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MINUTES OF THE 157th MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 19th OCTOBER 2023 AT 9.00 AM

PRESENT: Her Excellency the Governor, Ms. Julia Crouch
The Honourable Premier and Minister for Finance, Economic Development & Investment and Health, Dr Ellis Webster
Acting Deputy Governor, Mrs. Kathleen Rogers
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
Acting Attorney General, Ms. Erica Edwards
Acting Clerk to Executive Council, Ms Jennyville Smith

ABSENT: Deputy Governor, Mr Perin Bradley
The Honourable Attorney General, Mr Dwight Horsford

EX MIN 23/308

CONFIRMATION OF THE MINUTES

Council confirmed the Minutes of the 156th Meeting of Executive Council held on Thursday 12th October 2023.

MATTERS ARISING FROM THE MINUTES

EX MIN 23/309

Ex Memo 23/247 Application for issue of licence under The Aliens Land Holding Regulation Act – Cynthia Ann Hewitt and Charles Daniel Holloway – Registration Section West End, Block 18011 B, Parcel 45 SL 2B Being 564 Sq. Ft.

Council agreed to approve the granting of an Aliens Land Holding Licence to Cynthia Ann Hewitt and Charles Daniel Holloway to hold a condominium unit on property described as Registration Section: West End, Block 18011 B, Parcel 45 SL 2B, containing 564 sq. ft. located at Meads Bay, Anguilla for tourism purposes subject to the following:

(a) Payment of Stamp Duties:

(i) under the Stamp Act – 5% of EC\$1,814,535.00	EC\$ 90,726.75
(ii) under the Aliens Land Holding Regulation Act – 5% of EC\$1,814,535.00	<u>EC\$ 90,726.75</u>
TOTAL	<u>EC\$181,453.50</u>

(b) Carimar Beach Club Limited should be the exclusive renting agent for the unit.

(c) The Licensee is required to enter into an agreement with Carimar Beach Club Limited for the management and use of the unit for at least forty-four (44) weeks in each calendar year.

(d) The Licensee shall have the right to reside in the unit for a maximum of eight (8) weeks in each calendar year without being liable for the payment of accommodation tax. However, if the applicants wish to live in their unit for a period longer than eight (8) weeks, then they should be required to pay the accommodation tax.

(e) 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 the Control of Employment Act Regulations, the Social Security Act, the Immigration and

Passport Regulations and any statutory modification or re-enactment thereof and any rules or regulations made thereunder.

Council authorized the issue of the Action Sheet before confirmation of the Minutes.

Action: PS, HA; DLS; HON, MIN HA

EX MIN 23/310

Ex Memo 23/248 Application for issue of licence under The Aliens Land Holding Regulation Act – Christopher Darryl Ford and Kim Michele Ford – Registration Section: East End, Block 99315 B, Parcel 164 being 0.26 of an acre

Council agreed to approve the granting of an Aliens Land Holding Licence to Christopher Darryl Ford and Kim Michele Ford to hold on a freehold basis, property situated in Registration Section: East End, Block 99315 B, described as Parcel 164 being 0.26 of an acre located at Sea Feather, Anguilla for residential purposes with a Villa thereon, subject to the following:

(a) Payment of Stamp Duties:

(i)	under the Stamp Act – 5% of EC\$1,209,690.00	EC\$ 60,484.50
(ii)	under the Aliens Land Holding Regulation Act – 5% of EC\$1,209,690.00	<u>EC\$ 60,484.50</u>
	TOTAL	<u>EC\$120,969.00</u>

(b) The property must be used for residential purposes.

(c) The Licensee must not rent their dwelling house without first notifying the Economic Development, Investment, Commerce, Information Technology & Natural Resources to rent the said property.

(d) 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.

Council authorized the issue of the Action Sheet before confirmation of the Minutes.

Action: PS, HA; DLS; HON, MIN HA

EX MIN 23/311

Ex Memo 23/249 Application for issue of licence under The Aliens Land Holding Regulation Act – Salena Askew – Registration Section: West End, Block 17910 B, Parcel 336 being 0.18 of an acre

Council agreed to approve the granting of an Aliens Land Holding Licence to Salena Askew to hold on a freehold basis, property situated in Registration Section: West End, Block 17910 B, described as Parcel 336 with a dwelling house being 0.18 of an acre located at Meads Bay, Anguilla for residential purposes with a dwelling house thereon, subject to the following:

(a) Payment of Stamp Duty:

(i)	under the Stamp Act – 5% of EC\$870,976.80	EC\$43,548.84
(ii)	under the Aliens Land Holding Regulation Act – 5% of EC\$870,976.80	<u>EC\$43,548.84</u>
	TOTAL	<u>EC\$87,097.68</u>

(b) The property must be used for residential purposes.

(c) The Licensee must not rent their dwelling house without first notifying the Economic Development, Investment, Commerce, Information Technology & Natural Resources to rent the said property.

(d) The Licensee shall fully comply with the laws of Anguilla enforced 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.

Council authorized the issue of the Action Sheet before confirmation of the Minutes.

Action: PS, HA; DLS; HON, MIN HA

EX MIN 23/312

Ex Memo 23/250 Application for issue of licence under The Aliens Land Holding Regulation Act – Jean-Pierre Pisoni – Registration Section: West End, Block 18011 B, Parcel 219 being 1.00 acre

Council agreed to approve the granting of an Aliens Land Holding Licence to Jean Pierre Pisoni to hold on a freehold basis, vacant property situated in Registration Section: West End, Block 18011 B, described as Parcel 219 being 1.00 acre located at Long Bay, Anguilla to construct a Villa development for tourism purposes, subject to the following:

(a) Payment of Stamp Duties:

(i)	under the Stamp Act – 5% of EC\$752,696.00	EC\$ 37,634.80
(ii)	under the Aliens Land Holding Regulation Act – 6.25% of EC\$752,696.00	EC\$ 47,043.50
(iii)	refundable deposit – 10% of EC\$752,696.00	<u>Waived</u>
TOTAL		<u>EC\$84,678.30</u>

(b) The property must be used for tourism purposes.

(c) The Applicant, within two (2) months from the grant of the Aliens Land Holding Licence, obtain planning permission for the development scheme.

(d) Parcels 218 and 219 be amalgamated within 3 months and upon such a new Aliens Land Holding Licence will be reissued

(e) The development shall be completed within forty-eight (48) months, failing which a penalty of US\$3,500.00 shall apply for each calendar month or part thereof that the project remains uncompleted without reasonable justification for the delay in completion. The said penalty shall continue for a period of 12

months. Thereafter, forfeiture proceedings for the property will be commenced by the Government of Anguilla.

- (f) The Applicant be exempted from the Government's Policy on restricting Aliens from holding no more than half an acre on the grounds that the intent purchaser is developing a tourism product that would yield financial revenue for the Government through rentals.
- (g) The Licensee shall fully comply with the laws of Anguilla from time to time, including the Land Development Control Act, the Property Tax Act, the Building Regulations, the Labour Relations Act 2018 and Control of Employment Act 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.

Council authorized the issue of the Action Sheet before confirmation of the Minutes.

Action: PS, HA; DLS; HON, MIN HA

EX MIN 23/313

Ex Memo 23/251 Video Link for Rex v. Chris Anthony

In the matter of Rex v Chris Anthony scheduled for 30th October, 2023 and any other adjourned date, the Crown proposes to call witnesses who are resident overseas.

Council agreed that there are suitable facilities available for the purposes of receiving evidence from witnesses through a live link pursuant to section 27(3)(b) of the Evidence Act.

Council authorized the issue of the Action Sheet before confirmation of the Minutes.

Action: SCC (Cr): HON, AG

EX MIN 23/314

Ex Memo 23/252 Video Link for Rex v. Athelston Rogers

In the matter of Rex v Athelston Rogers scheduled for 1st November, 2023 and any other adjourned date, the Crown proposes to call witnesses who are resident overseas.

Council agreed that there are suitable facilities available for the purposes of receiving evidence from witnesses through a live link pursuant to section 27(3)(b) of the Evidence Act.

Council authorized the issue of the Action Sheet before confirmation of the Minutes.

Action: SCC (Cr): HON, AG
