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MINUTES OF THE 190TH MEETING OF THE ELEVENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 23RD MAY 2019
AT 9:00 AM

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

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

The Honourable Acting Deputy Governor, Mr Merwyn Foster Rogers

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

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

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

The Honourable Attorney General, Mr Dwight Horsford

Clerk to Executive Council, Mrs Jewelle Fleming

IN ATTENDANCE: Hon Parliamentary Secretary, Mr Cardigan Connor
Financial Specialist, Mr Stephen Turnbull
CEO, Health Authority of Anguilla, Mrs Maeza Demis-Adams
PS, MHA/ED, Mrs Chanelle Petty Barrett
PS, EDICTIT, Mr Larry Franklin
Compliance Manager, Ms Marisa Harding-Hodge
Trade and Investment Officer, Ms Taitu Goodwin
Director, Lands & Surveys (acting), Mrs Kristy Harrigan
PS, Finance, Dr Aidan Harrigan

ABSENT: The Honourable Deputy Governor, Mr Perin Bradley

EX MIN 19/247 **CONFIRMATION OF THE MINUTES**

Hon Parliamentary Secretary and Financial Specialist remained.

Council confirmed the Minutes of the 189th Meeting held on Thursday 16 May 2019
and the Minutes of a Special Meeting held on Monday 20 May 2019.

MATTERS ARISING FROM THE MINUTES

EX MIN 19/249

EX MEM 18/287 APPROVAL OF DRAFTING LEGISLATION FOR RRAL – ANNUAL LEVY ON LUXURY REAL ESTATE PRODUCTS

Hon Parliamentary Secretary and Financial Specialist remained.

Following on from Ex Min 18/594 of 22 November 2018, Council:

- (i) approved the drafting of new legislation to give effect to the provisions of agreements entered into by the GoA and developers of Luxury Real Estate Products to require the payment of RRAL by third party purchasers of real estate products;
- (ii) noted that in Ex Min 18/594, it was agreed that clear drafting instructions be sent to the Attorney General's Chambers to give effect to the RRAL regime; and
- (iii) agreed that following instructions to the AG's Chambers, the legislation should be brought to Executive Council by mid-July for consideration and subsequent approval in the House of Assembly.

Action: PS, EDICTIT; PS, FIN; HON AG; PAS, FIN; COM MAN; TIO; PS, HLPP;
DLS (acting); MINS OF GOV'T

EX MIN 19/250

EX MEM 19/114 FEE STRUCTURE CHANGES FOR COMPUTERIZED TOMOGRAPHY (CT) SCANS AND CERVICAL CANCER SCREENING

Hon Parliamentary Secretary and Financial Specialist remained. CEO, Health Authority of Anguilla, Mrs Maeza Demis-Adams joined.

Council approved the proposed new fees for CT scans and the fees for the new methodology for pap smears, ThinPrep. under Section 48 (1) (b) of the HAA Act as follows:

CT scans

<u>HAA proposed pricing regime (EC\$)</u>	<u>Uninsured</u>	<u>Insured</u>	<u>Others</u>
Description: with contrast	1,000.00	1,200.00	1,300.00
without contrast	750.00	925.00	1,150.00
with & without contrast	1,100.00	1,250.00	1,450.00

Pap smears

Liquid Prep EC\$100.00
HPV – Cervix EC\$320.00

Council agreed that the entire fee structure for the HAA should be examined with the view to realizing cost recovery.

Action: PS, HLPP; CMO; CEO, HAA; HON MIN, HSD

EX MIN 19/251

EX MEM 19/121 REVIEW AND APPROVAL OF MOU WITH DDRM ANGUILLA LIMITED (CROCUS BAY)

Hon Parliamentary Secretary and Financial Specialist remained. The following persons joined:

PS, EDICTIT, Mr Larry Franklin
Compliance Manager, Ms Marisa Harding-Hodge
Trade and Investment Officer, Ms Taitu Goodwin

Council:

- (i) considered the draft MOU for DDRM Anguilla Limited and DDRM Anguilla Limited Corporate Report;
- (ii) endorsed the recommendations from the Tourism and Investment Committee regarding requested concessions from DDRM Anguilla Limited outlined in the Corporate Report; and
- (iii) agreed that the MOU and Corporate Report be brought back to Executive Council on Wednesday 29 May for further consideration.

Action: PS, HLPP; PS, EDICTIT; HON AG; COM MAN; TIO; DLS (acting);
PS, FIN; PS, MICUHAFE; MINS OF GOV'T

EX MIN 19/252

EX MEM 19/122 NOMINATIONS FOR ANGUILLA DAY NATIONAL AWARDS 2019

Hon Parliamentary Secretary and Financial Specialist remained.

Council agreed that Mr James Lawrence Carty be awarded the Anguilla Day Badge of Honour and Queen's Certificate for his stellar and continuous contribution to Anguilla's Social Development.

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

Action: PS, EDICTIT; PS, MHA/ED; MINS OF GOV'T

EX MIN 19/253

EX MEM 19/123 APPEAL AGAINST PLANNING REFUSAL APPLICATION REF#: 18/0012 (BIBI ALLIE)

Hon Parliamentary Secretary and Financial Specialist remained.

Council:

- (i) noted an appeal against planning permission from Ms. Bibi Allie to develop a wall on Parcel 25 of Block 48813 B at Rock Farm, The Valley; and
- (ii) agreed that the matter be deferred pending a site visit.

Action: PS, HLPP; DLS (acting); PPO; MINS OF GOV'T

EX MIN 19/254

**EX MEM 19/124 APPEAL AGAINST PLANNING REFUSAL APPLICATION
REF#: 09/0268 & 10/0261 (STEPHANIE DAVIS)**

Hon Parliamentary Secretary and Financial Specialist remained.

Council:

- (i) noted an appeal against planning permission from Ms. Stephanie Davis to develop a dwelling house on Parcel 96 of Block 28410 B at Blowing Point;
- (ii) agreed that the matter be deferred pending:
 - (a) advice from the Hon Attorney General on the rights of the developer to own that part of the right-of-way by adverse possession; and
 - (b) a site visit.

Action: PS, HLPP; HON AG; DLS (acting); PPO; MINS OF GOV'T

EX MIN 19/255

**EX MEM 19/125 APPLICATION FOR DUTY EXEMPTION FOR
MR KYLE CARTY**

Hon Parliamentary Secretary and Financial Specialist remained.

Council agreed that duty exemption should be granted to Mr Kyle Carty on materials for the repairs and upgrading of a villa at Blowing Point.

The estimated duty loss to the GoA is EC\$3,585.48.

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

EX MIN 19/256

**EX MEM 19/126 APPLICATION FOR DUTY EXEMPTION FOR RELIABLE
TAXI AND TOURS**

Hon Parliamentary Secretary and Financial Specialist remained.

Council agreed that duty exemption should be granted to Reliable Taxi and Tours (c/o Mr James Lake) on a new vehicle to be imported for taxi services.

The estimated duty loss to the GoA is EC\$8,500.93.

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

EX MIN 19/257

**EX MEM 19/127 APPLICATION FOR DUTY EXEMPTION FOR
CHRISTIAN FELLOWSHIP CHURCH**

Hon Parliamentary Secretary and Financial Specialist remained. The Hon Minister, Infrastructure absented himself from the meeting due to parental ties.

Council agreed that duty exemption should be granted to the Christian Fellowship Church on a vehicle to be used by the senior pastor for pastoral use.

The estimated duty loss to the GoA is US\$6,970.00.

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

EX MIN 19/258

EX MEM 19/128 FRACTIONAL OWNERSHIP ACT

Hon Parliamentary Secretary and Financial Specialist remained. Director, Lands & Surveys (acting), Mrs Kristy Harrigan joined.

Council:

- (i) agreed that the Registrar/Director, Lands & Surveys (acting) works closely with the Attorney General's Chambers to ensure that the legislation is in accordance with the land legislation; and
- (ii) agreed that following review by the Attorney General's Chambers, the Ministries of Economic Development and Social Development and Lands together with the Attorney General's Chambers should participate in public consultation of the draft legislation.

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

Action: PS, HLPP; DLS (acting); HON AG; PS, FIN; PS, EDICTIT; PAS, FIN; DEP;
MINS OF GOV'T

EX MIN 19/259

EX MEM 19/129 LABOUR REQUIREMENTS FOR PROJECTS UNDER THE ANGUILLA PROGRAMME

Hon Parliamentary Secretary and Financial Specialist remained. PS, MHA/ED, Mrs Chanelle Petty Barrett joined.

Council noted the paper requesting support for the inclusion of labour requirements to be included in bid documents under the Anguilla programme. H E The Governor stated that he would consult with FCO officials on this.

Council agreed to an update on the status of the projects under the Anguilla Programme at the next meeting of Executive Council scheduled for Wednesday 29 May 2019.

Action: PS, MHA/ED; HON DG (acting); PS, MICUHAFE; CPO; COS/GOV'S OFF;
MINS OF GOV'T

EX MIN 19/260

EX MEM 19/130 LEASE OF CROWN LAND TO THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND FOR USE OF GOVERNOR'S RESIDENCE – PROPERTY SITUATED IN REGISTRATION SECTION NORTH CENTRAL, BLOCK 48613 B DESCRIBED AS PARCEL 10 (PART OF)

Hon Parliamentary Secretary and Financial Specialist remained.

Council agreed that:

- (i) the United Kingdom of Great Britain and Northern Ireland be granted a lease for property situated in Registration Section North Central, Block 48613 B, described as Parcel 10 for the new building of the Governor's Residence to be permanently erected on the said parcel;
- (ii) the land to be leased is situated in Registration Section North Central, Block 48613 B described as Parcel 10 (part of) being Lot 1 on Survey Plan LS13-18. The total area of the Lot 1 being approximately 7,900 square metres (0.79 hectares);
- (iii) the lands to be rented at a nominal rent of EC\$100.00 (due to the fact that the lands are being leased by the United Kingdom) for a period of ninety-nine (99) years with an option to renew for a further ninety-nine (99) years. The development shall be completed within forty-eight (48) months; and
- (iv) the Ministry of Lands and Department of Lands enter into negotiation with the landowner of Parcel 432 on Block 48613 B, in Registration Section North Central for the acquisition of 0.90 of an acre.

Action: PS, HLPP; DLS (acting); PS, FIN; PS, EDICTIT; COS, GOV'S OFF

ORAL MENTION

EX MIN 19/262

LETTER OF INTENT REGARDING SANDY GROUND GRAND MARINA AND RESORT

Hon Parliamentary Secretary, Financial Specialist and PS, EDICTIT remained.

Council:

- (i) noted the Letter of Intent between the Government of Anguilla and SF Marina Project Development AB regarding Sandy Ground Grand Marina and Resort;
- (ii) thanked the PS, EDICTIT and team for their creditable work; and
- (iii) looked forward to further discussions.

Action: PS, EDICTIT; PS, HLPP; PS, FIN; DLS (acting); MINS OF GOV'T

EX MIN 19/263

RENTAL OF BASS VEHICLES

Hon Parliamentary Secretary and Financial Specialist remained.

Following on from EX MIN 19/232 of 9 May, Council noted that the Ministries of Social Development and MICUH have indicated that there are no mechanisms in place to pay the outstanding rental payments.

Council requested the Hon Deputy Governor to deal with this matter.

Action: HON DG; PS, HLPP; PS, MICUHAFE; PS, FIN; MINS OF GOV'T

EX MIN 19/264

OVERSEAS TRAVEL

Hon Parliamentary Secretary and Financial Specialist remained.

Council noted that the following dates of overseas travel:

- 1) Hon Minister of Social Development - 30 May - 8 June
Meetings in Chicago, New York and Guyana
- 2) Hon Premier - 2 - 11 June
Meetings in Geneva and France
- 3) Hon Minister, Home Affairs - 1 – 5 June, St. Thomas
- 4) Hon Parliamentary Secretary - 31 May – 8 June

Action: EXCO MEMBERS
