

UNCLASSIFIED

THIS DOCUMENT IS THE PROPERTY  
OF THE GOVERNMENT OF ANGUILLA

Copy No:

**MINUTES OF THE 145<sup>TH</sup> MEETING OF THE TENTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON THURSDAY 28<sup>TH</sup> MARCH 2013**

PRESENT: His Excellency the Governor, Mr Alistair Harrison

The Honourable Hubert Hughes, Chief Minister and Minister of Finance,  
Economic Development, Investment, Commerce and Tourism and Minister  
of Labour and Immigration

The Honourable Deputy Governor, Mr Stanley Reid

The Honourable Jerome Roberts, Minister of 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  
Ms Brenda Hughes, Debt Manager  
Ms Anthea Ipinson, Chief Project Officer  
Mrs Shantelle Gumbs, Project Officer  
Dr Bonnie Richardson-Lake, PS, HSD  
Ms Jasmin Garraway, Co-ordinator, TSDP  
Mr Steve McCready, Chief of Staff, Governor's Office  
Mr Leslie Hodge, Director Designee, DLS  
Mr Larry Franklin, PS, MICUH

ABSENT: The Honourable Edison Baird, Minister of Social Development, Health, Sports  
and Education

EX MIN 13/211 **CONFIRMATION OF THE MINUTES**

Council confirmed the Minutes of the 144<sup>th</sup> Meeting held on Thursday 21<sup>st</sup> March  
2013 and the Minutes of a Special Meeting held on Friday 22<sup>nd</sup> March 2013.

UNCLASSIFIED

**MATTERS ARISING FROM THE MINUTES**

EX MIN 13/212

**EX MIN 13/205 EX MEM 13/105 FRAMEWORK FOR FISCAL RESPONSIBILITY (FFR) – UPDATE AND ISSUE FOR DISCUSSION**

The following Officials joined the Meeting:-

Dr Aidan Harrigan, PS, FIN  
Mr Foster Rogers, PS, EDICT  
Ms Brenda Hughes, Debt Manager  
Ms Anthea Ipinson, Chief Project Officer  
Mrs Shantelle Gumbs, Project Officer

Further to EX MIN 13/205 of 21<sup>st</sup> March 2013, PS, FIN informed Council that the draft document relating to the FFR/FFSD had been forwarded to the Ministry of FEDICT from the FCO and that there was an issue with the language with respect to the Review Clause. The draft document contained the wording:-

“The operation of the legislation will be reviewed 5 years after its implementation”.

Council agreed that the wording should be changed to:-

“The entire framework and the associated legislation will be reviewed after 5 years to examine its implementation in practice and evaluate any recommendations for changes”.

Council agreed that the relevant officials discuss the issue with Mr Steve Johnson, Economist, FCO via teleconference on Tuesday 2<sup>nd</sup> April 2013.

Action: PS, FIN; PS, EDICT; DM; CPO

EX MIN 13/213

**EX MIN 13/208 REQUEST FOR COPY OF LEGAL ADVICE**

With reference to EX MIN 13/208 of 21<sup>st</sup> March 2013, Council agreed that the second paragraph of the minute should be amended to read:-

Council agreed that Mrs Ruan should not be granted a copy of the document, but if she wants clarity on a specific area regarding the advice, the AG’s Chambers could, if appropriate, provide that information.

Action: AG

EX MIN 13/214

**EX MEM 13/106 APPEAL AGAINST PLANNING PERMISSION – MR JOHN RICHARDSON**

Council agreed that a site visit should be made to the property at North Hill (Block: 08513 B Parcel 35) so that a more informed decision could be made with

respect to the appeal against planning permission submitted by Mr John Richardson.

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

Action: PS, MHA/LANDS; PPO; DLS

EX MIN 13/215

**EX MEM 13/107 PROGRAMME OF ACTIVITIES AND BUDGET FOR THE CELEBRATION OF THE 46<sup>TH</sup> ANNIVERSARY OF ANGUILLA DAY**

Council approved the theme, programme of activities and budget for the 46<sup>th</sup> Anniversary of the Anguilla Day Revolution as indicated below:-

Theme: **Past, Present and Future must Mix - Anguilla Day at 46**

- 1-31 May - Special Curriculum/Educational Activities in Schools, Special Radio/TV and Newspaper Features
- 2 May - National Day of Prayer  
*Organised and sponsored by the National Day of Prayer Committee chaired by Rev. Cecil Weekes*
- 10,11,12 May - Yacht Regatta  
*Organised and sponsored by the Anguilla Sailing Association Committee*
- 12 May - World Athletics Day - Track and Field Meet  
*Organised by the Anguilla Amateur Athletic Federation - Venue: James Ronald Webster Park.*
- 15 May - Art In Motion  
*Annual Fashion Show put on the primary schools under the auspices of the Department of Education. Venue: the Orelia Kelly Primary School. Time 7:30 pm*
- 16 May - Lime-sponsored Spelling Bee  
*Organised under the auspices of the Department of Education. Venue: Orelia Kelly Primary School. Time 7:30 pm*
- 17,18 May - Basketball - St. Kitts vs Anguilla (Juniors)  
*Venue: Coronation Basketball Court*
- 18 May - Art and Craft Exhibition  
*Organised by the Anguilla National Creative Arts Association Venue: Wallblake House*
- 20 May - Village Fest  
*Annual Whit Monday Village Fest in the village of Welches*
- 22 May - Caribbean Cable-sponsored Anguilla Day Quiz

UNCLASSIFIED

Organised under the auspices of the Department of Education. Venue: the Orelia Kelly Primary School. Time 7:30 pm

■ 23 May - Festival of Choirs (Choirfest 2013)  
Organised by the Anguilla National Celebrations Committee under the patronage of the Hon. Minister of Home Affairs. Venue: Mount Fortune Seventh Day Adventist Church. Time: 7:30pm.

■ 25 May - Valley Street Festival  
Valley Street Fair organized jointly by the Anguilla Tourist Board and the Department of Youth and Culture.

■ 25,26 May - Netball, Inter-Island Games  
Venue James Ronald Webster Park.

■ 26 May - Cycling  
Venues: Jeremiah Gumbs Highway and George Hill Road

■ 17,18,25,26 May- Domino Competition  
Organised by the Anguilla Domino Association. Venues: Straw South Hill, Wintergarden Stoney Ground, Nettas the Valley

■ 26 May - Ecumenical Church Service  
Organised under the auspices of the Anguilla Christian Council. Venue: Church of God Holiness - Queen Elizabeth Avenue. Time: 4:00pm

■ 30 May - Official Anguilla Day Parade  
Venue: James Ronald Webster Park. Time: 8:00 am  
- Senior Citizen’s Luncheon  
Venue: Blue Ridge Convention Centre. Time: 12 Noon - 3:00 pm

- Anguilla Day Around the Island Boat Race  
■ 31 May - Freedom Fest Gospel Concert  
Venue: Freedom Park at the Airport Grounds. Being put on by the Anguilla Gospel Outreach Group. Plans for an annual observance.

**Budget**

**Funded by**

Ministry of Home Affairs	EC\$	39,603
Ministry of Finance* <sup>1</sup>		60,070
		-----
<b>TOTAL</b>		<b>99,673</b>
		=====

**Expenditure** (detailed breakdown of costs is attached)

Official parade at James Ronald Webster Park	11,599
Anguilla Day around the Island Boat Race* <sup>1</sup>	60,070

Senior Citizens' Luncheon	19,268
Anguilla Day Sports	6,000
Festival of Choirs	736
Miscellaneous/Contributions	<u>2,000</u>
	<u>99,673</u>
	=====

\*1 Race is sponsored by the Government of Anguilla (Hon Chief Minister). Funds are therefore paid from the Ministry of Finance.

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

Action: PS, MHA/LANDS; PAS, MHA; PS, FIN; PS, EDICT; ACC GEN

EX MIN 13/216

**EX MEM 13/108 IMPLICATIONS OF DRAG RACING ON CROWN LANDS**

Council agreed that the Anguilla Drag Racing Association (ADRA) should provide the following details as it relates to:-

- a) the proposed layout and design details of the project, including the location of stands, crash-proof barriers, fenced areas and the measures that would be taken to reduce pollution through sound and smell;
- b) the types of vehicle that would use the drag strip;
- c) the public liability insurance that they would take out;
- d) their proposals for traffic management and rules of conduct for patrons and public on the premises;
- e) the times of the day when they would propose to use the premises;
- f) the emergency response measures that they would propose to take;
- g) Any other measures that they would intend to implement to reduce the impact of the project upon the environment.

Council:-

- (i) supported the suggestion that GoA should consider it appropriate to insist upon the production of an environmental impact assessment;
- (ii) agreed that the GoA should consult with the following:-
  - a) the RAPF, the Health Authority and Fire Chief
  - b) the Department of Environment, Delta, Sol and Anglec

- (iii) further agreed that it would be helpful to schedule a meeting with the AG's Chambers and ADRA for further discussion on the matter.

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

Action: PS, MHA/LANDS; AG; DIR, ENV; COP; DLS

EX MIN 13/217

**EX MEM 13/109 MR HILTON FLEMING**

Council noted that this was a long-standing land dispute and that Mr Hilton Fleming had made a request for repayment of the monies for his legal fees and costs since the document to prove the claim that he had bought the property was

lost at the Department of Lands and Surveys.

Council agreed that the sum of US\$20,000.00 should be awarded to Mr Hilton Fleming as settlement to the claim made by Mr Fleming.

Action: AG; PS, FIN; PS, EDICT; ACC GEN; DLS

EX MIN 13/218

**EX MEM 13/110 TEMPORARY RELIEF WORKERS FOR ZENAIDA HAVEN**

Dr Bonnie Richardson-Lake, PS, HSD joined the Meeting.

Council approved:-

- (i) the creation of a pool of temporary Juvenile Care Workers;
- (ii) the payment of the temporary workers at the prorated salary of a Juvenile Care Worker.

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

EX MIN 13/219

**EX MEM 13/111 EXTENSION OF THE SOLID WASTE MANAGEMENT CONTRACTS THROUGH APRIL 30<sup>TH</sup>**

PS, HSD remained for discussion.

Council:-

- (i) approved the extension of all solid waste management contracts through the end of April 2013;
- (ii) was not minded to approve any further extensions and requested that it be relayed to the Evaluation Team and the Procurement Board, the importance

of meeting the 30<sup>th</sup> April deadline, and that it is expected that a contract would be awarded on 1<sup>st</sup> May 2013;

- (iii) agreed that when the contract is awarded consideration is given with regard to the use of the garbage for renewable energy.

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

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

EX MIN 13/220

**EX MEM 13/112 ADVERTISING OF CORRECTION SERVICES POSTS DUE TO EXPIRATION OF CONTRACTS**

PS, HSD remained for discussion.

Council approved the advertising of six (6) Basic Grade Prison Officer posts and two (2) Senior Juvenile Care Worker posts which will become vacant due to the expiration of the Officers' contracts.

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

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

EX MIN 13/221

**EX MEM 13/113 APPLICATION TO RESCIND EXCO MINUTES 11/256 & 11/332 FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – ANTHONY AUTORINO (REGISTRATION SECTION: WEST END; BLOCK: 17810 B; PARCEL 201 SL F101A & F101B)**

Mr Leslie Hodge, Director Designee, DLS joined the Meeting.

Council agreed that:-

- (i) EXCO Minutes 11/256 & 11/332 be rescinded;
- (ii) approved the granting of an Aliens Land Holding Licence to allow Anthony Autorino to hold on a freehold basis a luxury condominium unit of approximately 991 sq. ft. forming part of Resorts & Residences of Anguilla Home Owners Association Ltd. a Condominium development at Viceroy, Anguilla (described as Registration Section West End, Block 17810 B Parcel 201/SL B302).

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

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

**EX MEM 13/114 WALLBLAKE AIRPORT EXPANSION PROJECT –  
LANDS ACQUIRED**

Director Designee, DLS remained for discussion.

Council:-

- (i) agreed that British American Insurance Company Limited is compensated in the amount of US\$12,600.00 for the acquisition of 0.21 acre of land being Part of Parcel 25, Block 38713B in Registration Section South Central;
- (ii) agreed to exchange 0.95 acre of Crown land, being part of Parcel 120 on Block 28210B in Registration Section, West Central with Hilda Lake for the acquisition of 0.95 acre of land, being part of Parcel 88 and Parcel 59 on Block 38713B in Registration Section, South Central;
- (iii) agreed to exchange 0.26 acre of Crown land, being part of Parcel 120 on Block 28210B in Registration Section, West Central with Gerald A. Gumbs, Marslyn

E. Gumbs and Roderick A.N. Gumbs as registered as proprietors of land for the acquisition of 0.26 acre of land, being Parcel 257 on Block 38713B in Registration Section, South Central.

- (iv) agreed that payment be made, subject to the availability of funds.

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

Action: PS, MHA/LANDS; DLS; PS, FIN; PS, EDICT; PS, MICUH; ACC GEN

**EX MEM 13/115 ACQUISITION OF LAND BY GOVERNMENT FOR  
ROAD IMPROVEMENTS**

Director Designee, DLS remained for discussion.

Council agreed to:-

- (i) the exchange of Crown land, being part of Parcel 120 being 0.54 acre of Crown land on Block 28210B in Registration Section West Central with Duncan Connor and Elma Hendrickson, ½ share each as registered proprietors for the acquisition of 0.54 acre of land, being Parcel 482 on Block 58815B in Registration Section North;
- (ii) the exchange Crown land, being part of Parcel 148 being 0.25 acre of Crown land on Block 69114B in Registration Section, Cauls Pond (See with Raphael Bonton Hodge for the acquisition of 0.25 acre of land, being Parcel 72 on Block 99416B in Registration Section, East End;



- (iii) the exchange Crown land, being part of Parcel 120 being 0.20 acre of Crown land on Block 28210B in Registration Section, West Central with Grantley M. Richardson for the acquisition of 0.25 acre of land, being Parcel 378 on Block 28310B in Registration Section, West Central.

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

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

EX MIN 13/224

**EX MEM 13/116 EU FUNDED STUDY OF THE ANGUILLA AIR AND SEA PORTS AUTHORITY**

PS, FIN remained for discussion. Mr Larry Franklin, PS, MICUH joined the Meeting.

Council:-

- (i) noted the comments from various stakeholders and understands that the comments were provided to the EU and to the consultants;
- (ii) endorsed in principle the findings and recommendations of the draft final report, subject to review of those comments by the EU study team;
- (iii) reserved the right to consider and implement the recommendations on a case by case basis.

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

**ORAL MENTION**

EX MIN 13/225

**TIMING OF DOLPHIN APPEAL**

Council agreed Thursday 25<sup>th</sup> April 2013 to deal with the Dolphin Appeals, subject to agreeing this date with the PS, MHA/LANDS.

Action: PS, MHA/LANDS

EX MIN 13/226

**LETTER FROM ENVIRONMENTAL AUDIT COMMITTEE**

Council noted a letter dated 25 March 2013 from Joan Walley MP, Chair of the Environmental Audit Committee in which the Committee is undertaking an inquiry on Sustainability in the Overseas Territories.

Council also noted from the AG's Chambers, the following three (3) pieces of legislation in draft form:-

- 1) Environmental Protection Bill - medium priority

- 2) The Biodiversity Heritage Conservation Regulations - medium priority

Legislation awaiting approval from the Ministry of Finance to access funding from CDB to hire a consultant to revise and complete the drafts;

- 3) Fisheries Conservation and Management Bill and Regulations - low priority

Department of Fisheries is unsure where they are in relation to this matter.

Action: HE; AG

EX MIN 13/227

**EX MIN 13/167 EX MEM 13/70 RENTAL SPACE AT BABROW COMPLEX**

PS, HSD remained for discussion.

Further to EX MIN 13/167 of 7<sup>th</sup> March 2013, Council noted the explanation given by the PS, HSD regarding the circumstances surrounding the rental of office space for the National AIDS Office (NAO) at the Babrow Complex.

Council:-

- (i) noted that the National AIDS Office had occupied the office space formerly used by the Immigration Department since 2009 and that the Inland Revenue Department had advised the Ministry of Health & Social Development that the NAO will have to seek alternate accommodation as the Collections Unit, the Property Tax Unit and the VAT Implementation Team will be taking over the office;
- (ii) agreed that the NAO pays a monthly rent of US\$1,000.00 for office space at the Babrow Complex (the lease agreement has been vetted by the AG's Chambers);
- (iii) agreed that, in future, the MICUH should be involved in the renting of property process.

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

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

EX MIN 13/228

**ANGUILLA'S ASSOCIATE MEMBERSHIP IN UNESCO**

Ms Jasmin Garraway, Co-ordinator, TSDP and Mr Steve McCready, Chief of Staff, Governor's Office joined the Meeting.

Council noted two (2) letters dated 28 March 2013 to HE The Governor and Mrs Irina Bokova, Director General of UNESCO, France from the Hon Chief Minister with regard to Anguilla's Associate Membership in UNESCO. The CM outlined in his letters that Anguilla is prepared to meet the obligations of UNESCO as an Associate Member and wishes to proceed with seeking associate membership status.

Council further noted that the GoA had complied with the necessary protocol, to seek the consent of the UK Ministry of Foreign Affairs, through the Governor's Office.

Council authorised the Hon Chief Minister to sign the letters on behalf of the GoA.

Action: HE; MINS OF GOV'T

EX MIN 13/229

**OXFORD UNIVERSITY PRESS**

The Hon Attorney General informed Council that he had received a request from the Oxford University Press for permission to incorporate legislation from Anguilla in their book entitled, 'Protectors of Trust'.

Council agreed to the request on condition that a copy of the book is provided to the AG's Chambers.

Action: AG

EX MIN 13/231

**DUTY FREE CONCESSIONS FOR FESTIVAL DEL MAR**

PS, FIN remained for discussion.

Council agreed to duty free concessions for Festival del Mar to be held on 30<sup>th</sup> and 31<sup>st</sup> March 2013 at Island Harbour.

Action: PS, FIN; COC; FO

EX MIN 13/232

**LEAVE**

The Hon Deputy Governor informed Council that he would be on leave from the 2 – 5 April 2013 and that Mr Larry Franklin, PS, MICUH would act in his absence.

\*\*\*\*\*