

# EXECUTIVE COUNCIL

## PUBLIC

**Title:** Clerk of the Councils' Report Quarter 1 December 2016 – 31 March 2017 \*(starred item)

**Paper Number:** 57/17

**Date:** 26 April 2017

**Responsible Director:** Chief Executive

**Report Author:** Clerk of the Councils

**Portfolio Holder:** MLA Michael Poole

**Reason for paper:** This paper is submitted to Executive Council as required Executive Council Standing Order 17(4):

**Publication:** Yes

**Previous papers:** 196/16

**List of Documents:** None

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### 1. Recommendations

Honourable Members are recommended to note this report:

### 2. Additional Budgetary Implications

None

### 3. Executive Summary

For the period 1 December 2016 to 31 March 2017:

- 16 Committees have met
- 32 sets of committee minutes have been lodged with the Clerk's Office and are available for inspection
- The Clerk's Office has been notified of 23 decisions that have been made without reference to Executive Council under Section 66(2) of the Constitution

#### 4. Background

4.1 Report is produced as required by Executive Council Standing Order 17(4). As a matter of good governance it records the activities of the bodies discharging executive decision making responsibilities on behalf of Executive Council or which exist to advise Executive Council

#### 5. Documents Held by the Clerk's Office

The following documents have been deposited with the Clerk's office and are available for inspection at the Clerk's office by appointment during normal office hours

##### 5.1 Committee Meetings

Since the date of the last report the following committee have met and minutes were available at the date of the report as indicated:

<b>Committee</b>	<b>Meeting Date</b>	<b>Minutes Available Y/N</b>
Mineral Resources Committee	21.11.2016	Y
Fisheries Committee	01.12.2016	Y
Agricultural Advisory Committee	01.12.2016	Y
Housing Committee	05.12.2016	Y
Planning and Building Committee	07.12.2016	Y
Lands Committee	07.12.2016	Y
Falkland Islands Safeguarding Board	14.12.2016	Y
Falkland Islands Development Board	15.12.2016	Y
Transport Advisory Committee	15.12.2017	Y
Environmental Committee	16.12.2016	Y
Falkland Islands Tourist Board	16.12.2016	Y
Education Board	16.12.2016	Y
Standing Finance Committee	11.01.2017	Y
Law Revision Expert Advisory Committee	12.01.2017	Y
Lands Committee	12.01.2017	Y
Standing Finance Committee	25.01.2017	Y
Planning and Building Committee	01.02.2017	Y
Agricultural Advisory Committee	02.02.2017	Y
Standing Finance Committee	08.02.2017	Y
Police Committee	09.02.2017	Y
Health and Medical Services	16.02.2017	Y
Falkland Islands Development Board	16.02.2017	Y
Standing Finance Committee	22.02.2017	Y
Planning and Building Committee	01.03.2017	Y
Lands Committee	01.03.2017	Y
Fisheries Committee	01.03.2017	Y
Environmental Committee	13.03.2017	Y
Standing Finance Committee	15.03.2017	Y
Falkland Islands Landholdings	16.03.2017	Y
Law Revision Expert Advisory Committee	24.03.2017	Not Due

		14.04.2017
Education Board	24.03.2017	Y
Standing Finance Committee	29.03.2017	No Due 19.04.2017

## 5.2 Decisions made outside Executive Council

5.2.1 Since the date of the last report the following decisions that have been made without reference to Executive Council under Section 66(2) of the Constitution and have been notified to the Clerk's office as required by section 66(3) of the constitution:

<b>Decision</b>	<b>Date</b>	<b>Authority</b>
Application of Lotteries Licence in accordance with the Lotteries Ordinance 1948, Section 6 <ul style="list-style-type: none"> <li>• Mr Michael Poole – Stanley Sports Association – 25/16</li> <li>• Davina Peck – Falkland Shearing – 26/16</li> <li>• Acorns Charitable Trust c/o Mrs Rose Toolan – 27/16</li> <li>• Mr Martyn Barlow “Penguin Dip” – Falkland Islands Hockey Association and the Stephen Jaffray Memorial Fund</li> </ul>	14.12.2016 16.12.2016 19.12.2016 19.12.2016	Section 66 (2) (e) of the Constitution  Appendix A, part 2, paragraph 5 (a)
Public Accounts Committee Temporary Membership: Ms Nadia Smith	21.12.2016	Section 66 (2) (e) of the Constitution  Appendix A, part 2, paragraph 5 (i)
Appointment of Chairperson and Vice Chairperson, Falkland Islands Tourist Board <ul style="list-style-type: none"> <li>• Mr Mike Rendell, Chairperson</li> <li>• Mrs Sally Jean Ellis, Vice Chairperson</li> </ul>	11.01.2017	Section 8 Falkland Islands Tourist Board Ordinance  Section 66 (2) (e) of the Constitution  Appendix A, part 2, paragraph 5 (i)
Appointment of Bureau Veritas Classification Society (BV) surveyors <ul style="list-style-type: none"> <li>• Mr Antonio Rodriguez</li> <li>• Mr Jose Maria Perez-Garzon</li> </ul> Of the Vigo Office to undertake initial statutory surveys and issue certification in respect of the new-build long line vessel “CFL Hunter” IMO No: 9791250, Yard No: C282	11.01.2017	Section 66 (2) (e) of the Constitution Appendix A, part 2, paragraph 5 (j)

which is nearing completion of construction at the Nodosa shipyard at Marin, Spain		
Falkland Islands Status: <ul style="list-style-type: none"> <li>• David Samuel Dick Shepherd</li> <li>• Paula Christina Munoz Garcia</li> <li>• Faron Harvey Greentree</li> </ul>	16.01.2017	Section 66 (2) (e) of the Constitution  Appendix A, part 2, paragraph 5 (h)
Appointment of Trustee and Chair of the Media Trust: <ul style="list-style-type: none"> <li>• Mr Stacy Bragger</li> </ul>	27.01.2017	Section 4 of the Media Trust Ordinance  Section 66 (2) (e) of the Constitution  Appendix A, part 2, paragraph 5 (i)
Discharge of a mortgage on property known as 24 Hansen Hill in favour of FIG: <ul style="list-style-type: none"> <li>• Mr Terrence Roy Jaffray and Ms Catriona Mhairi Mitchell</li> </ul>	27.01.2017	Section 66 (2) (e) of the Constitution
Application of Lotteries Licence in accordance with the Lotteries Ordinance 1948, Section 6 <ul style="list-style-type: none"> <li>• Miss Lucille McMullen – Darwin Harbour Sports</li> <li>• Mr Kevin Marsh – West Falkland Sports Association</li> <li>• Mrs Trish Jamieson – Falkland Islands Horticultural Society</li> </ul>	01.02.2017 01.02.2017 01.02.2017	Section 66 (2) (e) of the Constitution  Appendix A, part 2, paragraph 5 (a)
Appointment to the Police Committee <ul style="list-style-type: none"> <li>• Anton Livermore JP</li> </ul>	08.02.2017	Section 10(2) Police Ordinance 2000  Section 66 (2) (e) of the Constitution  Appendix A, part 2, paragraph 5 (i)
Discharge of a mortgage on property known as 25 Hansen Hill in favour of FIG: <ul style="list-style-type: none"> <li>• Mr Lee Clement</li> </ul>	12.02.2017	Section 66 (2) (e) of the Constitution
Application of Lotteries Licence in accordance with the Lotteries Ordinance 1948, Section 6 <ul style="list-style-type: none"> <li>• Mrs Donna Evans – West Falklands</li> </ul>	17.02.2017	Section 66 (2) (e) of the Constitution

Sports Association - Gold Cup Racing		Appendix A, part 2, paragraph 5 (a)
Appointment to the Transport Advisory Committee:	21.02.2017	Section 66 (2) (e) of the Constitution  Appendix A, part 2, paragraph 5 (i)
<ul style="list-style-type: none"> <li>Mr Harold Neilson</li> </ul>		
Discharge of a mortgage on property known as 7 Moody Street in favour of FIG:	27.02.2017	Section 66 (2) (e) of the Constitution
<ul style="list-style-type: none"> <li>Mr Ben Watson</li> </ul>		
Discharge of a mortgage on property known as 59 Fitzroy Road in favour of FIG:	27.02.2017	Section 66 (2) (e) of the Constitution
<ul style="list-style-type: none"> <li>Mr Bernard William Shorey</li> </ul>		
Licence renewal for QinetiQ Ltd under 20 year contract to MoD to provide aerial targets services at Port Harriet Range to make deposits in the sea under the Food and Environment Protection Act 1985 as it applies in the Falkland Islands (“FEPA”)  Three year licence first issued by the Governor in 2008 after consultation with stakeholders. Renewed every three years since	7.03.2017	Section 66 (2) (e) of the Constitution  Appendix A Part 2, paragraph 5 (d)  Food and Environment Protection Act 1985 as it applies in the Falkland Islands – section 8
Appointment to the Health and Medical Services Committee:	7.03.2017	Section 3(2)(c) of the Public Health Ordinance  Section 66 (2) (e) of the Constitution  Appendix A, part 2, paragraph 5 (i)
<ul style="list-style-type: none"> <li>Mr Anton Livermore</li> </ul>		
Application of Lotteries Licence in accordance with the Lotteries Ordinance 1948, Section 6	10.03.2017	Section 66 (2) (e) of the Constitution  Appendix A, part 2, paragraph 5 (a)
<ul style="list-style-type: none"> <li>Miss Samantha Marsh – Rural Business Association</li> <li>Miss Sian Davis – Stanley House Donations</li> </ul>		

5.2.2 A copy of each of these decisions is available for inspection at the Clerk’s office

### 5.3 Decisions made using other procedures

5.3.1 Since the date of the last report the following decisions that have been made using email or written resolution

**Registration of the Long Line Fishing Vessel 'Tronio' – 37/17**

**REDACTED**

### 5.4 Decisions made under the Governor's Constitutional Discretion

The Governor advises that Under Section 84 of the Falkland Islands Constitution and Executive Council Standing Orders, Appendix 1, Part 1, he conferred the following appointments to a public officer:

- **Martine Kushner**  
Senior Magistrate under section 88(4) of the Constitution and Section 26 of the Administration of Justice Ordinance  
  
Chairman of the Disputes Commission under section 98 of the Fisheries (Conservation and Management) Ordinance 2005  
  
Member and Chairman of the Tax Appeal Tribunal under section 180 of the Taxes Ordinance  
  
Commissioner for Workmen's Compensation under section 22 of the Workmen's Compensation Ordinance  
  
Notary Public under section 47 of the Administration of Justice Ordinance

## 6. **Resource Implications**

### 6.1 Financial Implications

None

### 6.2 Human Resource Implications

None

### 6.3 Other Resource Implications

None

## 7. **Legal Implications**

7.1 This report demonstrates compliance with section 66(3) of the constitution.