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**MINUTES OF THE 121<sup>ST</sup> MEETING OF THE ELEVENTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON THURSDAY 23<sup>RD</sup> NOVEMBER 2017**

PRESENT: His Excellency the Governor, Mr Timothy Foy, OBE

The Honourable Victor Banks, Chief Minister and Minister of Finance,  
Economic Development, Commerce, Tourism and Information Technology

The Honourable Deputy Governor, Mr Perin Bradley

The Honourable Evans Rogers, Minister of Health and Social Development, Lands  
and Physical Planning

The Honourable Cora Richardson-Hodge, Minister of Home Affairs and Education

The Honourable Curtis Richardson, Minister of Infrastructure, Communications,  
Utilities, Housing, Agriculture, Fisheries and Environment

The Honourable Attorney General, Mr John McKendrick QC

Mrs Jewelle Fleming, Clerk to Executive Council

IN ATTENDANCE: Hon Cardigan Connor, Parliamentary Secretary  
Mrs Evalie Bradley, Ministerial Assistant to the Hon Minister, MHA  
Mr Larry Franklin, PS, EDICTLP (via telephone)  
Mrs Chanelle Petty-Barrett, PS, MHA

EX MIN 17/538      **CONFIRMATION OF THE MINUTES**

Hon Cardigan Connor, Parliamentary Secretary and Mrs Evalie Bradley, Ministerial Assistant to the Hon Minister, MHA joined the Meeting.

Council confirmed the Minutes of the 120<sup>th</sup> Meeting held on Thursday 16<sup>th</sup> November 2017 and the Minutes of the NCBA Shareholder Committee Meeting held on Thursday 16<sup>th</sup> November 2017.

**MATTERS ARISING FROM THE MINUTES**

EX MIN 17/539

**EX MEM 17/321 PUBLIC SECTOR REFORM**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Further to EX MIN 17/531 of 16<sup>th</sup> November 2017, the Hon Deputy Governor informed Council that the Anguilla's Recovery Workplan was priority, and that the paper on 'Public Sector Reform' would be submitted to Executive Council sometime in the New Year for further consideration.

Action: HON DG; EXCO MEMBERS

EX MIN 17/540

**2017 CASH POSITION**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

The Hon Deputy Governor updated Council on the GoA's cash position as of 21<sup>st</sup> November 2017.

Action: PS, FIN; PS, EDICTLP; BD; MINS OF GOV'T

EX MIN 17/541

**ANGUILLA'S RECOVERY WORKPLAN**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

The Hon Deputy Governor indicated that the damage and loss assessment undertaken by ECLAC for Anguilla following Hurricane Irma was EC\$880m. The DG went on to say that 2018 was going to be a challenge and managing public finances would be critical. He pointed out the importance of the following:-

- 1) restoration of electricity island-wide;
- 2) securing access to the islands;
- 3) rebuilding key infrastructure;
- 4) implementing a combination of revenue and expenditure measures for 2018; and
- 5) better compliance – collection policy

The DG added that he will be meeting with PSs on a weekly basis to discuss crucial matters and the way forward.

Action: HON DG; MINS OF GOV'T

EX MIN 17/542

**IMMEDIATE ACCESS TO ANGUILLA**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

H E The Governor raised concern with regard to immediate access to Anguilla. He pointed out that since the passage of Hurricane Irma flights into St. Maarten were a fraction as to what they used to be. The Governor stressed the importance of doing the best that could be done to ensure that access to the island for the remainder of 2017 and into 2018 was possible. He added that people were ready and eager to come to Anguilla, but continue to ask the question as to how do they get there. He further added that there has to be a plan - urgent conversations among ATB, AHTA and local airlines securing connecting flights, ferry and charter companies concerning the need for 24hr access to the island.

Dialogue with these agencies had to transpire quickly. The Hon Chief Minister requested the Hon Parliamentary Secretary to take the lead on this.

Action: PARL SEC; MINS OF GOV'T; HON DG

EX MIN 17/543

**EX MEM 17/328 MARINA AND WATERFRONT DEVELOPMENT FEASIBILITY STUDY**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Further to EX MIN 16/510 of 18<sup>th</sup> August 2016, Council:-

- (i) noted the offer from the Anguilla Social Security Board to fund the feasibility study; and
- (ii) noted that the Anguilla Social Security Board with support from the Government of Anguilla, the Anguilla Air and Seaports Authority, and the Anguilla Tourist Board would lead on the procurement of the consultancy services for the feasibility study.

Action: PS, EDICTLP; PS, MICUHAFIT; CEO, AASPA (Acting); PS, FIN; PAS, FIN; DIR, SSB; DLS; BD; CPO; MINS OF GOV'T

EX MIN 17/544

**EX MEM 17/329 ANGUILLA UTILITY TOKEN OFFERING (AUTO)**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance. Mr Larry Franklin, PS, EDICTLP joined by telephone.

Council:-

- (i) approved further exploration of (Financial Technology) FinTech;
- (ii) authorised the Attorney General's Chambers to review and complete the work on the draft Anguilla Utility Token Offering (AUTO) Act;

- (iii) agreed that a meeting should be held between PS, EDICTLP, Hon AG, Director, FSC and Registrar of Companies in the week beginning 27<sup>th</sup> November to discuss the legislation; and
- (iv) agreed that the draft Anguilla Utility Token Offering (AUTO) Act should be brought to Executive Council for consideration.

Action: PS, EDICTLP; HON AG; DIR, FSC; ROC; PS, FIN; PAS, FIN; BD; ACC GEN

EX MIN 17/545

**EX MEM 17/330 APPEAL AGAINST PLANNING PERMISSION**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Council agreed that the appeal against planning permission to construct a dwelling house on Parcel 154 of Block 18011 at Long Bay should be deferred, pending a site visit by members of Executive Council.

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

EX MIN 17/546

**EX MEM 17/331 APPEAL AGAINST PLANNING PERMISSION**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Council agreed that the appeal against planning permission for the construction of a fish storage facility and well on Parcel 42 of Block 28111 at West End should be deferred, pending a site visit by members of Executive Council.

Council additionally agreed that this matter should be taken to public consultation.

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

EX MIN 17/547

**EX MEM 17/243 APPEAL AGAINST PLANNING PERMISSION**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Further to EX MIN 17/386 of 31<sup>st</sup> August 2017, and following the site visit by members of Executive Council, Council agreed that the appeal against planning permission to construct a Duplex at South Hill, Anguilla (Block 38411B Parcel 111) should be allowed, subject to negotiation with the owner of the land adjacent to the house.

Action: PS, EDICTLP; PPO; DLS

EX MIN 17/548

**EX MEM 17/296 APPEAL AGAINST PLANNING PERMISSION**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Further to EX MIN 17/483 of 26<sup>th</sup> October 2017, and following the site visit by members of Executive Council, Council agreed that the appeal against planning permission for the siting of a Mobile Hut at the Coronation Avenue, Anguilla (Block 58814B Parcel 2) should be allowed.

Action: PS, EDICTLP; PPO; DLS

EX MIN 17/549

**EX MEM 17/297 APPEAL AGAINST PLANNING PERMISSION**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Further to EX MIN 17/484 of 26<sup>th</sup> October 2017, and following the site visit by members of Executive Council, Council agreed that:-

- (i) the views of the Land Development Control Committee (LDCC) concerning the refusal of an application for planning permission for the siting of a Food Van at Pope Hill, Anguilla (Block 58814B Parcel 68) should be upheld for the following reasons:-
  - (a) the release of this land could prejudice the preparation of the Master Plan for the redevelopment of the Albena Lake-Hodge Comprehensive School which is considering utilising the lands encompassing Parcel 68; and
  - (b) the entry and exit point to the proposed food van will negatively impact the constructed walkway created on the road edge to specifically alleviate the ongoing conflict between pedestrians and vehicles occurring along this road.
- (ii) agreed that the applicant should re-apply for planning permission for the new proposed site for the Food Van.

Action: PS, EDICTLP; PPO; DLS

EX MIN 17/550

**EX MEM 17/244 APPEAL AGAINST PLANNING PERMISSION**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Further to EX MIN 17/387 of 31<sup>st</sup> August 2017, and following the site visit by members of Executive Council, Council agreed that the appeal against planning permission to construct a restaurant on Block 38410 Parcel 54 should be allowed.

Action: PS, EDICTLP; PPO; DLS

EX MIN 17/551

**EX MEM 17/332 PUBLIC UTILITIES COMMISSION'S 2016 ANNUAL REPORT**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Council:-

- (i) noted the Public Utilities Commission's 2016 Annual Report; and
- (ii) authorised the Minister with responsibility for Communications to table the Public Utilities Commission's 2016 Annual Report at the next sitting of the Anguilla House of Assembly.

Action: PS, MICUHAFIT; EX DIR, PUC; CL, HOA; HON MIN, MICUHAFIT

EX MIN 17/552

**EX MEM 17/333 PAYMENT OF DEFERRED SALARY – MS A**

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

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Council agreed that Ms A, who is employed in the Education Department should be paid her deferred salary in the amount of EC\$5,952.00 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

**ORAL MENTION**

EX MIN 17/553

**MEETING OF EXECUTIVE COUNCIL**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Council agreed that there should be no meeting of Executive Council on Thursday 30<sup>th</sup> November 2017 due to the absence of Ministers of Government on official overseas travel. Council further agreed that the next meeting of Executive Council should be held on Tuesday, 5<sup>th</sup> December at 9:00 am.

Action: EXCO MEMBERS

EX MIN 17/554

**OVERSEAS TRAVEL**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Council was informed of the following dates of overseas travel:-

- 1) Hon Chief Minister - Friday, 24<sup>th</sup> November – Saturday, 2<sup>nd</sup> December 2017, Joint Ministerial Council Meeting, UK
- 2) Hon Minister, MHA - Friday, 24<sup>th</sup> November – Saturday, 2<sup>nd</sup> December 2017, Joint Ministerial Council Meeting, UK
- 3) H E The Governor - Saturday, 25<sup>th</sup> November – Saturday, 2<sup>nd</sup> December 2017, Joint Ministerial Council Meeting, UK
- 4) Hon Parliamentary Sec - Saturday, 25<sup>th</sup> November – Saturday, 2<sup>nd</sup> December 2017, UNWTO Conference, (partnerships for sustainable tourism), Jamaica
- 5) Hon Minister, MICUHAFIT - Monday, 27<sup>th</sup> November – Friday, 1<sup>st</sup> December 2017, CTU Meeting, Bahamas

Action: EXCO MEMBERS

EX MIN 17/555

**SOCIAL SECURITY (UNEMPLOYMENT ASSISTANCE) (TEMPORARY BENEFITS) REGULATIONS, 2017**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance. Mrs Chanelle Petty-Barrett, PS, MHA joined the Meeting.

Further to EX MIN 17/533 of 16<sup>th</sup> November 2017, Council:-

- (i) considered the Social Security (Unemployment Assistance) (Temporary Benefits) Regulations, 2017;
- (ii) agreed that Section 12 of the Regulations should be amended;
- (iii) approved the Social Security (Unemployment Assistance) (Temporary Benefits) Regulations, 2017 to be laid in the House of Assembly subsequently; and
- (iv) authorised the Hon Chief Minister & Minister of Finance to sign the Regulations, which were signed in Executive Council on 23<sup>rd</sup> November 2017.

Council commended the MHA for a good policy. PS, MHA thanked the Attorney General's Chambers for drafting the legislation so speedily.

Action: PS, MHA; DIR, SSB; HON AG; PS, FIN; PS, EDICTLP; BD; ACC GEN

EX MIN 17/556

**APPEALS AGAINST PLANNING PERMISSION: SITE VISITS**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Council suggested that:-

- (i) there should be a short written report by the Principal Planning Officer on the outcome of the site visit, following site visits by members of Executive Council and other relevant officials relating to appeals against planning permission;
- (ii) the original Executive Council paper and the decision taken by members of Executive Council should be brought back to Council for further consideration.

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

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