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MINUTES OF THE 188TH MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON TUESDAY 25TH MARCH 2014

- PRESENT: Her Excellency the Governor, Ms Christina Scott
- The Honourable Hubert Hughes, Chief Minister and Minister of Finance,
Economic Development, Investment, Commerce and Tourism and Minister
of Labour and Immigration and Minister of Social Development and Health
- The Honourable Deputy Governor, Mr Stanley Reid
- The Honourable Jerome Roberts, Minister of Lands, Physical Planning, Human
Rights, Environment, Gender Affairs and Agriculture and Fisheries and Minister
of Sports and Education, Library Services, Sports, Youth and Culture
- The Honourable Evan Gumbs, Minister of Infrastructure, Communications,
Utilities and Housing
- Mrs Sonia Brooks, Acting Clerk to Executive Council
- IN ATTENDANCE: Ms Michelle Daley, Chief Parliamentary Counsel
Dr Bonnie Richardson-Lake, PS, HSD
Mr Foster Rogers, PS EDICT
Mr Leslie Hodge, DLS
Mr Bancroft Battick, Chief Engineer
Mr Vaughn Hazell, DITES
Mr Rawle Hazell, Director, Construction & Housing
Mr Jim Bunting, Fire Consultant
- ABSENT: The Honourable Attorney General, Mr James Wood QC (In Court)

EX MIN 14/197 **CONFIRMATION OF THE MINUTES**

Council agreed that the Minutes of the 187th Meeting held on Thursday 20th March and the Minutes of the continuation of the 187th Meeting of Executive Council held on Friday 21st March and Minutes of the Special Meeting held on Monday 24th March be confirmed at the next meeting to be held on Thursday 3rd April 2014.

EX MIN 14/198

**EX MEM 14/79 CONTINUOUS VOTER REGISTRATION –
REMUNERATION OF ELECTORAL REGISTRATION OFFICER AND
CLERK**

Council:

- (a) determined that the Electoral Registration Officer should continue to receive EC\$750.00 and the Clerk EC\$500.00.
- (b) agreed that as part of updates already planned to the Elections Legislation - the legislation which provides for the Electoral Registration Officer to be paid \$2,000.00 and the Clerk \$1,500.00 should be amended to allow the Electoral Registration Officer to be paid 'up to' EC\$2,000.00 and the Clerk 'up to' EC\$1,500.00.

Action: DG; SUP/ELECTIONS; PS, PA; PS, FIN; PS, EDICT; ACC GEN

EX MIN 14/200

**EX MEM 14/98 FILLING VACANCIES IN THE MINISTRY OF SOCIAL
DEVELOPMENT – MARCH 2014**

Council approved the filling of:-

- (i) the five Basic Grade Officer posts at HMP which will become vacant due to the expiration of the officers' contracts in June 2014;
- (b) the post of Executive Assistant in the Ministry of Social Development which has become vacant as a result of a transfer;
- (c) the post of Executive Secretary in the Department of Social Development if the post of Executive Assistant is filled substantively by the officer who is currently acting.

Action: PS, HSD; PS, PA; PS, FIN; PS, EDICT; BD

EX MIN 14/201

**EX MEM 14/99 DRAFTING OF A COMMUNICABLE DISEASE
REGULATION**

Dr Bonnie Richardson-Lake, PS Health and Social Development joined the meeting.

Council approved the drafting of a Communicable Disease Regulation which seeks to give the Ministry of Health the powers to adequately respond to communicable disease outbreaks.

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

Action: PS HSD; AG; CPC

EX MIN 14/202

EX MEM 14/100 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – ALEXANDER & GENEFA FEDEE (REGISTRATION SECTION: NORTH CENTRAL; BLOCK: 48613 B; PARCEL 356; CONTAINING 0.25 ACRE)

Mr Foster Rogers, PS EDICT and Mr Leslie Hodge, DLS joined the meeting.

Council agreed to issue an Aliens Land Holding Licence to Alexander Kenneth Fedee and Genefa Fedee to jointly hold, on a freehold basis, vacant property situate in Water Swamp (North) described as Registration Section North Central, Block 48613 B, Parcel 356, containing 0.25 acre to construct a dwelling house thereon subject to the payment of the following fees:

(i)	under the Stamp Act – 5% of EC\$48,387.60	EC\$ 2,419.38
(ii)	under the Aliens Land Holding Regulations Act – 12.5% of EC\$48,387.60	EC\$ 6,048.45
(iii)	Refundable Deposit	EC\$ 4,838.76
	TOTAL	EC\$13,306.59 =====

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

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

EX MIN 14/203

EX MEM 14/101 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – NATALIA WALTER-EISENBEISS (REGISTRATION SECTION: SOUTH CENTRAL; BLOCK: 38409B; PARCEL 15; CONTAINING 0.31 ACRE)

Mr Foster Rogers, PS EDICT and Mr Leslie Hodge remained for discussion.

Council agreed to issue an Aliens Land Holding Licence to Natalia Walter-Eisenbeiss to hold 0.31 acre of land, on a freehold basis with a dwelling house thereon situated at Registration Section South Central, Block 38409 B, Parcel 15 at a valuation of US\$810,000.00/EC\$2,177,442.00 for private residential purposes, subject to the payment of the following stamp duty:

(i)	under the Stamp Act – 5% of EC\$2,177,442.00	EC\$108,872.10
(ii)	under the Aliens Land Holding Regulations Act – 12.5% of EC\$2,177,442.00	EC\$272,180.25
	TOTAL	EC\$381,052.35 =====

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

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

EX MIN 14/204

EX MEM 14/102 EXEMPTION FROM THE WORK PERMIT REQUIREMENT

Council agreed that the following persons should be exempted from the work permit requirement in accordance with Section 3 (g) of the Control of Employment Act:-

- 1) Mr Hilroy Alfred - National of Dominica who has been residing in Anguilla since 2006. He attended the albena Lake-Hodge Comprehensive School. Mr Alfred is employed at Tasty's Restaurant as a Wine Sommelier.
- 2) Ms Nathalie B Hawkins - National of the United Kingdom who came to Anguilla with her mother Ms Maria Hawkins in 1999 at the age of nine years. Ms Maria Hawkins is the proprietor and Manager of the Arawak Beach in in Island Harbour.

Council noted that the above positions were advertised.

Council was mindful to approve the application for Ms Mellisa Fleming, who is a national of the United States of America subject to confirmation from the PS MHA/Lands and the PAS MHA, as to whether the applicant is already qualified to work without a work permit. Ms Fleming is the daughter of Mr Kelbert Fleming and the niece of Mrs Keesha Fleming-Lake who are both Belongers of Anguilla.

Action: PS, MHA/LANDS & IMM; LAB COM; CIO

EX MIN 14/205

EX MEM 14/103 ALTERNATE SITE FOR SALT PICKING TOURIST ATTRACTION

EX MIN 14/113 of 20 February refers.

Council approved Registration Section Road, Block 08412B Parcel 165 as attached as an alternate site for salt picking tourist attraction.

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

EX MIN 14/206

EX MEM 104 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – SARAH MONIOT LILIETHAL (REGISTRATION SECTION: SOUTH EAST; BLOCK: 79214B; PARCEL 259, CONTAINING 1.00 ACRE)

Mr Foster Rogers, PS EDICT and Mr Leslie Hodge remained for discussion.

Council agreed to issue an Aliens Land Holding Licence to Sara Moniot Lilienthal to hold on a freehold basis, vacant property described as Registration Section South East, Block 79214 B Parcel 259, containing 1.00 acre to construct a residence thereon on the grounds that Applicant’s reasons for requesting an exception to Government’s policy on restricting Aliens to purchasing no more than half an acre are justifiable; and subject to the payment of the following stamp duty:

(i)	under the Stamp Act – 5% of EC\$201,615.00	EC\$10,080.75
(ii)	under the Aliens Landholding Regulation Act – 12.5% of EC\$201,615.00	EC\$25,201.88
(iii)	Refundable Deposit of 10% of EC\$201,615.00	EC\$20,161.50

TOTAL		EC\$55,444.13
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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 14/207

EX MEM 14/105 AMENDMENT TO EXCO MINUTE 12/305 GRANTING A LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – CROCUS BAY DEVELOPMENT INC. (SECTION: NORTH; BLOCK: 58715B PARCELS 163 & 164, CONTAINING A TOTAL OF 3.9 ACRES – PURSUANT TO NEWLY SIGNED MEMORANDUM OF UNDERSTANDING AND NEW PARCEL DESCRIPTION

Mr Foster Rogers, PS EDICT and Mr Leslie Hodge remained for discussion.

Council agreed that EX MIN 12/305 of 10 May 2012 be amended as follows:

Council confirmed the decision taken by round robin to approve an amendment to EX MIN 12/291 of 3rd May 2012 to reflect the stamp duty payable for the acquisition of Parcel 565/SL1, SL2, SL3, SL4, SL5, SL6, SL7, SL8, SL9A, SL9B, SL9C and SL9D, Block 58715 B being a total of 3.9 acres in North Registration Section as follows:-

i)	Stamp Duty on Licence @ 4% of EC\$17,473,300.00	= EC\$698,932.00
ii)	Stamp Duty on transfer @ 5% of EC\$870,976.80	= EC\$ 43,548.84

TOTAL		EC\$742,480.84
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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 14/208

EX MEM 14/106 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – CROCUS BAY DEVELOPMENT INC (REGISTRATION SECTION: NORTH; BLOCK: 58715B; PARCEL 202, (CONTAINING 0.20 ACRE)

Mr Foster Rogers, PS EDICT and Mr Leslie Hodge remained for discussion.

Council agreed to issue an Aliens Land Holding Licence to Crocus Bay Inc. to hold, on a freehold basis, 0.20 acre of vacant land described as Registration Section North, Block 58715 B, Parcel 202 designated as Open Space subject to the following conditions:

(a) payment of the following fees:

i)	Stamp Duty on Licence @ 4% of EC\$604,845.00	=	EC\$24,193.80
ii)	Stamp Duty on transfer @ 5% of EC\$604,845.00	=	EC\$30,242.25
		-	-----
	TOTAL	=	EC\$54,436.05
			=====

(b) Designation of the Parcel as Open Space on the Land Register.

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

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

EX MIN 14/209

EX MEM 14/107 FILLING OF VACANCY – CURRICULUM OFFICER MATHEMATICS

Council approved the filling of the vacancy for Curriculum Officer Mathematics for the following reasons:-

- (a) improved performance in Mathematics is one of the priorities for education as outlined in the Education Development Plan 2010 to 2015;
- (b) the Curriculum Officer Mathematics is the lead Officer at the Department of Education with the technical expertise necessary to support teaching and learning in this subject area and unless the position is filled, it is highly unlikely that the Department of Education will be able to make any headway regarding improving student performance in Mathematics.

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

Action: PS, ELYSC; PS, PA; PS, FIN; PS, EDICT; BD

ORAL MENTION

EX MIN 14/210

ANGUILLA FIRE AND RESCUE SERVICES HEADQUARTERS FACILITY PROJECT

Mr Foster Rogers, PS, EDICT remained for discussion. The Officials listed below joined the meeting.

Mr Bancroft Battick, Chief Engineer
 Mr Vaughn Hazell, DITES
 Mr Rawle Hazell, Director, Construction & Housing
 Mr Jim Bunting, Fire Consultant

The MICUH team made a power point presentation to Executive Council on Anguilla Fire and Rescue Services Headquarters Facility Project.

Council:

- (a) recognised the hard work that had gone into preparing plans for a new fire station;
- (b) noted that the GoA capital budget for 2014 had identified EC\$2million (EC\$1m from each of EDF10 funding and UKG grant) for fire services development. This amount was less than the expected cost of the development. If the project went ahead, there would need to be recognition that the finalisation of the work would require funding from the 2015 budget;
- (c) tasked PS, EDICT to come up with two or three scenarios for future airport development against which the current proposal for the location of the Fire Station/Air Traffic Control Tower could be assessed to ensure that the plan was 'future-proofed';
- (d) recognised the urgency and tasked officials to sit down and discuss and advise so that an informed and timely decision could be made.

Action: PS, EDICT; PS, MICUH; PS, MHA

EX MIN 14/211

RADIO COMMUNICATION TOWER AT CROCUS HILL

The Officials listed below remained for discussion.

Mr Foster Rogers, PS, EDICT
 Mr Bancroft Battick, Chief Engineer
 Mr Vaughn Hazell, DITES
 Mr Rawle Hazell, Director, Construction & Housing
 Mr Jim Bunting, Fire Consultant

Council:-

- (a) noted and endorsed the proposed design of the Radio Communications Tower;
- (b) noted that the design was subject to further review and final approval by Planning and LDCC;
- (c) noted the estimated cost of the project;
- (d) noted that the approved funding for the project in the 2014 GoA budget was ECD\$690,000 (from the UKG grant); and
- (e) agreed that any funds remaining could be used towards dismantling and discarding the old tower and upgrade the equipment building next to the tower.

Action: PS, MICUH; PS, FIN; PS, EDICT; ACC GEN; DIR, DITES

EX MIN 14/212

EXTENSION OF THE SOLID WASTE CONTRACT

Dr Bonnie Richardson-Lake remained for discussion.

Further to EX MIN 14/143 of 28 February 2014, Council agreed to the extension of the contract for the Corito Landfill site to 30th April 2014.

Council further agreed that PS HSD should work to ensure the Procurement Board had all the necessary bid documentation so that a competition could commence swiftly.

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

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

EX MIN 14/214

DOMESTIC VIOLENCE BILL

Minister Jerome Roberts informed Council that Ministers would be meeting with interested stakeholders on 8 April hopefully to finalise the draft Domestic Violence Bill, which was a priority piece of legislation to take forward in 2014, and that Council would receive an update subsequently.

Action: HON MHA; CPC

EX MIN 14/215

MEETING OF EXECUTIVE COUNCIL

Council agreed that the next regular meeting of Executive Council will be held on Thursday 3rd April 2014.

Action: EXCO MEMBERS
