided an **update on the Budget** giving Council a medium term cash flow forecast, with early projection figures being used as a foundation for next year's budget setting. He went on to explain that when setting the budget for this year the intention was to have a cash neutral operating budget which has been achieved, with the current cash operating position favourable by three hundred and sixty four thousand pounds. The financial reporting position was still budgeted as a deficit position, and the previous forecast estimated there would be a reduction to reserves of approximately two hundred and ninety thousand pounds after taking Capital Expenditure into account. The Director of Resources explained that the aim for next year is to report an overall surplus and ultimately add finances into our reserves over the next 3 years. The two big drivers for next year will be an increase in income tax as a result of the additional contractors on island, as well as a deal worth around two hundred thousand pound with a commemorative coin company.

There continues to be efficiency and head count reviews within departments of the AIG, with an expected reduction of 1.5 FTE. Councillor Nicholls raised concerns around the perception of the AIG lowering head count yet conducting a salary review, the Director of Resources explained that whilst he acknowledged this, it was still important that the AIG were competitive in the salaries they offered employees, also going on to say that with there being a very slight decrease in head count, movement was being made within the AIG to reposition posts, with a renewed emphasis on Health and Safety. Councillor Nicholls reminded the Director of Resources that there is a minimum of people requirement to offload ships. Councillor Ellick asked if the AIG would consider employing more people if there was an opportunity to increase revenues, to which the Director of Resources confirmed it would be considered.

The Director of Resources went on to report that utility and travel cost increases would apply pressure to the expenditure budget but that with expected efficiencies it was hoped inflation could be absorbed with a less than 1.5% increase to the overall expenditure budget. It was also stated that there are no current plans to increase tax or duty directly to the expense of island residents, and the hope was to continue to support and promote small businesses where possible. Councillor George welcomed the news of no increase to income tax level for the residents of Ascension Island, however, it was felt that whilst small businesses on the island had shipping handling costs offset by AIG since January 2020, there appeared to be no reduction in the price of items for the consumer, highlighting that a loaf of gluten free bread was currently £7.19. The Director of Resources explained that whilst there was no agreement with shops on island to reduce or maintain prices, it was hoped that the financial support

given would allow outlets to maintain prices rather than increase, although there are additional pressures on businesses, such as the inability to bulk buy and the increase in utility costs. Councillor Ellick added that some of the retail outlets on island purchase their stock from other outlets on island, ultimately if the prices are increased when purchasing, the cost will be passed onto the consumer.

7. Biosecurity

Crown Counsel provided an update on implementation of the **Biosecurity Ordinance**, highlighting three pieces of draft secondary legislation. Crown Counsel explained that these were technical pieces of legislation necessary to bring the Ordinance into force. The first document was a formal piece of commencement legislation which commences the provisions in two parts, firstly the commencement of the administrative machinery to allow licences to be issued and staff to be appointed etc., the second part being the formal machinery that people are required to comply with, such as inspections by officers. The second piece of legislation is the regulations that manage prohibited and controlled imports, with the third piece of legislation around fees. Three points were raised around fees, the first two were around the level of fees and the fact that there were no fees set for animals imported from countries other than the UK, the Republic of Ireland and St Helena. As the points raised are policy points, Crown Counsel has passed these onto the Director of Conservation and Fisheries. The third point raised was in reference to the non-refundability of fees around forms that were completed incorrectly, this was raised as being unfair therefore that provision has been removed, although if there were to be an influx of problematic applications this may be revisited at a later date. Crown Counsel assured Councillors that their feedback had been taken on board, with the plan to enact this as soon as possible with the administrative arrangements being made in preparation for the 02 November 2020. Councillor George thanked Crown Counsel for taking the time to consider Councillor's feedback in relation to the non-refundable charges, proposing that perhaps a small admin fee may be suitable.

8. Public Holidays 2021

Crown Counsel provided details regarding **Public Holidays** planned for 2021, pointing out that Ascension Day in 2021 falls on Thursday 13 May 2021. Crown Counsel proposed that Councillors direct that the Ascension Day public holiday be therefore observed on Friday 14 May 2021. All were in favour of the proposal.

9. Any other business

One AOB point was raised:

- a. **Blue Marine article:** Councillor Ellick offered his thanks to Clare Brook, the Chief Executive Officer of the Blue Marine Foundation for her piece in the Islander Newspaper regarding the recent press interest in the UK surrounding reports that the UK government had considered setting up asylum centres outside the UK on Ascension Island.

10. Date of next meetings

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

- Informal – Friday 13 November 2020 at 1630
- Proposed By-Election – Thursday 12 November
- Formal – Thursday 26 November 2020 at 1630

There was no further business and the meeting ended at 1750

Siobhan

Siobhan Stewart
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