

THIS DOCUMENT IS THE PROPERTY  
OF THE GOVERNMENT OF ANGUILLA

Copy No:

**MINUTES OF THE 175<sup>TH</sup> MEETING OF THE ELEVENTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON THURSDAY 7<sup>TH</sup> FEBRUARY 2019**  
**AT 9:00 AM**

- PRESENT: His Excellency the Governor, Mr Timothy Foy, OBE
- The Honourable Chief Minister and Minister of Finance, Economic Development, Commerce, Tourism and Information Technology, Mr Victor Banks
- The Honourable Deputy Governor, Mr Perin Bradley
- The Honourable Minister of Health and Social Development, Lands and Physical Planning, Mr Evans Rogers
- The Honourable Minister of Home Affairs and Education, Mrs Cora Richardson-Hodge
- The Honourable Minister of Infrastructure, Communications, Utilities, Housing, Agriculture, Fisheries and Environment, Mr Curtis Richardson
- The Honourable Attorney General, Mr Dwight Horsford
- Clerk to Executive Council, Mrs Jewelle Fleming
- IN ATTENDANCE: Hon Parliamentary Secretary, Mr Cardigan Connor  
Financial Specialist, Mr Stephen Turnbull  
PS, FIN, Dr Aidan Harrigan  
PS, EDICTIT, Mr Larry Franklin  
PS, HLPP, Mr Foster Rogers  
DLS, Mr Leslie Hodge  
Director, Economic Planning, Mrs Shantelle Richardson  
PS, MICUHAFE, Mr Karim Hodge  
Chief Project Officer, Mrs Anthea Ipinson-Connor

EX MIN 19/68

**CONFIRMATION OF THE MINUTES**

Hon Parliamentary Secretary and Financial Specialist remained.

Council confirmed the Minutes of the 174<sup>th</sup> Meeting held on Thursday 31 January 2019.

**MATTERS ARISING FROM THE MINUTES**

EX MIN 19/69

**EX MIN 19/58 EX MEM 19/16 DESIGNATION OF SUPERINTENDENT OF PORTS (PORTS, PIERS AND HARBOURS ACT, 2010) AND**

**EX MIN 19/67 STATUS OF ISM CODE COMPLIANCE FOR ANGUILLA PASSENGER FERRIES**

With reference to Ex Min 19/58 and Ex Min 19/67 of 31 January, Council noted that the PS, MICUHAFE would submit a paper to Executive Council at next week's meeting encompassing the subjects indicated above.

Action: PS, MICUHAFE; HON DG; SOP; CPO; MINS OF GOV'T

EX MIN 19/70

**2019 CAPITAL BUDGET**

Hon Parliamentary Secretary and Financial Specialist remained. The following persons joined:

PS, Finance, Dr Aidan Harrigan  
Director, Economic Planning, Mrs Shantelle Richardson  
Chief Project Officer, Mrs Anthea Ipinson-Connor

Council:

- (i) agreed that EC\$50,000.00 should be taken from Tourism Sector Development and Road Development respectively to be added to Land Acquisition for a total of EC\$200,000.00;
- (ii) agreed that the government should reflect in the budget estimates as information the UKG –Anguilla Programme Projects list including a three year cost profile although this sum need not be appropriated; and
- (iii) approved the total of EC\$16,800,000.00 for the locally funded 2019 Capital Budget.

Further to Ex Min 19/61 of 31 January with regard to the 2019 budget, Council approved the revised figures for the 2019 Budget as follows:

(a)	Recurrent Revenue	EC\$208,361,315
(b)	Recurrent Expenditure	EC\$213,480,000
(c)	Recurrent Deficit	EC\$5,118,685
(d)	Capital Revenue	EC\$37,282,651
(e)	Capital Expenditure	EC\$16,800,000
(f)	Capital Surplus	EC\$20,482,651

(g)	Overall Surplus (before amortization)	EC\$15,363,966
(h)	Debt Amortization	EC\$28,505,885
(i)	Overall Deficit (after amortization)	EC\$13,141,919
(j)	Financing	EC\$ 39,290,000
	To include:	
	CDB (PBL)	EC\$15,000,000
	CDB (ACC)	EC\$7,800,000
	Sinking Fund	EC\$16,490,000

Action: PS, FIN; PS, EDICTIT; CPO; BD; DEP; OTHER PSs; ACC GEN;  
MINS OF GOV'T

EX MIN 19/71

**EX MEM 19/28 PERMANENT RESIDENCY BY INVESTMENT PROGRAMME**

Hon Parliamentary Secretary, Financial Specialist, PS, EDICTIT, Director,  
Economic Planning and Compliance Manager remained.

Council:

- (i) noted the proposed direction for the Permanent Residency by Investment Programme;
- (ii) agreed, based on the queries and comments during discussion, that the document should be reviewed to reflect the following:
  - (a) Retroactive Fast Track Phase deadline be extended to 30 June 2019;
  - (b) minimum property valuation be decreased for Retroactive Fast Track Phase one as follows:
    - if the purchase occurred less than 2 years ago, the valuation threshold should be maintained at minimum US\$750,000;
    - if the purchase occurred between 2-5 years ago, the valuation threshold should be a minimum of US\$600,000; and
    - if the purchase occurred over 5 years ago, then the valuation threshold should be a minimum of US\$500,000.
  - (c) extend the age of eligible dependents to under 26 years once the child is in full-time course of study and is financially dependent on the parents.

- (iii) requested the PS, EDICTIT and Director, Economic Planning in collaboration with the Hon Attorney General to work through the highlighted issues and bring back to Executive Council for further consideration; and
- (iv) asked that consideration be given to framing this initiative in primary legislation rather than regulations.

Action: PS, EDICTIT; DEP; HON AG; PS, FIN; PAS, FIN; COM MAN;  
MINS OF GOV'T

EX MIN 19/72

**EX MEM 19/29 GRANT OF PERMIT OF PERMANENT RESIDENCE VIA INVESTMENT**

Hon Parliamentary Secretary, Financial Specialist, PS, EDICTIT, Director, Economic Planning and Compliance Manager remained.

Council:

- (i) considered an application for the grant of a Permit of Permanent Residence via Investment in accordance with the provisions of Section 24 (1) of the Immigration and Passport Act and the Permanent Residence Permit (Amendment) Regulations 2018; and
- (ii) authorised H E The Governor to grant the Permit of Permanent Residence, subject to the payment of the permit fee and all other requirements being met.

Council asked the Director, Economic Planning to liaise with the PS, MHA regarding the memo template used by that Ministry for Aliens Land Holding Licence applications.

Action: PS, EDICTIT; DEP; PS, MHA; HON AG; PS, FIN; PAS, FIN; COM MAN;  
MINS OF GOV'T

EX MIN 19/73

**EX MEM 19/30 PROPOSED COLLECTION AGREEMENT WITH AIRBNB FOR THE COLLECTION AND REMITTAL OF ACCOMMODATION TAX ON BEHALF OF HOST OPERATORS**

Hon Parliamentary Secretary, Financial Specialist and PS, EDICTIT remained.

Council:

- (i) agreed that the Government of Anguilla should sign the Collection Agreement with Airbnb; and
- (ii) emphasised the need to modernise the relevant legislation to put the onus on the host to ensure the collection and remittance of the appropriate amount of accommodation taxes and to keep the appropriate records. Looked forward to getting a proposal from the Inland Revenue Department as to how compliance around this sector would be addressed.

Action: PS, EDICTIT; CIR; DCIR; PS, FIN; PAS, FIN; COM MAN; BD;  
MINS OF GOV'T

EX MIN 19/74

**EX MEM 19/31 CLAIM BY REGISTERED PROPRIETORS FOR ROAD ACQUISITION OF PROPERTY SITUATED IN REGISTRATION SECTION WEST CENTRAL, BLOCK 28211 B, PARCEL 77**

Hon Parliamentary Secretary and Financial Specialist remained. PS, HLPP, Mr Foster Rogers and DLS, Mr Leslie Hodge joined.

Council:

- (i) agreed that officials in the relevant ministries should negotiate a settlement with the landowners on this matter; and
- (ii) agreed that any settlement must be in keeping with the allocated amount in the 2019 budget for land acquisition.

Action: PS, HLPP; DLS; PS, MICUHAFE; BD; MINS OF GOV'T

EX MIN 19/75

**EX MEM 19/32 APPEAL AGAINST PLANNING REFUSAL APPLICATION REF#: 17/0232 (KERRY & PAUL HARRIGAN)**

Hon Parliamentary Secretary, Financial Specialist, PS, HLPP and DLS remained.

Council agreed that the paper be deferred to next week to look at further issues surrounding this case.

Action: PS, HLPP; DLS; PPO; PEHO; DHP; MINS OF GOV'T

EX MIN 19/76

**EX MEM 19/33 APPEAL AGAINST PLANNING REFUSAL APPLICATION REF#: 18/0009 (VERONIQUE AND KEITH'S BBQ & FISH FRY)**

Hon Parliamentary Secretary, Financial Specialist, PS, HLPP and DLS remained.

Council agreed that the appeal against planning permission from Veronique and Keith's BBQ & Fish Fry to develop a food stall at Island Harbour on part of Parcel 1 of Block 89418B should be allowed on the following grounds:

- (i) the development will be sited in the area that does not impact parking negatively in the area that is currently being used by the applicant for food stall services;
- (ii) the development will continue to create economic activity on Island Harbour Beach and cater to local and visiting clients with products that are different to other vendors in the area; and
- (iii) the area is used for similar activity during Festival Del Mar.

Council further agreed that the appeal be allowed with the following conditions:

- (i) approval is for a period of three (3) years. (clear instructions be given as to what the requirements are for the period of three years). Upon the expiration

of this period the Ministry of Lands will indicate the government's desire to extend permission for further periods of up to three years or require the activity to cease; and

- (ii) the developer is to apply to the Ministry of Lands for a licence to operate on Parcel 1 for said period.

The Hon Attorney General pointed out that for future reference, the Land Development Control Committee (and not the Ministry of Lands) is responsible for imposing conditions relating to appeals, as is consistent with the Land Development Control Act.

Action: PS, HLPP; DLS; PPO; PEHO; DHP; MINS OF GOV'T

EX MIN 19/77

**EX MEM 19/34 REVISED TRAINING NEEDS FOR 2019**

Hon Parliamentary Secretary and Financial Specialist remained.

Council agreed that the following subject areas should be deemed eligible for financial assistance:

- (i) Land Surveying; and
- (ii) Human Resource Management

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

Action: PS, PA; TRNG OFF; PS, HLPP; PS, FIN; PS, EDICTIT; BD; ACC GEN

EX MIN 19/78

**INF 19/02 INFORMATION NOTE:- NATIONAL FUNERAL FOR THE LATE MR EUGENE FLEMING IN RECOGNITION OF HIS INVALUABLE CONTRIBUTION TO ANGUILLA DURING THE REVOLUTION**

Hon Parliamentary Secretary and Financial Specialist remained.

Council noted the passing of Mr Eugene Fleming of Island Harbour on Saturday 26 January 2019.

Mr Fleming was one of Mr Ronald Webster's right hand men in 1967, who travelled from east to west guarding the beaches and protecting the revolutionary leader.

The late Mr Eugene Fleming was awarded with the Anguilla Badge of Honour and Queen's Certificate in 2013 for his outstanding contribution to the Anguilla Revolution.

In keeping with EX MIN 14/612 (vii) and EX MIN 15/535, the Ministry of Home Affairs has therefore begun the process of making arrangements which would include:

- (i) the holding of a National Funeral for the late Eugene Fleming on Friday 15 February 2019 in collaboration with the family;

- (ii) the publication of an official Statement of Condolence from the Government and people of Anguilla on the passing of this outstanding revolutionary;
- (iii) flags to be flown at Half Mast on the day preceding the funeral and on the day of the funeral immediately following the funeral ceremony;
- (iv) a Police Guard of Honour to be drawn up at the Church and a contingent of uniformed officers to bear the body in and out of the church and at the grave-side. Casket to be covered with the national flag; and
- (v) a contribution of EC\$5,000.00 towards the cost of the funeral expenses and EC\$3,000.00 towards the other expenses.

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

Action: PS, MHA; PS, FIN

### **ORAL MENTION**

EX MIN 19/79

### **ANGUILLA TOURISM ADVISORY COUNCIL (ATAC), AASPA & FORECAST INC.**

Hon Parliamentary Secretary and Financial Specialist remained.

Council:

- (i) noted the meeting notes of the ATAC held on Friday 1 February; and
- (ii) further noted that the meeting was convened to discuss the proposal from Forecast Inc. for air service development.

Action: PARL SEC; MINS OF GOV'T

EX MIN 19/80

### **LIST OF OUTSTANDING LAND/ROAD MATTERS**

Hon Parliamentary Secretary and Financial Specialist remained.

Council requested the DLS to compile a list of all outstanding land/road matters to be presented to Executive Council for consideration by the end of April 2019.

Action: PS, HLPP; DLS; PS, MICUHAFE

EX MIN 19/81

### **OVERSEAS TRAVEL**

Hon Parliamentary Secretary and Financial Specialist remained.

The Hon Chief Minister informed Council of his following dates of travel:

- 1) 13 – 16 February - ECCB Monetary Council Meeting, St. Kitts
- 2) 23 February – 4 March - OCT/EU Forum, Tahiti

3) 6 – 13 March - Leave

Action: EXCO MEMBERS

\*\*\*\*\*