

ASCENSION ISLAND GOVERNMENT

Clerk of Council's Office
Ascension Island
South Atlantic Ocean
ASCN 1ZZ



pa.admin@ascension.gov.ac

+ (247) 67000 ext 100

www.ascension.gov.ac

Informal meeting of the Ascension Island Council

10:00 on Thursday 30 June 2022 at the Courthouse

MEETING SUMMARY

Present: HH Sean Burns, Administrator
Shendi Keshet Director of Resources
Matthew James, Crown Counsel

Councillor Alan Nicholls
Councillor Nicholas John
Councillor Andrew Ellick
Councillor Kitty George

In attendance: Alasdair Bain, Policy, Projects and Communications Officer
Carl Mackerras, Head of the Administrator's Office
Siobhan Stewart, Clerk to Council

Apologies: Councillor Douglas Miller

The Administrator welcomed all parties. The Administrator welcomed the new Director of Resources, Shendi Keshet who has recently arrived on Island and thanked Catherine Leo for her hard work in covering the role following the previous Director's departure.

The matters arising were addressed via the actions tracker and current topics discussed were as follows:

ITT Process for the buildings previously known as the Obsidian Hotel: It was agreed that while the AIG will require expert advice with any negotiations with interested investors this will be done at a later date when the future of Ascension is clearer and whether there will be access to flights for tourists.

Resurfacing of roads after the completion of the runway project: Resurfacing of the road between the pier and the runway is scheduled to take place between April – June 2023. The Administrator reported that a meeting will take place shortly with 77 Construction regarding possible works on the other parts of the island's road network and a fuller update on this work, including potential costs, will be available at the next Council meeting. Councillor John highlighted the large gullies along the side of the road leading to the old NASA site, as well as the road leading from the English Bay/Comfortless Junction to Comfortless Cove following periods of heavy rain across the island. Councillor Ellick shared Councillor John's concerns over the conditions of the roads, recommending a more proactive approach rather than reactive. Councillor Ellick recommended that Chair of the Public Works Committee, Councillor John raise it with the Director of Operations and Facilities at the next committee meeting. It was reported that the Operations directorate was aware and planning a repairs programme.

The Policy, Projects and Communications Officer [PPCO] reported that on Friday 24 June a public consultation began on a draft Policy on Entry Control to Ascension. The PPCO explained that the Entry Control Ordinance 2007 provides powers to authorities to manage permission to enter, or to remain in, Ascension for most individuals, however, for those falling outside of the categories identified in section 5(2) of the Ordinance there is no automatic right of entry to, or right to remain in, Ascension. Whilst guidelines for the consideration of visa applications were put in place in 2017, these were not published and therefore were not open to scrutiny and interrogation by the people of which it applied to. The PPCO highlighted that in order to ensure clarity and openness in decision making, a wider review and assessment of the entry control policy has been undertaken, the result of which is the draft policy. The PPCO went on to explain that the policy seeks to ensure that the powers provided within the Ordinance are applied fairly, openly and consistently, along with procedures concerning appeals against decisions taken. It also identifies potential grounds under which an application may be refused.

These seek to ensure that the AIG is able to meet its obligations regarding public protection, whilst also ensuring the principles of the Rehabilitation of Offenders Act 1974 are reflected in considerations. The categorisation and of visas have also been reviewed with minor changes made to ensure correlation with the new employment legislation recently introduced in Ascension. Finally the PPCO explained that once the public consultation has ended, officials will consider submissions made and amend the policy where appropriate. Once complete, a government response to the consultation will be published prior to the AIG applying the policy in practice. The Administrator assured councillors that there are no significant changes to the current rules by the drafting of this policy, highlighting that the policy will ensure transparency for both decision makers and people wishing to come to Ascension, noting that the final agreed policy will be available on the AIG website. Discussion was had regarding the benefits of transparency and how this may assist the island in attracting the best applicants for job vacancies in Ascension. The PPCO highlighted the importance that if the AIG has powers over the public and it wishes to exercise these, there should be a clear published policy made available to both the person to which the powers are being dispensed as well as the decision makers using those powers themselves. Discussion was had regarding the vetting process of persons coming to Ascension, and the Administrator confirmed that relevant agencies are working cohesively together. Councillor John and Councillor Nicholls both highlighted issues and inaccuracies on the current E-VISA website, recommending a review of this also. Officials were aware and currently looking at options to improve the site.

Councillor George emphasised the importance of public consultation on this matter and was pleased that this was taking place. She raised concerns regarding the limited available methods of consultation with people in Ascension, highlighting that Atlantis email accounts are currently not working, leading to no Islander newspaper this week. Councillor George expressed her disappointment that Sure haven't sent any communications to customers advising them that emails are not working and that emails that had been sent will need to be resent.

Whilst Councillor George thanked the PPCO for providing the opportunity for both elected members and the general public to provide feedback on the draft policy, she conveyed her concern that the measures within the policy were in some instances draconian and unnecessarily severe. Councillor George requested that consideration be given as to whether entry control and the Police should be two entirely separate entities, pointing out that currently the Chief Immigration Officer is also the Police Inspector.

Councillors noted that the policy is very well written, clear and concise and thanked the PPCO for the time he has dedicated to it. Further discussion was had regarding the section around criminality as grounds for refusal, and the policy of a 10 year refusal that is applied to persons who have received a custodial sentence of over 12 months. It was explained that the Rehabilitation of Offenders Act 1974 provides that convictions for certain offences may become spent after a certain period of time has passed since the offence took place. This principle is designed to ensure that an offence committed many years ago does not impact a person for the rest of their life. However, some offences are so serious that they will never become spent. AIG is a remote island with limited government apparatus, and so needs to carefully consider public safety matters against the principle of rehabilitation. As such grounds for automatic refusal have been limited to only the most serious of offences involving another party or children.

The PPCO thanked Councillors for their views and encouraged scrutiny from elected members and members of the public, reiterating that scrutiny of government actions over the public is an essential tenet of good governance. Councillor George highlighted the need for maximum coverage to encourage public feedback and requested that the Public Notice is redistributed regularly during the public consultation period. Councillor Ellick welcomed a clear and transparent policy to ensure a consistent and fair policy is applied to all applicants.

Councillor John requested that during the review of the categorisation of visas, consideration be given to children who reach the age of 18 and have yet to find employment and remain in full time education, noting the pressure and stress on young adults to find jobs by such strict deadlines. Discussion was had regarding job opportunities for young people reaching the age of 18, Councillor George confirmed that in the last 10 years nobody reaching the age of 18 has been unable to find work. The Administrator explained that persons reaching the age of 18 that having not yet found employment are able to apply for a three month tourist visa, however if they wish to continue to seek employment on this visa, permission must be granted by the Administrator to do so. For young people who have turned 18 and remain in full time education, they must sit their exams before their 19th birthday and are free to seek employment on island, of which during this time the young person should remain as a dependant of the employee of the employing organisation.

The PPCO invited council to note the recent implementation of a revised **policy on charging for access to medical services** operated by AIG. Following the introduction of the Employment Ordinance 2022 into law on 20 June 2022 officials have developed and published the policy on charging for access to medical services, introducing the principle of “entitled and “non-entitled”. An entitled organisation is considered to be any firm that is liable to pay either the Business Levy or Corporation Tax. The PPCO explained that any individual (employee, dependant or contractor) associated with an entitled organisation will receive necessary medical or dental treatment without a fee for that service being charged to their employer and that anyone associated with a non-entitled organisation will still receive necessary medical or dental treatment, following which a fee for that service will be invoiced to their employer. However, it was highlighted that where a fee is charged to a non-entitled employer, that employer will not be able to pass this cost back to the individual in question under the new Employment Ordinance. Councillor Nicholls highlighted the use of “right of residency” in the document and recommended that “right of abode” should be used instead to be consistent with previous UK government wording on this issue. Councillor Nicholls also highlighted the use of “meanings assigned in the Policy” recommending that “meanings assigned in law” should be used instead. It was noted that the policy is the underpinning to the law and the law not only reflects the policy, but gives effect to that policy. Nonetheless the Crown Counsel and PPCO agreed to look at both suggestions. Councillor George requested clarity on whether this will affect medical referrals overseas. The PPCO explained that this policy is simply an addendum to the primary Policy on the Regulation of Employment, which provides that employers are responsible for meeting such costs. Councillor Ellick welcomed the introduction of this policy, noting that it offers an additional protection to employees. Further discussion was had regarding tax contributions of employers and employees working on the USAF base.

The Head of the Administrator’s Office (HoAO) provided an update on the current **COVID-19** status of the island. The HoAO explained that the island is currently in Level 2 Orange, reporting that there is currently one person who has returned a positive COVID-19 PCR test result following the arrival from the most recent USAF flight and 44 people are in compulsory isolation. An update was provided on the vaccination roll out with confirmation of a second booster clinic taking place later in July. The HoAO confirmed that a shipment of FCDO funded PPE is expected to arrive on the next A400 flight from the UK. The lifting of COVID-19 isolation restrictions in St Helena has now been confirmed for 08 August 2022, which will mean persons travelling from Ascension after this date will no longer have to isolate following Ascension also lifting its restrictions at the end of July 2022. Councillor Ellick requested confirmation that Ascension is ready to lift its restrictions in relation to COVID-19. The Administrator reported that following the most recent booster roll out to the community and the imminent arrival of additional PPE for the Georgetown Hospital, Ascension is in a good position to manage COVID-19 in the community. Councillor George requested whether being vaccinated for COVID-19 will be a prerequisite for visiting/working in Ascension. The Administrator explained that this stipulation sits with employing organisations for its employees, as AIG will not be seeking to make this a requirement for entry purposes.

The HoAO gave an update on the **runway project** reporting that the project is progressing well with the fifth layer of asphalt now being laid in some areas. It is still currently anticipated that the eastern end of the runway will be completed by the end of August, with work starting on the western side mid September 2022, with a planned completion date of mid 2023. The HoAO confirmed that work on the road between the pier and the runway will take place from April to July 2023, with demobilisation ongoing from September 2022 to September 2023. The eighth aggregate ship is currently being offloaded in Clarence bay, with an expected completion date of end of July, followed by the arrival of the final aggregate ship in August 2022 with a completion date of September 2022. Councillor Nicholls asked if there were likely to be any weight restrictions applied to aircraft following the switch to the eastern side. The HoAO confirmed that the same weight restrictions as now will continue to be applied.

There were six items of **other business**:

- i. **Monkey Pox:** Councillor George asked whether the AIG had begun any contingency planning in the event that monkey pox were to arrive in Ascension. The DoR agreed to raise the concern with the Senior Medical Officer and provide an update at a later date.
- ii. **Atlantis email accounts not working:** Councillor Nicholls raised concerns over the Atlantis emails accounts not working and expressed his disappointment at the lack of communication or explanation from Sure to its customers. Councillor Nicholls highlighted the dependency people have on their Atlantis email accounts being operational. The DoR agreed to liaise with Sure and provide an update at a later date. The Administrator encouraged Councillors to provide feedback to the CEO of Sure when she visits in July 2022.
- iii. **Sheep in Two Boats Village:** Councillor Nicholls requested a further update on the issue of sheep in Two

Boats Village. The Administrator explained that the Two Boats fence is scheduled to be repaired in July 2022, following the installation of new cattle grids. Further discussion was had regarding the safety of having wild sheep in the village, however, there were currently no indications to imply there is an environmental health issue with the sheep. Councillor Ellick noted that whilst AIG are not directly responsible for the sheep, the people of Ascension are being significantly affected by this issue. The Administrator explained that AIG are not liable for feral sheep or donkeys.

- iv. **Alternative flags flown outside of the AIG Building:** Councillor Nicholls requested that an alternative or additional location is found to fly flags other than the Ascension flag, rather than the repeated removal of the Ascension Island flag outside of the Government building, noting that members of the community would like to see the Ascension Island flow continuously all year round. The Administrator confirmed that options would be considered.
- v. **Driving Licences:** Councillor Ellick raised the issue of driving licence categorisation, requesting further review of the “J” licence category. Conversation was had regarding vehicle classes and the system currently in place. Councillors expressed that constituent feedback is that the process is confusing for applicants. Crown Counsel recommended that the policy is reviewed/created to provide clarity to applicants and licence issuers. Councillors were requested to provide details of any individual cases to the HoAO.
- vi. **Freezer Boxes:** Councillor Ellick asked if consideration could be given to freezer boxes being available to purchase from the Post Office as well as the Shipping Office as this was more accessible and had clear opening hours.

The meeting closed at 11:55

Siobhan Stewart
Clerk of Council