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MINUTES OF THE 207TH MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 28TH AUGUST 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 Acting Deputy Governor, Dr Bonnie Richardson-Lake
- The Honourable Jerome Roberts, Minister of Lands, Physical Planning, Human
Rights, Environment, Gender Affairs and Agriculture and Fisheries and Minister
of Education, Library Services, Sports, Youth and Culture
- The Honourable Evan Gumbs, Minister of Infrastructure, Communications,
Utilities and Housing
- The Honourable Attorney General, Mr Rupert Jones
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Mrs Kathleen Rogers, PS, PA
Mrs Rhonda Connor, CEO
Dr Wycliffe Fahie, PAS, FIN
Mrs Shona Proctor, BD
Hon Haydn Hughes, Parliamentary Secretary
Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance
Ms Aurjul Wilson, PS, MHA/LANDS
Mr Bancroft Battick, Chief Engineer
Mr Leslie Hodge, DLS
Mr Vincent Proctor, PPO
Mr Aron Ruan, Architect, Valley Food Court Project
- ABSENT: The Honourable Deputy Governor, Mr Stanley Reid

EX MIN 14/533

CONFIRMATION OF THE MINUTES

Council confirmed the Minutes of the 206th Meeting held on Thursday 21st August 2014 and the Minutes of a Special Meeting held on Monday 25th August 2014.

MATTERS ARISING FROM THE MINUTES

EX MIN 14/534 None

EX MIN 14/535 **UPDATE ON VALLEY FOOD COURT PROJECT**

The following persons joined the Meeting:-

Hon Haydn Hughes, Parliamentary Secretary
Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance
Ms Aurjul Wilson, PS, MHA/LANDS
Mr Bancroft Battick, Chief Engineer
Mr Leslie Hodge, DLS
Mr Vincent Proctor, PPO
Mr Aron Ruan, Architect, Valley Food Court Project

Further to EX MIN 14/529 of 25th August 2014, Council:-

- (i) agreed that Mr Aron Ruan, Architect, Valley Food Court Project should by 11 September provide full master plans to the Building Board for planning permission for the Valley Food Court Project; and
- (ii) agreed to relax the Planning Policy and Procedures 2002 manual as it relates to certification for temporary electrical connection in the case of the Valley Food Court Project.

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

Action: PS, MHA/LANDS; PS, MICUH; CHIEF ENG; DLS; PPO

EX MIN 14/536 **EX MEM 14/288 PRIORITY TRAINING NEEDS FOR 2014/15**

EX MIN 14/522 of 21st August 2014 refers.

The following persons joined the Meeting:-

Mrs Kathleen Rogers, PS, PA
Mrs Rhonda Connor, CEO
Dr Wycliffe Fahie, PAS, FIN
Mrs Shona Proctor, BD

Council:-

- (i) noted the recommendations of the Training Policy Committee as outlined in EX MEM 14/288;
- (ii) agreed that, in addition to those areas identified by the Training Policy Committee, Pharmacy should be included as a priority training area;

(Council noted the scholarship offered in this area by Altamer Resort and agreed that there should be discussion between Altamer and the GoA as it relates to this particular area of study)

- (iii) agreed that there should be further discussion on the Bachelor Degree in Civil Engineering;
- (iv) agreed that clarity be given by the Training Policy Committee as to whether the GoA should fund training up to the Masters level if the candidate was not an Island Scholar;
- (v) noted the projected uncommitted balance of EC\$323,940.54 for the remainder of 2014; and
- (vi) additionally noted the ministerial decision to fully fund the following persons for the duration of their studies:-
 - 1) Mr Kumakie Parris – Psychology, Argo University, USA
 - 2) Ms Jilma Hodge – Medicine, Dominica
 - 3) Ms Nakishma Rogers – LLM, University of London

Mrs Kathleen Rogers, PS, PA and mother of Ms Nakishma Rogers left the meeting and was not a part of the discussion relating to her daughter.

HE The Governor said that the decision to support particular students in subject areas that had not been identified as priorities by the Training Policy Committee was likely to undermine public confidence in the process by which scarce Government funds were allocated. In addition, the consequence would be that skills gaps could not now be funded, and as a result Anguilla would continue to have skills shortages in important areas.

Following the decision taken by Ministers of Government to fully fund the above persons for the duration of their studies, Council asked that the following statements be placed on record:-

Hon Minister of Education

“Kumakie Parris - the Government of Anguilla has the right to assess any area of priority training that is brought before them and to make the adjustments where necessary. In this particular case, Kumakie Parris was a troubled youth whose desire is to assist other troubled youth and as a result of his experiences saw the need to further advance himself educationally. The GoA wholeheartedly supports such a request.”

“Jilma Hodge – the Government of Anguilla, cognizant of the fact that this was not a priority area outlined, recognised the need to assist her in her final course of study”.

“Nakishma Rogers – an Island Scholar and not just an applicant for a scholarship. The Government of Anguilla again recognising that there is need for fair play wholeheartedly support Nakishma’s studies towards the LLM. The Government recognised that as an Island Scholar she was awarded approximately EC\$500,000 for her course of studies. She completed the first portion of her studies and used approximately EC\$350,000 of what was awarded for her studies thus creating significant savings to the Government of Anguilla. It must be noted that Nakishma Rogers who worked at the Attorney General’s Chambers at every opportunity when she was home on vacation was never looked at for placement within the Government of Anguilla. The approved area of study to date is going to be to the tune of EC\$50,000 which shows that there would be significant savings of approximately EC\$100,000 as it relates to Nakishma’s studies as Island Scholar of Anguilla”.

Hon Chief Minister/Finance

“I am very happy that my 50 years of involvement in trying to secure a serious, reputable Government in Anguilla has now been rewarded by the type of Ministers I have on my left in the person of Hon Jerome Roberts and Hon Evan Gumbs. In the history of the Government of Anguilla we have never had a Government so clean and decent. We are even more stressed by the fact that the portfolios we carry are so burdensome and we hardly have time for ourselves. I listen here most of the time and make very little comment. There is serious instability amongst our youth. If I would see Kumakie, I would not even know who he is. I have no interest in him but the fact that he heard about his events to save the youth, any reputable Government would want to encourage him for what he is doing”.

“Jilma – a very good Nurse in Anguilla. It makes very good sense what the Minister is proposing”.

“Nakishma – I wish to state unequivocally that this brilliant young student has been seriously victimised. Because Kathleen Rogers is her mother, her daughter was victimised. I had a similar experience with a nephew of mine. I have known Nakishma coming back from University and committing to the AG’s Chambers which means she was committed to working in Anguilla. The AG’s Chambers said she was a good student and would be an asset to the Chambers and Anguilla. I support the Minister’s actions”.

Hon Minister, MICUH

“I am in full support of Minister Roberts’ position”.

Council asked for a comprehensive report to Executive Council of all the Island Scholars who have returned to Anguilla since 2010, specifying those who have been placed and those who have not been placed. Their course of studies should be included.

Action: DG; PS, PA; PS, FIN; BD; CEO; MINS OF GOV’T

EX MIN 14/537

EX MEM 14/294 FILLING OF HM PRISON TUTOR DUE TO EXPIRATION OF CONTRACT

Parliamentary Secretary and Personal Assistant to the Hon CM/Finance remained in attendance.

Council noted that the HM Prison Tutor's contract would expire on 5th November 2014. Council additionally noted that the views of the Permanent Secretaries had been sought and support given for the filling of the position.

Council agreed that the HM Prison Tutor post should be filled when it becomes vacant in November.

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

EX MIN 14/538

EX MEM 14/295 FILLING THE POST OF DIRECTOR OF THE NATIONAL AIDS PROGRAMME/CHRONIC DISEASE PROGRAMME

Parliamentary Secretary and Personal Assistant to the Hon CM/Finance remained in attendance.

Council noted that the current Director of the National AIDS Programme would be transferred to the post of Health Planner thus creating a vacancy at the Director position. Council further noted that the views of the Permanent Secretaries had been sought and their full support given to filling the position.

Council agreed that the post of Director of the National AIDS Programme/Chronic Disease Programme should be filled.

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

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

EX MIN 14/539

EX MEM 14/296 ACTING DIRECTOR OF THE ANGUILLA SOCIAL SECURITY BOARD

Parliamentary Secretary and Personal Assistant to the Hon CM/Finance remained in attendance.

Council retroactively approved the appointment of Ms Maglan Richardson as Acting Director for the period 15 - 20 May 2014.

Action: PS, FIN; DIR, SS

EX MIN 14/540

EX MEM 14/297 INCENTIVES FOR MANUFACTURING COMPANIES IN ANGUILLA

Parliamentary Secretary and Personal Assistant to the Hon CM/Finance remained for discussion.

Council agreed in principle to grant duty concessions to the following manufacturers, subject to the usual process, including verification from the Customs Department on the items on which duty would not be payable, and formal approval through Council:-

- 1) Paradise Island Handmade Luxury
- 2) Anguilla Aluminium
- 3) Tropical Treats

Council further agreed that the Ministry of Finance should develop a policy document setting out the scope of concessions available, and the process by which they are secured, so as to give effect to Motion No.368 passed by the House of Assembly on 11 June 2013 to support manufacturing businesses in Anguilla.

Action: PS, FIN; PS, EDICT; PAS, FIN; PARL SEC; PA/HON CM/FIN; COC

EX MIN 14/541

EX MEM 14/298 DRAFT PERSONAL WATERCRAFT (JET SKI) POLICY FOR ANGUILLA

Parliamentary Secretary and Personal Assistant to the Hon CM/Finance remained for discussion. Mr Foster Rogers, PS, EDICT joined the Meeting.

Council:-

- (i) approved the draft personal Watercraft (Jet Ski) Policy for Anguilla for public consultation;
- (ii) approved a period of eight (8) weeks for public consultation on the policy. Further, public consultations should be done in the vicinity of the proposed areas for Jet Ski operations in addition to consultations with government agencies, private sector organisations and civil society;
- (v) agreed that:-
 - a) consultation responses should be sent to:-

Mr Merwyn F. Rogers, Perm. Sec./EDICT @ Merwyn.rogers@gov.ai
or via post to The Ministry of Economic Development, Investment,
Commerce & Tourism, P.O. Box 60, The Valley, Anguilla, AI2640;
 - b) responses would be formally considered by Executive Council and that names and addresses should be provided by those responding to the consultation for their views to be considered by ExCo; and
 - c) the deadline for consultation responses would be 24 October 2014.

Action: PS, EDICT; PS, FIN; PS, MHA/LANDS; PARL SEC; PA/HON CM/FIN;
DIR, ENV

EX MIN 14/542

EX MEM 14/299 APPROVAL FOR NEW MEMBERSHIP OF THE ANGUILLA HONOURS AND AWARDS COMMITTEE

Council:-

- (i) agreed that the following persons should be appointed to serve as members of the Anguilla Honours and Awards Committee for a period of three (3) years:-
- 1) Rev. Dr. Wycherley Gumbs
 - 2) Mrs. Yolande Richardson
 - 3) Mr. Carl Ruan
 - 4) Mr. Ralph Hodge
 - 5) Mr. Rodney Rey
 - 6) Ms. Pearline Hughes
 - 7) Ms. Valarie Hodge
- (ii) approved the amended Terms of Reference for the Anguilla Honours and Awards Committee.

Action: PS, MHA; PAS, MHA

EX MIN 14/543

EX MEM 14/300 FILLING OF ONE (1) VACANT POST OF PRINCIPAL ASSISTANT SECRETARY

Council agreed that the matter should be deferred to allow further discussion between the Hon Minister of Home Affairs and the PS, MHA as to whether the post should be filled.

Action: HON MIN, MHA; PS, MHA

EX MIN 14/544

EX MEM 14/301 APPLICATION BY NORTH VIEW PROPERTIES LTD., IN ACCORDANCE WITH SECTION 7 OF THE ALIENS LAND HOLDING REGULATIONS ACT FOR A LICENCE – PROPERTY DESCRIBED AS REGISTRATION SECTION ROAD, BLOCK 08412 B; PARCEL 162

DLS remained for discussion.

Council agreed to issue an Aliens Land Holding Licence to North View Properties Ltd. (now an alien company by virtue of the transfer of 100% shares in North View Properties Ltd. from Louis Michel Deher to Louis Michel Deher, Michel J. Deher, Christina M. Deher, Kathleen S. Deher and Brain E. Deher citizens of the Netherlands) the registered proprietor of freehold vacant land comprising 0.15 acre, described as Registration Section Road, Block 08412 B, Parcel 162 to construct a guest house thereon subject to the following:-

- (a) Payment of the following fees:-
- (i) Stamp Duty on Licence of 12.5% under the Aliens Land Holding Licence Regulations Act

	Section 14 (1) (a) of the value of the property of EC\$64,516.80	=	EC\$8,064.60
(ii)	Stamp Duty in accordance with Section 25 of Stamp Act on transfer of shares 5% the value of the property of EC\$64,516.80	=	EC\$3,225.84
(iii)	Refundable Deposit of 10% of EC\$64,516.80	=	EC\$6,451.68
	TOTAL	=	EC\$17,742.12
(b)	The construction of the guest house within twenty seven (27) months (i.e. twenty four (24) months for construction plus three (3) months for the relevant permits to be obtained).		

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

EX MIN 14/545

EX MEM 14/302 PAYMENT OF DEFERRED SALARY – MS C

[note on publication: name redacted to protect personal health information]

Council agreed that Ms C, should be paid her deferred salary totalling EC\$14,616.89 to enable her to meet some of her financial obligations as a result of her medical condition.

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

Action: PS, PA; PS, FIN; PS, EDICT; ACC GEN; COC

EX MIN 14/546

EX MEM 14/303 PAYMENT OF DEFERRED SALARY – MS F

[note on publication: name redacted to protect personal health information]

Council agreed that Ms F should be paid her deferred salary totalling EC\$13,627.47 to enable her to meet some of her financial obligations as result of her medical condition.

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

Action: PS, PA; PS, FIN; PS, EDICT; ACC GEN; CIR

EX MIN 14/547

EX MEM 14/304 EXEMPTION FROM THE WORK PERMIT REQUIREMENT

Council agreed, in accordance with Section 3 (f) of the Control of Employment Act, that the Certificate of Exemption from the work permit requirement should be granted to Ernst & Young Services Ltd of Barbados, who would be representing

the ECCB in Anguilla as the Financial Auditors at NBA and CCB for a period of six (6) weeks from 1st September to 12th October 2014.

The persons to be exempted are:-

Christopher Stephen Sambrano - DOB Mar/01/67 - Trinidad and Tobago

Gina Catherine Matthew - DOB Nov/23/68 - Trinidad and Tobago

Raymond Anderson Haynes - DOB Jun/25/79 - Barbados

Danielle Marie- Louise Dumas - DOB Dec/08/83 - Trinidad and Tobago

Rashida Tamika Parasram - DOB May/28/82 - Barbados

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

Action: PS, IMM; LAB COM; CIO

EX MIN 14/548

EX MEM 14/305 AGGREGATES MATTER

Parliamentary Secretary and Personal Assistant to the Hon CM/Finance remained for discussion.

Council expressed concern regarding the length of time it had taken for the final audit report on the aggregates matter to be submitted to Executive Council.

Council noted the paper submitted by the Hon Chief Minister/Finance outlining some of the issues surrounding this case including personal court charges against him totalling EC\$90,000.

Council reiterated the urgency of the final report being submitted to Executive Council.

Action: HON CM, PS, FIN

EX MIN 14/549

INF 14/07 ANGUILLA REVOLUTION RE-ENACTMENT PROPOSAL UPDATE

Council noted the update on the proposal for the re-enactment of segments of the Anguilla Revolution as part of the Anguilla celebrations activities as outlined in the attached minutes of meetings.

Council continued to support the initiatives going forward.

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

Action: PS, MHA; MINS OF GOV'T

ORAL MENTION

EX MIN 14/550

MATTER OF CONCERN: MR A AND MR B

[note on publication: names redacted to protect personal health information]

In EX MIN 14/327 of 15th May 2014, the Hon Minister of ELSYC made particular mention of two young men, Messrs A and B who had become immobilised following injuries sustained by shooting incidents. The Minister expressed concern that the young men who had been very active and skilful prior to their mishaps had become frustrated by their challenges.

Council agreed that the Minister should discuss with the PS, ELSYC as to how this concern could be addressed and how their skills could be utilised.

Further to EX MIN 14/327 of 15th May 2014, Council noted that Mr B was gainfully engaged but that there was still a challenge finding a placement for Mr A.

Council encouraged the various departments to continue to search for a placement for Mr A.

Action: HON MIN, ELSYC; PS, ELSYC; EXCO MEMBERS

EX MIN 14/551

LEAVE

HE The Governor informed Council that she would be on leave from the 4 – 11 September 2014.

Action: EXCO MEMBERS
