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CONTINUATION OF THE MINUTES OF THE 96TH MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON FRIDAY 16TH MARCH 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 Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Dr Aidan Harrigan, PS, FIN
Mr Foster Rogers, PS, EDICT
Mr Perin Bradley, TIO
Mr Ivor Greene, Senior Crown Counsel (Civil)
Mr Gifford Connor, DLS
Mr Leslie Hodge, Surveyor/Understudy to DLS

EX MIN 12/165 **CONFIRMATION OF THE MINUTES**

Council confirmed the Minutes of the 95th Meeting held on Thursday 8th March 2012 and the Minutes of Special Meetings held on Tuesday 6th March, Wednesday 7th March and Monday 12th March 2012.

MATTERS ARISING FROM THE MINUTES

EX MIN 12/166 **EX MIN 12/133 EX MEM 12/57 APPOINTMENT OF PAROLE BOARD MEMBERS**

Further to EX MIN 12/133 of 1st March 2012, Council noted that Mrs Rhonda

Connor had consented to be a member of the Parole Board.

Action: PS, HSD; PS, FIN; PS, EDICT; PS, PA; ACC GEN

EX MIN 12/167

EX MIN 12/144 EX MEM 12/58 WORK PERMIT APPLICATION REFUSAL

EX MIN 12/144 of 8th March 2012 refers.

Council noted that the above minute should read:-

Further to EX MIN 12/134 of 1st March 2012, the first paragraph of the minute was amended to read:-

His Excellency the Governor requested the Hon Minister, Home Affairs to defer the above paper for further consideration. The Hon Minister, Home Affairs refused to do so. The Governor said that he will make a statement regarding the matter subsequently, and that in his opinion, the Minister's actions over this issue risked being interpreted as a further abuse of power.

The Governor made the attached statement in Executive Council on 16th March 2012. The Hon Minister, Home Affairs said that he will respond to the Governor's statement. **(The Governor and Hon Minister have agreed that both statements will be published when the Minister's statement is available).**

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

EX MIN 12/168

EX MIN 12/147 EX MEM 12/62 EXCHANGE OF CROWN LANDS BLOCK 28010 WEST END – ELENOR ANNETTE RICHARDSON SECTION: WEST END BLOCK 17810B

Further to EX MIN 12/147 of 8th March 2012, the Hon Minister, Home Affairs informed Council that there might be an error with regards to the name of the person owning the land and that the matter would be looked at again.

Action: PS, MHA/LANDS; DLS; PS, ELSYC

OUTSTANDING ITEM FOR EXCO

1. EX MIN 08/761 IMMIGRATION AND LABOUR POLICY
of 11 December 2008

Action: PS, MHA; AG

EX MIN 12/169

EX MEM 12/64 APPLICATION FOR DUTY EXEMPTION FOR ANGUILLA ANIMAL RESCUE FOUNDATION

Council noted that the above matter had already been approved by the Executive Council.

Action: PS, FIN; FO

EX MIN 12/170

EX MEM 12/65 APPLICATION FOR DUTY EXEMPTION FOR FIRST STEPS FOUNDATION LEARNING CENTER AND MONTESSORI ACADEMY

Council noted that the above matter had already been approved by the Executive Council.

Action: PS, FIN; FO

EX MIN 12/171

EX MIN 12/154 EX MEM 12/66 ORGANISING COMMITTEE FOR ANGUILLA SUMMER FESTIVAL 2012

EX MIN 12/154 of 15th March 2012 refers.

Council endorsed the list of persons to serve on the 2012 Summer Festival Committee as follows:-

Chairperson	Davon Carty
Financial Controller	Gecheal Richardson-Gumbs
Sponsorship/Marketing	Simone Connor
Product Development Officer ATB	Joan K. Richardson
Boat Race Committee	Paul Romney
Opening Night	Arlette Richardson
Prince and Princess	Renford Kelsick
Jr. Calypso	Keria Hughes
Band Clash/Bands	Albert Burton
Caribbean Beach Party/J'ouvert	Davon Carty
CCB Talented Teen	Trevor Woodley
Calypso Monarch	Courtney Morton
Female Calypso	Calvin Hughes
Miss Anguilla Queens Pageant	Rebecca Webster
Grand Parade of Troupes	Shayne Thompson
Leeward Islands Calypso	Joseph Vanterpool
Grounds Maintenance	Stanley Carty
Security	Rudolph Proctor

Council noted that a further paper will be submitted to Executive Council regarding the financing of the festival.

Action: PS, ELSYC

EX MIN 12/172

EX MIN 12/156 EX MEM 12/68 EDUCATION BILL 2012

Further to EX MIN 12/156 of 15th March 2012, Council agreed that the paper be resubmitted to Executive Council on Thursday 22nd March 2012.

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

Action: PS, ELSYC

EX MIN 12/173

EX MIN 12/157 EX MEM 12/69 RETAINER OF COUNSEL TO REPRESENT THE GOVERNMENT OF ANGUILLA BEFORE A BOARD OF ASSESSMENT TO DETERMINE THE VALUE OF LAND COMPULSORILY ACQUIRED FROM THE LAKES' FAMILY

Messrs Ivor Greene, SCC (Civil), Gifford Connor, DLS and Leslie Hodge, Surveyor/Understudy to DLS joined the Meeting.

Further to EX MIN 12/157 of 15th March 2012, Council noted the costs of Mr Anthony Astaphan's representation in the above case.

Council agreed that:-

- 1) the Hon Chief Minister should write to FCO next week to present a case for funding;
- 2) if necessary, a Special Meeting of Executive Council would be convened to deal with the matter;
- 3) HE The Governor should make the FCO aware that the Hon Chief Minister would be putting his request for funding in writing.

Action: HE; HON CM; AG; PS, MHA/LANDS; PS, FIN; PS, EDICT; DLS

EX MIN 12/174

EX MEM 12/70 APPEAL AGAINST PLANNING PERMISSION – DERICK HUGHES

Council agreed that the appeal against planning permission for Mr Derick Hughes to use a containerized unit as an office at Corito, Anguilla (Block 38812B Parcel 88) should be allowed.

Action: PS, MHA/LANDS; PPO

EX MIN 12/175

EX MEM 12/71 APPEAL AGAINST PLANNING PERMISSION – DONALEE RICHARDSON

EX MIN 09/589 of 27th August 2009 indicated that the matter was deferred pending a site visit.

Council agreed that a site visit at the proposed development in South Hill, Block 38411B, Parcel 180 should be undertaken in accordance with EX MIN 09/589.

Action: PS, MHA/LANDS; PPO; EXCO MEMBERS

EX MIN 12/176

EX MEM 12/72 APPEAL AGAINST PLANNING PERMISSION – NEVILLE GUMBS

EX MIN 11/886 of 22 December 2011, indicated that the matter was deferred for a site visit.

Following the site visit, Council agreed that the appeal against planning permission for Mr Neville Gumbs to construct an office building at George Hill, Anguilla (Block 38813B, Lot 160) should be allowed.

Action: PS, MHA/LANDS; PPO

EX MIN 12/177

EX MEM 12/73 ADVERTISING OF PRISON OFFICER POSTS DUE TO EXPIRATION OF CONTRACT

Council agreed that the four (4) posts of Prison Officer which will become vacant due to the expiration of the Officers' contracts in June 2012 should be advertised.

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

Action: PS, HSD; PS, PA; PS, FIN; PS, EDICT; BO

EX MIN 12/178

EX MEM 12/74 APPLICATION FOR DUTY EXEMPTION FOR LLOYD'S AVIATION SERVICES

Dr Aidan Harrigan, PS, FIN joined the Meeting.

Council:-

- (i) agreed that duty exemption should be granted to Lloyd's Aviation Services (c/o Mr David Lloyd) on construction materials, furniture, furnishings, fittings and the necessary equipment for the construction of the facility to operate a fixed based operation at the Clayton J. Lloyd Airport;
- (ii) agreed to a 1% administrative fee.

The duty loss to the GoA is estimated at \$301,323.26.

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

EX MIN 12/179

EX MEM 12/75 APPLICATION FOR DUTY EXEMPTION BY DOMINION FAITH CENTRE

PS, FIN remained for discussion.

Council agreed that duty exemption should be granted to Dominion Faith Centre (c/o Pastor Dexter Welcome) on a Projector and accessories and a CD Duplicator for worship purposes.

The duty loss to GoA is calculated at \$709.75.

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

EX MIN 12/180

EX MEM 12/76 ALIENS LAND HOLDING LICENCE APPLICATION FOR SHELDON COHEN AND NATALIE COHEN, PARCEL 348, BLOCK 99415B IN EAST END REGISTRATION SECTION

DLS and Surveyor/Understudy to DLS remained for

discussion.

EX MIN 11/704 of 20th October 2011 refers.

Council agreed that EX MIN 11/704 of 20th October 2011 granting an Aliens Land Holding Licence to Sheldon & Natalie Cohen to convert their leasehold interest into a freehold interest comprising 0.29 acre of land with a villa thereon located at Seafeathers on land described as Parcel 348, Block 99415B in East End Registration Section should be amended as follows:-

Outstanding Stamp Duty of ALHL @ 5% of EC\$194,400.00	EC\$ 9,720.00
Total Stamp Duties Payable	<u>EC\$34,182.62</u>

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

Action: PS, MHA/LANDS; PS, FIN; PS, EDICT; DLS

EX MIN 12/181

EX MEM 12/77 EXCHANGE OF CROWN LAND – KIRK AND JOYLYNN HUGHES, SECTION ROAD, BLOCK 08412B PART OF PARCEL 365 (CROWN) AND THE CONSTRUCTION OF THE HOUSE ON SECTION WEST CENTRAL, BLOCK 28411B, PARCEL 206 FOR BERTHA P. COLBOURNE

DLS and Surveyor/Understudy to DLS remained for discussion.

EX MIN 11/749 of 3rd November 2011 refers.

Council agreed that:-

- (i) EX MIN 11/749 of 3rd November 2011 should be amended to exchange Crown's land in the amount of 0.85 acre being part of Parcel 365 Block 08412B in Road Registration Section, along with the relevant access in accordance with Survey Plan Reference LS16-10E;
- (ii) the approval of the development of parking should be subject to Mr Hughes working along with the Forward Section of the Planning Department to the satisfaction of the Chief Engineer of MICUH and obtaining any/all relevant approvals;
- (iii) an agreement be made with Mr Hughes that this is a full and final settlement.

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

Action: PS, MHA/LANDS; DLS; PS, FIN; PS, EDICT

ORAL MENTION

