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MINUTES OF THE 56TH MEETING OF THE ELEVENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 7TH JULY 2016

- PRESENT: His Excellency the Acting Governor, Mr Perin Bradley
- The Honourable Victor Banks, Chief Minister and Minister of Finance,
Economic Development, Commerce, Tourism, Lands & Physical Planning
- The Honourable Acting Deputy Governor, Mrs Kathleen Rogers
- The Honourable 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 Acting Attorney General, Mr Anthony La Ronde
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Hon Cardigan Connor, Parliamentary Secretary
Mr Foster Rogers, PS, EDICTLP
Mr Vanroy Hodge, CEO, AASPA
Mr Fabian M. Fahie, Chairman, AASPA
Mr Sherman Williams, Finance Manager, AASPA
Mr Janhendrik Boekaar, Director, Anguilla Roads & Construction
Mr Derrick Romney Jr, Representative, Anguilla Roads & Construction
Mr Paul Djasmin, Project Manager, Anguilla Roads & Construction
Mr Shomari Kentish, Project Engineer, Anguilla Roads & Construction
Mr Bancroft Battick, Deputy Chief Engineer/Acting PS, MICUHAFIT
Mr Nigel Connor, Roads Engineer, DICUH
Mrs Brenda Carty, Media (The Herald)
Mr Nat Hodge, Media (The Anguillian)
Ms Karenda Brooks, Media (IT Unit)
- ABSENT: Her Excellency the Governor, Ms Christina Scott
- The Honourable Attorney General, Mr Rupert Jones

EX MIN 16/407

CONFIRMATION OF THE MINUTES

Hon Cardigan Connor, Parliamentary Secretary joined the Meeting.

Council confirmed the Minutes of the 55th Meeting held on Thursday 30th June 2016.

MATTERS ARISING FROM THE MINUTES

EX MIN 16/408

None

EX MIN 16/409

ROAD BAY JETTY CONSTRUCTION AGREEMENT – SIGNING OF CONTRACT

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

Mr Vanroy Hodge, CEO, AASPA
 Mr Fabian M. Fahie, Chairman, AASPA
 Mr Sherman Williams, Finance Manager, AASPA
 Mr Janhendrik Boekaar, Director, Anguilla Roads & Construction
 Mr Derrick Romney Jr, Representative, Anguilla Roads & Construction
 Mr Paul Djasmin, Project Manager, Anguilla Roads & Construction
 Mr Shomari Kentish, Project Engineer, Anguilla Roads & Construction
 Mr Bancroft Battick, Deputy Chief Engineer/Acting PS, MICUHAFIT
 Mr Nigel Connor, Roads Engineer, DICUH
 Mrs Brenda Carty, Media (The Herald)
 Mr Nat Hodge, Media (The Anguillian)
 Ms Karenda Brooks, Media (IT Unit)

Council observed the signing of the contract for the Road Bay Jetty construction which was scheduled to start within 6 – 8 weeks and to be completed in 2 months at a cost of over EC\$2 million.

Congratulatory remarks came from several of the Officials present. HE The Acting Governor, Hon Chief Minister, Hon Minister, MICUHAFIT, CEO, AASPA and the Chairman, AASPA commended the teams from AASPA and MICUHAFIT for their invaluable input in making this project a reality, and the Anguilla Roads & Construction for taking up the challenge for this undertaking. Additionally, the Acting Governor expressed thanks to HMG for their support via the Royal Engineers, particularly Major Nixon for doing the initial work; and the FCO/ Minister Duddridge for securing the necessary approvals for borrowing.

Chairman, AASPA gave the vote of thanks.

Action: PS, MICUHAFIT; CEO, AASPA; CHAIRMAN, AASPA; MINS OF GOV'T

EX MIN 16/410

EX MEM 16/248 APPEAL AGAINST PLANNING PERMISSION – DUQUAINE BROOKS (COMMERCIAL COMPLEX/GYM), ZARNA BROKERAGE (COMMERCIAL COMPLEX), SIMON ALCINDOR (AUTO PAINT WORKSHOP), OTASBA CONNOR (FOOD VAN), NEVILLE GODDARD (FOOD VAN), GECHEAL RICHARDSON (REVISION TO HOUSE PLAN)

Hon Parliamentary Secretary remained in attendance. Mr Foster Rogers, PS, EDICTLP joined the Meeting.

1. **Mr. Duquaine Brooks**

Council:-

- (a) agreed that the appeal against planning permission from Mr. Duquaine Brooks to construct a Commercial Complex/Gym in The Valley on Crown lands described as Block 48814B, Parcel 270 should not be allowed in light of the fact that the parcel in question is crossed by a natural ghaut which has serious implications for flooding in the area;
- (b) agreed that the parcel of land should always be under the control of the Government and should also be declared as open space on the land register and development to be prohibited thereon; and
- (c) further agreed that Mr. Duquaine Brooks should consider an alternate site for this development.

2. **Zarna Brokerage & Trucking**

Council:-

- (a) agreed that the appeal against planning permission from Zarna Brokerage & Trucking to construct a Commercial Complex in The Valley on Crown lands described as Block 48814B, Parcel 270 should not be allowed in light of the fact that the parcel in question is crossed by a natural ghaut which has serious implications for flooding in the area;
- (b) agreed that the parcel of land should always be under the control of the Government and should also be declared as open space on the land register and development to be prohibited thereon; and
- (c) further agreed that Zarna Brokerage & Trucking should consider an alternate site for this development.

3. **Mr. Simon Alcindor**

Council:-

- (a) noted an appeal against planning permission from Mr. Simon Alcindor to construct an Auto Paint Workshop at East End on lands described as Block

99416B, Parcel 252; and

- (b) agreed that the matter should be deferred for a site visit by Members of Executive Council.

4. **Mr. Otasba Connor**

Council:-

- (a) agreed that the appeal against planning permission from Mr. Otasba Connor to operate a Food Van on Crown lands in The Valley described as Block 48814B, Parcel 270 should be allowed, subject to the following conditions:-
 - (i) the operations of the food van shall be after 5:00 pm during week days while school is open;
 - (ii) the food van may operate during regular working hours on Saturdays, Sundays and school vacation periods;
 - (iii) the portable toilet is to be constructed within a façade to ensure that its appearance is in keeping with the amenity of the area;
 - (iv) running water shall be provided for the operations of the food van and for patrons using the portable toilet from the public water supply;
 - (v) Mr. Connor shall be responsible for ensuring that the premises of The Valley Primary School are cleared of any wastes and refuse resulting from patrons of his business; and
 - (vi) this approval is for a period of two years. After this period the operations of the food van will be reassessed to ascertain if the Government would allow for the operations to continue for another period. Permission shall not be granted for more than two years at a time.

5. **Mr. Neville Goddard**

Council:-

- (a) noted an appeal against planning permission from Mr Gregory Martin, Agent for Mr. Neville Goddard to operate a Food Van at Meads Bay on a Parcel of land described as Block 17910B, Parcel 133; and
- (b) agreed that the matter should be deferred for a site visit by Members of Executive Council.

6. **Ms. Gecheal Richardson**

Council:-

- (a) agreed that the appeal against planning permission from Ms. Gecheal G. Richardson to construct an additional floor on an approved two-storey apartment building at South Hill, described as Block 28411B, Parcel 75 should be allowed, subject to the following conditions:-
- (i) Parcel 201 should be acquired and amalgamated to Parcel 75; and
 - (ii) the marginal trespass on Parcel 194 should be remedied through either the demolition of the cantilevered porch on the southern end of the building, or the acquisition of additional lands from Parcel 194 to be amalgamated to Parcel 75 in order to improve the setback on the southern side of the back boundary.

Action: PS, EDICTLP; DLS; PPO; EXCO MEMBERS

EX MIN 16/411

EX MEM 16/249 AMENDMENT TO THE PAROLE OF PRISONERS ACT

Hon Parliamentary Secretary remained in attendance.

Council:-

- (i) noted that The Parole of Prisoners Act states that, “a person with administrative skills working at Her Majesty’s Prison (HMP) shall be the Recording Secretary to the Board and shall provide general secretarial assistance to the Chairperson and keep accurate and complete minutes of each meeting of the Board”;
- (ii) noted the recommendation from the Ministry of Social Development that the phrase “working at Her Majesty’s Prison” should be removed because the requirement that the person with administrative skills working at HMP should be the Recording Secretary occasionally presents a challenge;
- (iii) agreed that the phrase “working at Her Majesty’s Prison” should be removed; and
- (iv) instructed the Attorney General’s Chambers to make the required amendment to the Parole of Prisoners Act.

Action: PS, HSD; HON AG; SOP; COP

EX MIN 16/412

EX MEM 16/250 FILLING OF THREE (3) VACANT POSITIONS – POST OFFICE

Hon Parliamentary Secretary remained in attendance.

Council:-

- (i) noted that the positions of Postal Supervisor - Mail Movement and Postal Assistant - Travelling Branch in the Post Office had become vacant due to resignations from the Anguilla Public Service;

- (ii) noted that the position of Senior Postal Officer - Home Shopping in the Post Office was a new position that was approved some three (3) years ago but was never filled due to austerity measures being put in place;
- (iii) additionally noted that filling these positions would not have an additional impact on the budget allocations for 2016 as these were existing positions that were already included in the budget; and
- (iv) agreed that the three (3) vacant positions of Postal Supervisor - Mail Movement, Postal Assistant - Travelling Branch and Senior Postal Officer - Home Shopping in the Post Office should be filled.

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

Action: PMG; PS, FIN; PS, PA; PS, EDICTLP; BD; ACC GEN

EX MIN 16/413

EX MEM 16/251 PAYMENT OF DEFERRED SALARY – MS A

[note on publication: names removed to protect personal health information]

Hon Parliamentary Secretary remained in attendance.

Council agreed that Ms. A, who is employed in the Education Department should be paid her deferred salary in the sum of EC\$51,829.30 to assist her with costs associated with her medical condition.

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

Action: CEO; PS, PA; PS, FIN; PS, EDICTLP; ACC GEN

EX MIN 16/414

EX MEM 16/252 PAYMENT OF DEFERRED SALARY – MS B

[note on publication: names removed to protect personal health information]

Hon Parliamentary Secretary remained in attendance.

Council agreed that Ms. B, who is employed by the Anguilla Public Service should be paid her deferred salary in the sum of EC\$33,759.48 to assist her with costs associated with her medical condition.

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

Action: PS, FIN; PS, PA; PAS, FIN; PS, EDICTLP; BD; ACC GEN

EX MIN 16/415

EX MEM 16/253 PAYMENT OF DEFERRED SALARY – MS C

[note on publication: names removed to protect personal health information]

Hon Parliamentary Secretary remained in attendance.

Council agreed that Ms. C, who is employed in the Anguilla Public Service should be paid the balance of her deferred salary in the sum of EC\$26,733.55 to assist her with costs associated with medical expenses.

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

Action: CSD; PS, HSD; PS, PA; PS, FIN; PS, EDICTLP; ACC GEN

EX MIN 16/416

EX MEM 16/254 PAYMENT OF DEFERRED SALARY – MRS D

[note on publication: names removed to protect personal health information]

Hon Parliamentary Secretary remained in attendance.

Council agreed that Mrs D, who is employed by the Anguilla Public Service should be paid her deferred salary in the sum of EC\$16,271.58 to assist her with costs associated with her medical condition.

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

Action: REG, JD; PS, PA; PS, FIN; PS, EDICTLP; ACC GEN

EX MIN 16/417

EX MEM 16/255 PAYMENT OF DEFERRED SALARY – MS E

[note on publication: names removed to protect personal health information]

Hon Parliamentary Secretary remained in attendance.

Council agreed that Ms. E, who is employed in the Anguilla Public Service should be paid her deferred salary in the sum of EC\$12,486.70 to assist her with costs associated with her medical condition.

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

Action: PS, PA; PS, FIN; PS, EDICTLP; ACC GEN

EX MIN 16/418

EX MEM 16/256 APPLICATIONS FOR THE PERMIT OF PERMANENT RESIDENCE

Hon Parliamentary Secretary remained in attendance.

Council agreed that the twenty-three persons on the attached list should be granted the Permit of Permanent Residence in accordance with Section 24 of the Immigration and Passport Act.

Action: PS, IMM; LAB COM; CIO

EX MIN 16/419

EX MEM 16/257 APPLICATIONS FOR THE PERMIT OF PERMANENT RESIDENCE

Hon Parliamentary Secretary remained in attendance.

Council agreed that the twenty-five persons on the attached list should be granted the Permit of Permanent Residence in accordance with Section 24 of the Immigration and Passport Act.

Action: PS, IMM; LAB COM; CIO

EX MIN 16/420

EX MEM 16/258 REVISED TRAINING NEEDS FOR 2016

Hon Parliamentary Secretary remained in attendance.

Council:-

- (i) agreed to the revised Training Priority Training areas as set out in the attached list; and
- (ii) agreed that the amount for funding these areas should not exceed the approved amount of EC\$1,610,245.00.

Action: PS, PA; TRNG OFF; PS, FIN; PS, EDICTLP; OTHER PERM SECS; PAS, FIN; BD; ACC GEN

EX MIN 16/421

EX MEM 16/259 REMUNERATION FOR PERFORMANCE OF ADDITIONAL DUTIES

Hon Parliamentary Secretary remained in attendance.

Council:-

- (i) noted that the Human Resource Management Officer (HRMO) in the Department of Public Administration was awarded one of the Chevening Scholarships tenable in the United Kingdom from 1 September 2015 to 30 September 2016;
- (ii) noted that Mrs Saskia Petty and Ms. Samantha Henderson, Administrative Officers in the Department of Public Administration had taken the initiative to perform the additional duties of HRMO in addition to their regular duties;
- (iii) additionally noted that the arrangement to jointly perform the duties of the post had resulted in significant savings for the GoA;
- (iv) agreed that Mrs Saskia Petty and Ms. Samantha Henderson, Administrative Officers in the Department of Public Administration should be compensated for performing the additional duties of HRMO for the period 1 September 2015 to 30 September 2016; and
- (v) agreed that calculation for compensation (as attached) should be used to determine the payment, and that such payment should be accommodated from within the budget of Public Administration.

Action: PS, PA; PS, FIN; PS, EDICTLP; BD; ACC GEN

EX MIN 16/422

EX MEM 16/260 REMUNERATION FOR CHIEF VETERINARY OFFICER

Hon Parliamentary Secretary remained in attendance.

Council:-

- (i) noted that Dr. Patrick Vanterpool, Chief Veterinary Officer performed extra duties over the past three and a half years during the absence of the Veterinary Assistant on study leave;
- (ii) agreed that Dr. Vanterpool should be remunerated for the ninety-five (95) vacation days that he has accrued up to 31st December 2015. This will equate to EC\$42,412.90 using the formula set out below:-

monthly salary X number of days for payback (excluding holidays and weekends)
number of days in month

- (iii) agreed that a monthly allowance of EC\$1,500.00 should be paid retroactively, from January 2013, as compensation for the extra duties assumed by Dr. Vanterpool. This will amount to **EC\$63,000.00** from January 2013 to June 2016 and **EC\$9,000.00** (to be paid in monthly instalments) from July 2016 to December 2016. Total for the two-year period (January 2013 to December 2016) will equate to **EC\$36,000.00**; and
- (iv) further agreed that the total sum of **EC\$99,000.00** should be made payable to Dr. Vanterpool from within the Ministries of MICUHAFIT and Home Affairs in proportion to the period of time this matter existed while under the respective Ministries.

Action: PS, MICUHAFIT; PS, MHA; PS, PA; PS, FIN; PS, EDICTLP; BD; ACC
GEN

EX MIN 16/423

EX MEM 16/261 PAYMENT OF DEFERRED SALARY – MS F

[note on publication: names removed to protect personal health information]

Hon Parliamentary Secretary remained in attendance.

Council agreed that Ms. F, who is employed by the Anguilla Public Service should be paid her deferred salary in the amount of EC\$14,122.69 to assist her with costs associated with her son's medical condition.

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

Action: PMG; PS, PA; PS, FIN; PS, EDICTLP; ACC GEN

EX MIN 16/424

INF 16/06 INFORMATION NOTE:- NATIONAL FUNERAL FOR THE LATE MS. ISALEE HARRIGAN IN RECOGNITION OF HER INVALUABLE CONTRIBUTION TO ANGUILLA DURING THE REVOLUTION

Hon Parliamentary Secretary remained in attendance.

Council noted the passing of Ms. Isalee Harrigan of Pond Ground, East End on Monday, 4 July 2016. Ms. Harrigan, like many of the Anguillian women of that time, was very active and vocal in the many protests that followed the British invasion of the island on 19 March 1969. She was among some 27 Anguillian women featured in Mr Colville Petty's publication, 'Anguilla's Battle for Freedom 1967 – 1969' under the caption, 'Women in the Revolution'. The late Ms. Isalee Harrigan was awarded with the Anguilla Badge of Honour and Queens's Certificate in 2010 for her outstanding contribution to the Anguilla Revolution.

In keeping with the decision taken in EX MIN 14/612 (vii) of 2 October 2014 and EX MIN 15/535 of 23 September 2015, Council further noted that the Ministry of Home Affairs had begun the process of making arrangements which would include:-

- (i) the holding of a National Funeral for the late Isalee Harrigan in collaboration with the family;
- (ii) the publication of an official Statement of Condolence from the Government and people of Anguilla on the passing of this outstanding revolutionary;
- (iii) flags to be flown at Half Mast on the day preceding the funeral and on the day of the funeral until immediately following the funeral ceremony;
- (iv) a Police Guard of Honour to be drawn up at the Church and a contingent of uniformed officers to bear the body in and out of the church and at the graveside. Casket to be covered with the national flag; and
- (v) a contribution of EC\$5,000 towards the cost of the funeral expenses and EC\$3,000 towards the other expenses.

Action: PS, MHA; PAS, MHA

ORAL MENTION

EX MIN 16/425

EX MIN 16/330 EX MEM 16/198 APPLICATIONS FOR THE PERMIT OF PERMANENT RESIDENCE

Hon Parliamentary Secretary remained in attendance.

Further to EX MIN 16/330 of 2 June 2016, Council agreed that the following person should be granted the Permit of Permanent Residence in accordance with Section 24 of the Immigration and Passport Act:-

Ms. Paula Paola Ventura Piña - National of the Dominican Republic, who has been residing in Anguilla since

2009. Ms. Ventura Piña resides in Little Harbour, Anguilla and is married to Yarri Rangel Connor Mercedes. The Police Record submitted shows no criminal offences. Reference letters submitted in support of Ms. Piña's application indicate that she is a hardworking, kind and ambitious person. A certificate of Good Standing has been submitted.

Action: PS, IMM; LAB COM; CIO

EX MIN 16/427

BACKLOG OF APPLICATIONS FOR THE PERMIT OF PERMANENT RESIDENCE

Council commended the team at the Immigration Department and Mrs Gertrude Saunders in the Ministry of Home Affairs for a job well done in completing the backlog of applications for the Permit of Permanent Residence.

Action: PS, IMM; CIO
