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MINUTES OF THE 181ST MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 6TH FEBRUARY 2014

- PRESENT: Her Excellency the Governor, Ms Christina Scott
- The Honourable Hubert Hughes, Chief Minister and Minister of Finance,
Economic Development, Investment, Commerce and Tourism and Minister
of Labour and Immigration and Minister of Social Development and Health
- The Honourable Deputy Governor, Mr Stanley Reid
- The Honourable Jerome Roberts, Minister of Lands, Physical Planning, Human
Rights, Environment, Gender Affairs and Agriculture and Fisheries and Minister
of Sports and Education, Library Services, Sports, Youth and Culture
- The Honourable Evan Gumbs, Minister of Infrastructure, Communications,
Utilities and Housing
- The Honourable Attorney General, Mr James Wood QC
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Dr Wycliffe Fahie, PAS, FIN/Chairman, Procurement Board
Dr Aidan Harrigan, PS, FIN
Mr Foster Rogers, PS, EDICT
Mr Leslie Hodge, DLS
Ms Marisa Harding-Hodge, TIO
Mr Vincent Proctor, PPO

EX MIN 14/76 **CONFIRMATION OF THE MINUTES**

Council confirmed the Minutes of the 180th Meeting held on Thursday 30th January 2014. Council agreed that the Minutes of a Special Meeting held on Wednesday 29th January 2014 should be deferred.

MATTERS ARISING FROM THE MINUTES

EX MIN 14/77 None.

EX MIN 14/80

EX MEM 14/36 REDUCTION OF DUTY FOR IMPORTED BOTTLED WATER

PS, FIN and PS, EDICT remained for discussion.

Council agreed that the matter should be deferred. Council further agreed that the matter should be re-submitted to Executive Council on Thursday 13th February with a clear indication as to what the potential revenue loss to the GoA would be.

Action: PS, FIN; PS, EDICT; PAS, FIN

EX MIN 14/81

EX MEM 14/37 APPEAL AGAINST PLANNING PERMISSION – DEDRICK BROOKS

Messrs Leslie Hodge, DLS and Vincent Proctor, PPO joined the Meeting.

Council was content that the developer had made sufficient efforts to satisfy the requirements of the LDCC, and with the recommendations made by the consultant who undertook the required geologic evaluation at the property.

Council therefore agreed that the appeal against the refusal of planning permission for Mr Dedrick Brooks to subdivide the property registered as Sandy Ground, Anguilla (Block: 08512 B Parcel 110) should be allowed.

Action: PS, MHA/LANDS; PPO; DLS

EX MIN 14/82

EX MEM 14/38 APPEAL AGAINST PLANNING PERMISSION – DORIS PENN

Following a site visit by members of Executive Council and relevant officials to the property at West End on Thursday 16th January 2014 and, based on the information received during the site visit, Council agreed that the decision of the LDCC should be upheld, and that the appeal against the refusal of planning permission for Doris Penn to construct a dwelling house at West End, Anguilla (Block 17910 B Parcel 64) should not be allowed.

Council noted that Ms Penn was given alternatives to rectify the situation.

Action: PS, MHA/LANDS; PPO; DLS

EX MIN 14/83

EX MEM 14/39 APPEAL AGAINST PLANNING PERMISSION – SUYING & LICHAO FENG

Following a site visit to the property at George Hill on Thursday 16th January 2014, Council agreed that the appeal against the refusal of planning permission for Suying and Lichao Feng to construct a supermarket, restaurant and dwelling house at George Hill, Anguilla (Block 48713 B Parcels 250 and 251) should not be allowed.

Action: PS, MHA/LANDS; PPO; DLS

EX MIN 14/84

EX MEM 14/40 NAMING OF ROAD (SHOAL BAY FOR MILDRED VANTERPOOL-HODGE)

Council agreed that the matter should be deferred.

Action: PS, MHA/LANDS; DLS; PS, MICUH

EX MIN 14/85

EX MEM 14/41 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – TELMA G. DUZANT, FRANCOIS R. DUZANT, ALAIN E. DUZANT & CATHERINA C. S. DUZANT (REGISTRATION SECTION: EAST CENTRAL; BLOCK: 89218 B PARCEL 540, CONTAINING 2.65 ACRES)

Council agreed to issue an Aliens Land Holding Licence to Telma G. Duzant, Francois R. Duzant, Alain E. Duzant and Catherina C. S. Duzant to hold, on a freehold basis, vacant land described as Registration Section East Central, Block 89218 B Parcel 540, containing 2.65 acres of land located at Tom Ground as tenants in common, subject to the payment of the following stamp duties:-

(i)	under the Stamp Act - 5% of EC\$362,907.00	EC\$18,145.35
(ii)	under the Aliens Land Holding Regulations Act - waived	EC\$ - 0 -
(iii)	refundable Deposit of 10% - waived	EC\$ - 0 -
	TOTAL	EC\$18,145.35

Council further agreed that the applicants should be granted a waiver from the restriction of acquiring only 0.50 acre of land and also from the requirement to complete construction in twenty-four (24) months.

Action: PS, MHA/LANDS; PS, FIN; PS, EDICT; DLS

EX MIN 14/86

EX MEM 14/42 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – ANGUILLA UPLAND EQUITIES LLC (REGISTRATION SECTION: WEST END; BLOCK: 17709 B; PARCELS 170 – 175, 181 – 183, 192, 193 AND BLOCK 17809 B, PARCELS 15, 16, 111, 124 – 128, 140, 225, 226, 235, 236, 262, 266, 267 & 271 CONTAINING 45.82 ACRES)**APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – TEI ANGUILLA VILLA EQUITIES LLC (REGISTRATION SECTION: WEST END; BLOCK: 17709 B, PARCELS 136, 224, 225, 226, 227, 228, 179 CONTAINING 6.33 ACRES)**

PS, EDICT and DLS remained for discussion. Ms Marisa Harding-Hodge, TIO joined the Meeting.

Council agreed that the paper should be deferred to the next Meeting of Executive Council on Thursday 13th February 2014.

Action: PS, MHA/LANDS; DLS; PS, EDICT

EX MIN 14/87

EX MEM 14/ 47 SUPPLEMENTARY AGREEMENT # 3 TO THE MOA BETWEEN SHOAL BAY WEST PROPERTIES LLC AND THE GOVERNMENT OF ANGUILLA

PS, EDICT; DLS and TIO remained for discussion.

Council agreed that the paper should be deferred to the next meeting of Executive Council on Thursday 13th February 2014.

Action: PS, MHA/LANDS; DLS; PS, EDICT

EX MIN 14/88

EX MEM 14/43 FILLING OF POSTS – PRINCIPAL AND DEPUTY PRINCIPAL (PASTORAL) OF ALHCS

Council:-

- (i) noted that the posts of Principal and Deputy Principal (Pastoral) of the ALHCS will become vacant in October/November 2015 when the current post holders retire;
- (ii) agreed with the Ministry of Social Development (Education) that the recruitment process for the filling of these positions should begin so that suitable replacements could be identified and there could be a sufficient period for shadowing the current incumbents; and
- (iii) agreed that the posts of Principal and Deputy Principal (Pastoral) of the ALHCS should be filled.

Action: PS, ELSYC; PS, PA; PS, FIN; PS, EDICT; BD; CEO

EX MIN 14/89

EX MEM 14/44 TRANSFER OF MRS BERNICE EDWARDS TO THE ANGUILLA COMMUNITY COLLEGE

Council agreed that:-

- (i) Mrs Bernice Edwards, Executive Assistant at the Ministry of Social Development should be transferred, by regulation, to the Anguilla Community College effective 1st March 2014; and
- (ii) the Attorney General's Chambers should prepare the necessary regulation for signature by HE the Governor.

Council authorised the issue of the action sheet before confirmation of the Minutes.

Action: PS, ELSYC; PS, PA; PS, FIN; PS, EDICT; BD

EX MIN 14/90

EX MEM 14/45 AMENDMENT OF THE ASSESSMENT OF INDUSTRY LEVY (TELECOMMUNICATIONS) REGULATIONS 2013

Council approved the Assessment of Industry Levy (Telecommunications) (Amendment) Regulations 2014.

Council authorised the issue of the action sheet before confirmation of the Minutes.

Action: PS, MICUH; AG

EX MIN 14/91

EX MEM 14/46 AMENDMENT OF ANTI-MONEY LAUNDERING AND TERRORIST FINANCING REGULATIONS, R.R.A. P98-1

Council approved the drafting of amendments to the AML/CFT Regulations to satisfy CFATF's recommendation.

Action: AG; PS, FIN; PS, EDICT; DIR, FSC

EX MIN 14/92

EX MEM 14/48 PAYMENT OF HOUSING ALLOWANCE TO MS SILVIA ERNI

DLS and PPO remained for discussion.

Council agreed that Ms Silvia Erni, Senior Planner in the Department of Physical Planning should continue to receive 50% of the applicable housing allowance for any period of renewal of her contract as Senior Planner in the Department of Physical Planning.

Council further agreed that:-

- (i) continued efforts should be made to seek for qualified Anguillians to fill key positions in the Anguilla Public Service;
- (ii) the GoA must have the ability to continue to attract and procure excellent quality skills and professionals of a high calibre; and
- (iii) Public Administration should review the policy, taking into consideration recent decisions of Executive Council in relation to housing allowance.

Action: PS, MHA/LANDS; PS, PA; PPO; DLS; PS, FIN; PS, EDICT; BD; ACC
GEN
