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**MINUTES OF THE 220<sup>TH</sup> MEETING OF THE TENTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON THURSDAY 11<sup>TH</sup> DECEMBER 2014**

- PRESENT: Her Excellency the Governor, Ms Christina Scott
- 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
- The Hon Deputy Governor, Mr Stanley Reid
- The Honourable Jerome Roberts, Minister of Lands, Physical Planning, Human  
Rights, Environment, Gender Affairs and Agriculture and Fisheries and Minister  
of Education, Library Services, Sports, Youth and Culture
- The Honourable Evan Gumbs, Minister of Infrastructure, Communications,  
Utilities and Housing
- The Honourable Attorney General, Mr Rupert Jones
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Mrs Chanelle Petty-Barrett, PS, ELSYC  
Mr Bren Romney, Director, Youth & Culture  
Dr Bonnie Richardson-Lake, PS, HSD  
Mr Foster Rogers, PS, EDICT  
Ms Anthea Ipinson, Chief Projects Officer  
Mr Larry Franklin, PS, MICUH  
Mr Vanroy Hodge, CEO, AASPA  
Mr Sherman Williams, Finance Manager, AASPA  
Mr Brent Woodson, Consultant  
Mr David Waite, Consultant  
Ms Marisa Harding-Hodge, TIO

EX MIN 14/769

**CONFIRMATION OF THE MINUTES**

Council agreed that the Minutes of the 219<sup>th</sup> Meeting held on Thursday 4<sup>th</sup> December 2014 should be confirmed at the Meeting of Executive Council to be held on Monday 15<sup>th</sup> December 2014. Council further agreed that EX MIN 14/751 of the Minutes of a Special Meeting held on Friday 21<sup>st</sup> November should be confirmed at the Meeting of Executive Council to be held on Tuesday 23<sup>rd</sup> December 2014.

Action: EXCO MEMBERS

**MATTERS DEALT WITH FROM THE MINUTES OF 4<sup>TH</sup> DECEMBER 2014**

EX MIN 14/770 **EX MIN 14/763 EX MEM 14/445 MANAGEMENT OF THE LANDSOME BOWL CULTURAL CENTRE**

Mrs Chanelle Petty-Barrett, PS, ELSYC and Mr Bren Romney, Director, Youth and Culture joined the Meeting.

Further to EX MIN 14/763 of 4<sup>th</sup> December 2014, Council approved the revised list of fees pertaining to the operations of the Landsome Bowl Cultural Centre as attached.

Action: PS, ELSYC; DIR, Y & C

EX MIN 14/771 **EX MIN 14/764 EX MEM 14/446 PRINCIPAL CROWN COUNSEL (CIVIL AND COMMERCIAL)**

Further to EX MIN 14/764 of 4<sup>th</sup> December 2014, Council was minded to approve the position of Principal Crown Counsel (Civil and Commercial) in the Attorney General's Chambers on a one year basis. The Hon Attorney General who was invited to consider this proposal advised that he would give some thought to the proposal and would give his comments to Executive Council on Tuesday 23<sup>rd</sup> December 2014.

Action: EXCO MEMBERS

EX MIN 14/772 **MINUTES OF THE BUDGET DELIVERY COMMITTEE (BDC) MEETING**

Council agreed that the matter should be deferred to the Meeting of Executive Council to be held on Monday 15<sup>th</sup> December 2014.

Action: EXCO MEMBERS

EX MIN 14/773 **EX MEM 14/368 APPROVAL OF GRATUITY AND PENSION FOR MR RADFORD RICHARDSON**

Council agreed that the matter should be deferred to the Meeting of Executive Council to be held on Monday 15<sup>th</sup> December 2014.

Action: EXCO MEMBERS

EX MIN 14/774 **EX MEM 14/449 GAZETTING OF THE DOMESTIC VIOLENCE BILL**

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

- (i) approved the revised Domestic Violence Bill; and
- (ii) agreed that the Domestic Violence Bill should be gazetted.

Council thanked the PS, HSD and team and the Attorney General's Chambers for their hard work and commitment towards the enactment of the Bill.

Action: PS, HSD; AG; CPC; PS, MHA; GAC

EX MIN 14/775

**EX MEM 14/450 PASSING OF BILLS FOR THE CONDOMINIUM (AMENDMENT) ACT AND CONDOMINIUM (AMENDMENT) REGULATIONS**

Council agreed that the matter should be deferred to the Meeting of Executive Council to be held on Monday 15<sup>th</sup> December 2014.

Action: EXCO MEMBERS; PS, MHA/LANDS

EX MIN 14/776

**EX MEM 14/451 PERMISSION TO FILL THE VACANT POST OF SURVEYOR IN THE DEPARTMENT OF LANDS AND SURVEYS**

Council agreed that the matter should be deferred to the Meeting of Executive Council to be held on Monday 15<sup>th</sup> December 2014.

Action: EXCO MEMBERS; PS, MHA/LANDS

EX MIN 14/777

**EX MEM 14/452 APPLICATION BY REGISTERED CHARGEES FOR CONSENT UNDER THE ALIENS LAND HOLDING REGULATIONS ACT TO CHANGE SHAREHOLDER OF LICENCED – MRES MALLIOUHANA LENDER, LLC – REGISTERED CHARGE OVER PROPERTIES REGISTERED TO MALLIOUHANA (E.C.) LTD – REGISTRATION SECTION: WEST END; BLOCK: 18011 B; PARCELS 1, 2, 148, 211, 213, 215, 217 (FREEHOLD) AND 4/1, 6/1, 7/1, 8/1, 29/1, 222/1, 223/1 (LEASEHOLD)**

Council agreed that the matter should be deferred to the Meeting of Executive Council to be held on Monday 15<sup>th</sup> December 2014.

Action: EXCO MEMBERS; PS, MHA/LANDS

EX MIN 14/778

**EX MEM 14/453 APPROVAL OF THE AASPA TARIFF BOOK 2014-15 TO RESOLVE THE DEFICIENCIES OF THE AASPA TARIFF BOOK 2013**

Messrs Foster Rogers, PS, EDICT and Larry Franklin, PS, MICUH joined the Meeting.

Council:-

- (i) agreed that the Hon, Minister, MICUH should sign off on the Tariff Book 2014 - 2015 in accordance with Part 6, Clause 52 (1) of the AASPA Act 2010; and

- (ii) instructed the Attorney General's Chambers to draft the various Regulations that are identified in the Tariff Book 2014 - 2015 and in paragraph 6 of EX MEM 14/453.

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

Action: PS, MICUH; CEO, AASPA

EX MIN 14/779

**EX MEM 14/454 100% OF EMBARKATION TAX TO BE ASSIGNED TO AASPA**

PS, EDICT and PS, MICUH remained for discussion.

Council agreed that the existing arrangement whereby 75% of the Embarkation Tax been assigned to the AASPA should continue.

Action: PS, MICUH; CEO, AASPA; PS, FIN; PS, EDICT; BD

EX MIN 14/780

**EX MEM 14/455 FORMAL CONSULTATION WITH THE GOVERNOR IN COUNCIL – APPOINTMENT OF EXECUTIVE DIRECTOR OF THE PUBLIC UTILITIES COMMISSION**

PS, EDICT and PS, MICUH remained for discussion.

Council noted the recommendation from the Board of the Public Utilities Commission (PUC) that the position of Executive Director, PUC should be filled by Mr Kenneth Banks. Council additionally noted that Ministers preferred that Mr Crefton Niles fill the position of Executive Director, PUC.

Council acknowledged, however, that the Board of the PUC was not obligated to accept the views of the Governor in Council.

HE The Governor undertook to convey the views of Council to the PUC.

Action: HE; PS, MICUH

EX MIN 14/781

**EX MEM 14/456 FIRST ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING BETWEEN GOVERNMENT OF ANGUILLA (THE "GOVERNMENT") AND ANANYA INC (THE "DEVELOPER")**

PS, EDICT remained for discussion. Ms Marisa Harding-Hodge, TIO joined the Meeting. HE The Governor declared an interest due to a friendship with the Developer and absented herself from the room.

Council considered the first amendment to the MoU between Ananya Inc. and the Government of Anguilla and agreed that the PS, EDICT and the Hon Attorney

General should formulate the appropriate wording to be inserted in the MoU for Council's consideration on Tuesday 23<sup>rd</sup> December 2014. The wording should detail the conditions under which the sale of the villas would be allowed. This would include the time period during which the villas must be available for rental and the return of duty concessions previously granted.

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

Action: PS, EDICT; AG; TIO; PS, MHA/LANDS; DLS

EX MIN 14/782

**EX MEM 14/457 THIRD ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING BETWEEN GOVERNMENT OF ANGUILLA (THE “GOVERNMENT”) AND FOUNTAIN BEACH RESIDENCES LTD (THE “DEVELOPER”)**

PS, EDICT and TIO remained for discussion.

Council considered the draft third addendum to the MoU between Fountain Beach Holdings and the Government of Anguilla and agreed the recommendations from the Ministry as attached.

Action: PS, EDICT; TIO; AG; PS, MHA/LANDS; DLS

EX MIN 14/783

**EX MEM 14/458 APPOINTMENT OF CHAIRMAN OF THE ANGUILLA TOURIST BOARD**

Council agreed that the matter should be deferred to the Meeting of Executive Council to be held on Monday 15<sup>th</sup> December 2014.

Action: EXCO MEMBERS; PS, EDICT

EX MIN 14/785

**EX MEM 14/460 DEPARTMENT OF YOUTH AND CULTURE STRATEGIC PLAN 2015 – 2020**

Mrs Chanelle Petty-Barrett, PS, ELSYC and Mr Bren Romney, Director, Youth & Culture joined the Meeting.

Council noted the Power Point presentation by the Director, Youth & Culture on the Department of Youth & Culture Strategic Plan for 2015 – 2020.

Council:-

- (i) approved the Department of Youth and Culture Strategic Plan in principle, as the strategic document for the Department of Youth and Culture for the period January 2015 to December 2020; and
- (ii) adopted the revised Staffing Plan and Organisational Chart in principle, as the Staffing Plan and Organisational Chart for the Department of Youth and Culture.

Council noted the Hon Chief Minister’s concern regarding the increased staffing plan. Council additionally noted that since this would be a five-year plan, the costing of the plan would entail an ongoing process of review and renewal. All financial implications of the strategies to be implemented would be budgeted for in the year of implementation and presented to Executive Council for consideration.

Action: PS, ELSYC; DIR, Y & C

EX MIN 14/786

**EX MEM 14/461 DRAG RACING – THE WAY FORWARD**

PS, ELSYC and DIR, Y & C remained for discussion.

Council:-

- (i) authorised the Ministry to engage in further discussions with the Drag Racing Association/Anguilla Motorsports Inc., Royal Anguilla Police Force, Emergency Services and other relevant stakeholders to establish some agreed parameters for the holding of practice races, taking into account the issues outlined in EX MEM 14/461;
- (ii) supported the recommendation that the Jeremiah Gumbs Highway should be designated as a drag racing strip during particular times; and
- (iii) agreed that, following the outcome of further discussions and the preparation of drafting instructions, the Attorney General's Chambers be authorised to prepare the necessary legislative amendment to provide a mechanism for such a designation to be made from time to time.

Council agreed to a further update on this matter to Executive Council on Thursday 15<sup>th</sup> January 2015.

Action: PS, ELSYC; DIR, Y & C

EX MIN 14/789

**EX MEM 14/464 CAPITAL INVESTMENT PLAN 2015 - 2017: CAPITAL BUDGET 2015 & FORWARD ESTIMATES 2016 - 2017**

PS, EDICT and PS, MICUH remained for discussion. Ms Anthea Ipinson, Chief Projects Officer joined the Meeting.

The CPO presented the Capital Investment Plan 2015 - 2017, namely, the final revisions to the draft 2015 Capital Budget and investment plans for the forward years 2016 - 2017.

Council approved:-

- (i) the allocation of EC\$200,000.00 towards the development of the Prison Clinic;
- (ii) the allocation of EC\$50,000.00 to support pending activities for Fisheries Sector Development; and
- (iii) the projects and notional allocations for the forward years 2016 - 2017.

Council noted that:-

- a) the Land Information System could not be financed in 2015 but would be included in the description under Information System Development in the event that any minor preliminary expenditure must be undertaken to facilitate its proposed full implementation for 2016; and

b) the breakdown of source of funds was now as follows:-

SOURCE	EC\$	PROJECTS
Private Grants	283,000	Literacy Development Project
CCRIF	1,500,000	Disaster Mitigation and Recovery
UKG Grant	7,127,000	Adrian T Hazell, Minor Education & Fire Projects
GoA Reserves	1,200,000	Health Services Development and Prison Clinic
CDB Loan & Grant	5,500,000	Anguilla Community College
EU/TCF (1)	500,000	Technical Assistance - National Development Plan
EU/EDF (2)	3,700,000	All other Projects
<b>TOTAL</b>	<b>19,810,000</b>	

Action: PS, FIN; PS, EDICT; OTHER PERM SECS; PAS, FIN; CPO; BD; DIR, FISH

### **ORAL MENTION**

EX MIN 14/790

### **PROPOSED AIRPORT DEVELOPMENT**

PS, MICUH, PS, EDICT and CPO remained for discussion. The following persons joined the Meeting:-

Mr Vanroy Hodge, CEO, AASPA  
 Mr Sherman Williams, Finance Manager, AASPA  
 Mr Brent Woodson, Consultant  
 Mr David Waite, Consultant

Council noted the update from Mr Brent Woodson, Consultant on the proposed airport development. Council asked that the information shared should be discussed with the relevant Ministries and agencies. Council was not opposed to any development that would be beneficial to Anguilla but wanted to ensure that business was carried out in a comprehensive and proper manner and in accordance with the law.

Action: EXCO MEMBERS; PS, MICUH; PS, EDICT; PS, FIN; CEO, AASPA

EX MIN 14/791

### **MEETING OF EXECUTIVE COUNCIL**

Council agreed that there should be meetings of Executive Council as follows:-

- 1) Monday 15<sup>th</sup> December - 9:00 am
- 2) Tuesday 23<sup>rd</sup> December - 9:00 am

Action: EXCO MEMBERS

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