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MINUTES OF THE 198TH MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 19TH JUNE 2014

- PRESENT: Her Excellency the Governor, Ms Christina Scott
- The Honourable Jerome Roberts, Minister of Lands, Physical Planning, Human Rights, Environment, Gender Affairs and Agriculture and Fisheries and Minister of Sports and Education, Library Services, Sports, Youth and Culture and Acting Chief Minister
- The Honourable Deputy Governor, Mr Stanley Reid
- The Honourable Evan Gumbs, Minister of Infrastructure, Communications, Utilities and Housing
- The Honourable Attorney General, Mr James Wood QC
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Mr Larry Franklin, PS, MICUH
Mr Bancroft Battick, Chief Engineer
Ms Anthea Ipinson, Chief Projects Officer
Mr Steve McCready, Chief of Staff, Governor's Office
- ABSENT: The Honourable Hubert Hughes, Chief Minister and Minister of Finance, Economic Development, Investment, Commerce and Tourism and Minister of Labour and Immigration and Minister of Social Development and Health

EX MIN 14/369

CONFIRMATION OF THE MINUTES

Council confirmed the Minutes of a Special Meeting held on Tuesday 10th June 2014 and the Minutes of the 197th Meeting held on Thursday 12th June 2014.

MATTERS ARISING FROM THE MINUTES

EX MIN 14/372

EX MIN 14/366 EX MEM 14/199 GOVERNMENT'S POSITION ON SUPPORT FOR DRAG RACING

Council agreed that the first sentence of the last paragraph of EX MIN 14/366 of 12th June 2014 should be amended as follows:-

Council tasked officials in the Ministry and Department of Sports, the MoFEDICT, the RAPF, the Attorney General's Chambers and other relevant departments to work out what steps would need to be taken to address the concerns raised.

Action: PS, ELSYC; PS, FIN; PS, EDICT; BD; COP; AG

EX MIN 14/373

MONEY SERVICES BILL

Council noted (as mandated in EX MIN 14/311 of 8th May 2014) that the Hon Deputy Governor, the Chief Parliamentary Counsel, Parliamentary Secretary and Personal Assistant to the Hon CM/Finance met and discussed options 1-3 as outlined in the Hon Attorney General's memorandum of 7th May to Executive Council.

Council approved Option 3: Replace Reference to the Minister with "Authority" in Section 29 as the preferred option, subject to the amendments being made and voted upon in the House of Assembly on Tuesday 24th June 2014.

Action: PS, FIN; CPC; PARL SEC; PA/HON CM/FIN

EX MIN 14/374

EX MIN 14/368 UPDATE – 2014 CAPITAL PROJECTS

EX MIN 14/368 of 12th June 2014 refers.

The following persons joined the Meeting:-

Mr Larry Franklin, PS, MICUH
 Mr Bancroft Battick, Chief Engineer
 Ms Anthea Ipinson, Chief Projects Officer
 Mr Steve McCready, Chief of Staff, Governor's Office

Council noted the presentation by the team regarding the 2014 Capital Project stages. Council also noted the constraints and challenges facing the Ministry/Department of Infrastructure.

Council agreed to a further update to Executive Council on Thursday 14th August 2014 by the team, the Chief Procurement Officer and the Chairman of the Procurement Board.

Action: PS, EDICT; PS, FIN; CHIEF PROC OFF; CHAIRMAN, PB; CPO; PS, MICUH; BD

EX MIN 14/375

EX MEM 14/201 REPAYMENT OF DEFERRED SALARY IN CASES INVOLVING FAMILY ILLNESS

Council agreed to:-

- (i) the extension of the decision taken, in EX MIN 12/915 of 28th December 2012, to repay public officers for medical costs, to include medical costs for illness of family members (spouses, children (including stepchild or adopted child), parents, siblings and legal guardians) once the case is made and the necessary documentation provided; and
- (ii) the debt for the deferred salary being reflected in the GoA's financial statements for transparency.

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

Action: DG; PS, PA; PS, FIN; PS, EDICT; PAS, FIN; BD; ACC GEN; OTHER
PERM SECS

EX MIN 14/376

EX MEM 14/202 URGENT/ADDITIONAL FINANCIAL ASSISTANCE

Council noted that six (6) persons had applied for urgent/additional financial assistance.

The Governor and Deputy Governor noted that in a number of these cases, the proposals for assistance which were favourably considered were not consistent with the policy established by ExCo about who should be eligible. Deciding to provide assistance to students who did not meet the necessary grade averages, or who were studying subjects that were not priority needs for Anguilla, would be perceived as preferential/unfair treatment, and had the effect of depriving more deserving students and subject areas from getting the support deserved.

Council agreed that the following persons should be granted the usual financial award of EC\$15,000.00:-

- 1) Miss Kerlyn Hughes - Belonger of Anguilla who is studying for the MA in Educational Psychology at the University of the Southern Caribbean in Trinidad. Miss Hughes has received no financial assistance from the GoA and has one year remaining to complete her studies.
- 2) Miss Rodi Richardson - Belonger of Anguilla who is pursuing a BA in Physical Education at the G C Foster College of Physical Education & Sports in Jamaica. Miss

Richardson has received no financial assistance from the GoA. She is in the second year of her studies.

- 3) Miss Olufunmike Banks
-Devonish - Belonger of Anguilla who is pursuing a MA in Applied Clinical Psychology at the Pennsylvania State University. Ms Banks-Devonish has received no assistance from the GoA. She has completed one year.
- 4) Miss Jilma Hodge - Belonger of Anguilla who is studying Medicine at All Saints University of Medicine in Dominica. Miss Hodge received funds from the GoA towards her nursing qualifications and was also the recipient of a scholarship from St. James School of Medicine. Miss Hodge has three (3) semesters to complete her studies.

Council was minded to grant financial assistance to:-

- 5) Miss Randah Connor, a Belonger of Anguilla who is employed as a Graduate Teacher at the Albena Lake-Hodge Comprehensive School and, who is pursuing a Masters in Applied Psychology at the University of Liverpool by distance, subject to more information on her field of study and its relevance to her present job. Council noted that Miss Connor had received a scholarship from the GoA to study for the Bachelor's Degree in Special Needs Education for two years; and
- 6) Mr Kumakie Parris, a Belonger of Anguilla who is studying for a Bachelor in Psychology at Argosy University, subject to the availability of funds. Mr Parris received financial assistance from the GoA for four years in 2013 (see EX MIN 14/382).

Council requested that a joint paper from PS, Finance and PS, Public Administration verifying that these approvals/intentions could be met from the 2014 budget should be submitted to Executive Council for consideration.

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

Action: DG; PS, PA; PS, FIN; PS, EDICT; BD; TRNG OFF; ACC GEN

EX MEM 14/204 THE VALLEY FOOD COURT

Council agreed that:-

- (a) the area close to the People's Market, along the Landsome Bowl Road (i.e. Option 1) be developed as the first (1st) phase of the Valley Food Court development area;
- (b) the Department of Lands and Surveys execute and register Survey Plan LS18/13a for the development of the linear area of the lands immediately adjacent and parallel to the Landsome Road;
- (c) Survey Plan LS18/13a be registered as a parcel and the parcel is to be utilised for vending activity;
- (d) the lots delineated on Survey Plan LS18/13b would be the area designated for food stalls/vans with specific lots approved for same. The said Survey Plan would be used to guide the LDCC when considering food stalls/vans in the area;
- (e) the present Regulations should be looked at to determine the governance of the operations of the Food Court;
- (f) due to budget constraints, the minimum infrastructure needs for the development of the site be based on preliminary figures and that expenditure be in the amount of US\$59,656.72 (EC\$160,369.19);
- (g) the Ministry of Home Affairs should consult with the PS Finance on funding and with the Ministry of Infrastructure, Communications, Utilities & Housing on project development work based on infrastructure needs to develop Site IB;
- (h) permits for Food Vendors shall expire at the end of every twelve (12) month calendar year, to allow for proper management structures and the development of relevant legislation to be drafted and implemented; and
- (i) the First Phase of the Valley Food Court should be revisited at the end of the calendar year (2014) with a view to it being included in the 2015 Budget with provision for a Project Manager and Enforcement Officer. The Committee should continue to develop the long term plan for the Greater Valley Area in accordance with the Terms of Reference.

Council stressed the importance of sufficient work being done by the end of July 2014; i.e. before the commencement of the Anguilla Summer Festival 2014.

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

Action: PS, MHA/LANDS; PS, MICUH; CHIEF ENG; DCE; DLS; PS, FIN; PS, EDICT; AG; CPO; BD

EX MIN 14/379

EX MEM 14/205 APPLICATION BY DOLPHIN DISCOVERY ANGUILLA LTD. TO RENEW LICENCE FOR THE RIGHT TO INGRESS AND EGRESS OVER CROWN LAND – PROPERTY BEING A 20 FOOT RIGHT OF WAY OVER PROPERTY DESCRIBED AS REGISTRATION SECTION WEST CENTRAL, BLOCK 28309 B PARCEL 169

Council was minded to renew the licence for two (2) years for Dolphin Discovery Anguilla Ltd., subject to:-

- (i) a revised paper to Executive Council on Thursday 26th June 2014 reflecting the standard uplifting in licence fees and an indication as to whether the fees for the existing licence had been paid; and
- (ii) a covering note accompanying the renewed licence indicating that the appeal process involving the GoA and the Dolphin Discovery Anguilla Ltd. was still ongoing.

Council noted that, “by Clause 6 of the existing Licence Agreement dated 29th June 2013 between the Applicant and Crown, the Licensee can indicate that it wishes to continue to occupy the site beyond the Licence Period and must inform the Licensor in writing six (6) months prior to the expiry of the Licence Period”. Council noted that only one month’s notice had been given.

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

Action: PS, MHA/LANDS; DLS; AG

EX MIN 14/380

EX MEM 14/206 FILLING OF THE POSITION OF FACILITIES MANAGER – DEPARTMENT OF INFRASTRUCTURE (DOI)

Council agreed that:-

- (i) the post of Facilities Manager in the Department of Infrastructure should be filled; and
- (ii) if an existing officer in the DoI should apply for the position and is successful, that the MICUH/DoI be authorised to fill any vacancy created as a result of filling the Facilities Manager’s position.

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

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

EX MIN 14/381

EX MEM 14/207 APPLICATION FOR SCHOLARSHIP/FINANCIAL ASSISTANCE FOR CANDRA SIMON

Council agreed that the issue of a scholarship/financial assistance for Candra Simon should be addressed when the 2015 Budget exercise is being considered.

Action: DG; PS, PA; PS, FIN; PS, EDICT; BD; TRNG OFF

EX MIN 14/382

EX MEM 14/208 FINANCIAL ASSISTANCE TO MR KUMAKIE PARRIS

Ministers reiterated the position taken in EX MIN 14/376 above, that they were minded to grant financial assistance to Mr Kumakie Parris in the sum of EC\$306,454.80 over a period of three (3) years, subject to PS, FIN and PS, PA verifying that funding could be met from the 2014 Budget.

Action: DG; PS, PA; PS, FIN; PS, EDICT; BD; TRNG OFF; ACC GEN

EX MIN 14/383

EX MEM 14/209 AUTHORIZATION TO FILL ONE ANALYST PROGRAMMER AT THE DEPARTMENT OF INFORMATION TECHNOLOGY AND E-GOVERNMENT SERVICES

Council:-

- (i) noted that the post of Analyst Programmer in the Department of Information Technology and E-Government Services (DITES) had become vacant due to resignation; and
- (ii) agreed that the vacant post of Analyst Programmer in the DITES should be filled.

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

Action: PS, MICUH; PS, PA; DIR, DITES; PS, FIN; PS, EDICT; BD

EX MIN 14/384

EX MEM 14/210 APPEAL AGAINST PLANNING PERMISSION – HORACE BROOKS

Following a site visit to the property at The Valley on Wednesday 14th May 2014, Council agreed that the appeal against planning permission by Mr Horace Brooks to construct a Gas Cylinder Storage Facility at The Valley on Block 58815 B Parcel 170 should not be allowed.

Council noted that the propane gas cylinder storage facility had already been constructed and was therefore conflicting with the existing residential use of the particular area and neighbouring properties.

Council further agreed that Mr Brooks should be informed of the legal penalties for breaking the law and that he be given 2 – 3 weeks to remove the cylinders from the area. He must be further told that, failure to do so, would result in the appropriate action being taken.

Action: PS, MHA/LANDS; PPO; DLS

ORAL MENTION

EX MIN 14/385

MEETINGS OF EXECUTIVE COUNCIL

Council agreed the following dates for Meetings of Executive Council:-

- 1) Thursday, 26th June at 9:00 am
- 2) Monday, 30th June at 9:00 am (special discussion on PAVE included)
(there would be no regular meeting on Thursday, 3rd July due to absence of Ministers on overseas travel)
- 3) Thursday, 10th July at 9:00 am

Action: EXCO MEMBERS

EX MIN 14/386

MEETINGS OF THE HOUSE OF ASSEMBLY

Council agreed the following dates for Meetings of the HoA:-

- 1) Tuesday, 24th June
- 2) Wednesday, 16th July

Action: CLERK, HOA

EX MIN 14/387

OVERSEAS TRAVEL

The Hon Deputy Governor informed Council that he would be off island from the 25 – 28 June to attend a CDEMA Council Meeting in Barbados. The Hon Minister of Education also informed Council that he would be on leave from the 25 – 29 June.

Action: EXCO MEMBERS
