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MINUTES OF THE 134TH MEETING OF THE ELEVENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 22ND MARCH 2018

- PRESENT: His Excellency the Governor, Mr Timothy Foy, OBE
- The Honourable Victor Banks, Chief Minister and Minister of Finance,
Economic Development, Commerce, Tourism and Information Technology
- The Honourable Deputy Governor, Mr Perin Bradley
- The Honourable Evans Rogers, Minister of Health and Social Development, Lands
and Physical Planning
- The Honourable Cora Richardson-Hodge, Minister of Home Affairs and Education
- The Honourable Curtis Richardson, Minister of Infrastructure, Communications,
Utilities, Housing, Agriculture, Fisheries and Environment
- 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
Mr Stephen Turnbull, Financial Specialist
Mr Karim Hodge, PS, MICUHAFE
Mr Calvin A. Samuel, Director of Environment

EX MIN 18/151 **CONFIRMATION OF THE MINUTES**

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

Council confirmed the Minutes of the 133rd Meeting held on Thursday 15 March
2018.

MATTERS ARISING FROM THE MINUTES

EX MIN 18/152

EX MEM 18/87 SUPPORT FOR THE UNEMPLOYED AND UNDER-EMPLOYED

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

Further to EX MIN 18/147 of 15 March, Council:-

- (i) noted that the Attorney General's Chambers had prepared the Social Security (Unemployment Assistance) (Temporary Benefits) (Amendment) Regulations, 2018; and
- (ii) agreed that the Hon Chief Minister and Minister of Finance should sign the amended Regulations for presentation in the House of Assembly subsequently.

Action: PS, MHA; HON AG; DIR, SSB; CL, HOA; PS, FIN; PS, EDICTIT; BD;
ACC GEN; MINS OF GOV'T

EX MIN 18/153

EX MEM 18/89 EXPENSES ASSOCIATED WITH MEDICAL TREATMENT RENDERED TO THE HON SPEAKER OF THE HOUSE, MR LEROY ROGERS

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

Council:-

- (i) noted that Mr Leroy Rogers, Honourable Speaker of the House of Assembly fell ill while travelling on government business overseas in May 2017; and
- (ii) referred this matter to the Ministry of Finance.

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

Action: PS, SD; PS, FIN; PS, EDICTIT; BD; ACC GEN

EX MIN 18/154

EX MEM 18/90 APPROVAL OF MAERI SHADOW STEERING COMMITTEE AND PENDING INITIATIVES

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained in attendance. Messrs Karim Hodge, PS, MICUHAFE and Calvin A. Samuel, Director of Environment joined.

Council:-

- (i) approved in principle the phased approach to the development of the MAERI and its Shadow Steering Committee;

- (ii) approved the actions for the finalisation of the current draft Memorandum of Understanding between JNCC, SAERI, ACC and Government of Anguilla; and
- (iii) agreed to the implementation of initiatives of MAERI over a two-year period as outlined in the attachment.

H E The Governor asked the Environment and Fisheries Departments to put together a solid proposal for a marine spatial plan, which encompasses the 200 nautical mile zone. The Director of Environment indicated that a proposal has been developed by the MAERI Steering Committee. Under the instruction of the Ministry, the proposal would be reviewed and resubmitted to the Blue Belt Initiative.

Council thanked the Director for a good presentation.

Action: PS, MICUHAFE; DIR, ENV; DDE; DIR, FISH; MINS OF GOV'T

EX MIN 18/155

EX MEM 18/91 INFORMATIONAL SESSION ON ANGUILLA'S DATA GATEWAY

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained in attendance. PS, MICUHAFE and Director of Environment remained for discussion.

Council:-

- (i) approved the development of the data strategy and adjoining protocols;
- (ii) approved the actions for the finalisation of the current version of the Anguilla Data Gateway for Public Access for discovery; and
- (iii) agreed to the review of the protocols to ensure that they are free of any legal implications; and recommend mitigating instruments for the seamless roll out of the Anguilla Data Gateway.

Council commended all those involved in this important work.

Action: PS, MICUHAFE; DIR, ENV; DDE; DLS; MINS OF GOV'T

EX MIN 18/156

EX MEM 18/92 DISCONTINUANCE OF ROAD AND AMALGAMATION OF LAND IN GEORGE HILL

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

Council:-

- (i) noted the request for the discontinuance of road and the amalgamation with adjacent Government owned parcels to facilitate the construction of a left turn lane at the George Hill Stop Light;

- (i) agreed that the public road that is not occupied by the concrete road pavement as highlighted in the attachment should be discontinued; and
- (ii) agreed that Lands and Surveys should carry out the necessary survey work to amalgamate the discontinued road with adjacent crown land in line with the revised provision for the discontinuance of roads in the Roads Act.

Action: PS, MICUHAFE; DLS; CHIEF ENG; ROAD ENG; MINS OF GOV'T

EX MIN 18/157

EX MEM 18/93 EXEMPTION FROM THE WORK PERMIT REQUIREMENT

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

Council agreed that the persons on the attached list whose circumstances were consistent with the current policy should be exempted from the work permit requirement in accordance with Section 3 (g) of the Control of Employment Act.

Action: PS, MHA; PAS, MHA (Acting); LAB COM (Acting); CIO

EX MIN 18/158

EX MEM 18/94 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – CRAIG STEPHEN DEVLIN AND SARA E. DEVLIN – REGISTRATION SECTION NORTH, BLOCK 58817 B, PARCEL 30, CONTAINING 0.91 ACRE

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

Council agreed to issue an Aliens Land Holding Licence to Sara E. Devlin and Craig Stephen Devlin to hold, on a freehold basis, 0.91 acre of vacant land situate in Registration Section North, Block 58817 B, described as Parcel 30, located at Brimegin for residential purposes with rental rights on the grounds that the applicants reason for requesting an exemption to Government's Policy on restricting aliens to purchase no more than half an acre are justifiable, subject to the following:-

(a)	Payment of Stamp Duties:-	
(i)	under the Stamp Act – 5% of EC\$403,230.00	EC\$20,161.50
(ii)	under the Aliens Land Holding Regulation Act – 6.25% of EC\$403,230.00	EC\$25,201.88
(iii)	refundable Deposit of 10% of EC\$403,230.00	EC\$40,323.00
	TOTAL	EC\$85,686.38

- (b) the construction of the dwelling house to be completed within thirty (30) months. If said dwelling house is not completed at the end of thirty (30) months, 50% of the refundable deposit will be forfeited to the Government of Anguilla. The balance of 50% would be forfeited if the construction is not completed within a further 6 months. Thereafter, forfeiture proceedings for the property would be commenced by the Government of Anguilla for a period of twenty-four (24) months; and
- (c) with the expressed condition that the land is to be used for residential purposes and that the Licencees must not rent their dwelling house without first notifying the Ministry of Lands.

Action: PS, HLPP; DLS; PS, FIN

EX MIN 18/159

EX MEM 18/95 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – ZAKARIA Z.M AWASHRA AND FOUAD Z.M AWASHRA – REGISTRATION SECTION NORTH CENTRAL, BLOCK 48613 B, PARCEL 416 CONTAINING 0.25 OF AN ACRE

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

Council agreed to issue an Aliens Land Holding Licence to Zakaria Z.M Awashra and Fouad Z.M Awashra to hold property situate in Registration Section North Central, Block 48613 B, described as Parcel 416 containing 0.25 of an acre located at Old Ta, Anguilla for residential purposes with a dwelling house thereon, subject to the following:-

- (a) Payment of the following Stamp Duties:-

(i)	under the Stamp Act - 5% of EC\$255,379.00	EC\$12,768.95
(ii)	under the Aliens Land Holding Regulation Act – 5% of EC\$255,379.00	EC\$12,768.95
	TOTAL	EC\$25,537.90

- (b) with the expressed condition that the land is to be used for residential purposes and that the Licencees must not rent their dwelling house without first notifying the Ministry of Lands.

Action: PS, HLPP; DLS; PS, FIN

EX MIN 18/160

EX MEM 18/96 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – PENNY BRABB TURILLI – REGISTRATION SECTION EAST CENTRAL, BLOCK 89318 B, PARCEL 226, CONTAINING 0.4 OF AN ACRE

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

Council agreed to issue an Aliens Land Holding Licence to Penny Brabb Turilli to hold property situate in Registration Section East Central, Block 89318 B, described as Parcel 226 containing 0.40 acre located at Island Harbour, Anguilla for residential purposes with a dwelling house thereon, subject to the following:-

(a) Payment of the following Stamp Duties:-

(i)	under the Stamp Act – 5% of EC\$403,232.00	EC\$20,161.60
(ii)	under the Aliens Land Holding Regulation Act – 5% of EC\$403,232.00	EC\$20,161.60
	TOTAL	EC\$40,232.20

(b) with the expressed condition that the land is to be used for residential purposes and that the Licencee must not rent her dwelling house without first notifying the Ministry of Lands.

Action: PS, HLPP; DLS; PS, FIN

EX MIN 18/161

EX MEM 18/97 REPAIR OF RETAINING WALL AT PROPERTY SITUATED IN REGISTRATION SECTION WEST END, BLOCK 17810 B, DESCRIBED AS PARCEL 29

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

Council agreed that:-

- (i) Ensoleilleé be granted a licence under the Beach Control Act for the use of Crown land on property situated in Registration Section West End, Block 17810 B, Parcel 1 being part of the Barnes Bay Beach delineated on GIS map reference as LS08-18;
- (ii) the yearly rent would be in the amount of US\$600/EC\$1,612.92 payable in advance;

- (iii) the term of the licence should be for twenty (20) years (effective 15 March 2018 until 14 March 2038) with an option to renew for a further twenty (20) years;
- (iv) the Department of Lands and Surveys should draft the licence and the Attorney General's Chambers finalise the licence for execution by the applicant and the Government of Anguilla;
- (v) the applicant complies with the relevant laws and regulations and build according to approved plans;
- (vi) the applicant complies with the Environmental Management Plan as approved by the Departments of Physical Planning and Environment; and
- (vii) the Government Agents (i.e. Departments of Lands and Surveys, Environment, Disaster, Physical Planning and ICUH and any other relevant agency) are notified at least forty-eight (48) hours prior to the commencement of any works to the retaining wall. Where forty-eight (48) hours would fall on a weekend or public holiday the notification should be given on the preceding work day.

In further discussion, Council agreed that:-

- (i) the option to renew should be automatic unless the GoA gives a year's notice (Attorney General's Chambers to put this in draft); and
- (ii) an exercise should be undertaken to review the status of crown land which is leased, and if the lease is still valid, the GoA would have to decide the course of action to be taken.

Action: PS, HLPP; DLS; HON AG; DIR, ENV; PPO; PS, MICUHAFE; PS, FIN; PS, EDICTIT; ACC GEN

Ministerial Assistant to the Hon Minister, MHA left the Meeting.

ORAL MENTION

EX MIN 18/162

CRIMINAL JUSTICE REFORM LEGISLATION AND CHILD PROBATION BILL

Hon Parliamentary Secretary and Financial Specialist remained in attendance.

The Hon Attorney General indicated:-

- 1) Criminal Justice Reform legislation to be completed by the end of April for first reading in the House of Assembly; and thereafter

2) Child Probation Bill – first draft to be considered.

Action: HON AG; CL, HOA; MINS OF GOV'T
