

ASCENSION ISLAND GOVERNMENT

Clerk of Council's Office
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Formal meeting of the Ascension Island Council
1630 on Thursday 03 December 2020 at the Court House
MINUTES

Present: HE Mr Greg Gibson, Acting 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: Alasdair Bain, Policy, Projects and Communications Officer [for agenda items 3 & 4]
Xander Halliwell, Head of Administrator's Office
Luke Atkinson, FCDO Desk Officer [by phone]
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 thanked Councillors for their work before and during the Joint Ministerial Council week, reporting that the feedback from London was very positive on Ascension Islands contribution.

2. Approval of Minutes

Decision: The summary of the previous formal meeting on 15 October 2020 was accepted. In accordance with the Council Rules these had already been agreed by Council members and published on 05 November 2020.

3. Employment Law reform update

The Policy, Projects and Communications Officer (PPCO) provided Council with a progress update on Employment law reform. He reported that since the last update on 23 July 2020 following the meeting of the Employment Law Working Group (ERWG) the AIG went into consultation with other Employing Organisations on island, with an original deadline for feedback of 01 October 2020, however due to a lack of response the deadline was extended a further two weeks to 15 October 2020. The PPCO explained that some feedback was received after the final deadline which was still considered so as to provide the most holistic view possible on the policy, reporting that the feedback received from Employing Organisations was somewhat expected. The PPCO confirmed that these responses will be consolidated, with a meeting of the ERWG proposed for 15 December to discuss the responses. The PPCO explained that following this meeting a public consultation period will take place in the New Year, lasting between four to six weeks. Although this consultation had been considered to begin in December given the festive period it will instead take place in January to ensure the best possible feedback can be provided from the public. Finally, the PPCO confirmed that following the public consultation, a consultation response will be drafted and published. Following this the policy will be adapted as necessary and put to Council for agreement. Once the policy has been agreed it will then be put forward to legislative drafters and ultimately returned to Council as an Ordinance for consideration.

Councillor Nicholls asked if the project was on track and on time, to which the PPCO reported that despite the necessary refocusing of scarce AIG resources and capacity to COVID-19, the project

remained on track, and potentially even ahead of schedule, depending on what issues may be raised during the public consultation. Councillor Ellick requested that the points raised be put to the ERWG prior to a meeting, the PPCO reported that all feedback gathered from Employers has been consolidated into a table, categorised by theme, which he will send to members of the ERWG prior to a meeting. The PPCO explained that the same process will be used with the feedback from the public consultation, depending on how many comments are received the public consultation response will be published either before or alongside the policy, where it will be brought back to the Council for consideration. Councillor Ellick asked when the final date for completion was; the PPCO confirmed it would be around July/August 2021, assuming the Council provide approval for the Ordinance. The Administrator asked the Attorney General to provide an estimated time on how long it would take to be drafted into legislation, the Attorney General reported that once the policy and instructions have been submitted it is expected to take around three weeks to complete, although this is reliant on full instructions and policy. Councillor Ellick welcomed this news.

4. Amendment to Public Health (Coronavirus)(Temporary Provisions) Regulations 2020

The PPCO reported that earlier in the year there had been an incident that could have compromised the integrity of the isolation on arrival policy in place on Ascension, adding that the policy is in place to keep the community safe from the potential introduction of COVID-19 into the community. The PPCO went on to explain that the **Public Health (Coronavirus)(Temporary Provisions) Regulations 2020** were designed to ensure that the AIG had the legal authority to implement the policies necessary for entry control and isolation of potentially infectious person. He explained that when the Regulations was drafted they were crafted with the expectation that most people would not willingly or actively go out of their way to expose themselves to potential COVID-19 contamination. However a recent incident has highlighted that people's perception of risk has potentially shifted since the start of the pandemic and therefore individuals were now willing to put themselves in situations that were not foreseen when the Regulations were drafted and as such were not necessarily covered as an offence in the temporary provision. He added that a review has since taken place, with the Administrator adding that Councillors had raised this as a concern at a previous Council meeting, where Crown Counsel was tasked to consider whether given limited resources the Regulations could be amended to reflect Councillors concerns.

The PPCO explained that there will be the addition of two new offences to the Regulations. Firstly a new offence of entering or going onto land where a person is isolating or to an area that is under restriction will be made, noting that the wording is crafted to ensure that people do not circumvent the rules by not necessarily entering a property, but entering the area of land, such as a garden. Medical Officers, Emergency Services or someone carrying out emergency repairs will be exempted from this offence. The PPCO added that most, if not all Employing Organisations on island have developed a response plan in the event that they would be required to enter a quarantined property or land. The PPCO noted that given the possibility of contracting a potentially fatal COVID-19 illness was not a strong enough deterrent in and of itself, it was appropriate to create an offence with a financial penalty to suitably deter individuals instead.

The PPCO explained that the second offence is not necessarily related to the previous incident, but that after reviewing the Regulations it was decided to include the non-reporting of potential absconders or of those who are suspected of committing an offence under the Regulations as an additional offence. This offence only applies to members of the public who have first-hand knowledge of a possible offence being committed and not those who may have second hand information (i.e. hearsay). The PPCO highlighted the importance of reporting potential breaches, noting that if someone were to be aware of someone breaching isolation it should be reported to prevent a possible public health situation from emerging which could have otherwise been avoided. Councillor George

raised concerns over the high fine levelled at £500 for failure to report, the PPCO explained that it would have to be proven in a court of law for the fine to be enforced, explaining that it should be viewed as more of a deterrent to encourage individuals to report potential breaches for the benefit of the whole community. Councillor George added that she fully supports ensuring that people are responsible, however the fine seemed quite high. Councillor Nicholls raised concern over the regulations, specifically 23a2. Councillor Nicholls asked why the need to follow d(i) and d(ii) did not simply apply to everyone, as opposed to just emergency responders. The Attorney General reported that consideration would be given to amending the wording before the Regulations are recirculated.

5. 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.
- 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 arrived on the November 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, although the flag is scheduled to be changed soon. The HoAO also reported that the flag pole outside of the Administrators office is currently receiving essential maintenance and will be returned shortly.
- 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. The DoR added that there are limitations as to what Sure can repair and maintain as the current system is dated, with the same applying to the Two Boats School switchboard system. The DoR committed to creating a business case to replace both switchboards as a capital bid in the 2021/22 budget. Councillor Nicholls raised concerns over the current systems reliability and asked if the replacement switchboard will go out to tender. The DoR explained that whilst that would be the normal procedure, due to level of support required on island during the installation and ongoing maintenance, the only option would be to go through Sure, who would be expected to tender out accordingly. The DoR confirmed that whilst this is a priority it is not urgent, adding that the current system is expected to last until a replacement is sourced in the next financial year.
- e. **Public Works Committee:** Membership to be addressed following a successful By-Election.
- f. **Single-use Plastics:** PPCO to publish consultation response in the New Year.
- g. **Mental Health:** Initial conversation has taken place with the hospital, with a further update to follow in due course. The Social Worker has begun outreach to highlight the need for good mental health, and has provided contact details to the community. The HoAO added that several options are being considered, one of which is a telephone line to an Organisation such as the Samaritans. Councillor Ellick explained that due to Covid19 and the Isolation periods required, isolation, particularly single person isolation, can be a struggle mentally for some people and would like to see some support offered in the short term, whilst considering a longer term support package. The HoAO reported that during an isolation period there will be 14 checks completed by the police that will include a number of questions asked, however Councillor Ellick added that these checks have not been happening daily as expected and suggested a liaison officer that could ensure these checks are being completed. The HoAO agreed to take this feedback away and provide an update at a later date. The Administrator confirmed that from a medical point of view the hospital should be the first point of contact for individuals in isolation if they mentally unwell, although support is also being offered by the

organisation. Councillor Nicholls suggested that perhaps an information pamphlet for each employee in isolate could be helpful, with the HoAO confirming that the AIG already has this in place, adding that the document has been shared with all other Employing Organisations on island. Councillor George added that rather than the police calling and asking “are you well”, perhaps a less formal conversation approach could be beneficial, although the Administrator added that this would be the responsibility of the employees Employing Organisations to have in place. The HoAO explained that in the event of being in level 3 BLACK, the Social Worker has a team of Volunteers on standby to offer additional support, although the use of the Social Worker is limited, adding that perhaps a designated liaison officer from each organisation would be more efficient. The Director of Resources explained that during recruitment for medical staff plans are in place to hire a multi-skilled individual with Mental Health training background in the future, although this has been delayed due to Covid19. Councillor Nicholls explained that during the JMC in November 2020 mental health was an important subject, with a follow up webinar planned for next week with the Senior Medical Officer, Social Worker and Midwife.

- h. **COVID-19 Public Information Meeting:** A public information meeting is to be held once more information is known about the vaccine.
- i. **Street Lighting in Georgetown:** The current street light fittings are obsolete, resulting in funding in the 2020-2021 budgets being provided for replacement street lights in both Georgetown and Two Boats, with most of the order having arrived on the November FIRS. It is hoped that attention will be given to priority areas in Georgetown as well as others. Councillor Nicholls raised concerns over how dangerous it was becoming to walk around Georgetown in the evenings. Councillor George explained that street lighting has been investigated previously, in which Councillors walked around Two Boat and Georgetown and fed back their findings to the Public Works Committee with a list of recommended locations where lighting is required. The HoAO added that once the offloading of the MV York is completed it is expected that more resources will be available within the Operations and Facilities Directorate to support this. Councillor Ellick raised concerns over the Governments liability if there were to be an accident, Councillor Nicholls shared this concern. Councillor Ellick also explained that in the walkways between homes in Two Boats village there has been erosion due to the rain, resulting in three foot ditches between some homes, reporting that although the Health and Safety issue has been reported and people have come out to look at it, there appears to be no follow up action taken even after it was brought up in the Public Works Committee and reported to the AIG Help Desk. The Administrator asked both Councillors and members of the public to report any imminent Health and Safety concerns to the Administrators Office if they feel no action has been taken, although for routine work and repairs there are competing issues such as pothole repairs also going on, adding that the Public Works Committee is the place to raise concerns over the prioritisation of work.
- j. **Rodent Mitigation:** Public Notice issued on 25 November 2020 as well as Councillors invited to meeting with the Director of Conservation and Fisheries (DoCF) in December 2020. Councillor Ellick recalls the DoCF agreeing that in times of staff shortages additional support would be given from the Conservation & Fisheries department, adding that this is why the Environmental Health team Leader position was not replaced. Councillor Ellick suggested some short term support to get on top of the rodent issues, then the helping employee can return to their normal post within the Directorate, rather than a full time position. The Administrator reported that the tasking of manpower within the Conservation and Fisheries Directorate is the responsibility of the DoCF. Councillor George added that she recalls Councillor Kate Chadwick mentioning this, not the DoCF, however the HoAO explained that due to some posts being externally funded it limits the flexibility of the team. The Director of Resources reported that the DoCF is considering different poisons in next years financial budget, to ensure the rodents are not building immunity to the current poison.
- k. **North East Vegetation:** The Director of Conservation and Fisheries visited the area on 21 and

28 of November 2020 and provided an update to Councillors via email on 30 November 2020. There was no definitive answer about what has caused the trees to die back, although the most likely causes would be drought stress, disease or volcanic degassing, although the pattern of die back does not clearly implicate any one of these. Of the three explanations the DoCF notes that past drought stress is probably the most likely cause as it would expect Mexican thorn and other perennial plants to be more resilient to this and very localised patterns of drainage and differences in root growth could explain why some trees survived and other did not in the same area. Councillor Nicholls acknowledged the feedback and was thankful it was nothing more sinister. Councillor Ellick added that he has encountered something similar in Saint Helena after heavy rain flooded the ground and damaged the roots of plants. The Conservation and Fisheries department will continue to monitor the area.

- l. **MPA Support:** An email has been sent to the Blue Belt Coordinator asking whether funding commitment could be provided, no reply has been received to date.
- m. **Leaders Pledge:** A final letter has been sent to Lord Goldsmith with Councillors approval.

6. Coronavirus update

The Head of the Administrator's Office reported that the UK regulating authority, the MHRA has approved the first COVID-19 vaccination, known as the Pfizer vaccine. Logistical options are being considered as there is a requirement for this particular vaccine to be stored at approximately minus seventy degrees centigrade, with a short shelf life of around five days. Assurance was given that the UK government remain committed to providing vaccines for Ascension Island as well as the other Overseas Territories. In the meantime the Oxford University vaccine is expected to be approved soon and requires less logistical support as it can be stored between two and eight degree Celsius. Depending on the roll out and prioritisation of vaccines in the UK Ascension may receive either of these vaccines. Planning has begun at the hospital to ensure there are no delays in administering the vaccine efficiently after its arrival. The HoAO explained that the AIG is currently working on a communication plan to give assurance to the community that the vaccine is safe to use, adding that Councillors support in this would be greatly appreciated. It was also noted that there will a meeting held on 15 December 2020 with the AIG and other employing organisations to discuss the COVID-19 vaccine strategy for Ascension. The Administrator explained that whilst this is excellent news for Ascension, it does not mean that the requirement to isolate following arrival will be lifted soon. Councillor Ellick asked for confirmation of the pack size the Pfizer vaccine will come in as there are concerns over throwing away remaining unused vaccines and being wasteful, suggesting that perhaps it would be worth waiting on the Oxford University vaccine, with the HoAO confirming that the pack sizes have been reduced to around one thousand. The Administrator explained that the decision will be made by the UK government as to which vaccine Ascension Island is given, although the logistical challenges around the Pfizer vaccine has been fed back to the UK and will be taken into consideration.

7. Runway project update

The Head of the Administrator's Office provided an update on the runway project explaining that the departure of the SLNC Magothy vessel indicates that the majority of heavy equipment relating to the runway project has now been offloaded, adding that the arrival of the MV York currently in Clarence Bay has the remaining equipment on board with the expectation that two tugs will arrive with additional large barges over the next couple of weeks. The HoAO reported that the first aggregate ship is still expected to arrive in January which will be followed by sand in February, with a planned continuous rotation of aggregate and sand, with one bitumen delivery in between.

The next stage will be the staging area in what is currently known as the boat yard, although the finalisation of the terms of the runway contractor's occupation of this land is still being put in place. In

preparation for this it is expected that USAF will be hosting a public engagement meeting, most likely being held at the Saints Club this coming Thursday. The Administrator added that this is not an event being hosted by the AIG, confirming that it is an opportunity for the residents of Georgetown to listen to the details of the project and be able to raise any concerns or questions directly with the contractor. More communications will follow on Monday after a meeting with contractors, followed by a Public Notice informing the public of the planned meeting as well as point of contact details so follow-up questions may be addressed.

The Head of the Administrator's Office provided an update with regards to the number of contractors currently on island, confirming that there are around 130 personnel, with an additional seven due next week, followed by 40 arriving on the 23 December 2020. It is expected that by the end of January 2021 following two additional flights there will be around 200 contractors on island.

Councillor Ellick requested an update on any procedural changes that have taken place to prompt the public meeting, the Administrator explained that the meeting is taking place to allow the contractors to explain to the community what impact the project may have on them, whilst giving the community an opportunity to raise any questions or concerns directly to the contractors, considering the level of disruption that is expected during the aggregate offload, specifically to the residents of Georgetown. Councillor Ellick noted the update, adding that he will relay to any enquiring constituents.

8. Budget

The Director of Resources provided an **update on the Budget**, explaining that preparation work has been underway for the forecast Finance Committee meeting next week where four key areas will be covered. Starting with the consolidated Operating Budget, covering details of latest spends and in what area, with the hope of getting the bulk of it agreed by the end of January 2021. The DoR reported that the Capital budget plans still need a substantial amount of work, adding that he welcomes any ideas from Councillors, with business cases to follow. Additionally decisions will need to be agreed as to the Business Levy for next year and the Property Tax holiday for small businesses which was originally agreed for one year and whether committee members would like to extend for a second year.

It is hoped that the budget can be agreed in principle ahead of the DoR being off island in January 2021, with the assistant Director of Resources being able to bring business cases to the committee reflecting the pre-agreed position.

9. Joint Ministerial Council 2020 (JMC)

Councillor Nicholls provided an update following the Joint Ministerial Council (JMC) that ran from 23 November to 26 November 2020, due to time zone differences the JMC commenced from four o'clock each day. Councillor Nicholls explained that the JMC provides an opportunity for elected representatives of the Overseas Territories to meet with UK Government Ministers to discuss issues of common concern whilst celebrating in its relationship with Overseas Territories. Unfortunately due to Coronavirus, this year's JMC was hosted remotely for the first time, where representatives joined digitally from across the globe across the four days. Councillor Nicholls and Councillor Ellick attended each day of the JMC with the assistance of AIG officials where necessary, which was the first JMC since 2018 due to the original postponement due to Brexit, followed by another delay due to Coronavirus. Councillor Nicholls provided Council with a list of topics covered, starting with COVID-19 and the constitutional relationship with border security on day one, followed by economic resilience, EU exit and trade on day two. Protecting the vulnerable and prisons was covered on day three with

International Maritime Organisational streams implementing code three, followed by environmental protection and funding and COP26 was covered on day four. Councillor Nicholls was pleased to report that Ascensions contributions to the Council were an opening statement which was made on day one on COVID-19, an intervention was made on day two regarding economic resilience, highlighting the problems the community currently faces on Ascension, followed by a second intervention on day three regarding protecting the vulnerable, discussion followed on mental health and protecting children in the Ascension context. Lastly, on day four, Elected members were invited to introduce the environmental protection and funding session. Councillor Nicholls highlighted several matters, with a statement from the Prime Minister on day two where he spoke of his commitment to the Overseas Territories and their futures, as well as the deep historical partnership between the UK and overseas Governments. His Royal Highness the Prince of Wales made a surprise appearance on day four, expressing his support of the many excellent initiatives underway across the Overseas Territories to safe guard their unique biodiversity. Councillor Nicholls added that as well as attending each of the sessions, Councillors were also able to highlight to Council the 2019 designation of the Marine Protected Area and the substantial contribution this makes to protecting the global marine environment. Councillor Nicholls shared with Council that as this was his first JMC he found it to be an excellent platform for elected representatives of the Overseas Territories to meet and discuss with UK Government Ministers many of the issues that Ascension Island faces. Councillor Nicholls reported that the Ascension Island Council looks forward to working jointly with the UK government over the coming year to ensure that the productive discussion had at the JMC translates into tangible actions that the community of Ascension Island can see and ultimately benefit from. He added that following the JMC the communique has now been republished which reaffirms the joint commitments that were discussed over the week. Finally, Councillor Nicholls gave his thanks to the AIG PPCO, Alasdair Bain for his assistance and support both before and during the JMC. Councillor Nicholls also thanked his fellow Councillor, Councillor Ellick for his support over the four days. Councillor George gave her apologies for being unavailable due to work commitments. Councillor Nicholls also thanked the Head of the Administrator's Office, Xander Halliwell and Clerk of Council, Siobhan Stewart for their support during the JMC. The Administrator thanked Councillor Nicholls for the update, with Councillor Ellick expressing how beneficial he found the experience to be.

10. UK Sanctions Update

The Attorney General explained that following an update given in June 2020, the accompanying memo provides additional information as well as details of the sanctions enacted by the Privy Council and the sanctions expected to be enacted in December 2020. The Attorney General reported that whilst comments can be added they are essentially UK legislation that will apply to all Overseas Territories as a result of the United Kingdom leaving the European Union, where ultimately the Sanction Orders are required to be legislated directly by the United Kingdom, rather than through European Legislation.

11. UK National Security and Investment Bill

The Attorney General reported that the UK Government has asked the Overseas Territories if they would like to be part of a permissive extent clause, which Ascension has agreed to. He added that the bill allows the United Kingdom for National Security reasons to get involved in investment and other financial services matters, although noted that at the moment it does not mean the National Security and Investment Bill will be extended to Ascension, simply that it may be in the future.

13. By-election

The Administrator provided an update to Council with regards to the plans for a by-election. A date will be confirmed soon with a communications plan starting in January 2021.

12. Any other business

Four AOB points were raised:

- a. **Oxygen Machine:** Councillor Ellick requested an update on the oxygen machine. The Head of the Administrator's Office explained that the machine is operational, although work is continuing to ensure it is operating at its peak capacity with regards to the flow. The HoAO confirmed that a further update will be provided to Council.
- b. **Hospital manning over Christmas:** Councillor Ellick raised concerns over the staffing levels at the hospital over the Christmas period, as in previous years the hospital has not been manned, with the DoR confirming that only applied to Christmas Day, although the duty medical staff remained on call for emergencies. Councillor George shared Councillor Ellick's concerns, adding that the feedback from the community was instantaneous when the hospital was previously closed for Thanksgiving, confirming that the public found this to be unacceptable. Councillor Ellick expressed concern over the prolonged response time as a result of the hospital not being manned and whether a risk assessment has been done. The DoR agreed to note the comments and provide an update at a later meeting.
- c. **Two Boats School:** Councillor Ellick expressed concern over another teacher resigning at Two Boats School, adding that the level of staff turnover seems very high, which in turn may be indicating an underlying issue that needs addressing. The Administrator explained that whilst the recruitment for a new head teacher is well underway, resignations from employees are sometimes unavoidable and out of the AIG's control. The DoR was pleased to confirm a new head teacher has been appointed, pending a final start date, adding that a previous teacher from the school has been recruited for two terms to replace the former maths teacher, as well as potentially another to replace the most recent resignation. It is expected that by the end of January the school should have filled all teacher vacancies, with the support of a teacher recruitment agency as well as an external consultant who has experience of the Two Boats School. The Administrator reiterated that the recruitment process for the new head teacher had been thorough with much time and effort expended. Councillor Nicholls added that the school has been a challenge for a long time, expressing concern at the lack of professional support on Ascension Island for the teachers, suggesting that perhaps there could be a direct link between St Helena and Ascension Island, whilst considering if the school could be remotely managed from St Helena. The DoR explained that the previous head teacher had begun work on this before leaving, with initial conversations already completed with the Director of Education in St Helena, as well as the Falkland Islands. An arrival route for the new head teacher is being considered and if there is an opportunity for him to spend some time in St Helena before coming to Ascension. The DoR explained that following feedback from school governors, teachers, pupils and the outside consultant, the leadership structure has been reviewed, with the addition of a Deputy Head Teacher.
- b. **Auditors:** The Director of Resources informed Council that there will be a delay in getting the accounts back from the auditors in Saint Helena due to Covid19, the AIG has expressed their disappointment at the delay and advised that an extension of time must be granted by His Excellency the Governor.

10. Date of next meetings

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

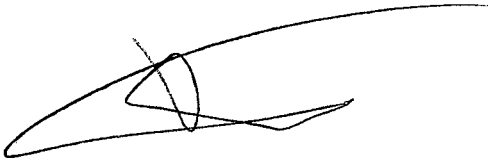
- Informal – Thursday 14 January 2021 at 1630
- Formal – Thursday 28 January 2021 at 1630

There was no further business and the meeting ended at 18:09

Siobhan

Siobhan Stewart
Clerk of Council

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

A handwritten signature in black ink, appearing to be 'Xander Halliwell', written over a horizontal line.

Xander Halliwell

On behalf of HE the Acting Governor, Mr Greg Gibson