

MINUTES OF THE ASCENSION ISLAND COUNCIL (AIC)

MEETING HELD IN THE COURT HOUSE,

Friday, 25th September at 09:30hrs

Present: (by telephone) HE Governor, Mark Capes
Marc Holland, Administrator
(by telephone) Walter Scott, Acting Attorney General
Jamie Manson, Director of Resources
Councillor Samantha Arms-Lawrence
Councillor Keturah George
Councillor Nicholas John
Councillor Cyril Leo
Councillor Larry Poultney
Councillor Caroline Yon

Apologies: Councillor Jacqui Ellick

In attendance: Nicola Dillon, Clerk of Council

1. Introductions

The Administrator opened the meeting with introductions and briefly gave an overview of the meeting, which would end in closed session.

2. Confirmation of Minutes

The minutes of the Ascension Island Council meeting which was held on Monday, 24 August 2015, were considered. The Director of Resources (DoR) had provided an additional annex to the minutes which responded to a number of matters that arose in previous meetings.

Councillors' letter to Minister Shapps, dated 24 August 2015

Cllr Yon commented that following the last formal meeting councillors had sent a letter to Minister Shapps but, to date, had not received a response from the Minister's office. The Administrator said that London had informed him that they were awaiting the outcome of discussions from the current Island Council meeting before they issued a response. London was following discussions closely and had been updated by the Governor and the Administrator following the informal meeting on 23 September.

Cllr Leo's letter, dated 25 June 2015

The Administrator referred back to Cllr Leo's submission to the Governor on 25 June about the development of democracy on the island, which was still awaiting a response. The Administrator consulted London on Cllr Leo's letter and the advice that he had received was that Ministers had asked officials to look at the future of Ascension, including the island's economy, governance, security and all the issues affecting the island, taking account of the forthcoming changes such as a more expensive link to St Helena. It was hoped to conclude this work by the end of the year. The Administrator said that there had been positive engagement on the issues that Cllr Leo raised in his submission.

In his response Cllr Leo said that the UK Government had allowed the people of Ascension democracy in 2002. In the intervening years around 70 children had been born on Ascension. Some young people who were born and bred on Ascension were currently serving abroad in the armed forces to defend the rights of others. Cllr Leo asked the Governor to request FCO and the UK Government to consider granting the option of residency rights on the British Overseas Territory of Ascension Island.

Cllr Leo said that he would appreciate a reply from the Minister to all the questions he had channelled

through Council and he would share the Minister's feedback with the electorate of Ascension and the wider community. Cllr Leo ended by saying that Minister Duddridge's letter to Councillors dated 10 June 2015 asked what we wanted success to look like on Ascension in 2030. In forming such a long-term strategic plan, Councillors first needed to know what the UK intended to do about developing residency rights and property rights on Ascension.

The Governor said that the work currently underway looked at some of these issues, however, he reiterated the Administrator's comment that Cllr Leo's response would be fed back to London and a fuller response would be sought.

In response to Cllr Yon's enquiry on whether he was able to feed back to Council some of the discussions with London on the future of Ascension, the Administrator said that London's thinking was still at a very early stage. They were examining the issues to see if the Minister would be interested in them doing some more detailed work. The Administrator said he was happy to hold an informal meeting with members to do some initial brainstorming. He said that London should have done its initial scoping work by the JMC in early December. This would be a good time for Council to feed into process especially during Cllr Yon's bilateral meeting with the Minister.

The minutes of the Island Council meeting, 24 August, were confirmed.

Actions

1. The Governor will follow up with the FCO for a fuller response to Cllr Leo's letter (25 June)
2. An informal meeting will be held with Councillors to discuss the 'Future of Ascension'.
3. The minutes of the 'open session' of Council would be published on the website.

3. Matters Arising

There were no matters arising from the minutes.

4. Legislation: Draft Marriage Ordinance

Council was presented with a memo and a copy of the draft Marriage Ordinance, 2015, which proposed amendments by the St Helena Government to the Marriage Ordinance by bringing the ordinance up to date and modernising the language within. The question for Council was two-fold, to accept the changes and retain the St Helena legislation; or to look at Ascension having its own marriage ordinance.

The Acting Attorney General (AG) said that he had also had discussions with Christell about the appropriateness of the legislation in relation to Ascension and he informed Council that he would like to revisit the legislation with a view to redrafting it with an Ascension orientation which would be based on the St Helena legislation. The Acting AG recommended that the legislation was withdrawn from the agenda.

Councillors were happy to defer the legislation to a later date. Cllr Yon commented that it made sense for Ascension to have its own legislation.

Action:

1. The Marriage Ordinance was withdrawn from the agenda and would be redrafted for Ascension.

5. Inshore Fishery (Dr Judith Brown, Director of Fisheries)

The Director of Fisheries (DoF) said that councillors had previously discussed the need for bringing in licences for inshore fisheries and for an advisory committee, the Inshore Advisory Committee (IAC), to be set up to advise the Council. As a result of the work by the IAC, in consultation with the Biodiversity and Fisheries Protection Committee and the Council, DoF was now in a position to present a set of criteria for a Fisheries policy to Council to endorse. There was still some disagreement regarding which species went on to the 'no take' list, but from a conservation point of view, DoF said that it would be recommended that these species were put in to the Wildlife Protection Ordinance 'no take list' because

their slow reproduction rates make them more vulnerable to overfishing and meant that they needed further protection. There was also a proposal for three closed areas.

Council was happy with the policy content, which included details on licencing criteria and the types of licences proposed. The DoF would now meet with the IAC (to which the Councillors would be invited) to discuss the outline policy with a view to coming back to Council with a draft Fisheries Policy.

A vote was taken and all six councillors present agreed with the policy content and the next steps.

Actions:

1. The outline for the Fisheries Policy to be presented to the Inshore Advisory Committee (DoF).
2. The Island Council to be consulted on the draft policy. (DoF)

6. Land Occupancy Permit (LOP) Policy Update

A revised Land and Business Policy was circulated to Council which updated the original policy resulting from the Land (Ascension) Ordinance 2008. The revision included modernising some of the terminology and updating some of the information which had become out-dated. The main change in the policy was the addition of section 10 which provided guidance on the AIG properties which AIG was willing to keep maintained, so that, for example, small businesses could operate from them. The policy also included an additional appendix in the form of a business permit application for new businesses to complete so that AIG would have a better understanding of what it would cost to get the building up to a working standard before they approved an application.

Cllr Leo was disappointed that councillors did not have an opportunity to feed into the review. He said that the role of elected representatives was to advise the Governor on legislation and policy. Cllr Leo said he had asked for a review of the land and business policy because he wanted to see the policy become less of an obstacle for local taxpayers who wanted to invest in Ascension for personal return. Taxpayers had made huge investments into the facilities and infrastructure on Ascension and there were some businesses that had been able to take full advantage of the benefits. Cllr Leo said that he believed that Councillors had an obligation to create opportunities for all local taxpayers to have options for making returns on their investments into Ascension through taxation.

Cllr Leo said that while he valued the advice of officials, he did not want to see the creation of a system on Ascension which allowed AIG to control and restrict the freedom of elected representatives in their role to advise the Governor on local legislation and policy. He continued that it was defeating for elected representatives to be opposed by the FCO in their efforts to make progress on behalf of the taxpayers of Ascension according to the directives which were set out by the UK Government in their White Paper on the Overseas Territories. Cllr Leo ended by saying that he would like councillors to review the Land and Business Policy and to give their advice to the Governor.

The Administrator explained that there were limitations on what the review had been able to achieve as the policy flowed from decisions made in 2006 on right of abode. Within this fixed framework, the review aimed to make minor improvements to the policy to make it easier to understand and to facilitate the use of Government money to bring properties up to an acceptable standard for businesses to use. He told Council that this wasn't the time or the vehicle to question or to change the right of abode policy; this might form part of the FCO's discussions on the future of the Island. The Administrator said that it would have been misleading to Council to ask for their views on the land occupancy policy, if AIG was unable to deliver these views. The outcome of the review was to make some minor changes which would facilitate businesses to have some initial government investment in their property to get it in safe and suitable condition.

It was suggested that the November's JMC was a good time for councillors to put forward their views on the Land and Business Policy. Cllr Yon agreed that it would be a good opportunity to sit down face to face with the people involved and said that Ascension might have to push for an additional meeting as the future of Ascension would need a longer discussion than the timetabled bilateral meeting.

The Governor agreed that the Land and Business Policy and Cllr Leo's comments highlighted the policy questions and would feed into the work on the future of Ascension. It was a good example to bring to the attention of London as a 'live' document. Cllr Leo was happy with the approach.

In conclusion, the Administrator asked Council for approval to reissue the Land and Business Policy as revised by the DoR.

All six Councillors present were content to reissue the revised Land and Business Policy.

6.1. Small Business Applications

Threadz

The proposal was for a small clothing business to be based in Two Boats. The applicant previously applied to use the Turtle Nest, but the condition of the building was not good and it needed a lot of work to bring it up to a workable standard. The new venue which has been proposed is at Muriel Lodge, which will only need some minor alterations as the building is in a fairly good condition. The business proposed was a small clothing shop. Council was asked to approve the application.

Councillors were happy to support the application and on a vote all six councillors voted in favour of Threadz being granted a business permit and for the work described in the accompanying property assessment form to go ahead.

Atlantis Divers

This was a slightly bigger commitment in terms of costs than the previous application; however the Director of Operations, Steve Brown, explained that the building was currently being used by AIG both as an archive and also storage for the Police Department.

DoOps explained the work which needed to be done, which included replacement of the guttering, would need to be carried out regardless of who occupied the building. The canopy was considered a safety risk and would be removed by the applicant and replaced by a smaller canopy. The remaining works were cosmetic and would bring the building up to a functional standard.

Councillors were generally happy with the proposal and happy to support the community by having this type of investment made by both AIG and the applicant.

In a vote all six Councillors were in favour of Atlantis Divers to be given a LOP to operate as a club and for the work as outlined in the Property Assessment form to go ahead.

Bakery

A proposal had recently been received from Alan and Elaine Arms (via Cllr Leo) to operate a business from the former bakery premises in Georgetown. The proposal was to operate a bakery for two days per week on Saturdays and Sundays and to offer freshly baked bread and rolls. The DoOps had been on a site visit with the applicants and generally the building was in a fairly good condition, however, the key issue was the ovens, which would need some repairs to get them working once more.

The Administrator asked for the DoOps and Cllr Leo to work with Mr & Mrs Arms to work up some costs to bring to Council. It was noted that there was a strong desire within the community to make the bakery proposal work. It was agreed that if everyone was in favour in principle of the proposal councillors would be happy to give agreement to the application via email once the costs were circulated.

Actions:

1. To reissue the Land and Business Policy with DoR updates.
2. To issue LOPs for the new business applications which were approved by Council.
3. DoOps to work with Mr & Mrs Arms to provide Council with costs for the bakery proposal.

7. Biological Control of Mexican Thorn

A proposal was put forward to Council to carry out trials for the biological control of Mexican Thorn, which was introduced in the 1960s and now covered about 20% of the land area. The proposal was to seek funding from the EU BEST programme of around £70K which would allow the Conservation Department to test and if successful eventually introduce the leaf-tying moth to eradicate the spread of Mexican Thorn. The biological control has proved quite effective in suppressing Mexican Thorn in Australia.

All six councillors were quite happy to lend their support to the project especially given the extensive testing which would take place in the laboratory before the moths were released.

8. Any Other Business

8.1. Solomons

In August the Administrator wrote to the Chief Executive Officer (CEO) of Solomons to ask for their intentions with regards the Georgetown Shop. On 21 September a response was received from the CEO which restated their position that the future of the shop depended on its financial viability. With the uncertainty surrounding the shipping links to Ascension Solomons said they were not able to comment on the financial viability at this point. AIG had a responsibility to ensure that there was a contingency plan in place and that food supplies to the island continued. The Administrator said that having assessed that the cost of shipping food was going to increase significantly, this undoubtedly would have an impact on Solomons being able to run a viable operation on Ascension. In the meantime AIG had begun to look at other means of food supply.

8.2. Digital TV

Council was informed that the Digital TV service was live and would officially be launched on 1 October.

8.3. Sheep

Concern had been raised about the practice of killing sheep which had been causing distress to local residents. It was decided that detailed discussion would be adjourned, and in the meantime a notice would be published to ask residents to refrain from sheep slaughter while a policy approach was considered.

There was no further business and the open session of the Island Council meeting drew to a close at 11.05hrs.

Nicola Dillon
Clerk of Council