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**MINUTES OF THE 202nd MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 26th SEPTEMBER 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 Social Development, Cultural Affairs, Youth Affairs, Gender Affairs, Education, and Library Services, Ms. Dee-Ann Kentish-Rogers
- 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, Mr. Ivor Greene
- Clerk to Executive Council, Ms. Dumisa Webster
- IN ATTENDANCE: Financial Advisor Mr. Evarist Mwesigye
- Head of the Governor's Office, Mr. Orlando Ames-Lewis
- The Honorable Parliamentary Secretary, Mr. Merrick Richardson
- ABSENT: The Honourable Minister for Sustainability, Innovation and Environment, Mrs. Quincia Gumbs-Marie

EX MIN 24/259 CONFIRMATION OF THE MINUTES

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

Council confirmed the Minutes of the 201st Executive Council Meeting held on Thursday, 19th September 2024 and Decisions Made by Round Robin on Friday, 20th September 2024 and Tuesday, 24th September 2024.

EX MIN 24/262 EX MEMO 24/182 Revised Analysis of Maximum Sale Price on Gasoline for Delta Petroleum (AXA) Ltd., Sol St. Lucia (Anguilla) Ltd. and Anguilla Gases Ltd.

Financial Advisor, Head of Governor's Office and the Hon. Parliamentary Secretary remained.

The Honourable Premier and Minister for Finance briefed Council. Pursuant to the Distribution and Price of Goods Act, R.S.A. c. D30 Distribution and Price of Goods (Maximum Gasoline Price Order) Regulations, 2022, the Minister responsible for Trade and Industry signed the Order providing the maximum price at which gasoline may be sold. The maximum prices were, EC \$16.91 per imperial gallon for Sol St. Lucia (Anguilla) Ltd. EC\$16.03 per imperial gallon for Delta Petroleum (Anguilla) Ltd., EC \$15.76 per imperial gallon for Anguilla Gases Ltd. (regular) and EC \$15.76 per imperial gallon for Anguilla Gases Ltd. (premium) from 2nd August 2024 to present.

Routine analysis of current fuel import data resulted in a re-evaluation of the cost information for Sol St. Lucia (Anguilla) Ltd., Delta Petroleum (Anguilla) Ltd. and Anguilla Gases Ltd. to ensure that the price ceiling imposed proves to be reasonable for both the consumers and fuel providers alike. Following this re-evaluation of the price ceiling, the ideal selling prices for gasoline are currently EC\$17.46, EC\$16.82, EC\$15.43 and EC\$16.41 for Sol St. Lucia (Anguilla) Ltd., Delta Petroleum (Anguilla) Ltd., Anguilla Gases Ltd. (regular) and Anguilla Gases Ltd. (premium) respectively. These prices represent a decrease from the current maximum gasoline price order.

- 1) Considered and approved the imposition of maximum price orders on the sale of gasoline, starting 1st October 2024 to:
 - EC\$17.46 per imperial gallon for Sol St. Lucia (Anguilla) Ltd.

- EC\$16.82 per imperial gallon for Delta Petroleum (Anguilla) Ltd.
 - EC\$15.43 per imperial gallon for Anguilla Gases Ltd. (regular); and
 - EC\$16.41 per imperial gallon for Anguilla Gases Ltd. (premium)
- 2) Considered and approved the dissemination of the proposed price order to the fuel suppliers and allow them the opportunity to provide further information prior to the Order taking effect.
 - 3) Considered and approved the continuation of price order revisions as new information from the fuel suppliers and pertinent data on fuel import costs are obtained; and
 - 4) Requested that the Attorney General's Chambers prepare the Orders and Notice of extension of Regulations for the signature of the Minister.

Council authorized issue of the action sheet before confirmation of the minutes.

Action: PS, EDSIE; HON. PREM.

EX MIN 24/263

EX MEMO 24/183 Application for Issue of Licence Under the Aliens Land Holding Regulation Act- Registration Section: North; Block 58716 B; Parcels 133 and 134 both being 0.39 of an acre, a total of 0.78 of an acre

Financial Advisor, Head of Governor's Office and the Hon. Parliamentary Secretary remained.

The Honourable Minister for Home Affairs and Lands briefed Council. The Applicant is applying for an Aliens Land Holding Licence to hold land with the intention of carrying out animal husbandry.

Council:

1. Requested that the Department of Lands and Surveys conduct a site visit and the Ministry provide to Council information relevant to ensuring the proposed development is in line with the Government of Anguilla's Planning Policies and Guidelines;

2. Requested that the Ministry provide a Location Map of the property requested to hold; and
3. Deferred this matter for a next sitting.

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

EX MIN 24/264

EX MEMO 24/184 Application for Issue of Licence Under the Aliens Land Holding Regulation Act- Registration Section: West Central, Block 28110 B, Parcels 105 and 72 being 2.18 acres and 0.90 of an Acre Respectively

Financial Advisor, Head of Governor's Office and the Hon. Parliamentary Secretary remained.

The Honourable Minister for Home Affairs and Lands briefed Council. Council approved the granting of an Aliens Land Holding Licence to the applicant to hold on a freehold basis, vacant property situated in Registration Section: West Central, Block 28110 B, described as Parcels 105 and 72, being 2.18 acres and 0.90 of an acre (respectively), totalling 3.08 acres located at Rendezvous Bay, Anguilla for tourism purposes, to construct a one – (5) bedroom and two (7 bedroom) Villa development and (12 room) Boutique Hotel at Rendezvous Bay, subject to the following:

(a) Payment of the following Stamp Duties

Parcel 105

| | |
|--|------------------------------|
| i. under the Stamp Act – 5% of EC\$6,989,320.00 | EC\$349,466.00 |
| ii. under the Aliens Land Holding Regulation Act – 6.25% of EC\$6,989,320.00 | EC\$436,832.50 |
| iii. refundable deposit – 10% of EC\$6,989,320.00 | <u>Waiver</u> |
| TOTAL | <u>EC\$786,298.50</u> |

Parcel 72

| | | |
|------|--|------------------------------|
| i. | under the Stamp Act – 5% of EC\$1,344,100.00 | EC\$ 67,205.00 |
| ii. | under the Aliens Land Holding Regulation Act – 6.25% of EC\$1,344,100.00 | EC\$ 84,006.25 |
| iii. | refundable deposit – 10% of EC\$1,344,100.00 | <u>Waiver</u> |
| | TOTAL | <u>EC\$151,211.25</u> |
| | GRAND TOTAL | <u>EC\$937,509.75</u> |

- (a) With the express condition that the land is to be used for the sole for tourism purposes as approved in Planning Application No. 24/0117;
- (b) The Applicant Company shall apply for full Planning Permission before any development commences and shall detail all matters relating to the site;
- (c) To allow public access to the beach and foreshore acceptable to the Government of Anguilla;
- (d) To permit the Licencee to hold discussions with the MICUHT and Department of Physical Planning regarding the relocation of the Public Footpath;
- (e) That the Licencee shall secure any Planning and/or Environment permissions and any other required permits before any modification and/or work of the dune are conducted;

- (f) The Licencee shall, during the period of construction, permit the authorised officers or agents of the Government of Anguilla access to the land to inspect the site and works on site;
- (g) The Applicant Company been exempted from Government's Policy on restricting Aliens to holding no more than half an acre on the grounds that the intended purchaser is developing a tourism product that would yield financial revenue for the Government through sales and rentals;
- (h) The express condition in the Licence that the development shall be completed within forty-eight (48) months, failing which a penalty of US\$3,500.00 shall apply for each calendar month or part thereof that the project remains uncompleted without reasonable justification for the delay in completion. The said penalty shall continue for a period of 12 months. Thereafter, forfeiture proceedings for the property will be commenced by the Government of Anguilla; and
- (i) The Licencee shall fully comply with the laws of Anguilla in force from time to time including the Land Development Control Act, the Property Tax Act, the Building Regulations, the Labour Relations Act 2018 and Work Permit Regulations, the Social Security Act, the Immigration and Passport Regulations and any statutory modification or re-enactment thereof and any rules or regulations made there under.

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

EX MIN 24/266

EX MEMO 24/186 Anguilla Financial Services Commission ("AFSC") - Annual Report and Financial Statement for the Period Ending 31st December 2021

Financial Advisor, Head of Governor's Office and the Hon. Parliamentary Secretary remained.

The Honourable Deputy Governor briefed Council.

Council:

1. Noted the Anguilla Financial Services Commission's Report and financial statement for 2021; and

2. In accordance with legislative requirements instructed the Attorney General's Chambers to table the report at the next session of the House of Assembly for the information of legislators and the public.

Action: HON. DG. HON. AG.

EX MIN 24/267

EX MEMO 24/187 Executive Council as the Shareholder Committee of the National Commercial Bank of Anguilla (NCBA) – Confirmation of Appointment of Director to National Commercial Bank of Anguilla

Financial Advisor, Head of Governor's Office and the Hon. Parliamentary Secretary remained.

The Honourable Premier and Minister for Finance and Health briefed Council. The term of office for an outgoing local director of NCBA expired in July 2024. It is proposed that Mr. Alex Richardson fill this vacancy subject to approval from the Eastern Caribbean Central Bank. Mr. Richardson has served as internal counsel and corporate secretary for NCBA between 2016 and 2024. Mr. Richardson has confirmed that he will not continue as legal counsel or corporate secretary to NCBA to avoid any conflict.

Executive Council approved the appointment of Mr. Alex Richardson as a Director of the National Commercial Bank of Anguilla for a term of three years, subject to meeting the Eastern Caribbean Central Bank's fit and proper criteria and effective as at the date of the Eastern Caribbean Central Bank's letter of no objection.

Action: PAS, FIN; PS, FIN; HON. PREM.
