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MINUTES OF THE 232ND MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 12TH MARCH 2015

- PRESENT: Her Excellency the Governor, Ms Christina Scott
- The Honourable Evan Gumbs, Minister of Infrastructure, Communications, Utilities and Housing and Acting Chief Minister
- The Hon 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 Education, Library Services, Sports, Youth and Culture
- The Honourable Attorney General, Mr Rupert Jones
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Mr Karim Hodge, Director of Environment
Ms Kafi Gumbs, Director of Fisheries
Ms Farah Mukhida, Executive Director, Anguilla National Trust
Ms Avon Carty, President, Anguilla National Trust
Mr Lyndon John, Project Co-ordinator, Royal Society for the Protection of Birds (RSPB), St. Lucia
Mr William Vanterpool, Director of Agriculture
Mr Kenneth Hodge, PAS, MHA/Chairman, Interim Steering Committee, Valley Food Court
- ABSENT: 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

EX MIN 15/149 **CONFIRMATION OF THE MINUTES**

Council confirmed the Minutes of the 231st Meeting held on Thursday 12th March 2015.

MATTERS ARISING FROM THE MINUTES

EX MIN 15/150

None

EX MIN 15/151

BRIEFING BY THE ANGUILLA NATIONAL TRUST ON THE RAMSAR CONVENTION

The following persons joined the Meeting:-

Mr Karim Hodge, Director of Environment

Ms Kafi Gumbs, Director of Fisheries

Ms Farah Mukhida, Executive Director, Anguilla National Trust

Ms Avon Carty, President, Anguilla National Trust

Mr Lyndon John, Project Co-ordinator, Royal Society for the Protection of Birds (RSPB), St. Lucia

Council noted the comprehensive power point presentation on the Ramsar Convention which included a summary of the importance of Anguilla's wetlands, an introduction to the Convention, the sites that could potentially qualify for Ramsar designation, and the proposal to nominate Sombrero Island as Anguilla's first Ramsar site.

Following the presentation, Council agreed that:-

- (i) the Government of Anguilla, should submit the nomination of Sombrero Island Nature Reserve Marine Park as Anguilla's first Ramsar site to the Ramsar Secretariat;
- (ii) the Director of Department of Fisheries and Marine Resources should be a co-national Administrative Authority for Ramsar sites in Anguilla, along with the Director of Department of Environment (already designated). Council noted that the Department had already assumed *de facto* management responsibility for Anguilla's marine parks, including Sombrero Island Nature Reserve Marine Park and that assessments of sites that may qualify for Ramsar site designation indicate that almost all of Anguilla's potential Ramsar sites would likely include a marine component;
- (iii) a National Ramsar Committee should be established, using the existing Inter-Ministerial Committee for the Environment, currently chaired by the Deputy Governor, as the core National Ramsar Committee; and
- (iv) the National Ramsar Committee should be given the opportunity to discuss potential nominations for the National Focal Points for the Scientific and Technical Review Panel and the Communication, Education, Participation, and Awareness Committee, which would be presented to Executive Council for consideration.

Council thanked the team for their presentation. The Hon Minister for the Environment thanked Mr Lyndon John and his agency for their commitment and for working along with the Anguilla National Trust.

Action: PS, MHA/LANDS; DIR, ENV; DIR, FISH

EX MIN 15/152 **UPDATE ON UKG GRANT FUNDED PROJECTS**

Council noted the attached update on the UKG Grant Funded Projects.

Action: PS, MICUH; PS, FIN; PS, EDICT; CPO; BD

EX MIN 15/153 **EX MIN 15/145 EX MEM 15/67 REVIEW OF ANGUILLA FINANCE LTD. FINANCIAL STATEMENTS**

Further to EX MIN 15/145 of 5th March 2015, Council agreed that the paper should be further deferred.

Action: PS, FIN; HON CM

EX MIN 15/154 **EX MEM 15/77 APPLICATION FOR DUTY EXEMPTION BY TANGLEWOOD ORGANIC FARMS**

Council agreed that duty exemption should be granted to Tanglewood Organic Farms (c/o Ms Lorna D. Rogers) on a solar power inverter.

Council noted that the House of Assembly was dissolved on the 25th February 2015 and that only the HoA could grant duty exemption. With this in mind, Council accepted that the Customs Act contained a mechanism which allowed the Comptroller of Customs to release such goods in advance of consideration by the HoA, once the importer provides a written guarantee in a manner acceptable to the Comptroller.

The estimated duty loss to the GoA is \$448.69.

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

EX MIN 15/155 **EX MEM 15/78 APPLICATION FOR DUTY EXEMPTION BY LIME COVE VILLAS**

Council agreed that a duty refund should be granted to Lime Cove Villas (c/o Ms Gretel Webster) for duties paid on 12 mattresses (attached) for the development of a tourism project at Island Harbour.

The estimated duty loss to the GoA is EC\$3,008.63.

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

EX MIN 15/156

EX MEM 15/79 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) Richard Patrick Orlowski - National of the USA, who is assisting the Anguilla Football Association to prepare for their participation in the FIFA World Cup qualifiers against Nicaragua on a home and away basis in March 2015. Mr Orlowski is to be employed for a period of one (1) year in the first instance.
- 2) Kirmani Lloyd Honore - National of Dominica, who has been residing in Anguilla since 2002. Mr Honore attended the Valley Primary School and later the Albena Lake-Hodge Comprehensive School. He has been offered employment with Island Time Ebiz Consulting, Anguilla Beaches.com as a Web Content Writer.
- 3) Linda Joseph - National of Dominica, who has been residing and working in Anguilla since 1990. Ms Joseph is currently employed at Ferry Boat Inn as a House Keeper.

Action: PS, IMM; LAB COM; CIO

EX MIN 15/157

EX MEM 15/80 APPLICATIONS FOR INCLUSION OF DEPENDENTS ON THE PERMIT OF PERMANENT RESIDENCE

HE The Governor declared an interest due to social ties. Council agreed that the paper should be deferred until the Hon Chief Minister was present.

Action: PS, MHA/IMM; PAS, MHA/IMM

EX MIN 15/158

EX MEM 15/81 PRESENTATION OF REPORT ON THE VALLEY FOOD COURT FOR PERIOD JULY TO DECEMBER 31ST, 2014 AND INCLUDING UP TO FEBRUARY 17TH, 2015

Ms Farah Mukhida, Executive Director, Anguilla National Trust remained for discussion. Messrs Kenneth Hodge, PAS, MHA/Chairman, Interim Steering

Committee, Valley Food Court and William Vanterpool, Director of Agriculture joined the Meeting.

Council:-

- (i) noted the report on the Valley Food Court Project for the periods July – December 2014 and January – February 17, 2015;
- (ii) mandated the Interim Steering Committee to look at the short term measures for the Project to determine what is envisaged for the area and what suggestions/solutions would be more suitable;
- (iii) agreed that the long term measures for the Project should be looked following the elections; and
- (iv) agreed that a further meeting should be scheduled with stakeholders to obtain their latest views and input on the issue.

Action: PS, MHA/LANDS; PAS, MHA/CHAIR, ISC (VFC); DIR, AGR

EX MIN 15/159

EX MEM 15/82 PAYMENT OF GRATUITY – MARJORIE BROOKS

Council agreed in EX MIN 12/478 of 12th July 2012 that persons working ten or more consecutive years as wage workers in the employ of the Government of Anguilla would be eligible for gratuity at the discretion of Executive Council.

Based on the formula for the calculation of gratuity as outlined in the mentioned minute, Council agreed that Ms Marjorie Brooks who worked as a Cleaner in the Department of Education for eleven years and nine months should be paid gratuity in the sum of ECS\$4,418.00 as attached. Council additionally agreed that, in future, cases of such persons who meet the requirement as outlined in EX MIN 12/478 of 12th July 2012 should be presented to Executive Council for consideration.

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

EX MIN 15/160

EX MEM 15/83 EXEMPTION FROM THE WORK PERMIT REQUIREMENT

Council agreed that the list of persons (attached) who would be assisting the St. Mary's Parish Church in Anguilla with the renovation of the Old Boy's School Building in the Valley should be exempted from the work permit requirement in accordance with Section 3 (g) of the Control of Employment Act, subject to the Certificate of Good Standing on behalf of the St. Mary's Parish Church being submitted to the Ministry of Labour.

Action: PS, IMM; LAB COM; CIO

EX MIN 15/161

EX MEM 15/84 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) Carolina Hughes - National of the United Kingdom, who would be employed by the Anguilla Tennis Academy as a Tennis Coach. The vacant position was created when the services of one of the Tennis Professionals was terminated.
- 2) Victor Sendin Huelves - National of Spain, who would be employed by the Anguilla Tennis Academy as a Tennis Coach. The vacant position was created when the services of one of the Tennis Professionals was terminated.
- 3) Luis Rafael Ubiera Connor - National of the Dominican Republic, who has been residing in Anguilla since 2004. Mr Connor attended the Albena Lake-Hodge Comprehensive School from September 2004 to July 2008. He is to be employed at Smokey's at the Cove as a Waiter.
- 4) Yannick R. Leonard - National of Guyana, who has been residing in Anguilla since 2006. Mr Leonard attended the Albena Lake-Hodge Comprehensive School from September 2006 to July 2009. He is a member of the Anguilla National Cricket Team and has represented Anguilla at the local level, and at Leeward Island Tournaments. Mr Leonard has been employed at DaVida Restaurant & Spa for over five years in the Culinary Department as an Assistant Chef.

Action: PS, IMM; LAB COM; CIO

EX MIN 15/162

EX MEM 15/85 EXEMPTION FROM THE WORK PERMIT REQUIREMENT – AMENDMENT TO EX MIN 15/56

In EX MIN 15/56 of 22 January 2015, Council agreed to exempt Ms Jennifer Marie Liebsack, a national of the USA, who has been residing in Anguilla since 2011 from the work permit requirement. Council noted on the application that Ms

Liebsack was offered employment by Mr Chris Cutler of West End as a Caretaker for his children.

Council further noted that Ms Liebsack had communicated to the Ministry that her employer should have been Ms Joan Richardson of Anguilla Stationers. Council therefore agreed that EX MIN 15/56 of 22 January 2015 should be amended to state that Ms Jennifer Marie Liebsack has been offered employment by Ms Joan Richardson of Anguilla Stationers as a Marketing Assistant and not by Mr Chris Cutler as previously agreed.

Action: PS, IMM; LAB COM; CIO

EX MIN 15/163

EX MEM 15/86 PAYMENT OF DEFERRED SALARY – MRS X

[note on publication: name redacted to protect personal health information]

Council agreed that Mrs X in the Department of Physical Planning should be paid her deferred salary of EC\$14,395.70 to assist her in meeting the costs associated with her mother's medical condition.

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

Action: PS, PA; PS, FIN; PS, EDICT; ACC GEN; PPO

EX MIN 15/164

EX MEM 15/87 INVOICE FROM COURT REPORTERS FOR COURT REPORTING SERVICES DURING THE BOARD OF ASSESSMENT HEARING OF THE ASSESSMENT OF THE VALUE OF THE 10 ACRES OF LAND ACQUIRED FROM THE LAKE FAMILY

Council agreed that the matter should be deferred.

Action: HON AG

EX MIN 15/165

EX MEM 15/88 ANGUILLA HOSTING THE ATTORNEYS GENERAL CONFERENCE 2015

Council was minded to grant permission for Anguilla to host the 2015 Attorneys General Conference. Council noted that the Conference was proposed to be held for 3-4 days in June or September 2015 (date to be confirmed). Council additionally noted that as host, Anguilla (specifically the AG's Chambers) would be responsible for all the logistics with some assistance from the FCO.

Action: HON AG

EX MIN 15/166

EX MEM 15/89 APPLICATIONS FOR THE PERMIT OF PERMANENT RESIDENCE

Council agreed that the paper should be deferred to the Special Meeting of Executive Council to be held on Tuesday 17th March at 2:00pm.

Action: PS, IMM; PAS, IMM

EX MIN 15/167 **EX MEM 15/90 APPLICATIONS FOR THE PERMANENT RESIDENCE**

Council agreed that the paper should be deferred to the Special Meeting of Executive Council to be held on Tuesday 17th March at 2:00pm.

Action: PS, IMM; PAS, IMM

EX MIN 15/168 **EX MEM 15/91 APPLICATIONS FOR THE PERMANENT RESIDENCE**

Council agreed that the paper should be deferred to the Special Meeting of Executive Council to be held on Tuesday 17th March at 2:00pm.

Action: PS, IMM; PAS, IMM

EX MIN 15/169 **EX MEM 15/92 INVESTIGATION INTO THE EXTENT OF THE MOULD SITUATION AT MINISTRY OF HOME AFFAIRS**

PAS, MHA remained for discussion.

Council agreed that the Ministry should use the facilities governed by the Procurement Act to effect the timely response they need in dealing with this situation.

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

Action: PS, MHA/LANDS; PAS, MHA

ORAL MENTION

EX MIN 15/170 **CONTINUED CONCERN REGARDING EXTRACTION OF MARL AT CORITO**

Ministers raised concerns about the prices being paid for the trucking of marl from within and without the Corito compound for use by the Corito Garbage Contractors. Council requested further clarification on costs from the Department for Environmental Health.

Action: DEH; PS, HSD; MINS OF GOV'T
