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MINUTES OF THE 4TH MEETING OF THE ELEVENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 21ST MAY 2015

- PRESENT: Her Excellency the Governor, Ms Christina Scott
- The Honourable Victor Banks, Chief Minister and Minister of Finance,
Economic Development, Commerce, Lands & Physical Planning and Tourism
- The Hon Deputy Governor, Mr Stanley Reid
- The Hon Evans Rogers, Minister of Health and Social Development
- The Honourable Cora Richardson-Hodge, Minister of Home Affairs, Immigration,
Labour, Environment, Human Rights, Gender Affairs, Constitutional Affairs and
Information and Broadcasting
- The Honourable Curtis Richardson, Minister of Infrastructure, Communications,
Utilities, Housing, Agriculture and Fisheries and Information Technology
- The Honourable Attorney General, Mr Rupert Jones
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Hon Cardigan Connor, Parliamentary Secretary
Dr Bonnie Richardson-Lake, PS, HSD
Mrs Kiesha Gumbs-Bibby, Social Development Planner
Mr Foster Rogers, PS, EDICT
Mr Larry Franklin, PS, MICUH
Mrs Shona Proctor, Budget Director
Mr Nigel Connor, Deputy Chief Engineer, DICUH
Ms Ludiane Leveret-Richardson, Chief Procurement Officer
Dr Wycliffe Fahie, PAS, FIN
Mr Rawle Hazell, Director, Housing & Construction
Mr Leslie Hodge, DLS
Ms Jasmin Garraway, Coordinator, TSDP
Ms Gina Brooks, Tourism Planner

EX MIN 15/308

CONFIRMATION OF THE MINUTES

Hon Cardigan Connor, Parliamentary Secretary joined the Meeting.

Council confirmed the Minutes of a Special Meeting held on Tuesday 12th May 2015 and the Minutes of the 3rd Meeting held on Wednesday 13th May 2015, subject to further advice on EX MIN 15/295 of 12th May and EX MIN 15/302 of 13th May.

MATTERS ARISING FROM THE MINUTES

EX MIN 15/309

EX MIN 15/301 EX MEM 15/157 APPOINTMENT OF MEMBERS OF THE BOARD OF THE ANGUILLA AIR AND SEA PORTS AUTHORITY

Parliamentary Secretary remained in attendance.

Further to EX MIN 15/301 of 13th May 2015, Council agreed that sub-paragraph (iii) of the second paragraph of the minute should be amended to read:-

- (iii) Mr Edward Connor (**Jr.**) Member (Community Services, Import and Export Operations and Shipping) for a period of 2 years

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

Action: PS, MICUH; CEO, AASPA; HON AG

EX MIN 15/310

UPDATE BY OFFICIALS ON CAPITAL PROJECTS AND THE PROCUREMENT PROCESS

Parliamentary Secretary remained in attendance. The following persons joined the Meeting:-

Mr Foster Rogers, PS, EDICT
 Mr Larry Franklin, PS, MICUH
 Mrs Shona Proctor, Budget Director
 Mr Nigel Connor, Deputy Chief Engineer, DICUH
 Ms Ludiane Leveret-Richardson, Chief Procurement Officer
 Dr Wycliffe Fahie, PAS, FIN
 Mr Rawle Hazell, Director, Housing & Construction

Council noted the update on the Capital Projects including the UKG Projects and particularly, the AFRS/ATC Building Construction. Council noted that a meeting was scheduled with ASSI on 9 June in the UK on this matter. Council agreed to an update in June, following the meeting. Council additionally noted the expenditure report for the 2015 Estimates of Recurrent Expenditure and Capital Budget as of 21st May 2015 and requested a projected forward look as to what would be spent at the end of year, for a future update to Executive Council.

Council also noted the challenges faced by the procurement officials regarding the submission of relevant information to the Procurement Board, but urged officials to make every possible effort to meet deadline dates and to ensure that projects are progressed.

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

EX MIN 15/311

EX MEM 15/150 CHILD PROTECTION LEGISLATION

Parliamentary Secretary remained in attendance. Dr Bonnie Richardson-Lake, PS, HSD and Mrs Kiesha Gumbs-Bibby, Social Development Planner joined the Meeting.

Council:-

- (i) approved the outline policy for the drafting of a comprehensive piece of child protection legislation;
- (ii) noted that there was no model bill and agreed that the information should be shared with UNICEF to ascertain whether they may have any recommendations that could be included in the document;
- (iii) mandated the Department of Social Development to return to Executive Council with clear drafting instructions to facilitate the drafting of legislation by the Attorney General's Chambers for further consideration; and
- (iv) agreed to look at where this piece of legislation is placed within the overall legislative priorities.

Action: PS, HSD; HON AG; MINS OF GOV'T

EX MIN 15/312

EX MEM 15/163 APPOINTMENT OF NEW MEMBERS TO THE ANGUILLA TOURIST BOARD

Parliamentary Secretary remained in attendance. PS, EDICT remained for discussion.

HE The Governor and the Hon Attorney General declared an interest due to social ties with Mrs Melinda K. M. Goddard, MBA.

Council noted the intention of the Hon Minister of Tourism to remove the members of the current Board by order published in the Official Gazette in accordance with Section 5 (5) of the Act.

Council agreed that the following persons should be appointed to the Anguilla Tourist Board for a period of two years:-

- 1) Section 5 (1) (a) and Section 5 (2): **Mrs. Donna Banks, Chairman** after consultation with the Chairman of the Anguilla Hotel and Tourism Association and the President, Chamber of Commerce. Mrs. Banks is a trained accountant and has had many years of experience in the tourism industry;
- 2) Section 5 (1) (b): **Mr. Fred Thompson** after consultation with the Anguilla Hotel and Tourism Association;

- 3) Section 5 (1) (b): **Mrs Gilda Samuel** after consultation with the Anguilla Hotel and Tourism Association;
- 4) Section 5 (1) (c): **Mrs. Melinda Goddard** after consultation with the Chamber of Commerce; and
- 5) Section 5 (1) (d): **Mrs. Kalita Lloyd** after consideration of her many years of experience in the transport services.

Council did not approve the appointment of **Ms Amethyst Davis** as she is a Public Officer. Council agreed that further consideration should be given to who would be appointed under Section 5 (1) (f).

Council further agreed that the PS, EDICT should have a discussion with the Hon Chief Minister/Tourism on the remuneration packages for the Board, and that a paper be brought to Executive Council for consideration.

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

Action: PS, EDICT; HON CM/TOURISM; PARL SEC; CO-ORD, TSDP; TP

EX MIN 15/313

EX MEM 15/164 ALLOCATION OF LOTS AND NEGOTIATION TO ACQUIRE LANDS – FOUNTAIN NATIONAL PARK

Parliamentary Secretary remained in attendance. PS, EDICT remained for discussion. The following persons joined the Meeting:-

Mr Leslie Hodge, DLS
 Ms Jasmin Garraway, Coordinator, TSDP
 Ms Gina Brooks, Tourism Planner

Council approved the use of Block # 59018B, Parcel # 64 for the building of the first phase of the Archaeological and Amerindian Interpretation Centre (AAIC) project, and part of Block # 59018B and Parcel # 141 for parking for buses and automobiles. Council noted that based on recent consultations, it was recommended that Block # 59018B, Parcels #s 26 and 27, already designated for the Fountain National Park, should be used instead to develop phase one of the project, so that synergies could be realised with nearby existing developments.

Council:-

- (i) approved the use of the aforementioned lots to initiate the project, subject to planning permission; and
- (ii) authorised the PS, EDICTLP and the PS, MHA, to begin discussions at the earliest opportunity with the land owners, aimed at acquiring parcels 53, 57, 63 and 61 in Block 59018B and to come back to Executive Council with the financial implications.

Action: PS, EDICT/LANDS; PS, MHA; DLS; CO-ORD, TSDP; TP

EX MIN 15/315

EX MEM 15/166 REPATRIATION OF FOSSILS OF AMBLYRHIZA INUNDATA

Parliamentary Secretary remained in attendance. PS, EDICT, Coordinator, TSDP and Tourism Planner remained for discussion.

Council approved the repatriation of the remains of the Amblyrhiza Inundata also called the “Giant Rat” to the charge of the Anguilla and Archaeological Historical Society in Anguilla. Council agreed that the PS, EDICT should inform the West India Committee (WIC) in the UK of the return of the remains to Anguilla.

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

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

EX MIN 15/316

EX MEM 15/167 REQUEST FOR EXTENSION OF TIME TO BUILD – ALIENS LAND HOLDING LICENCE – GOBLINS RETREATS LLC (REGISTRATION SECTION: WEST END; BLOCK: 18011 B; PARCEL 88; CONTAINING 1.63 ACRES)

Parliamentary Secretary remained in attendance. PS, EDICT and DLS remained for discussion.

The Hon Minister of Home Affairs and the Hon Minister of Infrastructure declared interests and absented themselves from the Meeting.

Council endorsed the recommendation by the Ministry to grant the request from Goblins Retreats LLC for an extension of time for a further thirty-six (36) months (that is until November 17, 2018), subject to the following conditions:-

- i. Goblins Retreats LLC is hereby requested to pay a refundable deposit in the sum of **EC\$186,225.05/US\$69,275.00** representing five percent (5%) of the assessed value of the property in accordance with the Licence Agreement;
- ii. after said thirty-six (36) months a penalty of EC\$3,500.00 for each calendar month or part thereof that the project remains incomplete, should apply to said deposit and the estate and interest of Goblins Retreats LLC in the land held under the authority of the licence should thereafter be liable to be forfeited to the Crown; and
- iii. execution of *Supplementary Conditions to Licence Agreement* by a representative of Goblins Retreats LLC and prompt return to the Ministry of Lands, within fourteen (14) working days.

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

EX MIN 15/317

EX MEM 15/168 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – WENDY TASINE WILLIAMS-GUMBS – REGISTRATION SECTION WEST CENTRAL, BLOCK 28211 B, PARCEL 467, CONTAINING 0.21 ACRE

Parliamentary Secretary remained in attendance. The Hon Minister of Infrastructure declared an interest and absented himself from the Meeting. The Hon Minister of Home Affairs re-joined the Meeting.

Council agreed that an Aliens Land Holding Licence should be issued to Wendy Tazine Williams-Gumbs to hold, on a freehold basis, 0.21 acre of vacant land described as Registration Section West Central, Block 28211 B, Parcel 467, located at Rendezvous to construct a dwelling house thereon, subject to the following:-

- a) Payment of the following Stamp Duties:
- | | | |
|-------|--|------------------------------|
| (i) | under the Stamp Act – 5%
of EC\$26,882.00 | EC\$1,344.10 |
| (ii) | under the Aliens Land Holding
Regulations Act – 12.5%
of EC\$26,882.00 | Waived |
| (iii) | refundable deposit of 10% of
EC\$26,882.00 | Waived |
| | TOTAL | EC\$1,344.10
===== |
- b) with the expressed condition that the land is to be used for residential purposes and that the Licencee must not rent her dwelling house unless an application is made and written permission is obtained from the Ministry of Finance, Economic Development, Investment, Commerce, Tourism and Lands & Physical Planning (FEDICTLP).

Action: PS, LANDS; PS, FIN; DLS

EX MIN 15/318

EX MEM 15/169 FILLING OF POSITIONS IN THE DEPARTMENT OF INLAND REVENUE

Parliamentary Secretary remained in attendance.

Council:-

- (i) noted that the positions of Auditor and Collections Officer in the Department of Inland Revenue had become vacant due to resignation;
- (ii) additionally noted that the positions had already been budgeted for and that there were no financial implications; and
- (iii) approved the filling of Auditor and Collections Officer in the Department of Inland Revenue.

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

Action: CIR; PS, PA; PS, FIN; PS, EDICT; BD; ACC GEN

EX MIN 15/319

EX MEM 15/170 APPOINTMENT OF A COMMISSONER TO THE BOARD OF THE PUBLIC UTILITIES COMMISSION

Parliamentary Secretary remained in attendance.

Council agreed that the paper be deferred.

Action: PS, MICUH

ORAL MENTION

EX MIN 15/320

AUDITING SERVICES FOR THE PUBLIC UTILITIES COMMISSION

Council noted a letter dated 20 May 2015 to H E The Governor from Mr Kenn Banks, Executive Director, Public Utilities Commission seeking approval in Executive Council to engage the auditing services of the firm, Grant Thornton International Limited.

Council agreed that the Public Utilities Commission should engage the services of the firm, Grant Thornton International Limited of Antigua to conduct the audit of the Commission's accounts for the year 2014.

Action: PS, MICUH; EX OFF, PUC

EX MIN 15/321

EXECUTIVE COUNCIL: DISCLOSURE OF BUSINESS INTERESTS

HE The Governor reminded Ministers that she had written to them on 4 May asking them to disclose to her their business interests by 22 May, in line with the Guide to the Operations of the Executive Council. As of that morning, only Minister Richardson had replied. The Governor looked forward to receiving returns from other Ministers in the coming days.

Action: MINS OF GOV'T
