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MINUTES OF A SPECIAL MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON WEDNESDAY 17th NOVEMBER 2021 AT 9.00 AM

- PRESENT: Acting Governor, Mr Perin Bradley
- Acting Deputy Governor, Mr M. Foster Rogers
- The Honourable Minister for Home Affairs, Immigration, Labour,
Human Rights, Constitutional Affairs, Information and Broadcasting,
Lands and Physical Planning Mr Kenneth Hodge
- The Honourable Minister for Infrastructure, Communications,
Utilities, Housing and Tourism, and Acting Premier Mr Haydn
Hughes
- The Honourable Minister for Economic Development, Commerce,
Information Technology, Environment and Natural Resources,
Mr Kyle Hodge
- The Acting Attorney General, Ms Erica Edwards
- Clerk to Executive Council, Mrs Angela Hughes
- IN ATTENDANCE: Hon Special Ministerial Assistant to the Hon Minister for Social
Development/Education, Mr Merrick Richardson
Financial Specialist, Mr Stephen Turnbull
Permanent Secretary Home Affairs, Dr Aidan Harrigan
Director of Lands & Surveys, Mr Leslie Hodge
Registrar of Lands, Mrs Kristy Harrigan
- ABSENT: Her Excellency the Governor, Ms Dileeni Daniel-Selvaratnam
The Honourable Premier and Minister for Finance and Health,
Dr Ellis Webster
The Honourable Minister for Social Development, Cultural Affairs,
Youth Affairs, Gender Affairs, Education and Library Services,
Ms Dee-Ann Kentish-Rogers
Hon Parliamentary Secretary for Economic Development,
Mrs Quincia Gumbs-Marie

EX MIN 21/371

EX MEM 21/230 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – REGISTRATION SECTION EAST END, BLOCK 99517 B, PARCELS 13, 14, 25, 26, 27, 42, 43, 44, 46, 47, 50, 53 & 101 BEING 214.94 ACRES

Hon Special Ministerial Assistant to the Hon Minister for Social Development/ Education and Financial Specialist remained.

Council noted that the proposed ALHL Stamp Duty rate at 4% was less than the 6.25% under the Alien Land Holding Regulation Act amounting to a revenue reduction of EC\$330,860.51 and in accordance with clause 16 of the Financial Administration and Audit Act that the Governor in Council can only authorise tax and fee remissions up to EC\$1,000, therefore, a regulation would need to be drafted and submitted to the House of Assembly for consideration.

Council agreed to issue an Aliens Land Holding Licence for lands located in the Savannah Bay for tourism purposes, subject to the following conditions:

- (a) payment of the following stamp duties:

OPTION D - RE-ASSESSED MARKET VALUE @ 4% UNDER ALHLR ACT

Stamp Duty on Parcel 13 – 6.77ac

(i)	Stamp Duty under the Stamp Act 5% of EC\$203,209.67	EC\$10,160.48
(ii)	under the Aliens Land Holding Regulation Act – 4% of EC\$1,091,946.84	<u>EC\$43,677.87</u>
	TOTAL	<u>EC\$53,838.35</u>

Stamp Duty on Parcel 14 – 7.02ac

(i)	Stamp Duty under the Stamp Act – 5% of EC\$210,713.72	EC\$10,535.69
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(ii)	under the Aliens Land Holding Regulation Act – 4% of EC\$1,132,269.84	EC\$45,290.79
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TOTAL		EC\$55,826.48
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Stamp Duty on Parcel 25 – 43.5ac

(i)	Stamp Duty under the Stamp Act – 5% of EC\$1,305,704.68	EC\$65,285.23
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(ii)	under the Aliens Land Holding Regulation Act – 4% of EC\$1,754,050.50	EC\$70,162.02
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TOTAL		EC\$135,447.25
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Stamp Duty on Parcel 26 – 41.75ac

(i)	Stamp Duty under the Stamp Act – 5% of EC\$1,253,176.34	EC\$62,658.82
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(ii)	under the Aliens Land Holding Regulation Act – 4% of EC\$1,346,788.20	EC\$53,871.53
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TOTAL		EC\$116,530.35
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Stamp Duty on Parcel 27 – 48.5ac

(i)	Stamp Duty under the Stamp Act – 5% of EC\$1,455,785.68	EC\$72,789.28
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(ii)	under the Aliens Land Holding Regulation Act – 4% of EC\$2,607,554.00	EC\$104,302.16
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TOTAL		EC\$177,091.44
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Stamp Duty on Parcel 42 – 10.78ac

(i)	Stamp Duty under the Stamp Act – 5% of EC\$323,574.63	EC\$16,178.73
(ii)	under the Aliens Land Holding Regulation Act – 4% of EC\$1,448,939.80	EC\$57,957.59
	TOTAL	EC\$74,136.32

Stamp Duty on Parcel 43 – 5 ac

(i)	Stamp Duty under the Stamp Act – 5% of EC\$150,081.00	EC\$7,504.05
(ii)	under the Aliens Land Holding Regulation Act – 4% of EC\$672,050.00	EC\$26,882.00
	TOTAL	EC\$34,386.05

Stamp Duty on Parcel 44 – 0.50ac

(i)	Stamp Duty under the Stamp Act – 5% of EC\$15,008.11	EC\$750.41
(ii)	under the Aliens Land Holding Regulation Act – 4% of EC\$67,205.00	EC\$2,688.20
	TOTAL	EC\$3,438.61

Stamp Duty on Parcel 46 – 2.27ac

(i)	Stamp Duty under the Stamp Act – 5% of EC\$68,136.78	EC\$3,406.84
(ii)	under the Aliens Land Holding Regulation Act – 4%	

of EC\$366,132.84 EC\$14,645.31

TOTAL **EC\$18,052.15**

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Stamp Duty on Parcel 47 – 0.76ac

(i) Stamp Duty under the Stamp Act
– 5% of EC\$22,812.33 EC\$1,140.62

(ii) under the Aliens Land Holding
Regulation Act – 4%
of EC\$112,366.76 EC\$4,494.67

TOTAL **EC\$5,623.29**

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Stamp Duty on Parcel 50 – 0.76ac

(i) Stamp Duty under the Stamp Act
– 5% of EC\$22,812.33 EC\$1,140.62

(ii) under the Aliens Land Holding
Regulation Act – 4%
of EC\$112,366.76 EC\$4,494.67

TOTAL **EC\$5,635.29**

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Stamp Duty on Parcel 53 – 0.76ac

(i) Stamp Duty under the Stamp Act
– 5% of EC\$22,812.33 EC\$1,140.62

(ii) under the Aliens Land Holding
Regulation Act – 4%
of EC\$112,366.76 EC\$4,494.67

TOTAL **EC\$5,635.29**

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Stamp Duty on Parcel 101 – 46.57 ac

(i)	Stamp Duty under the Stamp Act – 5% of EC\$1,397,854.40	EC\$69,892.72
(ii)	under the Aliens Land Holding Regulation Act – 4% of EC\$3,880,873.69	EC\$155,234.95
	TOTAL	----- EC\$225,127.67 =====
	GRAND TOTAL	<u>EC\$910,780.53</u>

- (b) that the land be used for tourism purposes;
- (c) that the Licensee negotiate a MOU with the Government of Anguilla within six (6) months from the grant of the Aliens Land Holding Licence;
- (d) the Licensee shall, during the period of construction, permit the authorised officers or agents of the Government of Anguilla access to the land to inspect the site and works on site;
- (e) to allow public access to the beach, foreshore and public parking accepted and approved by the Government of Anguilla;
- (f) to provide to the Government of Anguilla within six (6) months from the grant of the Aliens Land Holding Licence, verifiable evidence of the source and immediate availability of funds to develop a five (5) star hotel and build a marina;
- (g) the Licensee shall fully comply with the laws of Anguilla from time to time including the Land Development Control Act, the Property Tax Act, the Building Regulations, the Labour (Relations) Act, the Social Security Act, the Immigration and Passport Regulations and any statutory modification or re-enactment thereof and any rules or regulations made there under;

- (h) that subject to the approval of the House of Assembly the Stamp Duty under the Aliens Land Holding Licence Regulation Act be reduced from 6.25% to 4% on the transfer of properties detailed in the Table below, on the basis that it is in the public interest pursuant to the Financial Administration and Audit Act;
- (i) that the Government of Anguilla forgo taxes in the amount of **EC\$330,860.51** on the grant of the Aliens Land Holding Licence described in the Table below:

Registration Section	Block	Parcel	ALHLR Act @ 6.25%	ALHLR Act @ 4%	Loss to GOA
East End	99517 B	13	\$ 68,246.68	\$ 43,677.87	\$ 24,568.81
East End	99517 B	14	\$ 70,766.87	\$ 45,290.79	\$ 25,476.08
East End	99517 B	25	\$ 109,628.16	\$ 70,162.02	\$ 39,466.14
East End	99517 B	26	\$ 84,174.26	\$ 53,871.53	\$ 30,302.73
East End	99517 B	27	\$ 162,972.13	\$ 104,302.16	\$ 58,669.97
East End	99517 B	42	\$ 90,558.74	\$ 57,957.59	\$ 32,601.15
East End	99517 B	43	\$ 42,003.13	\$ 26,882.00	\$ 15,121.13
East End	99517 B	44	\$ 4,200.31	\$ 2,688.20	\$ 1,512.11
East End	99517 B	46	\$ 22,883.30	\$ 14,645.31	\$ 8,237.99
East End	99517 B	47	\$ 7,022.92	\$ 4,494.67	\$ 2,528.25
East End	99517 B	50	\$ 7,022.92	\$ 4,494.67	\$ 2,528.25
East End	99517 B	53	\$ 7,022.92	\$ 4,494.67	\$ 2,528.25
East End	99517 B	101	\$ 242,554.61	\$ 155,234.95	\$ 87,319.66

Total **\$ 919,056.94** **\$ 588,196.43** **\$ 330,860.51**

- (j) that the Attorney General's Chambers prepare and submit regulations to the House of Assembly for consideration at its next sitting in accordance with Section 16 of the Financial Administration and Audit Act, R.S.A. c. F27 to remit the Licensee from the payment of Stamp duties under the Aliens Land Holding Licence Regulation Act, in the amount of EC\$330,860.51, owed to the Government of Anguilla.

Council authorized the issue of the Action Sheet before confirmation of the Minutes.

Action: PS, HA; DLS; HON, MIN HA; HON, DG; HON, AG;
HON, MIN EDCITENR
