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MINUTES OF THE 226TH MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 29TH JANUARY 2015

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 Hon Deputy Governor, Mr Stanley Reid

The Honourable Evan Gumbs, Minister of Infrastructure, Communications,
Utilities and Housing

The Honourable Attorney General, Mr Rupert Jones

Mrs Jewelle Fleming, Clerk to Executive Council

IN ATTENDANCE: Mr Patrick Hanley, Personal Assistant to the Hon CM/Finance
Mr Leslie Hodge, DLS
Mr Foster Rogers, PS, EDICT
Mrs Mary Clare Haskins-Banton, Crown Counsel
Ms Marisa Harding-Hodge, TIO
Lt Cdr Steven Banfield RN
UK's Defence Attache to the Caribbean, Lt Col Patrick Brown RE
Private Secretary, HMS SEVERN

ABSENT: The Honourable Jerome Roberts, Minister of Lands, Physical Planning, Human
Rights, Environment, Gender Affairs and Agriculture and Fisheries and Minister
of Education, Library Services, Sports, Youth and Culture

EX MIN 15/63

CONFIRMATION OF THE MINUTES

Council did not confirm the Minutes of a Special Meeting held on Tuesday 20th
January and the Minutes of the 225th Meeting held on Thursday 22nd January 2015.

EX MIN 15/64

EX MEM 15/18 APPOINTMENTS TO THE MEDICAL BOARD

Deferred.

EX MIN 15/65

EX MEM 15/33 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – NIEL DAVID HENDERSON (REGISTRATION SECTION: SOUTH CENTRAL; BLOCK: 38711 B; PARCEL 210, CONTAINING 0.54 ACRE)

PA to the Hon CM/Finance remained for discussion. Mr Leslie Hodge, DLS joined the Meeting.

Council agreed to issue an Aliens Land Holding Licence to Niel David Henderson to hold freehold property described as Registration Section South Central, Block 38711 B, Parcel 210, containing 0.54 acre to construct three (3) guest houses thereon at Little Harbour, subject to the following fees:-

(i)	under the Stamp Act – 5% of EC\$96,775.20	EC\$ 4,838.76
(ii)	under the Aliens Land Holding Regulations Act – 12.5% of EC\$96,775.20	EC\$12,096.90
(iii)	refundable deposit of 10% of EC\$96,775.20	EC\$ 9,677.52
	TOTAL	EC\$26,613.18

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

EX MIN 15/66

EX MEM 15/34 AMENDMENT TO EXCO MINUTE 13/555 GRANTING ALIENS LAND HOLDING LICENCE APPLICATION TO DELTA PETROLEUM (ANGUILLA) LTD. TO HOLD LEASEHOLD INTEREST IN CROWN PROPERTY – REGISTRATION SECTION SOUTH CENTRAL, BLOCK 38812 B, PARCEL 87

PA to the Hon CM/Finance and DLS remained for discussion.

Council agreed that EX MIN 13/555 of 22 August 2013 should be amended to read:-

Council agreed to issue an Aliens Land Holding Licence to Delta Petroleum (Anguilla) Ltd., to hold **3.38** acres of land described as Parcel 87 situate in Registration Section South Central, Block 38812 B, on a leasehold basis for a period of ten (10) years commencing July 1, 2013, subject to the payment of the following fees:-

- i) Stamp Duty on Licence

	under the Aliens Land Holding Licence Act @ 5% of EC\$1,630,000.00	EC\$81,500.00
ii)	Stamp Duty on Lease (10 years) under the Stamp Act @ 0.05% of EC\$1,630,000.00	EC\$ 8,150.00
	TOTAL	EC\$89,650.00

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

EX MIN 15/67

EX MEM 15/35 CONCRETE RAMP AT ISLAND HARBOUR PIER

PA to the Hon CM/Finance remained for discussion.

Council noted the circumstances surrounding the construction of a concrete ramp at the Island Harbour Pier in 2009 to facilitate fishermen in the hauling up of their fishing boats and the sum of US\$11,500.00 which is still owed to West Indies Concrete Co. Ltd. for the construction of the concrete ramp at the Island Harbour Pier.

Council agreed that the construction of the concrete ramp was a genuine gesture to assist the Island Harbour fishing community and therefore agreed that the GoA should pay the sum of US\$11,500.00 to West Indies Concrete Co. Ltd. for the construction of the concrete ramp at the Island Harbour Pier.

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

EX MIN 15/68

EX MEM 15/36 CONDITIONS FOR THE ISSUANCE OF EMERGENCY PASSPORTS

PA to the Hon CM/Finance remained for discussion.

Council approved the proposed criteria (as attached) for printing a passport locally for emergency/urgent travel. Council noted the proposal that the passport should be valid for a period of six months. Members asked that officials give consideration to whether a nine month period might be preferable, given that some medical treatment overseas might not be concluded within the six months timeframe.

Action: PS, PA; CIO; MINS OF GOV'T

EX MIN 15/73

EX MEM 15/41 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – CSV-NV ANGUILLA LLC OR AN AFFILIATE OR ASSIGNEE THEREOF (INTENDED TO BE CSV-NV ANGUILLA OWNER LLC, A TO BE FORMED ENTITY) – REGISTRATION SECTION: WEST END; BLOCK: 17810 B; 182 PARCELS (SEE ATTACHED SCHEDULE) CONTAINING 37.01 ACRES (APPROXIMATELY)

PA to the Hon CM/Finance, DLS, Crown Counsel, TIO and PS, EDICT remained for discussion.

Council agreed that the paper should be deferred as further negotiations with the GoA and SOF-VII-HOTEL II ANGUILLA HOLDINGS LLC continued.

Action: HON AG; PS, MHA/LANDS

EX MIN 15/74

EX MEM 15/42 EXEMPTION FROM THE WORK PERMIT REQUIREMENT

PA to the Hon CM/Finance remained for discussion.

Council agreed that Mr Michael John Fay QC of Tortola, BVI who had been appointed to represent the Eastern Caribbean Supreme Court in Anguilla as a Referee for the period 2 – 5 February 2015 should be exempted from the work permit requirement in accordance with Section 3 (1) (a) of the Control of Employment Act.

Action: PS, IMM; LAB COM; CIO

EX MIN 15/75

EX MEM 15/43 REDEVELOPMENT OF ITS AERODROME ASSETS AND CONSTRUCTION OF A RUNWAY TO SUFFICIENT LENGTH TO FACILITATE TRANS-ATLANTIC TRAVEL AND GENERAL INCREASE OF BOTH PASSENGER & CARGO MOVEMENTS WITHIN THE COUNTRY

PA to the Hon CM/Finance remained for discussion.

Council noted the circulated statement from the Hon Chief Minister on a new airport for Anguilla and his intention to sign a letter of intent for the development of an international airport.

HE The Governor pointed out that legal advice should be given on the draft letter of intent as to whether this approach was consistent with existing legal obligations on Executive Council (such as those set out in the Fiscal Responsibility Act 2013 and FFSD) to take certain steps in proceeding with projects of this size.

Council agreed that the letter of intent should not be signed until legal advice provided by the Attorney General's Chambers had been considered by Council.

Action: MINS OF GOV'T; HON AG

EX MIN 15/76

HMS SEVERN: BRIEFING BY COMMANDING OFFICER, LT CDR STEVEN BANFIELD RN AND THE UK'S DEFENCE ATTACHE TO THE CARIBBEAN, LT COL PATRICK BROWN RE

PA to the Hon CM/Finance remained for discussion. The following officials joined the Meeting:-

Lt Cdr Steven Banfield RN
UK's Defence Attache to the Caribbean, Lt Col Patrick Brown RE
Private Secretary, HMS SEVERN

Lt Cdr Steven Banfield RN briefed Council on their visit to Anguilla and said he was very pleased to be visiting the island again. It was the second visit that HMS SEVERN had made to Anguilla since arriving in the Caribbean in early December.

Their five-day visit from 29 January to 2 February 2015 included official briefings, tours and training exercises with local authorities. A football match against a local team was also being planned. Lt Cdr Banfield pointed out that HMS SEVERN's second visit to Anguilla would further develop relations made while on their first visit at the end of December 2014. He said that the Fisheries Protection Team and the Fire Brigade and Marine Services were invited aboard the vessel to gain knowledge of its routine activities.

Council noted that this was the first time that HMS SEVERN had been deployed to the Caribbean with an aim to providing security for UK OTs in the Caribbean. Council further noted that counter-narcotics operations would be conducted.

The Hon Chief Minister spoke about the issue regarding the deteriorating Road Bay Jetty. Council noted that two Royal Engineers made a presentation to Executive Council last year on this and that a report had been produced and submitted to the GoA. Lt Col Patrick Brown RE who had knowledge in this area told the CM that the onus was on the GoA to decide what the next steps were to be taken – whether to refurbish what was there or to resource a new jetty, which would be very costly. The CM indicated that he wanted to maintain what was there until the alternative site was ready. Lt Col Brown said that it would be very useful for him to visit the proposed site. He stated that there might be a possibility that UK assistance could be sought towards the architectural design aspect of the project. Council agreed that it would be helpful for Mr Bancroft Battick, Chief Engineer, DICUH to meet with Lt Col Brown for further discussion on this matter and for a visit to the proposed site.

Council thanked the Officials for their visit to Anguilla and looked forward to their continued presence in Anguilla and the Caribbean. Lt Cdr Banfield made a gift presentation to the Hon CM on behalf of HMS SEVERN.

Action: EXCO MEMBERS
