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MINUTES OF A SPECIAL MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON FRIDAY 26TH 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 Deputy Governor, Mr Stanley Reid
- 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: Ms Aurjul Wilson, PS, MHA/LANDS
Mrs Catherine Orchard, representing Cul-de-Sac Home Owners Association
Ms Farah Mukhida, Executive Director, Anguilla National Trust
Ms Avon Carty, President, Anguilla National Trust
Mrs Marjorie McClean, Ferry Boat Inn
Mr Harry Wiggin, Solicitor, Webster
Mr Gerhard Wallbank, Solicitor, Webster
Ms Sarah Barrington, Associate, Webster
Ms Rachel Atherton, Solicitor, Astaphan's Chambers rep. the Anguilla Animal
Rescue Foundation
- Mr Foster Rogers, PS, EDICT
Mr Perin Bradley, TIO
Mr Gifford Connor, DLS
- ABSENT: The Honourable Edison Baird, Minister of Social Development, Health, Sports
and Education
- EX MIN 13/302 **EX MEM 13/154 HARRIGAN'S TOWN PLAZA HOTEL**
- Messrs Foster Rogers, PS, EDICT and Perin Bradley, TIO joined the Meeting.
- Council:-

- (i) noted the representations made by the proposers of the Harrigan's Town Plaza Project;
- (ii) reconfirmed the decision taken in EX MIN 12/667 of 19th September 2012 to:-
 - a) revisit the agreement under the lease
 - b) register the lease property
- (iii) agreed that the lease is registered before an MoU is considered.

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

EX MIN 13/303

EX MEM 13/155 CROCUS BAY DEVELOPMENT (CE BLUE) PROJECT MOU

PS, EDICT and TIO remained for discussion.

Council agreed that:-

- (i) the TIC should discontinue discussions with the Developer on this matter and that the GoA maintains its position and policy with regard to use restrictions and accommodation tax. The Developer can respond in whatever way they see fit;
- (ii) a sub-committee of the TIC be formed to examine the issue of fractional ownership and recommendations submitted to Executive Council for consideration.

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

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

EX MIN 13/304

DOLPHINARIUM LICENCE APPEAL

HE The Governor pointed out for Council's consideration as indicated below what might be potential conflict of interest:-

- | | | |
|-------------------------|---|---|
| 1) Hon Attorney General | - | Manager of Avon Carty (engaged with the Law Revision Centre) |
| 2) Hon Deputy Governor | - | Close relationship with the Anguilla National Trust |
| 3) Hon Chief Minister | - | Mrs Josephine Gumbs-Connor, Independent Policy Adviser to the Hon CM and Lawyer for the Dolphin Discovery |

- 4) Hon Jerome Roberts - Member of the Anguilla National Trust

All Officials affirmed that their connections as indicated will have no influential effect on any decision to be taken.

The following Officials joined the Meeting:-

Ms Aurjul Wilson, PS, MHA/LANDS
 Mrs Catherine Orchard, representing Cul-de-Sac Home Owners Association
 Ms Farah Mukhida, Executive Director, Anguilla National Trust
 Ms Avon Carty, President, Anguilla National Trust
 Mrs Marjorie McClean, Ferry Boat Inn
 Mr Harry Wiggin, Solicitor, Webster
 Mr Gerhard Wallbank, Solicitor, Webster
 Ms Sarah Barrington, Associate, Webster
 Ms Rachel Atherton, Solicitor, Astaphan's Chambers rep. the Anguilla Animal Rescue Foundation

HE The Governor pointed out to the attendees the same as indicated above. Everyone was content that there would be no conflict of interest.

In light of the discussions that ensued, Council agreed to adjourn the appeal until Tuesday 7th May at 9:00 am to give the appellants additional time to prepare and submit their claims.

Action: EXCO MEMBERS

EX MIN 13/305

EX MIN 13/290 EX MEM 13/149 HOTEL OWNER ANGUILLA, LTD APPLICATION TO GOVERNOR FOR PERMISSION TO ACQUIRE 2000 SHARES IN MALLIOUHANA (E.C.) LTD OWNED BY ROBIN RICKETTS AND SUSAN RICKETTS – UNDER THE ALIENS LAND HOLDING REGULATIONS ACT

PS, EDICT and TIO remained for discussion. Mr Gifford Connor, DLS joined the Meeting.

Further to EX MIN 13/290 of 24th April 2013, Council:-

- (i) noted the Share Purchase Agreement between Robin Ricketts and Susan Ricketts and Hotel Owner Anguilla, Ltd.;
- (ii) noted a letter dated 26 April 2013 to Mr Gifford Connor, DLS from Ms. Tara Ruan, Solicitor, Caribbean Juris Chambers regarding the purchase of Ricketts' shares;
- (iii) agreed that the matter should be further deferred to give consideration to a tax clearance.

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

EX MIN 13/306

MEETING OF EXECUTIVE COUNCIL

Council agreed that there should be a Special Meeting of Executive Council on Monday 29th April 2013 at 3 pm to deal with CFAS Ltd on Banking Sector Restructuring/Reform.

Action: EXCO MEMBERS
