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MINUTES OF THE 121ST MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 11TH OCTOBER 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 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: Mr Foster Rogers, PS, EDICT
Mr Perin Bradley, TIO
Mr Gifford Connor, DLS
Mr Leslie Hodge, Director Designee, Lands & Surveys
Mr Steve McCready, Chief of Staff, Governor's Office
Mr William Vanterpool, Director, Agriculture
Mr Claudius Gumbs, Chief Building Inspector
Mr Karim Hodge, Director, Environment
Ms Silvia Erni, Senior Planner
Mr Vincent Proctor, Principal Planning Officer
Mr Vincent Carty, Senior Environmental Health Officer
Mr Rudolph Proctor, Commissioner of Police
Ms Melissa Meade, Director, Disaster Management
Mr Alwyn Richardson, Programme Officer, Disaster Management
Mr Martin Richardson, Chief Fire Officer
Mr Carlisle Lake, Leading Fire Officer
Dr Aidan Harrigan, PS, FIN
Dr Wycliffe Fahie, PAS, FIN
Mrs Shona Proctor, Budget Director
Ms Gecheal Richardson, Comptroller, Inland Revenue
Mrs Sandra York-Gumbs, Administrative Officer, MICUH

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Ms Jamila Gumbs, Budget Officer

Mrs Lana Horsford-Harrigan, PS, PA (Ag.)

Mr Larry Franklin, PS, MICUH

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

EX MIN 12/683 **CONFIRMATION OF THE MINUTES**

Council confirmed the Minutes of the 120th Meeting held on Thursday 27th September 2012.

MATTERS ARISING FROM THE MINUTES

EX MIN 12/684 **EX MIN 12/679 SHORT TERM CONTRACT – SOLID WASTE DISPOSAL SERVICES**

EX MIN 12/679 of 27 September 2012 refers.

Council expressed concern regarding the increase of flies and rats apparently resulting from the uncovered garbage at the Corito Landfill site. Council agreed that a Ministry of Health Official and the Chairman of the Tenders Board should be invited to attend the Special Meeting of Executive Council to be held on Friday 12 October 2012 to give an update on the matter.

Action: PS, HSD; CHAIR, TB

OUTSTANDING ITEMS FOR EXCO

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

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

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

Action: PS, EDICT

EX MIN 12/685

EX MEM 12/325 AGREEMENT WITH PARTNERS IN CHANGE MANAGEMENT AND HEALTHCARE ADMINISTRATION TO ESTABLISH COMPREHENSIVE MENTAL HEALTH SERVICES

Council agreed that the matter should be deferred until the Hon Minister of Health is present.

Action: PS, HSD; HON MIN, HSD

EX MIN 12/686

EX MEM 12/326 FINALIZATION OF ALIENS LAND HOLDING LICENCE APPLICATION UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – MANOAH LIMITED (SECTION: EAST CENTRAL; BLOCK: 89118B; PARCEL 27)

Messrs Gifford Connor, DLS and Leslie Hodge, Director Designee, Lands & Surveys joined the Meeting.

Council agreed in EX MIN 12/670 of 25 September 2012 to allow Manoah Limited to pay reduced Stamp Duty fees on the Aliens Land Holding Licence from 6.25% to 4%.

Council agreed that the minute should be detailed as follows:-

Council agreed that an Aliens Land Holding Licence should be issued to Manoah Limited to hold property registered as Registration Section: East Central; Block 89118B; Parcel 27, comprising 2.0 acres of land and known as Ku Resort, subject to the payment of the following stamp duties:-

(i)	Stamp Duty on Licence @ 4.00% of EC\$16,129,200.00	=	EC\$ 645,168.00
(ii)	Stamp Duty on transfer @ 5% of EC\$16,129,200.00	=	EC\$ 806,460.00
	TOTAL	=	EC\$1,451,628.00
			=====

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

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

EX MIN 12/687

EX MEM 12/327 MEMBERSHIP IN CARICAD

Council agreed that the matter should be deferred to allow the Hon CM to have further discussion with the PS, FIN. The Hon Minister, Home Affairs asked to have sight of the email communication dated 4 October from the Hon Deputy Governor to Ms Jennifer Astaphan, Executive Director, CARICAD.

Action: HON DG; HON MIN, HA

EX MIN 12/688

EX MEM 12/328 APPEAL AGAINST PLANNING PERMISSION – JEAN & JOYCELYN MOCCOW

Council agreed that a site visit be made to the property at Blowing Point (Block 38419B, Parcel 230) to facilitate a more informed decision regarding the appeal against planning permission.

Action: PS, MHA/LANDS; PPO

EX MIN 12/689

EX MEM 12/329 APPEAL AGAINST PLANNING PERMISSION – DAINY VICTOR

Council agreed that a site visit be made at the Valley (Block 48814B, Parcel 244) to facilitate a more informed decision regarding the appeal against planning permission.

Action: PS, MHA/LANDS; PPO

EX MIN 12/690

EX MEM 12/330 APPEAL AGAINST PLANNING PERMISSION – CHRISTOBELLE CONNOR

Council agreed that a site visit be made to the property at South Hill (Block 28411B, Parcel 73) to facilitate a more informed decision regarding the appeal against planning permission.

Action: PS, MHA/LANDS; PPO

EX MIN 12/691

EX MEM 12/331 APPEAL AGAINST PLANNING PERMISSION – CLIVE AND CHRISTINE MORANCIE

Council agreed that a site visit be made to the development at North Side (Block 58818B, Parcel 274) to facilitate a more informed decision regarding the appeal against planning permission.

Action: PS, MHA/LANDS; PPO

EX MIN 12/692

EX MEM 12/332 FINANCIAL ASSISTANCE AND URGENT/ ADDITIONAL FINANCIAL ASSISTANCE

Council agreed that:-

- (i) Ms Ludianne Leveret-Richardson should be awarded financial assistance for the Accounting/Finance related area;
- (ii) Ms Timarah Hodge should be awarded financial assistance for the Medical Degree;
- (iii) in addition to the above, financial assistance should also be awarded to Ms Khera Richardson and Ms Jordesha M. Hodge for the Accounting/Finance related area and the Medical Degree respectively.

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

Action: PS, PA (Ag.); PS, FIN; PS, EDICT; PS, HSD; TRNG OFF; BD

EX MIN 12/693

EX MEM 12/333 RETURN OF VEHICLE MSD TO THE GOA GENERAL VEHICLES POOL

Council:-

- (i) noted the Hon Minister of Social Development decision to return vehicle registration number MSD to the GoA general vehicle pool and to use his private vehicle;
- (ii) did not approve travel allowance as requested by the Hon Minister of Social Development for the use of his private vehicle.

Action: PS, MICUH; PS, HSD

EX MIN 12/694

EX MEM 12/334 RESIGNATION OF MR KENN BANKS FROM THE BOARD OF THE ANGUILLA AIR AND SEA PORTS AUTHORITY

Council:

- (i) noted the resignation of Mr Banks as a member and Chairman of the Board of the Anguilla Air and Sea Ports Authority;
- (ii) agreed with the recommendation of the Board of the AASPA that Mr Lanvil Harrigan be designated as the interim chairperson in accordance with section 5 (3) of the Anguilla Air and Sea Ports Authority Act.
- (iii) authorised the publication of a notice of Mr Banks' resignation in the gazette.

Action: PS, MICUH; PS, PA (Ag.)

EX MIN 12/695

EX MEM 12/335 RATIFICATION OF SERVICE LEVEL AGREEMENT FOR THE ANGUILLA FIRE AND RESCUE SERVICE TO PROVIDE

AIRCRAFT RESCUE AND FIRE FIGHTING SERVICES TO THE ANGUILLA AIR AND SEA PORTS AUTHORITY

Council agreed that the matter should be deferred in the absence of a completed schedule to the Agreement.

Action: PS, MICUH

EX MIN 12/696

EX MEM 12/336 EXTENSION OF GOVERNMENT OF ANGUILLA MEDICAL INSURANCE CONTRACT WITH NAGICO INSURANCE COMPANY

Dr Wycliffe Fahie, PAS, FIN joined the Meeting.

Council agreed that Nagico Insurance Company Limited should be approached through its agent Fairplay Agencies to extend the current Medical Insurance contract with the Government of Anguilla to 31 December 2013.

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

EX MIN 12/698

EX MEM 12/338 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – GOBLINS RETREATS LLC (SECTION: WEST END; BLOCK: 18011B; PARCEL 88)

DLS and Director, Designee L & S remained for discussion.

Council agreed that an Aliens Land Holding Licence should be issued to Goblins Retreats LLC to hold the subject property, Parcel 88, Block 18011B in West End Registration Section, being 1.63 acres of land located at Long Bay Beach, subject to the payment of the following stamp duties:-

(i)	under the Stamp Act – 5% of EC\$5,040,375.00	EC\$252,018.75
(ii)	under the Aliens Land Holding Regulations Act – 12.5% of EC\$5,040,375.00	EC\$630,046.88
	TOTAL	----- EC\$882,065.63 =====

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

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

EX MIN 12/699

EX MEM 12/339 RESCINDING OF EXCO MINUTES 09/475 & 10/83 – GRANTING OF LEASE OF CROWN LAND – CHRISTIAN SUTTON – PROPERTY DESCRIBED AS REGISTRATION SECTION CAULS POND BLOCK 69114B, PARCEL 21 CONTAINING 0.55 ACRES OF LAND

DLS and Director, Designee L & S remained for discussion.

Council agreed that EXCO Minutes 09/475 of 2 July 2009 and 10/83 of 4 February 2010 should be rescinded. Council further agreed that a new lease should be granted to Mr Christian Sutton specifying the following:-

- (i) the lease of 0.55 acres of Crown Land registered as Cauls Pond, Block 69114B Parcel 21 to Mr Christian Sutton;
- (ii) the term of the lease is for fifty (50) years;
- (iii) the use of the premises for the construction of store spaces for retail purposes;
- (iv) an option to renew for twenty-five (25) years;
- (v) the rent for the first year shall be the sum of US\$75.00 and shall increase by five percent (5%) annually, thereafter for the next four (4) years with rent review every five years (upward only);
- (vi) the Fee Payable is Stamp Duty on Lease (EC\$340,057.30 x 50 x 0.0005) = **EC\$8,501.43**

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

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

EX MIN 12/700

EX MEM 12/340 AMENDMENT TO EXCO MINUTE 12/449 LEASE OF CROWN LAND HARDWICK LEOPOLD DAVIS OF PROPERTY DESCRIBED AS REGISTRATION SECTION SOUTH CENTRAL BLOCK 38410B PARCEL 251 CONTAINING 0.29 ACRE OF LAND

DLS and Director, Designee L & S remained for discussion.

Council agreed that EX MIN 12/449 of 28 June 2012 should be amended to read:-

Council agreed:-

- (i) to a lease agreement for the use of Crown Land by Hardwick Leopold Davis for a period of twenty-five (25) years at an annual rent of US\$600.00 or EC\$1,612.92 with a rent review period every five (5) years upwards only;
- (ii) a description of the property being Parcel 251, Block 38410B in Registration Section South Central containing 0.29 acre of land;

- (iii) the use of the premises to construct and operate a craft shop;
- (iv) an option to renew for twenty-five (25) years.

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

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

EX MIN 12/701

EX MEM 12/341 AMENDMENT TO EXCO MINUTE 12/450 LEASE OF CROWN LAND NEVILLE GUMBS OF PROPERTY DESCRIBED AS REGISTRATION SECTION SOUTH CENTRAL BLOCK 38813B PARCEL 160 (PART OF) COMPRISING 0.75 ACRE OF LAND

DLS and Director, Designee L & S remained for discussion.

Council agreed that EX MIN 12/450 of 28 June 2012 should be amended to read:-

Council agreed:-

- (i) to a lease agreement for the use of Crown Land by Mr Neville Gumbs for a period of twenty-five years (25) years at an annual rent of US\$2,400.00 or EC\$6,451.68 with a rent review upwards by at least 5% every five (5) years;
- (ii) the description of the property being part of Parcel 160, Block 38813B in South Central Registration Section containing 0.75 acre of land;
- (iii) the use of the premises to construct an office building and to operate a car rental;
- (iv) an option to renew for twenty-five (25) years.

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

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

EX MIN 12/703

EX MEM 12/343 WORK PERMIT APPLICATION REFUSAL

The Hon Minister, Home Affairs, after consultation with the Executive Council and in accordance with Section 4 (1) of the Control of Employment Act, was not inclined to approve the following:-

Name	Country	Employer	Position
Claude Bernard Iliou	USA	St. James School of Medicine	Teacher

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

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

EX MIN 12/704

EX MEM 12/344 APPLICATION BY MAXINE HERBERT DUGGINS (PRINCIPAL OF BEST BUY SUPERMARKET) FOR DUTY FREE CONCESSION TO CONSTRUCT A FULL SERVICE SUPERMARKET AT WEST END

Council agreed that the matter should be deferred to allow the PS, FIN to be in attendance.

Action: PS, FIN

ORAL MENTION

EX MIN 12/706

CORRESPONDENCE RELATING TO DOLPHIN DISCOVERY

Council noted emailed correspondence to the Hon Deputy Governor from advocate@animalactivist.com on behalf of various persons expressing their disappointment and opposition to the opening of Dolphin Discovery at Blowing Point, Anguilla.

Council agreed that the appeals against this matter will be looked at when the Hon Minister, Home Affairs returns from official overseas business.

Action: HON MIN, HA; HON DG

EX MIN 12/707

DISASTER MITIGATION PRESENTATION

DLS and Director, Designee, L & S remained for discussion. The following Officials joined the Meeting:-

Mr Steve McCready, Chief of Staff, Governor's Office
 Mr William Vanterpool, Director, Agriculture
 Mr Claudius Gumbs, Chief Building Inspector
 Mr Karim Hodge, Director, Environment
 Ms Silvia Erni, Senior Planner
 Mr Vincent Proctor, Principal Planning Officer
 Mr Vincent Carty, Senior Environmental Health Officer
 Mr Rudolph Proctor, Commissioner of Police
 Ms Melissa Meade, Director, Disaster Management

Mr Alwyn Richardson, Programme Officer, Disaster Management
Mr Martin Richardson, Chief Fire Officer
Mr Carlisle Lake, Leading Fire Officer

Messrs Karim Hodge, Director, Environment and Vincent Proctor, Principal Planning Officer led the power point presentation to Executive Council. Council recognised the importance of having disaster mitigation measures in place. Council agreed that the community must be made to recognise that refusing to adhere to such measures will not be tolerated.

Action: PPO; DIR, ENV

EX MIN 12/708

OVERSEAS TRAVEL

Council was informed of the following dates of travel:-

- 1) Hon Deputy Governor - 15 – 26 October (Official business and vacation)
- 2) Hon Min, Home Affairs - 16 – 22 October, St.Vincent (16th EPC and 20th TAC Meeting)

Council noted that Mr Larry Franklin, PS, MICUH would be the Acting Deputy Governor during the absence of the Deputy Governor.
