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**MINUTES OF THE 89<sup>TH</sup> MEETING OF THE ELEVENTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON THURSDAY 9<sup>TH</sup> MARCH 2017**

PRESENT: Her Excellency the Governor, Ms Christina Scott

The Honourable Victor Banks, Chief Minister and Minister of Finance,  
Economic Development, Commerce, Tourism, Lands & Physical Planning

The Honourable Acting Deputy Governor, Dr Bonnie Richardson-Lake

The Honourable Evans Rogers, Minister of Health and Social Development

The Honourable Cora Richardson-Hodge, Minister of Home Affairs, Immigration,  
Labour, Environment, Human Rights, Gender Affairs, Constitutional Affairs and  
Information and Broadcasting

The Honourable Curtis Richardson, Minister of Infrastructure, Communications,  
Utilities, Housing, Agriculture and Fisheries and Information Technology

The Honourable Attorney General, Mr John McKendrick QC

Mrs Jewelle Fleming, Clerk to Executive Council

IN ATTENDANCE: Hon Cardigan Connor, Parliamentary Secretary  
Mrs Evalie Bradley, Ministerial Assistant to the Hon Minister, MHA  
Mrs Chanelle Petty-Barrett, PS, MHA  
Mrs Aunika Webster-Lake, Labour Commissioner

ABSENT: The Honourable Deputy Governor, Mr Perin Bradley

EX MIN 17/91 **CONFIRMATION OF THE MINUTES**

Hon Cardigan Connor, Parliamentary Secretary and Mrs Evalie Bradley, Ministerial Assistant to the Hon Minister, MHA joined the Meeting.

Council confirmed the Minutes of the 88<sup>th</sup> Meeting held on Wednesday 1<sup>st</sup> March 2017.

**MATTERS ARISING FROM THE MINUTES**

EX MIN 17/92

None

EX MIN 17/93

**EX MEM 17/56 AMENDMENT TO THE INLAND REVENUE DEPARTMENT, R.S.A. CI13, CERTIFICATE OF GOOD STANDING REGULATIONS, 2012**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Council:-

- (i) noted that since the passing of The Inland Revenue Department, R.S.A. CI13, Certificate of Good Standing Regulations, 2012, there have been cases where the Estate of the deceased owes Government, but these debts have not been captured as there is no requirement under the Regulations for a Certificate for the deceased to be produced to the Registrar of Lands when the Personal Representative is administering the Estate;
- (ii) agreed that some further work was required to explain the policy contiguous to the Regulations pertaining to deceased persons; and
- (iii) agreed that the definition of tax as it relates to deceased persons be determined, and reflected in updated Regulations to be prepared by the Attorney General's Chambers.

Action: PS, EDICTLP; HON AG; CIR; DLS

EX MIN 17/94

**EX MEM 17/57 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – MICHAEL STEPHEN CONLIN AND PATRICIA ANNE CONLIN – REGISTRATION SECTION EAST END BLOCK 99315 B, PARCEL 119, CONTAINING 0.40 ACRE**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Council agreed that an Aliens Land Holding Licence should be issued to Michael Stephen Conlin and Patricia Anne Conlin, to hold, on a freehold basis, 0.40 of an acre of land with a dwelling house thereon, described as Registration Section East End, Block 99315 B, Parcel 119, located at Sea Feathers, subject to the following:-

- (a) the payment of the following fees:-
  - (i) under the Stamp Act – 5%  
of EC\$1,142,485.00 EC\$ 57,124.25

(ii) under the Aliens Land Holding Regulation Act –5% of EC\$1,142,485.00	EC\$ 57,124.25 -----
<b>TOTAL</b>	<b>EC\$114,248.50</b> =====

- (b) the Ministry of FEDICTLP to reissue an Aliens Land Holding Licence with the corrected Parcel number to Rainbow Reef Villas Ltd for property described in Registration Section East End, Block 99315 B, Parcel 72 as a replacement, subject to the Governor’s written approval.

Action: PS, EDICTLP; PS, FIN; DLS

EX MIN 17/95

**EX MEM 17/58 REFUSAL TO GRANT WORK PERMITS**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance. The following persons joined the Meeting:-

Mrs Chanelle Petty-Barrett, PS, MHA  
Mrs Aunika Webster-Lake, Labour Commissioner

In keeping with section 4 (1) of the Control of Employment Act, Council agreed with the recommendation from the Hon Minister of Home Affairs, Immigration and Labour that thirty-seven (37) persons should not be granted work permits to work in Anguilla.

Council agreed to the refusal of the work permits on the grounds that:-

- (a) there are suitably qualified belongers of Anguilla who can do the work;
- (b) the wages proposed to be paid for the positions are such that it is likely that these persons will be unable to sustain themselves in Anguilla or will have to seek additional work (which is prohibited for persons already in possession of a work permit); and
- (c) based on the cost to sustain a livelihood in Anguilla, most of these persons will fall below the poverty line (approximately EC\$17,390 per annum) or the vulnerability (i.e. at risk of being poor if there is any external shock) line (approximately EC\$21,740 per annum) which will put an additional strain on social services.

Action: PS, MHA; LAB COM; CIO; HON MIN, MHA

EX MIN 17/96

**EX MEM 17/59 APPEAL AGAINST PLANNING PERMISSION – GILLIAN KANEPS (#16/0258), AND ARLENA EVETTE WILLIAMS (#16/0027)**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Council agreed that:-

- (a) Ms Gillian Kaneps' appeal against the refusal of planning permission to erect a container dwelling house on Parcel 483 of Block 08513 at North Hill should be allowed for the following reasons, and subject to the following conditions:-

Reasons

- (i) the surrounding area is already used for commercial and industrial purposes such as an auto garage, boat yard and marine supplies store. This is the site for the proposed container dwelling house, which is adjacent to a boat building facility and marine supplies shop, and opposite a residential site used for an auto garage. The site is therefore not readily conducive as a tourist locality; and
- (ii) some of the residents of the area have indicated that they have no objection to the erection of a container dwelling house.

Conditions

- (i) the cladding must be completed;
  - (ii) the container is properly secured to the satisfaction of the Ministry with responsibility for Infrastructure; and
  - (iii) the sanitary facilities are completed to the satisfaction of the Health Protection Department.
- (b) Ms Arlena Evette Williams appeal against the refusal of planning permission to erect a tent on Parcel 228 of Block 488144 at The Valley should be allowed for the following reason, and subject to the following condition:-

Reason

- (i) the approval is for a period of two years. At the end of this period or on completion of the upgrade of the Valley Down Town upgrade, the Government will decide if the operation should cease or be allowed to continue for another period.

Condition

- (ii) the operation must operate to the satisfaction of the Department of Health Protection for sanitary purposes, and the Department of Infrastructure for traffic flow.

Council further agreed that the GoA's policy relating to mobile/portable and containerised units should be revisited on a broader scale with a view to looking at more economic buildings which are consistent with safety, amenities, physical and aesthetic appearances and the image that Anguilla portrays as a high end tourism destination.

Action: PS, EDICTLP; PS, MICUHAFIT; DHP; DLS; PPO

**ORAL MENTION**

EX MIN 17/97

**MARCH ASSIZES**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

The Hon Attorney General informed Council that the March Assizes may have to be moved to May. Concern was raised regarding payments for outside Counsel representing persons and the likely financial implications because of the court delay.

Council agreed that discussions on securing a temporary judge in the future would be helpful.

Action: HON AG

EX MIN 17/98

**SOLID WASTE MANAGEMENT CONTRACTS**

Hon Parliamentary Secretary and Ministerial Assistant to the Hon Minister, MHA remained in attendance.

Council continued to raise concern that the award of contracts for solid waste management had taken such a lengthy time to be resolved. Council reiterated the urgency of the relevant officials working together to ensure that a permanent contract for solid waste management is in place by May 2017.

Action: PS, HSD; CHIEF PROC OFF; HON AG; PS, PA; PS, FIN; PAS, FIN; PS, EDICTLP; CPO; BD

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