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MINUTES OF THE 114TH MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 16TH AUGUST 2012

- PRESENT:
- His Excellency the Governor, Mr Alistair Harrison
 - The Honourable Hubert Hughes, Chief Minister and Minister of Finance,
Economic Development, Investment, Commerce and Tourism
 - The Honourable Deputy Governor, Mr Stanley Reid
 - The Honourable Edison Baird, Minister of Social Development, Health, Sports
and Education
 - The Honourable Walcott Richardson, Minister of Labour, Immigration, Lands,
Physical Planning, Human Rights, Environment, Gender Affairs and Agriculture
and Fisheries
 - The Honourable Evan Gumbs, Minister of Infrastructure, Communications,
Utilities and Housing
 - The Honourable Attorney General, Mr James Wood
 - Mrs Sonia Brooks, Acting Clerk to Executive Council
- IN ATTENDANCE:
- Mr Larry Franklin, PS, MICUH
 - Mr Crefton Niles, Director of Public Utilities
 - Ms Laura Breman, Castalia Consultant
 - Ms Barbara Vargas, Castalia Consultant
 - Ms Beth Barry, AREO Coordinator
 - Mr Rommel Hughes, Corporate Secretary/CEO Water Corporation
 - Mr Steve Rogers, Chairman, Water Corporation Board
 - Mr Foster Rogers, PS, EDICT
 - Mr James Harrigan, Financial Controller ATB
 - Dr Aidan Harrigan, PS, FIN
 - Mr Perin Bradley, TIO
 - Mr Vincent Hippolyte, CEO Air & Seaports Authority
 - Ms Anthea Ipinson, Chief Projects Officer

EX MIN 12/561

DEFERMENT OF THE MINUTES

Council deferred the Minutes of the 113th Meeting held on Thursday 2nd August 2012 and the Minutes of a Special Meeting held on Tuesday 14th August 2012 until the next meeting.

OUTSTANDING ITEMS FOR EXCO

1. EX MIN 12/500
of 19 July 2012 CENTRAL CHRISTIAN SCHOOL
To report back to Executive Council.

Action: PS, ELSYC
2. EX MIN 12/501
of 19 July 2012 LEASE OF CINNAMON REEF PROPERTY
FROM ASSIDCO
To report back to Executive Council.

Action: HON CM; PS, ELSYC; PS, FIN;
PS, EDICT
3. EX MIN 12/502
of 19 July 2012 CONSIDER REQUEST FROM THE ANGUILLA
TOURIST BOARD (ATB) FOR THE GOA TO
FUND SETTLEMENT WITH
MR FITZROY "BRIGY" TOMLINSON
To report back to Executive Council.

Action: PS, EDICT

EX MIN 12/562

EX MIN 12/552 EX MEM 12/261 APPROVE THE PAYMENT OF 2004 – 2006 CONTRIBUTIONS TO WHAT WE DO IN ANGUILLA (WWDIA) IN THE AMOUNT OF US\$75,000.00

Messrs Foster Rogers, PS, EDICT and James Harrigan, Financial Controller ATB joined the meeting.

Mr James Harrigan confirmed that the services of What We Do In Anguilla (WWDIA) were rendered but payment is still outstanding.

Council:

- (a) agreed that the outstanding sum of US\$75,000 be paid to What We Do In Anguilla (WWDIA) in ten (10) monthly instalments of US\$7,500.00.
- (b) agreed that the Anguilla Tourist Board should draw up a contract to concretise the arrangement and to do so with other persons with similar arrangements.

Action: PS, EDICT

EX MIN 12/563

EX MEM 12/247 FUNDING OF STUDIES FOR ACCOUNTANT GENERAL – MSc ACCOUNTING AND FINANCE UNIVERSITY OF EXETER - UK

PS, Finance and PS, EDICT remained for the discussion.

Council approved funding of EC\$81,870 for Mrs Patricia MacDonna, Accountant General, to pursue the MSc in Accounting and Finance at the University of Exeter, United Kingdom commencing September 2012.

HE the Governor disassociated himself from the decision on the basis that it was contrary to principles of good governance.

The Hon Deputy Governor objected strenuously to this matter being addressed in a manner which violated the Training Policy and the Public Service Commission Regulations.

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

Action: PS, FIN

EX MIN 12/564

EX MEM 12/265 REGULATIONS RESPECTING WELLS AND THE ABSTRACTION OF GROUNDWATER AND SEAWATER

Messrs Larry Franklin, PS, MICUH, Rommel Hughes, CEO and Mr Steve Rogers, Chairman of the Water Corporation Board joined the meeting.

Council agreed:

- (i) That the Ministry of Infrastructure, Communications, Utilities and Housing and the Attorney General's Chambers should review and amend the draft Wells Regulations, Groundwater and Seawater Abstraction Regulations and the Appeals Regulation in consultation with the various stakeholders.
- (ii) That on completion of the review and incorporation of any amendments, the final draft Regulations should be submitted to Executive Council for final amendments and approval.

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

Action: PS, MICUH; AG

EX MIN 12/565

EX MIN 12/266 CDKN FUNDED RENEWABLE ENERGY INTEGRATION PROJECT

The Officials below joined the meeting.

Mr Larry Franklin, PS, MICUH
 Mr Crefton Niles, Director of Public Utilities
 Ms Laura Breman, Castalia Consultant
 Ms Barbara Vargas, Castalia Consultant
 Ms Beth Barry, AREO Coordinator

Castalia team made a comprehensive presentation on renewable energy.

Council agreed the following:-

- (a) The recommendations outlined in the report attached.
- (b) The roadmap for renewable energy integration in Anguilla attached.
- (c) The release of the action sheet before confirmation of the Minutes.
- (d) The continued moratorium until the government of Anguilla and the Public supplier can qualify and quantify the impact.

Action: PS, MICUH

EX MIN 12/566

EX MEM 12/267 ADVERTISING OF PRISON OFFICER VACANCY

Council approved the advertising of a Prison Officer Post at HM Prison which has become vacant.

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

Action: PS, HSD; SOP; PS, PA; PS, FIN; PS, EDICT; BD

EX MIN 12/567

EX MEM 12/268 FRAMEWORK FOR FISCAL RESPONSIBILITY (FFR) – UPDATE AND ISSUES FOR DISCUSSION

PS, Finance, PS, EDICT and TIO remained for the discussion. Ms Anthea Ipinson, Chief Projects Officer joined the meeting.

Ms Anthea Ipinson updated Executive Council with a power point presentation on the Framework for Fiscal Responsibility (FFR).

HE the Governor did not take part in the substance of the discussion as it was aimed at agreeing a negotiating position with the FCO.

Council agreed that the following points form part of the negotiation with the UK Government:-

- 1) Detailed templates are provided or reporting formats agreed to ensure that all requested documentation/reports are completed to specification
- 2) Technical and financial assistance be made available, in line with the requests and specifications of the GoA, in order to fulfil the requirements of the FFR.
- 3) FFR requirements are aligned with established reporting prepared by or on behalf of the GoA.
- 4) A name change be sought to reflect the local context of the new guidelines.

- 5) Arrangements to be made for joint periodic reviews of the FFR and procedures established to facilitate amendments as deemed necessary.
- 6) Consideration and approval of PPP projects on a case by case basis.
- 7) Consideration and agreement of alternative arrangements to support capital investment.
- 8) The requirements to undertake a full cost benefit analysis to be linked to a threshold to be agreed.
- 9) Focus on the Debt/GDP Ratio and the adoption of debt reducing primary balances once the Debt/GDP ratio reaches 45%.
- 10) The Debt Service/Recurrent Ratio to be increased to 15%.
- 11) Compliance with the Liquid Assets Ratio by 2017.
- 12) Risk weights for the Anguilla Community College and the Anguilla Air and Sea Ports Authority are agreed at the time of finalising the FFR.

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

Action: PS, FIN; PS, EDICT

EX MIN 12/568

EX MEM 12/269 FUNCTION AND ROLE OF MR SAMUEL WEBSTER

Council noted the following:-

- (i) Mr. Samuel Webster will be Advisor to the Ministry of Infrastructure, Communications, Utilities and Housing as it pertains to the portfolios given in the attachment.
- (ii) Notwithstanding, the duties set out in paragraphs 1, 3, 4, 7, 8 and 11 with reference to the Ministry of Infrastructure, Communications, Utilities, Housing, Agriculture, Fisheries and Marine Resources, Mr. Samuel Webster shall also act as Advisor to the Minister of Home Affairs with specific assistance as it now pertains to Agriculture, Fisheries and Marine Resources.

Action: PS, MHA/LANDS; PS, MICUH

EX MIN 12/569

EX MEM 12/270 EXEMPTION FROM THE WORK PERMIT REQUIREMENT

Council agreed that the following persons should be exempted from the work permit requirement for a period of one (1) year in accordance with Section 3 (g) of the Control of Employment Act:-

- (1) **Roxann Melisia Ramona Arce Pinnock** is a national of Jamaica who was born on 2nd March 1986. Immigration records show that Ms. Pinnock entered

Anguilla with her mother as a child in 1998, and was enrolled in school. She attended the Albena Lake-Hodge Comprehensive School from 1998 to 2002. Ms. Pinnock has been the recipient of several work permits, and work permit exemption certificates to facilitate her employment in Anguilla. She is the holder of a Permit of Permanent Residence since 2011, and is currently employed at the Caribbean Commercial Bank (CCB) as a Teller. The Management of CCB has submitted a supporting letter confirming her continuing employment at the institution. Ms. Pinnock has also been contributing to the social development of Anguilla in a meaningful way, through her involvement in sporting activities. She is a full member of the Anguilla National Bodybuilding Association, and has recently represented Anguilla in regional competitions held in Sint. Maarten and in Puerto Rico.

- (2) **Alicia Veronica Johnson** is a national of **St. Kitts** who has been residing in Anguilla since 2004. She has been employed at Cap Juluca Hotel as a Beach Attendant since March 2007. Ms. Johnson has been the recipient of several Certificates of Exemption from the work permit requirement in the past. The Management at Cap Juluca Hotel, recognizing the valuable contributions that Ms. Johnson has made to the institution during her period of employment, has submitted a letter in support of her continued employment. Ms. Johnson is desirous of obtaining a Certificate of Exemption from the work permit requirement in order to facilitate her employment at Cap Juluca Hotel and her residence in Anguilla.
- (3) **Rommel Hughes** of the **Water Cooperation of Anguilla** has submitted a formal request on behalf of the following persons:

<u>Name</u>	<u>Country</u>	<u>Occupation</u>
Thomas Joseph	St. Lucia	Driller
Robert Curtis Toney	USA	Driller

The named persons are coming to Anguilla to assist in Well drilling operations at the Water Cooperation of Anguilla (WCA). They are expected to be employed in Anguilla during the month of August 2012. Mr. Hughes is requesting an exemption from the work permit requirements, in order to facilitate their employment in Anguilla.

Action: PS, MHA/LANDS; LAB COM; CIO

EX MIN 12/570

EX MEM 12/271 CALCULATION OF ANNUAL CONTRIBUTION TO CARIBBEAN FINANCIAL ACTION TASK FORCE (CFATF)

Council agreed that Anguilla's rating should remain in the middle instead of lowering. It is preferable to forego the potential savings, given the knowledge of international exposure and the possible implications of appearing in the lowest category.

Action: AG

EX MIN 12/571

EX MEM 12/272 AIR ANGUILLA SERVICES/ PROPOSAL FOR NEW AIRLIFT

PS, EDICT remained for the discussion. Dr Aidan Harrigan, PS, Finance, Mr Vincent Hippolyte, CEO AASPA and Perin Bradley, TIO joined the meeting.

Council agreed the following:-

- (1) AAS will be paid 50% of the embarkation tax paid by outgoing passengers on the WINAIR operated flights only and who have ongoing WINAIR connections evidenced by their travel tickets.
- (2) AAS will be paid 66% of the ticket tax paid by passengers on the WINAIR operated flights only as evidenced by their connections inbound and outbound.
- (3) Landing charges will be waived on the WINAIR operated flights only, which carries passengers from inbound and outbound WINAIR connections.
- (4) All other flights will pay normal charges as per tariff whether or not there are WINAIR connecting passengers on board.
- (5) The arrangement will be reviewed quarterly and if necessary, modifications will be made to it to ensure the Access objective is being met.
- (6) WINAIR must show evidence to the GOA/AASPA that it has Interline Agreements with carriers from the source markets.

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

Action: PS EDICT; PS, MICUH; PS, FIN

EX MIN 12/572

EX MEM 12/273 PUBLIC HOLIDAYS FOR 2013

Council approved the list of Public Holidays for 2013 as follows:-

New Year's Day	Tuesday, 1 January
James Ronald Webster Day	Monday, 4 March
Good Friday	Friday, 29 March
Easter Monday	Monday, 1 April
Labour Day	Wednesday, 1 May
Whit Monday	Monday, 20 May
Anguilla Day	Thursday, 30 May

Celebration of the Birthday of Her Majesty The Queen	Monday, 17 June
August Monday	Monday, 5 August
August Thursday	Thursday, 8 August
Constitution Day	Friday, 9 August
National Heroes and Heroines Day	Thursday, 19 December
Christmas Day	Wednesday, 25 December
Boxing Day	Thursday, 26 December

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

Action: PS, MHA/LANDS; PAS, LANDS

ORAL MENTION

EX MIN 12/573

WATER CORPORATION OF ANGUILLA

Mr Larry Franklin, PS, MICUH remained for the discussion.

Messrs Rommel Hughes, CEO WCA and Mr Steve Rogers, Chairman of the Water Corporation Board joined the meeting.

Council was updated on the progress with the water situation.

Council approved the following:-

- (i) The outstanding debt owed by customers who have been inactive prior to 1st January 2009 and are still inactive be written off;
- (ii) The write-off will not be applicable to those customers who have been active prior to 1st January 2009, that is those customers who were active and paying their bills their accumulated debt will not be written off;
- (iii) Neither will it be applicable to customers who may have been disconnected since 1st January 2009;
- (iv) Customers who may have been disconnected prior to 1st January 2009, but have since devised a payment arrangement with the Water Corporation to pay off outstanding arrears will also be excluded from this write-off arrangement.

Council authorised the amended draft letter to be sent to Mr Robert Gorgol, Business Leader of General Electric Technologies.

Action: PS, MICUH

EX MIN 12/574 **VICEROY BREAKWATER LICENCE**

The Hon Minister of Home Affairs agreed to discuss the Viceroy Breakwater Licence with the Hon Attorney General.

Action: HON MHA; AG; PS, MHA/LANDS

EX MIN 12/575 **MEETNG WITH CEO AIR AND SEAPORTS AUTHORITY**

Council agreed that the CEO AASPA should be invited to attend the next Executive Council Meeting to provide an update on the operations etc of the AASPA.

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

Action: PS, MICUH; PS, FIN; PS, EDICT

EX MIN 12/576 **VACATION LEAVE**

The Hon Deputy Governor informed Executive Council that he would be on vacation leave for the period 20th August to 31st August 2012 and that Ms Aurjul Wilson, PS, MHA/LANDS will be acting Deputy Governor.
