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MINUTES OF THE 141ST MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON WEDNESDAY 27TH FEBRUARY 2013

- PRESENT: His Excellency the Governor, Mr Alistair Harrison
- The Honourable Hubert Hughes, Chief Minister and Minister of Finance,
Economic Development, Investment, Commerce and Tourism and Minister
of Labour and Immigration
- The Honourable Deputy Governor, Mr Stanley Reid
- The Honourable Edison Baird, Minister of Social Development, Health, Sports
and Education
- The Honourable Jerome Roberts, Minister of Lands, Physical Planning, Human
Rights, Environment, Gender Affairs and Agriculture and Fisheries
- The Honourable Evan Gumbs, Minister of Infrastructure, Communications,
Utilities and Housing
- The Honourable Attorney General, Mr James Wood
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Dr Aidan Harrigan, PS, FIN
Mr Foster Rogers, PS, EDICT
Mr Gifford Connor, DLS
Ms Jasmin Garraway, Co-ordinator, TSDP

EX MIN 13/150 **CONFIRMATION OF THE MINUTES**

Council confirmed the Minutes of the 140th Meeting held on Thursday 21st
February 2013.

MATTERS ARISING FROM THE MINUTES

EX MIN 13/151 **EX MIN 13/148 LEGAL REPRESENTATION**

With reference to EX MIN 13/148 of 21st February 2013, the Hon Attorney
General informed Council that no Anguillian lawyer was prepared to accept the
costs as quoted and that overseas representation was being sought.

Action: AG; PS, FIN; PS, EDICT; ACC GEN

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EX MIN 13/152

EX MEM 13/66 DUTY EXEMPTION FOR MOONSPLASH 2013/BANKIE BANKS

Further to EX MIN 13/141 of 21st February 2013, Council confirmed the decision taken by round robin on 22nd February 2013 that in order to resolve the issue where Mr Bankie Banks is required to pay his dishonoured cheque as a condition for the granting of duty exemption on imported goods, an alternative solution has been proposed. Council approved the formal agreement where Dr Oluwakemi Linda Banks will be transferring her allowance as a member of the Health Authority Board directly to the Treasury Department until the outstanding debt by Mr Bankie Banks is fully repaid.

Council agreed that a letter should be sent to Mr Bankie Banks informing him that any application for duty exemption with regard to Moonsplash 2014 should be submitted to the Ministry by 31st December 2013 so that the matter could be dealt with in a timely manner.

Action: PS, FIN; PAS, FIN; COC; FO

EX MIN 13/153

EX MEM 13/67 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – TREE TOP LTD. (SECTION: WEST CENTRAL; BLOCK: 28309 B; PARCEL 57)

Council agreed to issue an Aliens Land Holding Licence to Tree Top Ltd. to hold 0.80 acre of land (Section: West Central; Block: 28309 B; Parcel 57) on a freehold basis located at Cul-De-Sac with a residential building thereon, subject to the payment of the following stamp duties:-

(i)	Stamp Duty on Licence @ 12.5% of EC\$604,845.00	=	EC\$ 75,605.63
(ii)	Stamp Duty on transfer @ 5% of EC\$604,845.00	=	EC\$ 30,242.25
	TOTAL	=	EC\$105,847.88

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

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

EX MIN 13/154

EX MEM 13/68 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – WILLIAM MAURICE FERGUSON & SHANNON GASKINS FERGUSON (REGISTRATION SECTION: EAST CENTRAL; BLOCK: 89218 B; PARCEL 106)

Council agreed to issue an Aliens Land Holding Licence to William Maurice Ferguson and Shannon Gaskins Ferguson to hold jointly on a freehold basis

property described as Registration Section East Central, Block 89218 B; Parcel 106, subject to the payment of the following fees:-

(i)	under the Stamp Act – 5% of EC\$2,661,318.00	EC\$133,065.90
(ii)	under the Aliens Land Holding Regulations Act – 12.5% of EC\$2,661,318.00	EC\$332,664.75

	TOTAL	EC\$465,730.65
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Council authorised the issue of the action sheet before confirmation of the Minutes.

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

EX MIN 13/155

EX MEM 13/69 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – SAMUEL SCOTT MILLER & LAURA LEA MILLER (REGISTRATION SECTION: WEST END; BLOCK: 17810 B PARCEL 201/SL B103)

Council agreed to issue an Aliens Land Holding Licence to Samuel Scott Miller and Laura Lea Miller to hold jointly on a freehold basis a luxury condominium unit of approximately 992 sq. ft. forming part of Resorts & Residences of Anguilla Home Owners Association Ltd. a Condominium development at Viceroy, Anguilla (described as Registration Section West End, Block 17810 B Parcel 201/SL B103), subject to the payment of the following stamp duty:-

(i)	under the Stamp Act – 5% of EC\$2,951,105.29	EC\$147,555.26
(ii)	under the Aliens Land Holding Regulations Act – 12.5% of EC\$2,951,105.29	Exempted

	TOTAL	EC\$147,555.26
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Council authorised the issue of the action sheet before confirmation of the Minutes.

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

EX MIN 13/156 **EX MEM 13/70 RENTAL SPACE AT BABROW COMPLEX**

Council agreed that the matter should be deferred.

Action: PS, HSD

EX MIN 13/157 **EX MEM 13/71 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – ROBERT MICHAEL SCERBO (SECTION: EAST END; BLOCK: 99315 B; PARCEL 43, 93 & 220 CONTAINING 0.58 ACRES)**

Council agreed that the matter should be deferred for further information.

Action: PS, MHA/LANDS

EX MIN 13/158 **EX MEM 13/72 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – MALORIE DEBORAH PACAUD (SECTION: WEST CENTRAL; BLOCK: 58918 B; PARCEL 47)**

Council agreed to issue an Aliens Land Holding Licence to Malorie Deborah Pacaud to hold 0.45 acre of land, on a freehold basis with a dwelling house thereon (Registration Section West Central Block 58918 B Parcel 47) at a valuation of US\$418,500.00/EC\$1,125,011.70 for private residential purposes, subject to the payment of the following fees:-

(i)	under the Stamp Act – 5% of EC\$1,125,011.70	EC\$56,250.59
(ii)	under the Aliens Land Holding Regulations Act – 12.5% of EC\$1,125,011.70	EC\$140,626.46
	TOTAL	EC\$196,877.05

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

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

EX MIN 13/159 **EX MEM 13/73 PAYMENT OF OUTSTANDING BILLS FOR THE ANGUILLA SUMMER FESTIVAL**

Dr Aidan Harrigan, PS, FIN and Mr Foster Rogers, PS, EDICT joined the Meeting.

Council:-

- (i) agreed that the entire outstanding debt of EC\$1,064,866.58 from the Anguilla Summer Festival should be repaid over a twelve month period using the 2013 budgetary allocation for the Summer Festival which is EC\$890,000.00. Council further agreed that the balance of EC\$174,866.58 would have to be met from any unidentified savings close to the end of the year;
- (ii) requested that the account books for the Anguilla Summer Festival for the years 2010-2012 be made available to Executive Council;
- (iii) agreed that a decision as to whether or not a festival will be held in 2013 will be taken subsequently.

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

Action: PS, ELSYC; PS, FIN; PS, EDICT; ACC GEN

EX MIN 13/160

EX MEM 13/74 EXEMPTION FROM CUSTOMS DUTIES AND CHARGES – GOODS IMPORTED BY SCHOOLS FOR FUNDRAISING

Council agreed that goods imported by schools for fundraising, once their importation has been endorsed by the relevant school and the Department of Education, should be exempted from customs duties and charges.

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

Action: PS, ELSYC; CEO; PAS, FIN; COC

EX MIN 13/161

EX MEM 13/75 REQUEST FOR PROPOSAL FOR EXTERNAL AUDITOR AND CHIEF AUDITOR

PS, FIN and PS, EDICT remained for discussion.

Council authorised the Ministry of Finance to invite the National Audit Offices of the Netherlands, Norway and Wales to bid for the work for the provision of External Auditor and Chief Auditor services to the GoA.

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

EX MIN 13/162

EX MEM 13/76 APPROVAL OF BEACH VENDING REGULATIONS, 2013 IN ACCORDANCE WITH THE BEACH CONTROL (AMENDMENT) ACT, 2012

PS, FIN and PS, EDICT remained for discussion. Mr Gifford Connor, DLS joined the Meeting.

Council:-

- (i) agreed that in keeping with the Sustainable Tourism Master Plan that the Tourism Planner should be included as a member of the Committee;
- (ii) approved the draft Beach Vending Regulations, 2013 with the inclusion of the Tourism Planner for publication in the official gazette.

Action: PS, EDICT; PS, FIN; DLS

EX MIN 13/163

EX MEM 13/77 CONTRACTING OF THE BRITTO AGENCY – LUXURY BRANDING SPECIALISTS AT THE MINISTRY OF TOURISM

PS, FIN and PS, EDICT remained for discussion. Ms Jasmin Garraway, Co-ordinator, TSDP joined the Meeting.

Council agreed that the Britto Agency (TBA) should be contracted by the Ministry of Tourism to conduct services for Anguilla for a period of two (2) years (1st March 2013 to 28th February 2015) at a cost of US\$15,000.00 (to include all costs i.e travel, accommodation etc.) per month. The services are as follows:-

a. **Special Events**

To focus on development of no less than five (5) special events in Anguilla per year as are appropriate to the destination's resources, attributed and in accordance with the brand.

- b. Execute event design and programming.
- c. To participate fully in the branding exercises on Anguilla which will include a 2-3 day retreat with tourism stakeholders, the public and private sectors.
- d. To promote and monitor performance in specific market segments in North America:-

Golf

Corporate

Meetings and Incentives

Sports

Culinary

Celebrities – entertainment industry

Sport personalities

Private jet owners/users/companies

e. **Investment Promotion**

To promote investment in Anguilla based on the advice of the Tourism Plan Oversight Accountability Committee with the support of the Ministry of Tourism.

f. **Corporate Partnerships**

Identify and secure corporate partnership and strategic alliance development, secure co-operative advertising opportunities in accordance with assigned market segments and submit to the Government of Anguilla for consideration.

g. **Sponsorship Development**

Identify sponsors and secure quantifiable sponsorship for special promotions

and events in keeping with assigned market segments audiences.

HE the Governor indicated that he was not satisfied with the manner in which this matter was handled and was therefore disassociating himself from the decision and would make a further statement.

Action: PS, EDICT; PS, FIN; CO-ORD, TSDP; HE

ORAL MENTION

EX MIN 13/164

EX MIN 13/149 PROPOSAL FOR THE CONSTRUCTION OF THE ROAD BEHIND THE SECRETARIAT

PS, FIN and PS, EDICT remained for discussion.

Further to EX MIN 13/149 of 26th February 2013, Council:-

- (i) confirmed that the request for construction of the road behind the Secretariat to allow access to the ABC Supplies as per agreements between the business owners and the GoA is long overdue and must be given priority, taking into account the Value for Money Study;
- (ii) agreed to a concrete construction of the entire road (approximately 430m long) at a cost of EC\$2.1m to be funded from the 2012 Capital Budget.

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

Action: PS, FIN; PS, EDICT; PAS, FIN; PS, MICUH; ACC GEN
