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**MINUTES OF THE 93<sup>RD</sup> MEETING OF THE TENTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON FRIDAY 17<sup>TH</sup> FEBRUARY 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 Edison Baird, Minister of Social Development, Health, Sports  
and Education
- 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: Dr Bonnie Richardson-Lake, PS, HSD  
Dr Aidan Harrigan, PS, FIN  
Mr Gifford Connor, DLS  
Mr Leslie Hodge, Surveyor/Understudy to DLS

EX MIN 12/100

**CONFIRMATION OF THE MINUTES**

Council confirmed the Minutes of the 91<sup>st</sup> and 92<sup>nd</sup> Meetings held on Thursday 2<sup>nd</sup> February and Thursday 9<sup>th</sup> February 2012 respectively and the Minutes of Special Meetings held on Friday 3<sup>rd</sup> February, Monday 6<sup>th</sup> February, Wednesday 8<sup>th</sup> February and Monday 13<sup>th</sup> February 2012.

**OUTSTANDING ITEM FOR EXCO**

1. EX MIN 08/761                      IMMIGRATION AND LABOUR POLICY  
of 11 December 2008  
Action: PS, MHA; AG

**MATTERS ARISING FROM THE MINUTES**

EX MIN 12/101

**EX MIN 12/59 EX MEM 12/24 BOARD OF GOVERNORS OF THE ALBENA LAKE-HODGE COMPREHENSIVE SCHOOL**

In EX MIN 12/59 of 2<sup>nd</sup> February 2012, the paper was deferred for further discussion between the Hon Minister, MSD and the Hon Minister, MHA/LANDS.

Council noted that the paper was an information paper which outlined the establishment of a new Board effective 13<sup>th</sup> February 2012 consisting of the following persons:

Mrs Ingrid Lake	Principal (Ex Officio)
Mr Owen Mussington	PTA Representative
Ms Michelle Queeley	Staff Representative
Mrs Hyacinth Hughes	Expert Educational Opinion
Pastor Phillip Gumbs	Religious Denominations
Mr Monsell Lloyd	Business Organisations
Mrs Lana Hoyoung	Community Development Organisations
Ms Dawne Richardson	National Interest

Action: PS, ELSYC; PS, PA; AG; PS, MHA/LANDS; CEO

EX MIN 12/103

**EX MIN 12/60 EX MEM 12/25 HEALTH SECTOR REVIEW**

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

Council agreed that:-

- 1) the National Health Fund (NHF) should function as a purchaser of health care services;
- 2) the NHF should be managed by a financially qualified CEO with support from the Ministry's Chief Medical Officer (CMO);
- 3) members of the NHF Board should be appointed as follows:-
  - (i) FEDICT appoints two (2) persons
  - (ii) MSD appoints one (1) person
  - (iii) NGO appoints two (2) persons
- 4) members of the Health Authority of Anguilla (HAA) should be appointed by:-

- (i) FEDICT – one (1) person
- (ii) MSD – two (2) persons
- (iii) NGO – two (2) persons

Council further agreed that the AG's Chambers and MSD would collaborate to amend the relevant Acts to effect the changes in sub-paragraphs (3) and (4) above.

- 5) the Primary Health Care Services and the Princess Alexandra Hospital should not be governed by two separate entities;
- 6) the ultimate goal was to have three (3) polyclinics on the island:-
  - a) one at the western end of the island
  - b) one at the Valley
  - c) one at eastern end (polyclinic already built in Welches to serve the residents of East End and surrounding villages);

Council agreed that the residents of East End should be clearly informed that the HAA would be monitoring the usage of the clinic in East End over the next three (3) months.

- 7) the number of beds at the Princess Alexandra should not be reduced;
- 8) 24 hour physician coverage should be retained in Accident & Emergency;
- 9) the retention of a health management team to lead in the transition to the NHF and reform of the HAA should not be considered at this time. Council agreed that, if in three months time the MSD decides there is a need for a management team, the matter will be looked at again.

Action: PS, HSD; PS, FIN; AG; PS, EDICT

EX MIN 12/104

**EX MIN 12/62 EX MEM 12/27 ADJUSTMENTS TO THE SOLID WASTE MANAGEMENT CONTRACTS**

PS, HSD remained for discussion.

The Hon Deputy Governor declared an interest and absented himself from discussion because his brother is a Solid Waste Management contractor.

Council noted that a total of \$567,861 which was not included in the 2012 budget estimates was required to meet the GoA's contractual obligations for the period September 2010 – August 2012 and that additional monies will be required later in the year to finance solid waste management.

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

EX MIN 12/105

**EX MEM 12/39 FILLING OF 5 PRISON OFFICER POSTS**

PS, HSD remained for discussion.

Council:-

- (i) agreed to remove the post of Principal Officer and replace that post with another post of Basic Grade Prison Officer (as opposed to four (4) Basic Grade Officers and one (1) Principal Officer);
- (ii) agreed that the posts of five (5) Basic Grade Prison Officers should be immediately advertised.

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

Action: PS, HSD; PS, PA; AG; PS, FIN; PS, EDICT; BO; SOP

EX MIN 12/106

**EX MEM 12/40 ANGUILLA COMMUNITY COLLEGE BOARD OF GOVERNORS**

Council agreed that the following persons should constitute the new Board of Governors for the Anguilla Community College (ACC) effective 1 March 2012:-

Mrs. Rhona Richardson-Roydon (industry/NGO)  
 Mrs. Rosena Brooks (curriculum development)  
 Mrs Yolande Richardson (education planning and management)  
 Mrs. Bernice Critchlow-Earle (education management at tertiary level)  
 Mr. Carlyle Rogers (finance, economics and business)  
 Mr. Kenneth Porter (law)  
 Mr. Vanburn Brooks (business and project management)  
 Mrs. Amelia Vanterpool-Kubisch (industry)  
 Reverend H Clifton Niles (NGO)  
 Professor Delroy Loudon (President - Ex Officio Member)

Council further agreed that Mrs Rhona Richardson-Roydon and Mrs Rosena Brooks should continue in the positions of Chairperson and Deputy Chairperson respectively.

Council also agreed the continuation of monthly remuneration to members as follows:-

Chairperson	\$1,800.00
Deputy Chairperson	\$1,650.00
Member	\$1,500.00

Council noted that the continuation of the above rates have already been provided for in the subvention given to the ACC for 2012.

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

Action: PS, ELSYC; PS, FIN; PS, EDICT; ACC GEN

EX MIN 12/107

**EX MEM 12/41 WAIVER OF STAMP DUTY FOR THE TRANSFER OF PROPERTY AT THE FOREST FROM THE LAKES' ESTATE TO CONCH BAY DEVELOPMENT LTD.**

Messrs Gifford Connor, DLS and Leslie Hodge, Surveyor/Understudy to DLS joined the Meeting.

Council accepted the advice from the Attorney General's Chambers that in confirming its decision outlined in EX MIN 12/58 of 2<sup>nd</sup> February 2012 that the stated charges in favour of the Government of Anguilla for the stated amounts registered against properties registered to Bernice Lake and Cuthwin Lake as Executors of the will of Albena Lake-Hodge and Conch Bay Development Ltd have also been waived.

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

EX MIN 12/108

**EX MEM 12/42 RENAMING OF TWO ROADS/RENAMING OF A JETTY/DECLARATION OF NATIONAL SYMBOLS**

Council agreed that:-

- (i) the Cauls Bottom Road should be renamed the Ruben Hodge Road;
- (ii) the Ultra Cool Road should be renamed the Arthur Richardson Road;
- (iii) the Island Harbour Jetty should be renamed the Robert Benjamin Harrigan Jetty;
- (iv) the White Cedar Flower should be declared as the National Flower;
- (v) the White Cedar Tree should be declared as the National Tree;
- (vi) Peas and Rice with Fish should be declared as the National Dish;
- (vii) the Ground Lizard should be declared as the National Animal;
- (viii) Orange, White and Turquoise should be declared as The National Colours;
- (ix) Boat Racing should be declared as the National Sport.

Council further agreed that the Sugar Apple as the National Fruit did not meet the set criteria and that the matter should be revisited.

Council also agreed that:-

- a) the process of naming roads, schools and other entities should also be open for nominations from the general public;
- b) more than one name should be submitted in each category of nomination;
- c) roads should be properly demarcated.

Action: PS, MHA/LANDS; PAS, MHA; PS, MICUH

EX MIN 12/109

**EX MEM 12/43****EXEMPTION FROM THE WORK PERMIT  
REQUIREMENT – RAINBOW ISLES ESCAPE LTD.**

Council agreed that Ms Kristin Nicole Bourne, who was previously employed by Young & Rubicam/Wunderman, a global marketing and advertising firm and who will be employed as Marketing/Advertising/Public Relations Manager with Rainbow Isles Escape Ltd should be exempted from the requirement of a work permit for one year in accordance with Section 3 (g) of the Control of Employment Act.

Council noted that the post was advertised during the period 13<sup>th</sup> to 27<sup>th</sup> December 2011.

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

EX MIN 12/110

**EX MEM 12/44 APPEAL AGAINST PLANNING PERMISSION – EVAN  
ANDERSON**

Council agreed that the appeal against planning permission for Mr Evan Anderson to construct an addition to a Gym and Den at North Side, Anguilla (Block 587415B Parcel 427 should be allowed.

Action: PS, MHA/LANDS; PPO

EX MIN 12/111

**EX MEM 12/45 APPEAL AGAINST PLANNING PERMISSION –  
ANGUILLA DRAG RACING ASSOCIATION**

EX MIN 11/469 of 27 July 2011 refers.

Council noted the new site plan map by the Association indicating that the race track had been adjusted 100 feet eastwards at the northern end and 40 feet eastwards on the southern end.

Council agreed that the appeal against planning permission for the Anguilla Drag Racing Association to establish a drag strip on Block 38811B Parcel 88 at Corito should be allowed.

Action: PS, MHA/LANDS; PPO

EX MIN 12/112

**EX MEM 12/46 PAYMENT OF FULL HOUSING ALLOWANCE TO MS  
SLYVIA ERNI**

Council did not agree to the request from Ms Sylvia Erni, Planner in the Department of Physical Planning for payment of full Housing Allowance.

Action: PS, MHA/LANDS; PS, PA; PPO

EX MIN 12/113

**EX MEM 12/47 BILLS OF EXCHANGE (AMENDMENT ACT) 2012**

Dr Aidan Harrigan, PS, FIN joined the Meeting.

Council agreed that:-

- (i) the Bills of Exchange Act (Amendment Act), 2012 should be gazetted;
- (ii) the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> readings should be considered by the House of Assembly on an expedited basis in order to meet the March 15, 2012 deadline required to facilitate the coming into effect of the Eastern Caribbean Automated Clearing House Services Incorporated (ECACH).

Action: PS, FIN; PS, EDICT; CLERK, HOA

EX MIN 12/114

**EX MEM 12/48 APPLICATION FOR DUTY EXEMPTION FOR MOONSPLASH**

Council agreed that duty exemption should be granted for Moonsplash (c/o Mr Clement A. Banks) on the attached list of donated items to stage their annual event. Council supported this request because it falls in line with eligible projects that support the development of the island tourism product.

Action: PS, FIN; COC; FO

EX MIN 12/115

**EX MEM 12/49 APPLICATION FOR ALIENS LAND HOLDING LICENCE FOR ANGUILLAN DEVELOPMENT CORPORATION LTD TO ACQUIRE PROPERTIES BLOCK 28110B PARCELS 8, 11 AND 18 (NOW PARCEL 81) IN REGISTRATION SECTION WEST CENTRAL BEING 11 ACRES, 4 ACRES AND 3.61 ACRES OF LAND, RESPECTIVELY**

DLS and Surveyor/Understudy to DLS remained for discussion.

Council agreed that an Aliens Land Holding Licence should be issued to Anguillian Development Corporation Ltd to hold the properties (Block 28110 Parcels 8, 11 and 81 in Registration Section West Central being 11 acres, 4 acres and 3.61 acres of land respectively) with an exemption from the payment of Stamp Duty on the Aliens Land Holding Licence under Section 16 of the Aliens Land Holdings Regulations Act RSA, CA55, subject to payment of the following stamp duty:-

(i)	An outstanding balance in accordance with ALHL	=	EC\$ 292,981.94
(ii)	Stamp Duty under the Stamp Act – 5% of EC\$53,764,000.00	=	EC\$2,688,200.00
(iii)	Stamp Duty under the ALHL Regulation Ordinance – 12.5% of EC\$53,764,000.00	=	Exempted
	<b>TOTAL</b>	=	<b><u>EC\$2,981,181.94</u></b>

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

EX MIN 12/116

**EX MEM 12/50 APPLICATION FOR ALIENS LAND HOLDING LICENCE FOR ANGUILLAN DEVELOPMENT CORPORATION LTD TO ACQUIRE PROPERTIES (BLOCK 28210B PARCELS 3, 24, 25 AND 59**

**BEING 5 ACRES, 2 ACRES, 2 ACRES AND 0.9 ACRE OF LAND  
RESPECTIVELY**

Council agreed that:-

- (i) the approval granted in the EXCO Minutes No. 00/459 dated December 21, 2000, No. 00/375 dated November 9, 2000, No. 00/374 dated November 2, 2000 and No. 00/373 dated November 2, 2000 should be rescinded;
- (ii) Anguillan Development Corporation Ltd. be granted Aliens Land Holding Licences to acquire properties (Block 28210 B Parcels 3, 24, 25, and 59 being 5 acres, 2 acres, 2 acres and 0.9 acres of land respectively);
- (iii) Stamp Duties payable are as follows:-

**Parcel 3**

(i) Stamp Duty under the Stamp Act – 5% of EC\$427,200.00	=	EC\$21,360.00
(ii) Stamp Duty under the ALHL Regulation Ordinance - 12.5% of EC\$427,200.00	=	<u>EC\$53,400.00</u>
<b>TOTAL</b>	=	<b><u>EC\$74,760.00</u></b>

**Parcel 24**

(i) Under the Stamp Act – 5% of EC\$1,154,250.00	=	EC\$57,712.50
(ii) Under the ALHL Regulations Ordinance - 12.5% of EC\$1,154,250.00	=	<u>EC\$144,281.25</u>
<b>TOTAL</b>	=	<b><u>EC\$201,993.75</u></b>

**Parcel 25**

(i) Under the Stamp Act – 5% of EC\$1,154,250.00	=	EC\$ 57,712.50
(ii) Under the ALHL Regulations Ordinance - 12.5% of EC\$1,154,250.00	=	<u>EC\$144,281.25</u>



**TOTAL = EC\$201,993.75**

**Parcel 59**

(i) Under the Stamp Act – 5% of EC\$1,344,100.00 = EC\$ 67,205.00

(ii) Stamp Duty of ALHL - 12.5% of EC\$1,344,100.00 = EC\$168,012.50

**TOTAL = EC\$235,217.50**

**TOTAL AMT OUTSTANDING = EC\$713,965.00**

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

EX MIN 12/117

**EX MEM 12/51 APPLICATION FOR ALIENS LAND HOLDING LICENCE FOR ANGUILLAN DEVELOPMENT CORPORATION LTD TO ACQUIRE PROPERTY (REGISTRATION SECTION, WEST CENTRAL, BLOCK 28210B PARCEL 60)**

Council agreed that an Aliens Land Holding Licence should be issued to Anguillan Development Corporation Ltd. to hold the freehold interest of Parcel 60 on Block 282110B, Registration Section West Central, subject to payment of the following stamp duties:-

(i) Under the Stamp Act – 5% of EC\$1,344,100.00 = EC\$ 67,205.00

(ii) Under the Aliens Land Holding Regulations Act – 12.5% of EC\$1,344,100.00 = EC\$168,012.50

**TOTAL = EC\$235,217.50**

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

EX MIN 12/118

**EX MEM 12/52 APPLICATION FOR DUTY EXEMPTION FOR PAT-BAN**

Council agreed that the paper should be deferred for the PS, FIN and Comptroller of Customs to be present in Executive Council for discussion.

Action: PS, FIN; COC; FO

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