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**MINUTES OF THE 192<sup>ND</sup> MEETING OF THE TENTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON WEDNESDAY 30<sup>TH</sup> APRIL 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
- The Honourable Attorney General, Mr James Wood QC
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Dr Bonnie Richardson-Lake, PS, HSD  
Mr Ivor Greene, Senior Crown Counsel (Civil)  
Mr Leslie Hodge, DLS  
Mr Foster Rogers, PS, EDICT  
Ms Marisa Harding-Hodge, TIO  
Dr Aidan Harrigan, PS, FIN

EX MIN 14/275 **CONFIRMATION OF THE MINUTES**

Council confirmed the Minutes of the 191<sup>st</sup> Meeting held on Thursday 17<sup>th</sup> April 2014 and the Minutes of a Special Meeting of Executive Council held on Tuesday 22<sup>nd</sup> April 2014.

**MATTERS ARISING FROM THE MINUTES**

EX MIN 14/276 None

EX MIN 14/277

**EX MEM 14/144 APPLICATION FOR DUTY EXEMPTION FOR MERLE BAILEY**

Dr Aidan Harrigan, PS, FIN joined the Meeting.

Council agreed that duty exemption should be granted to Ms Merle Bailey on a container. Council noted that Ms Bailey was of Anguillian parentage and lived abroad for many years. The container was used to ship her personal belongings to Anguilla.

The estimated duty on the container was EC\$1,129.04.

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

EX MIN 14/278

**EX MEM 14/145 CLAIM FOR MISSING HOME SHOPPING PACKAGE – MS LORNE LAWRENCE**

PS, FIN remained for discussion.

Council agreed to the full settlement of the claim made by the Home Shopping customer, Ms Lorne Lawrence for the sum of US\$77.24 to compensate for the loss incurred on the cost of the item (RCA 7” Tablet), including shipping and handling and sales tax of the lost package.

Action: PS, FIN; PMG; ACC GEN

EX MIN 14/279

**EX MEM 14/146 COMPENSATION FOR LOSSES ON HOME SHOPPING PACKAGE – MS JENNY LINDSAY**

PS, FIN remained for discussion.

Council:-

- (i) agreed to the full settlement of the claim made by the Home Shopping customer, Ms Jenny Lindsay for the sum of US\$45.53 to compensate for the loss incurred on cost of the goods; and
- (ii) agreed that settlement be made from the Treasury Department under Head Title: Losses and Write Offs.

Action: PS, FIN; PMG; ACC GEN

EX MIN 14/280

**EX MEM 14/147 CLAIM ON DAMAGED EZONE PACKAGE – MRS JANINE EDWARDS**

PS, FIN remained for discussion.

Council:-

- (i) agreed to the full settlement of the claim made by the Ezone customer, Mrs Janine Edwards for the sum of US\$22.49 to compensate for the loss incurred on freight charges and the cost of the damaged item; and
- (ii) agreed that the Accountant General should settle the Ezone & Home Shopping claim from the appropriate Head of the Treasury Department.

Action: PS, FIN; PMG; ACC GEN

EX MIN 14/281

**EX MEM 14/148 URGENT/ADDITIONAL FINANCIAL ASSISTANCE**

PS, FIN remained for discussion.

Council agreed that urgent financial assistance in the sum of EC\$15,000.00 each should be granted to the following persons:-

- 1) Miss Janai Gumbs, a Belonger of Anguilla who is studying Business Administration with a concentration in Marketing at the University of the Virgin Islands. Council noted that Ms Gumbs was in her final year of studies and had not previously received assistance from the GoA. Council further noted that Ms Gumbs' area of study was not an approved priority area; and
- 2) Mr Jaivaughn Richardson, a Belonger of Anguilla who is studying Finance at the Florida Memorial University and in his final year of studies. Council noted that Mr Richardson had received no assistance from the GoA to date and that his area of study was not an approved priority area.

Council further agreed that there should be discussion between PS, ELSYC, PS, PA, and PS, FIN as to where the monies for the financial assistance would be drawn.

Council did not agree to grant financial assistance to:-

- 1) Miss Tamarah Hodge, a Belonger of Anguilla who is studying Medicine at the University of the West Indies, Mona Campus and in her final semester of studies. Ms Hodge received financial assistance for two (2) years from the GoA in the amount of EC\$30,000.00. Council noted that Miss Hodge's area of study was not an approved priority area;
- 2) Miss Veneshaw Hodge, a Belonger of Anguilla who is presently employed as a Graduate Teacher at the Alben Lake-Hodge Comprehensive School. She completed her Bachelor Degree in Mathematics and Computer Science in 2012 which was funded by the GoA. Ms Hodge's course of study is at the Master's level. The course was not an approved priority area of study; and
- 3) Mr Neil Gumbs, a Belonger of Anguilla who is studying History with Education at the University of the West Indies. Council noted that before Mr Gumbs commenced his studies, he was an Uncertificated Teacher. He applied for and was granted study leave without pay from September 2013 to August

2016. Council further noted that Mr Gumbs' area of study was not an approved priority area.

Action: PS, PA; PS, ELSYC; PS, FIN; PS, EDICT; TRNG OFF; ACC GEN

EX MIN 14/282

**EX MEM 14/149 APPOINTMENT OF MR RAWLE HAZELL AS PROJECT COORDINATOR OF THE ANGUILLA COMMUNITY COLLEGE DEVELOPMENT PROJECT**

Council:-

- (i) approved the appointment of Mr Rawle Hazell as Project Coordinator of the Anguilla Community Development Project and noted that while Mr Hazell will take the lead, the project management will be supported by a team of persons from the Ministry of Infrastructure; and
- (ii) agreed that, mindful of other capital projects due to come on stream during 2014, it would be necessary to keep human resourcing under review so as to ensure that staffing levels in the public service were not an obstacle to successfully completing projects.

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

Action: PS, ELSYC; PS, MICUH

EX MIN 14/283

**EX MEM 14/150 OCEAN GOVERNANCE, MARITIME BOUNDARY DELIMITATION AND HYDROGRAPHIC STUDY AND SURVEY FOR ANGUILLA**

Council agreed that the paper should be deferred to the next meeting of Executive Council to be held on Thursday 8<sup>th</sup> May 2014.

Action: PS, MHA/LANDS; DIR, ENV

EX MIN 14/284

**EX MEM 14/151 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – ASLAN LTD (REGISTRATION SECTION: WEST END; BLOCK: 17810 B; PARCEL 89 CONTAINING 4.04 ACRES)**

Mr Foster Rogers, PS, EDICT, Mr Leslie Hodge, DLS and Ms Marisa Harding-Hodge, TIO joined the Meeting.

Council agreed that an Aliens Land Holding Licence should be issued to Aslan Ltd to hold, on a freehold basis, 4.04 acres of vacant land described as Registration Section West End, on Block 17810 B, Parcel 89 to construct The Aslan Limited Luxury Villa Project, subject to the payment of the following:-

- i) Stamp Duty on Licence @ 12.5% of  
EC\$10,080,750.00 = EC\$ 1,260,093.75

ii)	Stamp Duty on transfer @ 5% of EC\$10,080,750.00	=	EC\$ 504,037.50
iii)	Penalties on Licence for non-completion of Project	=	EC\$ 12,000.00
	<b>TOTAL</b>	=	<b>EC\$ 1,776,131.25</b>

Council further agreed that the Ministry should ensure that, when the Aliens Land Holding Licence is being issued, that the appropriate penalty clause (relating to failure to complete the project within the stipulated time) is in place.

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

EX MIN 14/285

**EX MEM 14/152 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – DAVID AND SAMANTHA CADENHEAD (REGISTRATION SECTION: ROAD; BLOCK: 08412 B; PARCEL 200 CONTAINING 0.30 ACRE)**

*[note for publication: please see subsequent minutes of 8 May discussion for update to this item]*

PS, EDICT, DLS and TIO remained for discussion.

Council agreed to issue an Aliens Land Holding Licence to David Cadenhead and Samantha Cadenhead to hold, on a freehold basis, 0.30 acre of land, with dwelling house thereon located at Back Street, South Hill for private residential purposes, subject to the payment of the following stamp duty:-

(i)	under the Stamp Act – 5% of EC\$1,440,875.20	EC\$ 72,043.76
(ii)	under the Aliens Land Holding Regulations Act – 12.5% of EC\$1,440,875.20	EC\$180,109.40
	<b>TOTAL</b>	<b>EC\$252,153.16</b>

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

EX MIN14/286

**EX MEM 14/153 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – DEAN JAMES HAGMAN (REGISTRATION SECTION; EAST CENTRAL; BLOCK: 89218 B; PARCEL 98, CONTAINING 0.50 ACRE WITH DWELLING HOUSE)**

PS, EDICT, DLS and TIO remained for discussion.

Council agreed to issue an Aliens Land Holding Licence to Dean James

Hagman, to hold, on a freehold basis, 0.50 acre of land, located in Island Harbour, with a dwelling house thereon situate at Registration Section East Central, Block 89218 B Parcel 98, subject to the payment of the following fees:-

(i)	under the Stamp Act – 5% of EC\$833,342.00	EC\$37,634.80
(ii)	under the Aliens Land Holding Regulations Act – 12.5% of EC\$833,342.00	EC\$94,087.00
	<b>TOTAL</b>	<b>EC\$131,721.80</b>

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

EX MIN 14/287

**EXMEM 14/154 APPLICATION BY MRES MALLIOUHANA LENDER HOLDCO, LLC, IN ACCORDANCE WITH SECTION 9 OF THE ALIENS LAND HOLDING REGULATIONS ACT FOR PERMISSION TO ACQUIRE 100% SHAREHOLDING IN MRES MALLIOUHANA LENDER, LLC – TO HOLD A REGISTERED CHARGE OVER PROPERTIES DESCRIBED AS REGISTRATION SECTION: WEST END; BLOCK: 18011 B; PARCELS 1, 2, 148, 211, 213, 215, 217 (FREEHOLD) AND 4/1, 6/1, 7/1, 8/1, 29/1, 222/1, 223/1 (LEASEHOLD)**

PS, EDICT, DLS and TIO remained for discussion.

Council approved the transfer of shares in accordance with Section 9(1) of the Aliens Land Holding Licence Regulations Act, RSA, CA55 to allow MRES Malliouhana Lender HoldCo, LLC to acquire the 100% shareholding in MRES Malliouhana Lender LLC, Registered Chargee of a charge in the sum of US\$5,000,000.00 over properties described as Registration Section West End Block 18011 B Parcels 1, 2, 148, 211, 213, 215, 217 (Freehold) 4/1, 6/1, 7/1, 8/1, 29/1, 222/1, 223/1 (Leasehold) containing 6.62 acres and 13.66 (20.28 acres in total) respectively registered to Malliouhana (E.C.) Ltd., subject to the payment of following stamp duties:-

i)	stamp duty on Licence in accordance with Aliens Land Holding Licence Regulations Act Section 14 (1) (f)	=	EC\$ 500.00
ii)	stamp duty on Transfer of shares @ EC\$5.00 for every EC\$500.00 of EC\$13,441,000.00	=	EC\$134,410.00
	<b>TOTAL</b>	=	<b>EC\$134,910.00</b>

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

EX MIN 14/288

**EX MEM 14/155 RESIGNATION OF MR VANROY HODGE FROM THE BOARD OF AASPA**

Council noted:-

- (i) the resignation of Mr Vanroy Hodge from the Board of the Anguilla Air and Sea Ports Authority in accordance with Section 3 (3) of the AASPA Act;
- (ii) the intention of the Hon Minister, MICUH to address the issue pertaining to Mr Keithly FT Lake's membership on the Board of AASPA; and
- (iii) the intention of the Hon Minister, MICUH not to replace Mr Vanroy Hodge on the AASPA Board.

Action: PS, MICUH

EX MIN 14/289

**EX MEM 14/156 AUTHORISATION TO FILL TWO SYSTEM TECHNICIANS, ONE SENIOR ANALYST PROGRAMMER AND ONE COMMUNICATION ENGINEER (CONDITIONAL) POSTS AT THE DEPARTMENT OF INFORMATION TECHNOLOGY AND E-GOVERNMENT SERVICES**

Council agreed that the paper should be deferred and resubmitted to Executive Council on Thursday 8<sup>th</sup> May with a clearer indication of the posts to be filled.

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

Action: PS, MICUH

EX MIN 14/290

**EX MEM 14/157 INVESTMENT PROPOSALS CONSIDERED BY THE TOURISM INVESTMENT COMMITTEE (TIC)**

PS, EDICT, PS, FIN, DLS and TIO remained for discussion.

Council considered recommendations from the TIC with regard to three proposals recently considered from the below three prospective investors.

Council agreed that:-

- a) Canadian Global Investments - should engage in further discussions with the Anguilla Air and Sea Ports Authority (AASPA) regarding the Deep Water Harbour proposal. It was not minded to consider any other competing uses for the Corito Landfill site at this juncture, hence the fuel depot proposal does not warrant any further discussion unless the developer can come to an accommodation with appropriate private landowners.

- b) AGR Holdings Project - further discussion and clarification be sought with the investor as it pertains to gaming before further consideration is given to this matter; and
- c) Sunset Homes Luxury Villas – further discussion should be held with the investor regarding the terms of the MOU. In particular Government would only consider an MOU if the project is a Hotel Resort with appropriate density in keeping with hotels in the area.

Action: PS, EDICT; TIO; DLS; PS, MICUH

EX MIN 14/292

**EX MEM 14/159 FILLING OF THE POST OF HEALTH PLANNER**

PS, HSD and SCC (Civil) remained for discussion.

Council noted that the Health Planner in the Ministry of Health had tendered his resignation effective 22 July 2014. Council therefore agreed that the post of Health Planner in the Ministry of Health should be filled.

Council further noted that the views of the Permanent Secretaries had been sought and support given to the filling of the position.

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

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

EX MIN 14/295

**EX MEM 14/162 2014 CAPITAL BUDGET – PRIORITISED IMPLEMENTATION OF UKG GRANT FUNDED PROJECTS (2)**

PS, FIN and PS, EDICT remained for discussion.

Further to EX MIN 14/250 of 17<sup>th</sup> April 2014, Council:-

- (i) approved the prioritised implementation of the 2014 Capital Budget (starting with the immediate commencement of the UKG grant funded projects) as follows:-

PROJECT	SOURCE OF FUNDS		TOTAL
	UKG	EDF 10	
Adrian T Hazell Primary School		3,500,000	3,500,000
Minor Education Projects	810,000		810,000
Telecommunication Tower Replacement	520,085		520,085
Fire Station and Air Traffic Control Building	3,000,000	2,530,000	5,530,000
Road Development (Carter	5,241,621	758,379	6,000,000



Rey Boulevard)			
All other projects		2,711,621	<b>2,711,621</b>
<b>TOTAL</b>	<b>9,571,706</b>	<b>9,500,000</b>	<b>19,071,706</b>

- (ii) authorised technical staff to further prioritise and schedule the ongoing implementation of the remaining projects (listed above as ‘all other projects’) in the 2014 Capital Budget.

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

Action: PS, FIN; PS, EDICT; CPO; BD; PS, MICUH; OTHER PERM SECS

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