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**MINUTES OF THE 146<sup>TH</sup> MEETING OF THE TENTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON THURSDAY 4<sup>TH</sup> APRIL 2013**

**PRESENT:**

His Excellency the Governor, Mr Alistair Harrison

The Honourable Hubert Hughes, Chief Minister and Minister of Finance,  
Economic Development, Investment, Commerce and Tourism and Minister  
of Labour and Immigration

The Honourable Acting Deputy Governor, Mr Larry Franklin

The Honourable Jerome Roberts, Minister of 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 Wycliffe Fahie, PAS, FIN  
Mrs Chanelle Petty-Barrett, PS, ELSYC  
Dr Aidan Harrigan, PS, FIN  
Ms Anthea Ipinson, Chief Project Officer  
Mr Bancroft Battick, Chief Engineer  
Mr Nigel Connor, Deputy Chief Engineer  
Mr Rommel Hughes, CEO, WCA

**ABSENT:**

The Honourable Deputy Governor, Mr Stanley Reid

The Honourable Edison Baird, Minister of Social Development, Health, Sports  
and Education

**EX MIN 13/233**      **CONFIRMATION OF THE MINUTES**

Council confirmed the Minutes of the 145<sup>th</sup> Meeting held on Thursday 28<sup>th</sup> March 2013.

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**MATTERS ARISING FROM THE MINUTES**

EX MIN 13/234

**EX MIN 13/212 FRAMEWORK FOR FISCAL SUSTAINABILITY AND DEVELOPMENT (FFSD)**

EX MIN 13/212 of 28<sup>th</sup> March 2012 refers.

The following Officials joined the Meeting:-

Dr Aidan Harrigan, PS, FIN  
Ms Anthea Ipinson, Chief Project Officer  
Mr Bancroft Battick, Chief Engineer

PS, FIN indicated to Council that all the technical issues with regard to the FFSD had been settled and the only remaining issue was the language with respect to the Review Clause. He stated that following the teleconference on Tuesday 2<sup>nd</sup> April with FCO and relevant officials that the FCO had indicated that the language in the framework should be retained and will be addressed when the legislation is being drafted.

The Hon CM reiterated that his concern was the delayed assent to the 2013 Budget. HE The Governor pointed out that the signing of the FFSD today would determine how soon the 2013 Budget would be assented to. The CM went on to say that he was willing to sign the FFSD today, provided that the Budget is signed simultaneously.

Ministers of Government requested a separate discussion with FEDICT Officials on the matter. Other members of Executive Council absented themselves from the EXCO Chamber and EXCO adjourned.

On the resumption of the EXCO meeting, the Hon CM announced that he would be signing the FFSD on Friday 5<sup>th</sup> April 2013 at 9:00 am in the presence of the Press.

Council agreed that the relevant officials will have further discussions with FCO via teleconference on Friday 5<sup>th</sup> April at 9:30 am on the 2013 Budget.

Action: PS, FIN; PS, EDICT; DM; CPO

EX MIN 13/235

**EX MIN 13/216 EX MEM 13/108 IMPLICATIONS OF DRAG RACING ON CROWN LANDS**

Council agreed that the second paragraph of EX MIN 13/216 of 28<sup>th</sup> March 2013 should be amended as follows:-

Council:-

- (i) agreed that the Department of Environment in the Ministry of Home Affairs should carry out an assessment for the proposed racetrack in the Corito area:
  
- (ii) agreed that the GoA should consult with the following:-
  - a) the RAPF, the Health Authority and Fire Chief
  - b) Delta, Sol and Anglec
  
- (iii) further agreed that it would be helpful to schedule a meeting with the AG's Chambers and ADRA for further discussion on the matter;
  
- (iv) also agreed that a site visit should be made to the racetrack and that the meeting with the AG's Chambers and ADRA and the site visit should be held prior to consultation with the above authorities.

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

Action: PS, MHA/LANDS; AG; DIR, ENV; COP; DLS

EX MIN 13/236

**EX MIN 13/225 TIMING OF DOLPHIN APPEAL**

Further to EX MIN 13/225 of 28<sup>th</sup> March 2013, Council noted that the PS, MHA/LANDS had indicated that Thursday 25<sup>th</sup> April 2013 was suitable to deal with the Dolphin Appeals.

Council agreed to follow the same procedure that was done for the Viceroy Appeal.

Action: PS, MHA/LANDS

EX MIN 13/237

**EX MIN 13/229 OXFORD UNIVERSITY PRESS**

Council agreed that EX MIN 13/229 of 28<sup>th</sup> March 2013 should be amended to read:-

The Hon Attorney General informed Council that he had received a request by email (attached) from the Oxford University Press for permission to incorporate legislation from Anguilla in their book entitled, 'Protectors of Trust'.

Council agreed to the request on condition that a copy of the book is provided to the AG's Chambers.

Action: AG

EX MIN 13/239

**EX MEM 13/117 BANK MACHINES FOR DIRECT COLLECTION OF ACCOMMODATION TAX**

Dr Wycliffe Fahie, PAS, FIN joined the Meeting.

Council:-

- (i) agreed that a policy statement be drafted for the Ministry's approval and dissemination to all rental properties in Anguilla;
- (ii) agreed to coordinate with the Bank and the Rental Properties on the installation of the Bank Machines to collect Accommodation taxes.

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

Action: PS, FIN; PS, EDICT; PAS, FIN; CIR; ACC GEN

EX MIN 13/240

**EX MEM 13/118 INCENTIVIZING THE MANUFACTURING INDUSTRY IN ANGUILLA**

PAS, FIN remained for discussion.

Council:

- (i) agreed to allow businesses that manufacture on island a concession on the importation of any plant, machinery and raw materials to be used in the manufacturing business for a period not exceeding ten (10) years from the date at which the business starts up (in the case of manufacturing businesses that are already operational; from the date which they notify the Ministry of Finance, Commerce and Economic Development that they want to exploit this opportunity);
- (ii) agreed that the concession will only be granted to manufacturing businesses that have a minimum staff component of eighty-five (85%) local including management.
- (iii) further agreed that a detailed format, taking into account the suggestions put forward in Executive Council, be presented to the House of Assembly subsequently.

Action: PS, FIN; PS, EDICT; PAS, FIN; CIR; ACC GEN

EX MIN 13/241

**EX MEM 13/119 AMENDMENT OF THE TARIFF TO REMOVE DUTY ON ITEMS FOR FISHING AND BOAT RACING**

PAS, FIN remained for discussion

Council approved the amendment to the Customs Tariff to zero rate the attached items.

Action: PS, FIN; PS, EDICT; PAS, FIN; COC; ACC GEN

EX MIN 13/242

**EX MEM 13/120 CHARTER BOAT FEE**

PAS, FIN remained for discussion.

Council agreed, subject to consultation with the Ports Authority, to institute an EC\$13.50 fee on every passenger over the age of twelve (12) that will utilize the Charter Boats/Shuttle to Simpson Bay Lagoon irrespective of whether they use the Anguilla dock or not.

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

Action: PS, MICUH; PS, FIN; PS, EDICT; PAS, FIN; ACC GEN

EX MIN 13/243

**EX MEM 13/121 AMENDMENT TO EXCO MINUTE 13/180 GRANTING LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – ROBERT MICHAEL SCERBO (SECTION: EAST END; BLOCK: 99315B; PARCELS 43, 93 & 220 CONTAINING 0.58 ACRE)**

Council agreed that EX MIN 13/180 of 14<sup>th</sup> March 2013 should be amended to read:-

Council agreed to issue an Aliens Land Holding Licence to Robert Michael Scerbo, to hold 0.58 acre of land, on a freehold basis with a dwelling house thereon described as Registration Section East End Block 99315 B Parcels 43, 93 & 220 located at East End, subject to the payment of the following fees:-

(i)	under the Stamp Act – 5% of EC\$2,250,023.40	EC\$112,501.17
(ii)	under the Aliens Land Holding Regulations Act – 12.5% of EC\$2,250,023.40	EC\$281,252.93
	<b>TOTAL</b>	----- <b>EC\$393,754.10</b> =====

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

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

EX MIN 13/244

**EX MEM 13/122 APPROVAL OF A NATIONAL FUNERAL FOR THE LATE GIFFORD RICHARDSON IN RECOGNITION OF HIS INVALUABLE CONTRIBUTION DURING THE ANGUILLA REVOLUTION**

Council:-

- 1) agreed that a National Funeral should be held for the late Mr Gifford Richardson in collaboration with the family;
- 2) agreed to the publication of an official statement of condolence from the Government and people of Anguilla on the passing of this revolutionary hero;

- 3) agreed that flags be flown at half-mast on the day preceding the funeral and until dusk on the day of the funeral;
- 4) agreed that a Police Guard of Honour should be drawn up at the church and a contingent of uniformed officers bear the body in and out of the church and at the graveside. The casket should be covered with the national flag;
- 5) agreed to a contribution of EC\$8,000 towards the cost of the funeral expenses.

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

Action: PS, MHA/LANDS; PS, FIN; PS, EDICT; ACC GEN

EX MIN 13/245

**EX MEM 13/123 AUTHORIZATION OF FINAL GRATUITY PAYMENT TO MR WILLIAM “BILL” WITHERS, EXECUTIVE DIRECTOR OF THE PUBLIC UTILITIES COMMISSION**

Council agreed that the Governor-in-Council authorises that gratuity be paid to Mr William Withers in keeping with Section 13 of Mr Withers’ Letter of Appointment.

Action: PS, MICUH; PS, PA; PS, FIN; PS, EDICT; ACC GEN

EX MIN 13/246

**EX MEM 13/124 NEW AGREEMENT WITH THE BLOWING POINT YOUTH DEVELOPMENT CENTRE**

Mrs Chanelle Petty-Barrett, PS, ELSYC joined the Meeting.

Council approved the new Agreement between the GoA and the Blowing Point Youth Development Centre as the basis for Government’s continued support for the Centre.

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

Action: PS, ELSYC

EX MIN 13/247

**EX MEM 13/125 VALLEY ROADS IMPROVEMENT PROJECT**

PS, FIN and Chief Engineer remained for discussion. Mr Nigel Connor, Deputy Chief Engineer joined the Meeting.

Council:-

- (i) approved an additional EC\$1,330,373.75 to bring the budget for the first phase of the Valley Roads Improvement Project to EC\$3,430,373.75;
- (ii) approved the implementation plan for the first phase of the Valley Roads Improvement Project;

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- (iii) agreed that MICUH's technical team keeps the Lake family and their Lawyer, Joyce Kentish & Associates fully up-to date with the project implementation plan and that all meetings and discussions with both parties are documented.

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

Action: PS, FIN; PS, EDICT; PAS, FIN; PS, MICUH; BD; ACC GEN

**ORAL MENTION**

EX MIN 13/248

**MONETARY CONTRIBUTION TOWARDS FUNERAL EXPENSES FOR THE LATE MR PHILLIP RICHARDSON (AKA 'CHINEE')**

Council agreed in principle that:-

- (i) because of community work carried out by the late Mr Phillip Richardson (aka 'Chinee') that a monetary contribution towards funeral expenses should be granted to the widow of Mr Richardson;
- (ii) the Ministry of Finance and Social Development be asked to determine where such contribution could be allocated.

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

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

EX MIN 13/249

**DISCUSSION PAPER**

The Hon CM distributed the attached paper to Members of Executive Council for their attention and for subsequent discussion.

Action: EXCO MEMBERS

EX MIN 13/250

**OVERSEAS TRAVEL**

Council was informed of the following:-

- 1) Hon Chief Minister - 14 – 19 April – 1<sup>st</sup> Special Meeting of the Monetary Council, Grenada
- 2) Hon Attorney General - 8 – 22 April – leave

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