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MINUTES OF THE 52ND MEETING OF THE ELEVENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 9TH JUNE 2016

- PRESENT: Her Excellency the Governor, Ms Christina Scott
- The Honourable Cora Richardson-Hodge, Minister of Home Affairs, Immigration, Labour, Environment, Human Rights, Gender Affairs, Constitutional Affairs and Information and Broadcasting and Acting Chief Minister
- The Honourable Acting Deputy Governor, Mr Perin Bradley
- The Honourable Evans Rogers, Minister of Health and Social Development
- The Honourable Curtis Richardson, Minister of Infrastructure, Communications, Utilities, Housing, Agriculture and Fisheries and Information Technology
- The Honourable Acting Attorney General, Mr Anthony La Ronde
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Mr Al C. Elliot, Legal Executive, Global Partners International
Mr Richard Branch, Finance Executive & Projects Coordinator, Global Partners International
- Mr Dasrat Sugrim, Executive Director, Global Partners International
Mrs Lynne Smith, DLS (Acting)
Mrs Anthea Ipinson-Connor, PS, EDICTLP (Acting)
Ms Marisa Harding-Hodge, Compliance Officer
- ABSENT: The Honourable Victor Banks, Chief Minister and Minister of Finance,
Economic Development, Commerce, Tourism, Lands & Physical Planning
- The Honourable Attorney General, Mr Rupert Jones

EX MIN 16/343

CONFIRMATION OF THE MINUTES

Council confirmed the Minutes of the 50th and 51st Meetings held on Thursday 26th May 2016 and Thursday 2nd June 2016 respectively. Council agreed that the Minutes of a Special Meeting held on Monday 30th May 2016 should be deferred for an accurate version of the decisions taken at the Meeting.

MATTERS ARISING FROM THE MINUTES

EX MIN 16/344

None

EX MIN 16/345

EX MEM 16/207 PAYMENT OF DEFERRED SALARY – MS A*[note on publication: name redacted to protect personal health information]*

Council confirmed the decision taken by round robin on Monday 6 June 2016 as per attached minute.

Action: PS, FIN; PS, PA; PS, EDICTLP; BD; ACC GEN

EX MIN 16/346

INF 16/04 INFORMATION NOTE: PASSING OF WHALDAMA “RAS B” BROOKS OF THE VALLEY

Council noted the passing of Mr Whaldama Brooks better known as “Ras B” of the Valley, who served for over three decades at the Department of Information and Broadcasting, Radio Anguilla, as a veteran journalist, news presenter and sports broadcaster and commentator, and was a familiar voice on the station’s morning and evening newscasts and other programmes. In later years, this contribution continued on Heartbeat Radio and then Upbeat Radio where he continued to present the newscasts up until his passing. “Ras B” was awarded with the Anguilla Badge of Honour and Queen’s Certificate for his invaluable contribution to journalism and social commentary.

In keeping with the decision taken in EX MIN 15/535 of 23rd September 2015, Council further noted that the Ministry of Home Affairs had begun the process of making arrangements to include:-

- (i) the publication of an official Statement of Condolence from the Government and people of Anguilla on the passing of this outstanding media professional; and
- (ii) flags to be flown at Half Mast on the day preceding the funeral and on the day of the funeral until immediately following the funeral ceremony.

Action: PS, MHA; PAS, MHA

EX MIN 16/347

SIGNING OF ANGUILLA AIR AND SEA PORTS AUTHORITY ACT (AMENDMENT) REGULATIONS

Council agreed that the matter should be deferred until Thursday 23 June 2016.

Action: PS, MICUHAFIT; HON AG; HON MIN, MICUHAFIT

EX MIN 16/348

EX MEM 16/208 PAYMENT OF REMAINDER OF DEFERRED SALARY – MS B*[note on publication: name redacted to protect personal health information]*

Further to EX MIN 15/697 of 17 December 2015, Council agreed that Ms. B, who is employed in the Department of Immigration should be paid the remaining portion of her deferred salary in the sum of EC\$49,290.55 to enable her to seek medical attention overseas.

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

Action: CIO; PS, PA; PS, FIN; PS, EDICTLP; ACC GEN

EX MIN 16/349

EX MEM 16/209 PAYMENT OF DEFERRED SALARY – MS C*[note on publication: name redacted to protect personal health information]*

Council agreed that Ms. C, who is employed by the Anguilla Public Service should be paid her deferred salary in the sum of EC\$6,740.46 to assist her with costs associated with her infant's medical condition.

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

Action: PS, FIN; PS, PA; PS, EDICTLP; BD; ACC GEN

EX MIN 16/350

EX MEM 16/210 PAYMENT OF DEFERRED SALARY – MS D*[note on publication: name redacted to protect personal health information]*

Council agreed that Ms. D, who is employed in the Customs Department should be paid her deferred salary of EC\$12,886.16 to assist her with costs associated with her pending surgery.

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

Action: COC; PS, PA; PS, FIN; PS, EDICTLP; ACC GEN

EX MIN 16/351

EX MEM 16/211 APPLICATION FOR DUTY EXEMPTION BY DARIUS RICHARDSON

Council agreed that duty exemption should be granted to Mr Darius Richardson on the following fishing items:-

- 1) 1 Arctic-Temp Model 750M-L208/230 R404A 1CG machine and compressor
- 2) 1 Gas platform scale model BW-150
- 3) 1 Casio cash register model 5400

- 4) 1 case thermal paper roll x 50 rolls
- 5) 3 120qt Xtreme coolers
- 6) 4 sheets of aluminum
- 7) 9 CF deep freezer
- 8) 5 CF deep freezer
- 9) 2 x 23 CF insulated ice boxes with lids

Council further agreed that the 5% administrative fee must be paid.

The estimated duty loss to the the GoA is EC\$11,340.26.

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

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

EX MIN 16/352

EX MEM 16/212 FIRST SUPPLEMENTARY AGREEMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN ANGUILLAN DEVELOPMENT CORPORATION (ADC) AND GOVERNMENT OF ANGUILLA

The following persons joined the Meeting:-

Mrs Anthea Ipinson-Connor, PS, EDICTLP (Acting)
 Mrs Lynne Smith, DLS (Acting)
 Ms Marisa Harding-Hodge, Compliance Officer

Council approved the amendment of the Anguillan Development Corporation MoUs ('Villa and Residential Component' and 'Hotel Project') between the ADC and Government of Anguilla to include the below clauses, once vetted by the Attorney General's Chambers:-

1. Stamp Duty
 - (a) The Government and Developer agree that Stamp Duty under the Stamp Act, R.S.A. c. S55 cannot be waived and thus will be levied in full on all property acquired, purchased or leased by the Developer or transferred to the Developer as part of the Project, on the initial sale of each Luxury Real Estate product (by the Developer) and any subsequent re-sale of each Luxury Real Estate Product (i.e. by the party that purchased its Luxury Real Estate Product from the Developer, and all subsequent re-sales thereafter).
2. Aliens Land Holding Regulation Act ("ALHRA") License Fees
 - (a) The Government agrees in principle, subject to the normal regulatory process, to grant to the Developer an Aliens Land Holding Licence to purchase or lease land as part of the Project. The Developer will pay Stamp

Duty under the Aliens Land Holding Regulation Act, R.S.A. c. A55 (the "ALHRA") of [3.9397326%] to the Government of Anguilla in respect of all property purchased or leased by the Developer as part of the Project.

3. Acquisition of Additional Contiguous Parcels
 - (a) The terms and conditions of this MOU, as well as the Government's concessions granted hereunder, as provided in this MOU shall apply to any additional third party contiguous parcels acquired by the Developer within a ten (10) year period after the Effective Date of the MOU, provided that the acquisition of such third party parcels is demonstrated to the Government to be necessary for the development of the Project.

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

Action: HON AG; PS, EDICTLP (Acting); DLS (Acting); COM OFF

EX MIN 16/353

EX MEM 16/213 AMENDMENT TO EX CO MINUTE 16/328 GRANTING A LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – ANGUILLAN DEVELOPMENT CORPORATION LTD – REGISTRATION SECTION WEST CENTRAL, BLOCK 28110 B, PARCEL 52, CONTAINING 0.80 OF AN ACRE

PS, EDICTLP (Acting), DLS (Acting), and Compliance Officer remained for discussion.

Council agreed that EX MIN 16/328 of 2 June 2016 should be amended to show the reduced Stamp Duties payable, and to include paragraph (d) as follows:-

- (a) Payment of the following fees:-

(i)	Stamp Duty on Licence @ 4% of EC\$1,344,100.00	EC\$ 53,764.00
(ii)	Stamp Duty on transfer @ 5% EC\$1,344,100.00	<u>EC\$ 67,205.00</u>
	TOTAL	<u>EC\$120,969.00</u>
- (b) the Ministry of Lands pursues the collection of outstanding monies due and owing to the Government of Anguilla for Stamp Duty payment on the transfer of remaining Parcel to ADC (i.e. Parcel 81 on Block 28110 B, in Registration Section West Central);
- (c) all new licences for properties which formed part of the former Flags freehold sales program should have a Clause included which stipulates that the Licencee is to complete construction within four (4) years; and
- (d) a Supplementary Agreement/Memorandum of Understanding should be entered into to allow for reduced Stamp Duties of 4% under the Aliens Land Holding Regulations Act to cover additional contiguous parcels of land

surrounding the Cuisinart Golf Course Project which the applicant, Anguillan Development Corporation Ltd is desirous of acquiring and that said Supplementary Agreement/Memorandum of Understanding should have the effective date of the existing Memorandum of Understanding signed in 2012.

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

Action: PS, EDICTLP (Acting); PS, FIN; DLS (Acting); COM OFF

EX MIN 16/354

EX MEM 16/214 AMENDMENT TO EXCO MINUTE 16/329 GRANTING A LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – ANGUILLAN DEVELOPMENT CORPORATION LTD – REGISTRATION SECTION WEST CENTRAL, BLOCK 28110 B, PARCEL 65, CONTAINING 0.50 OF AN ACRE

PS, EDICTLP (Acting), DLS (Acting) and Compliance Officer remained for discussion.

Council agreed that EX MIN 16/329 of 2 June 2016 should be amended to show the reduced Stamp Duties payable, to make an amendment to paragraph (b) and to include paragraph (d) as follows:-

(a) Payment of the following fees:-

(i)	Stamp Duty on Licence @ 4% of EC\$860,224.00	EC\$34,408.96
(ii)	Stamp Duty on transfer @ 5% EC\$860,224.00	<u>EC\$43,011.20</u>
	TOTAL	<u>EC\$77,420.16</u>

- (b) the Ministry of Lands pursues the collection of outstanding monies due and owing to the Government of Anguilla for Stamp Duty payment on the transfer of remaining Parcel to ADC (i.e. Parcel 81 on Block 28110 B, in Registration Section West Central);
- (c) all new licences for properties which formed part of the former Flags freehold sales program should have a Clause included which stipulates that the Licencee is to complete construction within four (4) years; and
- (d) a Supplementary Agreement/Memorandum of Understanding should be entered into to allow for reduced Stamp Duties of 4% under the Aliens Land Holding Regulations Act to cover additional contiguous Parcels of land surrounding the Cuisinart Golf Course Project which the applicant, Anguillan Development Corporation Ltd is desirous of acquiring and that said Supplementary Agreement/Memorandum of Understanding should have the effective date of the existing Memorandum of Understanding signed in 2012.

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

Action: PS, EDICTLP (Acting); PS, FIN; DLS (Acting); COM OFF

EX MIN 16/355

EX MEM 16/215 H.O.P.E CENTRE FUNDRAISER

Council noted that the H.O.P.E Center Ltd. Fundraising Committee Group is a community group based in East End. The group along with the Morris Vanterpool Primary School and the AXA Cycling Association were finalising plans for a festival dubbed, "The Village Ting" scheduled for Monday 13 June 2016. The H.O.P.E Center Ltd. Fundraising Committee Group intended to bring the Onyan and Cylinder Band to Anguilla to provide musical entertainment at the festival, while raising funds for several worthy causes.

Council agreed that the four (4) members of the Onyan and 3 Cylinder Band should be granted exemption from the work permit requirement in accordance with Section 3 (g) of the Control of Employment Act.

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

Action: PS, IMM; LAB COM; CIO

ORAL MENTION

EX MIN 16/356

MEETING OF THE HOUSE OF ASSEMBLY

Ministers expressed the intention to have a Meeting of the House of Assembly on Tuesday, 21st June 2016, subject to communication with the Speaker.

Action: CLERK, HOA

EX MIN 16/357

OVERSEAS TRAVEL

The Hon Minister of Infrastructure informed Council that he would be off island from 11 – 18 June 2016 to attend the Second Summit of OCTA Energy Ministers Conference and the Green Aruba Seven Pre-event in Brussels.

Action: EXCO MEMBERS

EX MIN 16/358

PRESENTATION BY GLOBAL PARTNERS INTERNATIONAL

The following persons joined the Meeting:-

Mr Al C. Elliot, Legal Executive, Global Partners International

Mr Richard Branch, Finance Executive & Projects Coordinator, Global Partners
International

Mr Dasrat Sugrim, Executive Director, Global Partners International

The officials from Global Partners International gave a presentation relating to a possible housing project for Anguilla. The main presenter, Mr Al C. Elliot, Legal Executive for the company spoke about a housing project the company had established in St. Vincent. He said that over the past six (6) years close to one thousand (1,000) homes had been constructed in St. Vincent and that there was a waiting list for about six thousand (6,000) more homes to be constructed.

Mr Elliot indicated that the project consists of two and three-bedroom houses. The price for a three-bedroom house was approximately US\$70-75,000 with the two-bedroom homes being much cheaper. However, it was noted that in St Vincent, the Government had provided land for construction to take place. It was proposed that 100-500 homes would be targeted. He pointed out that the homes would not be constructed at one time but in phases and that a minimum of 100 homes would be the starting point.

Council noted the possible investment opportunities such a project could generate. Council suggested that the necessary information should be shared with the relevant officials to determine Anguilla's housing demands.

Action: PS, MICUHAFIT; MINS OF GOV'T
