

THIS DOCUMENT IS THE PROPERTY
OF THE GOVERNMENT OF ANGUILLA

Copy No.

**MINUTES OF THE 192nd MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 11th JULY 2024 AT 9.00 AM**

- PRESENT: Her Excellency the Governor, Ms. Julia Crouch
- The Honourable Premier and Minister for Finance, Economic Development & Investment and Health, Dr. Ellis Webster
- The Honourable Deputy Governor, Mr. Perin Bradley
- The Honourable Minister for Home Affairs, Immigration, Labour, Human Rights, Constitutional Affairs, Information and Broadcasting, Lands and Physical Planning, Mr. Kenneth Hodge
- The Honourable Minister for Infrastructure, Communications, Utilities Housing and Tourism, Mr. Haydn Hughes
- Acting Attorney General, Ms. Erica Edwards
- Clerk to Executive Council, Ms. Dumisa Webster
- IN ATTENDANCE: The Honourable Parliamentary Secretary, Mr. Merrick Richardson
- Head of Governor's Office, Mr. Orlando Ames-Lewis
- ABSENT: The Honourable Minister for Social Development, Cultural Affairs, Youth Affairs, Gender Affairs, Education and Library Services, Ms. Dee-Ann Kentish-Rogers
- The Honourable Minister for Sustainability, Innovation and the Environment, Mrs. Quincia Gumbs-Marie
- EX MIN 24/181** **CONFIRMATION OF THE MINUTES**
Hon. Parliamentary Secretary and Head of Governor's Office remained.

Council confirmed the Minutes of the Round Robin Decision Made on Wednesday, 3rd July 2024 and the 191st Meeting of Executive Council held on Thursday, 4th July 2024.

MATTERS ARISING FROM THE MINUTES

EX MIN 24/182

EX MEMO 24/130 Non-Anguillian to Operate Business Activity That is on Reserved List- Greython Construction LLC

Hon. Parliamentary Secretary and Head of Governor's Office remained.

The Honourable Premier and Minister for Finance, Economic Development and Health briefed Council. The construction industry on Anguilla is saturated as indicated by an increase in business activity in this industry from 2018 to the end of 2023. There are over 100 active building contractor businesses in Anguilla, with many gaining approvals for new building contractor's licenses in the first quarter of 2024. In order to offer protection for the sector, The Ministry of Finance and Health included the construction sector in the Licensing of Business (Reserved Industries) Order, 2023 made under section 20 of the Licensing of Businesses Act 2021. According to this legislation, Non- Anguillians can apply for licenses related to businesses listed on the reserved list and have their applications considered by Executive Council. The Commerce Unit has received an application for a business licence for an industry on the reserved list from Greython Construction LLC to operate the business activity Building Contractor.

Greython Construction LLC applied for the business licence to do work at Aurora Anguilla Resort & Golf Club (villas, residential and hotel units) as they have a contract for construction management with that hotel. The business plan for Greython LLC indicates that the project involves complex underground civil works and it must be completed on a fast track. The business plan also claims that while local contractors have the ability to do the work, they do not have the capacity to oversee the project solely due to its magnitude. Greython Construction therefore proposes that approximately 78% local contractors will be hired to work along with the company.

Executive Council:

- 1) Noted that Greython Construction LLC has a contract for construction management with Aurora Anguilla Resort & Golf Club and, as such, have applied for a business licence to complete the same;
- 2) Noted the business plan of Greython Construction LLC claims that the magnitude of this project necessitates oversight by a non-local building contractor; and
- 3) Approved the granting of a business licence to Greython Construction LLC as a Building Contractor with the condition that work be limited to the project at Aurora Anguilla Resort & Golf Club.

Action: PS, EDSIE; HON. PREM.

EX MIN 24/183

EX MEMO 24/131 Crown Land- Registration Section Cauls Pond, Block 69114 B, Parcel 22 (0.55 acre) (Parcel 22) and Registration Section Cauls Pond, Block 69114 B, Parcel 23 (0.55 acre) (Parcel 23)

Hon. Parliamentary Secretary and Head of Governor's Office remained.

The Honourable Minister for Home Affairs and Lands briefed Council. By Executive Council Minute 13/288, Ms. Zulma Webster was granted permission to lease Registration Section Cauls Pond, Block 69114B, described as Parcel 22. Outline planning permission was previously obtained by Ms. Webster per a letter dated August 25, 2011 and the terms of the lease were detailed in a letter, dated June 7th 2013, from the Department of Lands and Surveys. Negotiations were commenced in relation to a draft lease, however, no lease was ever executed by Ms. Webster and the Crown. By letter dated, April 3rd, 2024 from the Department of Lands and Surveys, Ms. Webster was asked to indicate in writing if she still has any interest in the property, however, no response has been received to date. The Department of Lands and Surveys is of the view that the delay is inordinate and the Government of Anguilla should be released from this commitment in order to pursue other potential opportunities.

In relation to Parcel 23, a lease was granted to the Caribbean Commercial Bank on November 1, 1982 for 15 years effective from

November 1, 1983. The term has now expired and the Department of Lands and Surveys recommends that the steps to cancel the registration of the expired lease be approved.

By letter to the Director of Lands and Surveys received on May 8, 2024, Mr. Rene' Harrigan expressed his interest in utilizing Crown Land for a business.

Executive Council:

- 1) Approved the revocation of permission granted in Ex Min 13/288 for a lease in respect of Parcel 22. This is due to the delay on the part of the applicant to undertake the actions required in said Minute to progress towards taking possession of the property and to enter into a lease agreement for same. There has been undue delay and the Government of Anguilla may wish to pursue alternative uses for the property, which may generate revenue.
- 2) Approved the cancellation of the expired lease, registered against Parcel 23 and the adherence to all procedural steps under the Registered Land Act R.S.A c R30 necessary to effect same. This includes service of notice on the lessee and all documentation necessary to cancel the lease, which is to be signed by H.E the Governor.
- 3) Noted that an application for the use of the two parcels has been made by a third party and a further Memorandum in relation to same will be submitted for Executive Council's consideration; and
- 4) Approved that all leases/licences going forward be entered into within six (6) months from the decision notice of Executive Council.

Action: PS, HA; DLS; HON. MIN., HA.

EX MIN 24/184

EX MEMO 24/132 Refusal to Grant Work Permits

Hon. Parliamentary Secretary and Head of Governor's Office remained.

The Honourable Minister for Home Affairs and Labour briefed Council. In keeping with section 165 (3) of the Labour (Relations)

Act 2018, the Minister of Home Affairs & Labour seeks to consult with the Executive Council before refusing to grant work permits. When considering a work permit application by an employer, the Ministry shall take into account several factors as listed in Section 171 (1) of the Labour Relations Act. Council noted the reasons for refusals as follows:

In relation 5 persons pursuant to section 171 (1) (a) of the Labor Relations Act, the employer has not yet demonstrated a genuine need to engage the services of the prospective employee.

In relation to 1 person pursuant to section 171 (1) (a) & 2, the minister considers prospective employees on evidence of their character, reputation and health and where relevant, the character, reputation and health of any dependents and minister shall consider whether this person has complied with any other legal or policy obligations.

Council:

- 1) Noted section 164 of the Labour (Relations) Act 2018 containing the principles governing work permits;
- 2) Noted that in keeping with section 165 (3) of the Labour (Relations) Act 2018, the Hon Minister for Home Affairs & Labour consulted with Executive Council before refusing to grant work permits; and
- 3) Considered and endorsed the proposal by the Hon. Minister that 6 persons be refused work permits on the basis of the foregoing information.

ACTION: PS, HA; LAB, COMM; CIO; HON MIN HA.

ORAL MENTIONS

EX MIN 24/185

Update on Appointment of a New Attorney General of Anguilla
Hon. Parliamentary Secretary and Head of Governor's Office remained.

It was noted that there is still a vacancy for the position of Attorney General of Anguilla. It was also noted that it is important for the Attorney General of Anguilla to have regional experience. The same was highlighted in the job advertisement published for this position.

Action: EXCO CLERK; EXCO MEMBERS.

EX MIN 24/186

Update on Implementation of CCTV in Anguilla

Hon. Parliamentary Secretary and Head of Governor's Office remained.

Her Excellency the Governor noted that Mr. Ken Townsend, consultant on the new 911 Control Centre, submitted the necessary official documents to the Ministry of Infrastructure, Communications, Utilities, Housing, and Tourism (MICUH&T) to start the procurement process for the CCTV/Vehicle Recognition System, but in light of delays taking this forward, the Hon. Deputy Governor would chair a meeting to resolve the issue.

Action: EXCO CLERK; EXCO MEMBERS.
