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MINUTES OF THE 153RD MEETING OF THE ELEVENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 16TH AUGUST 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 Curtis Richardson, Minister of Infrastructure, Communications,
Utilities, Housing, Agriculture, Fisheries and Environment

The Honourable Attorney General (Ag), Mr Ivor Greene

Mrs Jewelle Fleming, Clerk to Executive Council

IN ATTENDANCE: Mrs Mary Clare Haskins-Banton, Senior Legal Counsel, FSC
Mr Marius Musca, Director, Anguilla Red Cross
Ms Jannie Gumbs, Disaster Management Assistant, Anguilla Red Cross
Mr Foster Rogers, PS, HLPP
Mr Ambrell Richardson, Director, Health Protection
Ms Kathleen Rogers, Principal Environmental Health Officer
Mr Leslie Hodge, DLS

ABSENT: The Honourable Cora Richardson-Hodge, Minister of Home Affairs and Education

EX MIN 18/418 **CONFIRMATION OF THE MINUTES**

Council confirmed the Minutes of a Special Meeting held on Tuesday 31 July 2018 and the Minutes of the 152nd Meeting held on Thursday 2 August 2018.

MATTERS ARISING FROM THE MINUTES

EX MIN 18/419 **ALHCS RENOVATION PROJECT**

HE The Governor expressed concern that the finalisation of decisions about the scale and scope of the ALHCS renovation project was still pending. He stressed the

importance of beginning construction work as soon as possible as the funding window would close on 31 March 2021.

Action: PS, MICUHAFE; CHIEF ENG; DHC; CPO; PS, ED; CEO; MINS OF GOV'T

EX MIN 18/420

BRIEFING BY RED CROSS REPRESENTATIVES ON DISASTER MANAGEMENT PREPARATIONS

The following persons joined:

Mr Marius Musca, Director, Anguilla Red Cross

Ms Jannie Gumbs, Disaster Management Assistant, Anguilla Red Cross

Council welcomed the new Director, ARC to Anguilla and wished him well in his posting on the island.

Some of the concerns shared included:

- 1) policy and strategy approach of the Red Cross especially in places like Anguilla and its interaction with the local disaster management;
- 2) availability of emergency supplies, and how those should be distributed; and
- 3) working relationships between the International Agency and the national agencies.

Council noted that the voucher programme which was implemented to assist persons during the hurricane Irma recovery process had ended.

The Director acknowledged the challenges of the ARC in the past and pointed out that they wanted very much to work along with the Government of Anguilla to give continuity, to become stronger and to foster trustful and meaningful relationships. He added that the staff was prepared for this year's hurricane season and that anyone was welcome to visit their stock and give any additional suggestions. The Director said that he would be discussing with the GoA what would be efficient and workable for all.

Council thanked the representatives for the update and looked forward to a close and positive working relationship.

Action: HON DG; DDM; MINS OF GOV'T

EX MIN 18/421

EX MEM 18/210 AMENDMENT TO SECTION 4 (1)(a) OF THE FINANCIAL SERVICES COMMISSION ACT

Mrs Mary Clare Haskins-Banton, Senior Legal Counsel, FSC joined.

Council approved an amendment to section 4(1)(a) of the Financial Services Commission Act enabling the appointment to the Board of the Commission of two

individuals from outside Anguilla (who have knowledge of or experience in financial services business) instead of one.

Action: PS, FIN; HON AG (acting); DIR, FSC; DEP DIR, FSC; PS, EDICTIT

EX MIN 18/422

EX MEM 18/211 MEDIUM TERM LEGISLATIVE PRIORITIES

Council concurred with the Hon Deputy Governor that:

- (i) legislation associated with the MTEFP should be given priority drafting time; and
- (ii) Ministers (along with guidance from the Hon AG (acting)) should determine what other pieces of legislation (reflected/not reflected on the legislative list) should be prioritised.

Action: HON DG; HON AG (acting); MINS OF GOV'T

EX MIN 18/423

EX MEM 18/212 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – DOLPHIN DISCOVERY ANGUILLA LIMITED – REGISTRATION SECTION WEST CENTRAL, BLOCK 28309 B, PARCEL 169 (LEASE PART OF) CONTAINING 1.45 ACRES

Messrs Foster Rogers, PS, HLPP and Leslie Hodge, DLS joined.

Council agreed to issue an Aliens Land Holding Licence to Dolphin Discovery Anguilla Limited to hold property situated in Registration Section West Central, Block 28309 B, described as Parcel 169 better known as Dolphin Discovery located at Sandy Point, Blowing Point, Anguilla for tourism purposes with a Dolphin Sea Aquarium thereon, subject to the following:

- (a) Stamp duties payable are as follows:

(i)	Stamp Duty under a Lease – 5% of 1,478,510.00	EC\$ 73,925.00
(ii)	under the Aliens Land Holding Regulation Act – 6.25% of EC\$1,478,510.00	EC\$ 92,406.88
	TOTAL	----- EC\$166,331.88 =====
- (b) to comply with the Labour Department Act R.S.A. c. L15 and Section 16 (1) and (2) of the Fair Labour Standards Act, R.S.A. c. F15;
- (c) the area to be leased is 1.45 acres of land being Lot 1 as delineated on Survey Plan LS11-18;

- (d) to pay rent per annum in the amount of US\$22,000.00/EC\$59,140.40 increasing by 2% per annum;
- (e) a rent free period of one (1) year;
- (f) stamp duty in the amount of US\$34,375.00/EC\$92,406.87 to be paid in two (2) installments, upon which the lease would be registered;
- (g) the terms of the lease is 99 years, commencing 15 October, 2018 and that the Government of Anguilla has favourably considered that the Company would have the first rights of refusal if Crown decides to divest of its interest in the property;
- (h) the Ministry of Lands to write to the Company notifying of the approval; and
- (i) that the licence to use the Sea Floor under the Beach Control Act be prorated for 2018 by Inland Revenue Department to commence from 14 August, 2018.

Action: PS, HLPP; DLS; PS, FIN; PS, EDICTIT; CIR

EX MIN 18/424

EX MEM 18/215 DEVELOPMENT OF A LONG-TERM STRATEGIC PLAN FOR THE CORITO LANDFILL SITE

PS, HLPP remained. The following persons joined:

Ms Kathleen Rogers, Principal Environmental Health Officer
Mr Ambrell Richardson, Director, Health Protection

Council noted the recommendations outlined in EX MEM 18/215as indicated below:

- (i) that a long term strategic plan should be developed to address solid waste issues in Anguilla. This strategy would cover issues such as the collection, transport, disposal of solid waste, use and layout of land resources at the landfill site, recycling, waste to energy, sludge, composting and other waste minimization issues.
- (ii) in addition to the general heading contained above, the following specific issues need to be addressed through the development of the strategic plan:
 - (a) no in-house testing of waste oils available currently which limits the ability to export/reuse the oils. Capacity should be developed on island with training and equipment to allow for this;
 - (b) cost for in-vessel composting is prohibitive to address the quantities of sludge received. Government may want to source a grant for this equipment;
 - (c) existing policy/strategy was developed in the late 90s and implemented beginning in 2000. It is dated and does not provide for a fully integrated and cost effective solid waste management system. As such a total revamp is needed;

- (d) professional human and financial resources required to achieve a modern SW strategy, with suitable public consultation etc., will have to be sourced from outside of Anguilla, possibly the U.K. as was done in the late 90s. This will require a project with appropriate funding to implement in a sustainable fashion;
- (e) cost recovery should be further investigated during strategy development;
- (f) a targeted program for communication could be created during strategy development;
- (g) waste Avoidance & Reduction should be addressed during strategy development.
- (h) waste Recovery & Recycling should be addressed during strategy development;
- (i) insufficient storage capacity at landfill. Require topographical survey to be completed and provide data that can be incorporated into GIS. Funding will be needed for this activity;
- (j) require the Draft Environmental Protection Act to be enacted to permit commercial waste and litter education and enforcement activities; and
- (k) the acquisition and construction of a weigh bridge at the landfill site would be critical for the proper management and monitoring of the site.

Council:

- (i) thanked the officials for their presentation, for identifying a long-term solution, and recognising the immediate needs to address the problems at the Corito Landfill site;
- (ii) noted that the exercise carried out in 2000 should be repeated. Following the exercise, solutions are to be identified, potential routes to take, tendering of contractors etc. Further noted that the private sector should be involved in the process; and
- (iii) suggested that HE The Governor (with the Hon Chief Minister's support) should approach the UKG regarding technical assistance to assist in developing such a plan.

In further discussion, concern was raised on the frequency of garbage collection. Council authorised the Principal Environmental Health Officer to undertake a survey of certain hot spots to determine this.

Council reiterated that the waste to energy issue needs to be revisited and stressed the importance of having the legislation amended and implemented.

Action: PS, HLPP; PEHO; DHP; PS, PA; PS, FIN; PS, EDICTIT; HON AG (acting);
DLS; MINS OF GOV'T

EX MIN 18/425

EX MEM 18/216 APPOINTMENT OF ONE MEMBER TO THE BOARD OF THE WATER CORPORATION OF ANGUILLA

Council:

- (i) noted that Ms Vailisia Carty had resigned from the post of Director of the Water Corporation of Anguilla (letter dated 31 July 2018);
- (ii) agreed that Mr Maclean Webster should be appointed to the Board of the Water Corporation of Anguilla for a term of eighteen (18) months in accordance with section five (5) of the Water Corporation of Anguilla Act; and
- (iii) agreed that the following current allowances for Board members should remain in effect:

Chairman	EC\$1,200.00
Deputy Chairperson	EC\$ 950.00
All other members	EC\$ 875.00

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

Action: PS, MICUHAFE; CEO, WCA; PS, FIN; PS, EDICTIT; BD; MINS OF GOV'T

EX MIN 18/426

EX MEM 18/217 APPLICATION FOR DUTY EXEMPTION FOR MADROKA ANGUILLA LOTTERY LTD

Council agreed that 50% duty exemption should be granted to Madroka Anguilla Lottery Ltd (c/o Mrs Keesha C. Carty, solicitor for the company) on items needed for the start-up operations of the business. Council agreed this should not exceed the estimated duty loss to the GoA of EC\$107,094.22.

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

Action: PS, FIN; COC; PS, EDICTIT; PAS, FIN; BD; FO; MINS OF GOV'T

ORAL MENTION

EX MIN 18/427

PUBLICATION OF THE MEDIUM TERM ECONOMIC FISCAL PLAN (MTEFP)

Council agreed that the MTEFP should be placed on the agenda for presentation to the next meeting of the House of Assembly before discussion with the public.

Action: PS, FIN; PS, EDICTIT; PAS, FIN; DEP; BD; CL, HOA; MINS OF GOV'T

EX MIN 18/428

COMMEMORATION OF HURRICANE IRMA

HE The Governor indicated that he would speak to Mr Kenneth Hodge, PAS, MHA and Mrs Evalie Bradley, Ministerial Assistant to the Hon Minister, MHA on this.

Action: HE; PAS, MHA; MIN ASST/MHA

EX MIN 18/429 **LEAVE**

The Hon Chief Minister informed Council that he would be on leave from Saturday, 18 August to Thursday 23 August.

Action: EXCO MEMBERS

EX MIN 18/430 **MEETING OF EXECUTIVE COUNCIL**

Council agreed that the regular meeting of Executive Council should be held on Friday 24 August at 9:00 am.

Action: EXCO MEMBERS

EX MIN 18/431 **ACCOMMODATION UNITS IN THE WATER**

PS, HLPP and DLS remained.

Council noted a proposal from Crocus Bay Development (Ce Blue) Project for the creation of accommodation units over the sea floor. The PS, HLPP pointed that this would be a new venture and a different attraction to Anguilla. He further pointed out that the proposal was something to explore, and that GoA Ministers should consider it as an enhancement to the tourism product. PS, HLPP added that this was not a planning issue but a beach control matter.

Action: PS, HLPP; DLS; MINS OF GOV'T

EX MIN 18/432 **DEFERRED SALARIES FOR HEALTH AUTHORITY OF ANGUILLA EMPLOYEES**

PS, HLPP remained.

The Hon Minister for Health continued to express grave concern that a number of the employees at the Health Authority of Anguilla (HAA) is unable to access their deferred salaries due to financial constraints, while GoA employees were privileged to access theirs. The Minister added that the HAA employees were being deprived, especially in cases of illnesses when financial assistance was urgently needed to help to defray medical costs.

Council noted that there was no legal reason for non-payment of the deferred salaries. The matter reflected HAA's financial position. Council further noted that every effort should be made by the GoA to bring the arrears owed to the HAA up to date in order to enable HAA to pay it arrears including deferred salaries to HAA staff.

Action: PS, HLPP; PS, FIN; PS, EDICTIT; BD; ACC GEN; MINS OF GOV'T
