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MINUTES OF THE 121st MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 26th JANUARY 2023 AT 9.00 AM

PRESENT: Her Excellency the Governor, Ms Dileeni Daniel-Selvaratnam
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
The Honourable Minister for Sustainability, Innovation and Environment, Mrs Quincia Gumbs-Marie
The Honourable Attorney General, Mr Dwight Horsford
Clerk to Executive Council, Mrs Angela Hughes

IN ATTENDANCE: The Honourable Parliamentary Secretary, Mr Merrick Richardson
Financial Specialist, Mr Stephen Turnbull

EX MIN 23/15

CONFIRMATION OF THE MINUTES

Parliamentary Secretary and Financial Specialist remained.

Council confirmed the Minutes of the 120th Meeting of Executive Council held on Thursday 19th January, 2023.

MATTERS ARISING FROM THE MINUTES

EX MIN 23/16

EX MEMO 2023/09 MAGNETIC RESONANCE IMAGING FEE STRUCTURE PROPOSAL

Parliamentary Secretary and Financial Specialist remained.

The Hon Premier briefed Council. The Government of Anguilla has recently acquired a Magnetic Resonance Imaging (MRI) scanner through the generous donation of Mr Richard M. Schulze, owner of Aurora Anguilla Resort. This is the first time that MRI services are being offered on island and it is anticipated that the need for persons to be referred overseas particularly to neighbouring Sint Maarten/St Martin for such scans will be significantly reduced, thus improving diagnostic capability on island. MRI can be performed in both the inpatient and outpatient settings and is usually done in non-emergency or elective settings.

Health Authority of Anguilla (HAA) MRI Referrals (January 2021 to September 2022)

During the past several years, a number of persons have been referred to Sint Maarten/St Martin for MRI scans particularly on an outpatient basis from both the public and private facilities. Data provided from the Health Care Relations Department showed that 34 clients were referred through the HAA in 2021, for a total of 41 MRI scans (each body part considered as one scan). Last year, up to mid-September, 44 persons (for a total of 52 MRI scans) were referred. Currently, no data is available for the total number of persons referred for MRI scans from the private health facilities on island.

Projected Service Utilisation

The utilisation of MRI scans in Anguilla will be largely dependent on referrals from public and private stakeholders. As it is a new service it is difficult to predict which entity will make the most referrals,

however, it is believed that the following will influence the quantity of MRI scans done at the PAH:

Referral of clients/patients with suspected or confirmed orthopaedic injuries. Imaging may include spine (cervical, thoracic, lumbosacral), shoulder, elbow, hand and/or wrist, knee, ankle, bone (tumour or infection) and other supporting structures. Of note, orthopaedic clinics are now being conducted on a monthly basis at the PAH by a visiting orthopaedic surgeon. Additionally, there are at least two other orthopaedic specialists (visiting) within the private setting. The HAA has also recently recruited two general surgeons who are also likely to contribute to the referral pool. Other referrals by public and private physicians are expected.

Executive Council is asked to consider and approve the new fee structure for MRI services to facilitate service delivery within the HAA.

Council:

- 1) noted the five year MRI costs analysis and fee structure proposal;
- 2) noted from the paper presented that with the introduction of fees the HAA will be able to financially sustain the introduction of MRI services, this is assuming a high volume of scans (over 2000) conducted over the five year period 2023 – 2027. Clients will have improved access to MRI services leading to more efficient diagnostic capacity and better health outcomes. Noted that the alternative is to continue to function without on island MRI services. Noted that offering lower fees would not be sustainable especially in the light of the high maintenance costs;
- 3) noted that in 2022, the HAA completed preparatory infrastructural works for a unit pad costing EC\$47,565.20. The 2023 Budget approved a capital allocation of EC\$588,306 for installation and implementation of the MRI machine/services and an increase in the HAA subvention of EC\$500,000 to cover MRI operational costs (estimated at EC\$352,154), energy support and increases in the employer pension contribution;

- 4) noted that taking into consideration the operational costs, the proposed fees have been set at similar prices to those charged in Sint Maarten/St Martin, so that persons can access the MRI service without needing to travel outside of Anguilla. Maintenance costs for an MRI technician and a radiologist have been factored in;
- 5) noted that assumptions in the financial case associated with increased referrals from the private sector are not supported, therefore there is a risk that the projected revenue will not be achieved. This therefore represents a potential pressure to the HAA financial health and if this risk occurs Government will need to provide additional funding to cover the operational costs; and
- 6) considered and approved the following fees for MRI use, effective immediately:
 - a) MRI with Contrast: EC\$1,335.00
 - b) MRI without Contrast: EC\$1,200.00

Action: PS, FIN; HON, PREM

EX MIN 23/17

EX MEMO 2023/10 DRAFT RESOLUTION – BUILDING LIVELIHOODS, UPHOLDING ENVIRONMENTAL STEWARDSHIP

Parliamentary Secretary and Financial Specialist remained.

The Hon Minister for SIE briefed Council. The Ministry of Sustainability, Innovation and the Environment has an ambitious agenda for blue growth, environmental sustainability and climate adaptation. The Ministry acknowledges that there will be many challenges that must be addressed in order to make meaningful progress and recognises that sustainability is only achievable in the long term if the agenda is embraced by the country as a whole. It is for this reason that the Ministry has begun to highlight the various environmental issues affecting Anguilla, as such issues which concern all Anguillians demand our collective attention and response.

The Ministry therefore proposes to solicit bi-partisan support for its legislative, regulatory and policy agenda particularly as it relates to environmental protection, expansion of the fishing sector and climate change, by submitting a Resolution to the House of Assembly for

consideration. The draft Resolution is presented and mentioned for Council to note the information.

Council:

- 1) noted that the draft Resolution provides support for the Government's position, as contained in the decisions of Council which were made over the last 2 and a half years. As it relates to the Blue Belt and the management of human activity, there is an agenda to outline how the Blue Ocean will be managed; and
- 2) noted the information and the proposed Resolution – Building Livelihoods, Upholding Environmental Stewardship, which is to be submitted to the House of Assembly for consideration.

Action: PS, EDMSIE; HON, MIN SIE

EX MIN 23/18

EX MEMO 2023/11 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – REGISTRATION SECTION, EAST END, BLOCK 99315 B, PARCEL 314 BEING 0.41 OF AN ACRE

Parliamentary Secretary and Financial Specialist remained.

Council agreed to issue an Aliens Land Holding Licence to hold property situated in Registration Section East End, Block 99315 B, described as Parcel 314 for the construction of a dwelling house and agricultural purposes, located in Sea Feathers, subject to:

(a)	<u>OPTION B</u>	
	(i) under the Stamp Act – 5% of EC\$255,379.00	EC\$12,768.95
	(ii) under the Aliens Land Holding Regulation Act – 6.25% of EC\$255,379.00	EC\$15,961.19
	(iii) Refundable Deposit 10% of EC\$255,379.00	<u>EC\$25,537.90</u>
	TOTAL	<u>EC\$54,268.04</u>

- (b) the Applicant is exempted from Governments Policy restricting Aliens to the purchase of no more than half an acre of land, on the grounds that the reasons provided are justifiable;
- (c) the Parcel must be used for a dwelling house and an organic biodynamic garden, in accordance with approved plans by the Land Development Control Committee in Application No. 22/183;
- (d) there must be compliance with Environmental Health Department requirements, as it relates to the composting which is to be undertaken at the property, which is located in a residential area;
- (e) the construction of the dwelling house is to be completed within thirty (30) months. If said dwelling house is not completed at the end of thirty (30) months, 50% of the refundable deposit will be forfeited to the Government of Anguilla. The remaining balance of 50% will be forfeited if the construction is not completed within a further 6 months. Thereafter, forfeiture proceedings for the property will be commenced by the Government of Anguilla for a period of twenty-four (24) months if there is no significant justification or progress; and
- (f) the Licensee 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 23/19

EX MEMO 2023/12 APPLICATIONS FOR THE PERMIT OF PERMANENT RESIDENCE

Parliamentary Secretary and Financial Specialist remained.

Council:

- 1) endorsed the recommendation of the Hon Minister for Home Affairs, for submission of the applications for consideration by H.E. the Governor as it relates to the grant of the Permit of Permanent Residence in accordance with Section 24 of the Immigration and Passport Act, for certain persons;
- 2) further agreed that the applicant must submit a valid Certificate of Good Standing from the Inland Revenue Department, before the application is submitted to H.E. the Governor for consideration; and
- 3) noted that granting Permanent Residence did not exempt persons from the provisions of the Labour (Relations) Act, nor did it entitle them to Belonger status until they have been residing in Anguilla for 15 years, or become naturalized British Overseas Territories Citizens in Anguilla. These individuals would become eligible to apply for naturalization after one year of permanent residency.

Action: PS, HA; LAB, COM; CIO; HON, AG; HON, MIN HA
