

**CONFIDENTIAL**

THIS DOCUMENT IS THE PROPERTY  
OF THE GOVERNMENT OF ANGUILLA

Copy No.

**MINUTES OF THE 5<sup>TH</sup> MEETING OF THE TWELFTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON THURSDAY 13<sup>TH</sup> AUGUST 2020 AT 9.00AM**

PRESENT: His Excellency The Governor, Mr Timothy Foy, OBE  
The Honourable Premier and Minister for Finance 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  
The Honourable Minister for Economic Development, Commerce,  
Information Technology, Environment and Natural Resources,  
Mr Kyle Hodge  
The Honourable Attorney General, Mr Dwight Horsford  
Clerk to Executive Council, Mrs Angela Hughes

IN ATTENDANCE: Hon Parliamentary Secretary for Economic Development,  
Mrs Quincia Gumbs-Marie  
Hon Special Ministerial Assistant to the Hon Minister for Social  
Development/Education, Mr Merrick Richardson  
Financial Specialist, Mr Stephen Turnbull

EX MIN 20/333 **CONFIRMATION OF THE MINUTES**

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

Council confirmed the minutes of the 4<sup>th</sup> Meeting of Executive Council held on Thursday 30 July 2020 and the Minutes of a Special Meeting of Executive Council held on Wednesday 5<sup>th</sup> August 2020.

**MATTERS ARISING FROM THE MINUTES**

EX MIN 20/334 **DEPARTMENT OF LANDS AND SURVEY SUBMISSION - RECTIFICATION OF EX MIN 20/280**

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

Council:

- (i) noted the following documents:
  - (a) Email from Marcia Duncan-Fleming Smith dated Friday 31 July 2020 wherein she requested the rectification of EX MIN 20/280 on the basis that the acreage recorded is erroneously stated as 1.00 acre, when the correct acreage as indicated by EX MEM 20/134 is 0.29 acres;
  - (b) EX MIN 20/280; and
  - (c) EX MEM 20/134.
- (ii) agreed that EX MIN 20/280 should be amended to record the correct acreage of 0.29 acres.

Action: PS, HA; DLS; PS, FIN

EX MIN 20/335 **EX MEM 20/157 CREATION OF AN AVIATION DEPARTMENT WITHIN THE MINISTRY FOR INFRASTRUCTURE, COMMUNICATIONS, UTILITIES, HOUSING & TOURISM (MICUH&T)**

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

Council:

- (i) noted the following documents:
  - (a) Aircraft Movements 2019;
  - (b) Creation of an Aviation Department, MICUHAFE, dated June 1 2020; and
  - (c) Letter to MICUHAFE from Air Safety Support International (ASSI), dated July 28 2020
- (ii) noted that in terms of compliance with ASSI's regulatory requirements and directions AASPA would remain Anguilla's competent authority;
- (iii) agreed that the creation of an Aviation Department was not necessary at this time and its establishment could, potentially, confuse lines of responsibility for compliance with ASSI's directions;
- (iv) noted, however, that the need to avoid repeating the 2016 situation when the airport was "put on notice" by ASSI due to AASPA'S failure to comply with regulations would require full and effective Ministerial oversight of AASPA;
- (v) approved the fee structure for foreign operator flight permit applications with an exception for French and Dutch registered carriers. This should become effective from September 28 2020.

Action: PS, MICUH&T; HON MIN, MICUH&T

EX MIN 20/336

**EX MEM 20/158 SURVEY AND DESIGN COMPLETION FOR THE CARTER REY BLVD (CRB) UPGRADE**

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

Council noted the update from the Hon Minister for Infrastructure:

- (i) a concept design for the CRB upgrade had been approved in EX MIN 14/20;
- (ii) funding was available to undertake initial (cadastral) surveying needed to progress the project (estimated at EC\$270,000). The estimated cost of construction is approximately EC\$6.5 to 7.5 million.

Action: PS, MICUH&T; HON MIN, MICUH&T

EX MIN 20/337

**INF 20/04 APPOINTMENT OF MEMBERS TO THE ANGUILLA SOCIAL SECURITY BOARD (ASSB)**

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

Council:

- (i) approved the appointment of the following members to the Anguilla Social Security Board in accordance with Section 1 and 4 of the Schedule to the Social Security Act R.S.A. c. S45, effective August 17, 2020 for a period of three years, namely:
  - 1) Mrs. Jacqueline Bryan Niles,  
Government Representative - Chairman
  - 2) Ms. Kimberly Fleming,  
Employer Representative - Deputy Chairman
  - 3) Mr. Kerith Kentish, Employer Representative
  - 4) Mr. Kiel Connor, Government Representative - Member
  - 5) Ms. Simone Harrigan,  
Employee Representative - Member
  - 6) Mr. Lesroy Lake - Employee Representative – Member
- (ii) noted that all members appointed to the Board must complete Governance and Accountability certification and Public Financial Management certification training within three (3) months, with a body approved by the Ministry of Finance, failure to comply will result in removal from the Board;
- (iii) noted that ASSB must inform the Ministry of Finance three (3) months in advance of the expiry of any and all ASSB Board member's appointments or resignations of the ASSB Board; and
- (iv) noted that the Honourable Premier and Minister for Finance must designate a Government representative to sit on the ASSB Board.

Action: PS FIN; HON MIN, FIN

EX MIN 20/338

**EX MEM 20/159 APPOINTMENT OF BOARD MEMBERS TO THE ANGUILLA AIR AND SEA PORTS AUTHORITY (AASPA)**

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

Council:

- (i) approved the appointment of the following persons, for the stated periods, to be members of the Board of AASPA, with effect from August 13 2020 in accordance with Section 3(1) of the Anguilla Air and Sea Ports Authority Act R.S.A c A57, namely:
  - 1) Cara Connor, Chairman and Member – 3 years
  - 2) Karl Woodley, Deputy Chairman and Member – 3 years
  - 3) Elidad Jacobs Baez, Member – 2 years
  - 4) Laurent Bute, Member – 2 years
  - 5) Jason Lloyd, Member – 2 years
  - 6) Brent Warner, Member – 2 years
  - 7) Argen Joseph, Member – 2 years
  - 8) Leon Lake, Member – 2 years
  - 9) Warren Buddle, Member – 3 years
  - 10) Carl Avery Thomas, Member – 2 years
- (ii) noted that all members appointed to the Board must complete Governance and Accountability certification and Public Financial Management certification training within three (3) months, with a body approved by MICUH&T, failure to comply will result in removal from the Board;
- (iii) noted that AASPA must inform MICUHAFE three (3) months in advance of the expiry of any and all AASPA Board member's appointments or resignations of the AASPA Board; and
- (iv) noted that the Hon Minister for Infrastructure must designate a Government representative to sit on the AASPA Board.

Action: PS, MICUH&T; HON MIN, MICUH&T

EX MIN 20/339

**EX MEM 20/160 APPOINTMENT OF THE MEMBERS TO THE BOARD OF THE WATER CORPORATION OF ANGUILLA (WCA)**

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

## Council:

- (i) approved the appointment of the following persons, for the stated periods, to be members of the Board of the WCA, with effect from August 13 2020 in accordance with Section 5(1) of the Water Corporation of Anguilla Act R.S.A c W4, namely:
  - 1) Kennedy W. Hodge, Chairman and Member – 2 years
  - 2) Calla L. Gumbs, Deputy Chair and Member – 3 years
  - 3) Geraldine James, Member – 2 years
  - 4) Glenford Richardson, Member – 2 years
  - 5) Glenneva Hodge, Member – 2 years
  - 6) Tericia Liburd, Member – 2 years
- (ii) noted that all members appointed to the Board must complete Governance and Accountability certification and Public Financial Management certification training within three (3) months, with a body approved by MICUH&T, failure to comply will result in removal from the Board;
- (iii) noted that WCA must inform MICUHAFE three (3) months in advance of the expiry of any and all WCA Board member's appointments or resignations of the WCA Board; and
- (iv) noted that the Hon Minister for Infrastructure must designate a Government representative to sit on the WCA Board.

Action: PS, MICUH&T; HON MIN, MICUH&T

EX MIN 20/340

**STATUTORY BODIES UPDATE BY HON DEPUTY GOVERNOR**

The Statutory Body forecast revenue loss inclusive of reduced government subvention due to COVID-19 known so far is in the region of **EC\$30m**. The salient points of the revenue loss examination were as follows:

- (i) whilst their forecast shows a reduced revenue the Anguilla Development Board has not requested additional support. The reasoning for this needs to be understood. This could free up the EC\$500,000 earmarked for the ADB in the 2020 Supplementary Appropriation Act;

- (ii) Anguilla Air and Sea Ports Authority revenue losses are projected to be less than originally expected. This might free up around EC\$583,000 for reallocation;
- (iii) both the Anguilla Social Security Board and Public Service Pension Board reported reduced contribution and investment income, but this will not affect their ability to pay benefits and government financial support is therefore not required;
- (iv) Anguilla Tourist Board recorded a reduction of EC\$5.2m of which EC\$3.39m relates to a reduction in subvention. They presented a revised budget to accommodate these reductions;
- (v) Anguilla Water Corporations revenue is performing slightly better than originally anticipated. But the subvention of EC\$2.5m provided for in the Supplementary Appropriation Act would still be required to finance projected deficits;
- (vi) Public Utilities Corporation and Anguilla Financial Services Commission being regulatory bodies recover their fees from regulated entities therefore revenue impacts and would not need to be supported by government;
- (vii) the Anguilla Community College indicated a need for an additional EC\$789k subvention from government. This would need to be supported by a business case justification; and
- (viii) the Health Authority of Anguilla has not been able to provide the requested information on revenue losses.

Council Agreed:

- (i) that these figures be factored into the supplementary budget currently being prepared;
- (ii) action was urgently needed to determine the HAA's financial position;
- (iii) that the contingent liabilities of the statutory bodies had to be identified by the Permanent Secretaries and be presented to Executive Council by August 20, 2020 in order to meet the deadline of August 31, 2020, under provision 9 of the MOU.

Action: PS, FIN; PS, EDCITENR; BD; ACC GEN; HON DG,  
MINS OF GOV'T

EX MIN 20/341

**PROGRESS ON MOU PROVISIONS**

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

Council:

- (i) noted that the completion of standard formats for the work plans and budgets of the statutory bodies to enable posting of the documents on the Government of Anguilla website is ongoing; and
- (ii) noted that the Hon Deputy Governor is working with the Ministers of Government and supervising the Permanent Secretaries to ensure that the statutory bodies publish their budgets and work plans on their respective websites.

Action: PS, FIN; PS, EDCITENR; BD; ACC GEN; HON DG,  
MINS OF GOV'T

EX MIN 20/342

**UPDATE ON BLOWING POINT FERRY TERMINAL LANDS**

Hon Parliamentary Secretary for Economic Development, Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained. The Director of Lands and Survey, Mr Leslie Hodge joined.

The Director of Lands & Survey briefed Council on the status of the acquisition of lands which are required for the Blowing Point Ferry Terminal development. He noted that:

- (i) certain parcels required for the development are registered to the Crown and have been leased to AASPA;
- (ii) a purchase price has been agreed for Parcel 8 and payment has to be made for the acquisition; and
- (iii) parcels 29, 36, 37 and 38 must be acquired for the development and acquisition is currently pending owing to valuation matters. The project can be started pending



the acquisition of the parcels, as they are not required for the initial stages of the development.

Council agreed that the Attorney General's Chambers should draft a letter for the Governor to send to the attorney acting on behalf of the owners of three of the parcels to be acquired. This would outline the next steps to be taken in the process, which would entail acquisition pursuant to the Land Acquisition Act.

Action: DLS; HON AG; PS HA, HON MIN, HA; PS, MICUH&T;  
HON MIN, MICUH&T

\*\*\*\*\*