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MINUTES OF THE 182ND MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 13TH FEBRUARY 2014

- PRESENT: Her Excellency the Governor, Ms Christina Scott
- The Honourable Hubert Hughes, Chief Minister and Minister of Finance,
Economic Development, Investment, Commerce and Tourism and Minister
of Labour and Immigration and Minister of Social Development and Health
- 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 and Minister
of Sports and Education, Library Services, Sports, Youth and Culture
- The Honourable Evan Gumbs, Minister of Infrastructure, Communications,
Utilities and Housing
- The Honourable Acting Attorney General, Ms Michelle Daley
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Mr Larry Franklin, PS, MICUH
Mr Remington Lake, CEO (Ag) AASPA, Airport Manager
Ms Donna Banks, Finance Manager (Ag), AASPA
Mr Foster Rogers, PS, EDICT
Mr Leslie Hodge, DLS
Ms Marisa Harding-Hodge, TIO
- ABSENT: The Honourable Attorney General, Mr James Wood QC

EX MIN 14/93 **CONFIRMATION OF THE MINUTES**

Council confirmed the Minutes of the 181st Meeting held on Thursday 6th February 2014.

MATTERS ARISING FROM THE MINUTES

EX MIN 14/94 None.

EX MIN 14/95

UPDATE: ANGUILLA AIR AND SEAPORTS AUTHORITY (AASPA)

The following persons joined the Meeting:-

Mr Larry Franklin, PS, MICUH
 Mr Remington Lake, CEO (Ag) AASPA, Airport Manager
 Ms Donna Banks, Finance Manager (Ag), AASPA

Council:-

- (i) was informally briefed on concerns about the AASPA Board in relation to their application of the Tariff Book and Seaports Fees Regulations 2013 and the Anguilla Air and Seaports Authority Act 2009;
- (ii) agreed that a meeting be convened with HE the Governor, the relevant Minister, the AASPA Board and Management; and
- (iii) a separate meeting be held with GoA Ministers, the Airport Manager and tenants occupying the building situated at Blowing Point, Block 28409 B Parcel 39.

Action: PS, MICUH; MINS OF GOV'T; AIR MAN; PS, MHA/LANDS; PS, EDICT

EX MIN 14/96

EX MEM 14/36 REDUCTION OF DUTY FOR IMPORTED BOTTLED WATER

Further to EX MIN 14/80 of 6th February 2014, Council agreed that the matter should be further deferred.

Action: PS, FIN; PS, EDICT; PAS, FIN

EX MIN 14/97

EX MEM 14/42 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – ANGUILLA UPLAND EQUITIES LLC (REGISTRATION SECTION: WEST END; BLOCK: 17709 B; PARCELS 170 – 175, 181 – 183, 192, 193 AND BLOCK 17809 B, PARCELS 15, 16, 111, 124 – 128, 140, 225, 226, 235, 236, 262, 266, 267 & 271 CONTAINING 45.82 ACRES)**APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – TEI ANGUILLA VILLA EQUITIES LLC (REGISTRATION SECTION: WEST END; BLOCK: 17709 B, PARCELS 136, 224, 225, 226, 227, 228, 179 CONTAINING 6.33 ACRES)**

Messrs Foster Rogers, PS, EDICT, Leslie Hodge, DLS and Ms Marisa Harding-Hodge, TIO joined the Meeting.

Further to EX MIN 14/86 of 6th February 2014, Council agreed to grant two (2) Aliens Land Holding Licences to TEI Anguilla Upland Equities LLC and TEI Anguilla Villa Equities LLC as follows:-

- 1) one (1) Licence to TEI Anguilla Upland Equities LLC to hold, on a freehold basis, 45.82 acres of vacant land described as Registration Section West End, Block 17709 B, Parcels 170 – 175, 181 – 183, 192, 193 and Block 17809 B Parcels 15, 16, 111, 124 – 128, 140, 225, 226, 235, 236, 262, 266, 267 & 271; and
- 2) one (1) Licence to TEI Anguilla Villa Equities LLC to hold, on a freehold basis, 6.33 acres of developed land described as Registration Section West End, Block 17709 B, Parcels 136, 224, 225, 226, 227, 228, 179, subject to the following:-
 - a) the assignment of the existing Memorandum of Agreement dated January 20, 2006 and Supplementary Agreements Nos. 1 and 2 dated on or around November 2006 and July 27, 2007 respectively between the Government of Anguilla and Shoal Bay West Properties LLC by approval and execution of Assignment Agreement between the Government of Anguilla, Shoal Bay West Properties LLC and TEI Anguilla Upland Equities LLC and TEI Anguilla Villa Equities LLC;
 - b) the approval and execution of Supplementary Agreement No. 3 between the Government of Anguilla and Shoal Bay West Properties LLC and assignment by virtue of Assignment Agreement between the Government of Anguilla, Shoal Bay West Properties LLC and TEI Anguilla Upland Equities LLC and TEI Anguilla Villa Equities LLC; and
 - c) the payment of the following:-

TEI Anguilla Villa Equities LLC

i)	Stamp Duty on Licence @ 4% of EC\$17,473,300.00	=	EC\$ 698,932.00
ii)	Stamp Duty on transfer @ 5% of EC\$17,473,300.00	=	EC\$ 873,665.00
	TOTAL	=	EC\$1,572,597.00

TEI Anguilla Upland Equities LLC

i)	Stamp Duty on Licence @ 4% of EC\$4,032,300.00	=	EC\$161,292.00
ii)	Stamp Duty on transfer @ 5% of EC\$4,032,300.00	=	EC\$201,615.00
	TOTAL	=	EC\$362,907.00

GRAND TOTAL = EC\$1,572,597.00 + EC\$362,907.00 = EC\$1,935,504.00

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

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

EX MIN 14/98

EX MEM 14/47 SUPPLEMENTARY AGREEMENT # 3 TO THE MOA BETWEEN SHOAL BAY WEST PROPERTIES LLC AND THE GOVERNMENT OF ANGUILLA

PS, EDICT; DLS and TIO remained for discussion.

Further to EX MIN 14/87 of 6th February 2014, Council approved the 3rd amendment to the MoA between Shoal Bay West Anguilla LLC and the Government of Anguilla.

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

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

EX MIN 14/99

EX MEM 14/49 STRUCTURAL SURVEY OF THE ROAD BAY JETTY

Council:-

- (i) agreed that MICUH should provide staff support for two (2) UK Engineers to carry out a structural survey of the Road Bay Jetty; and
- (ii) approved a budget of EC\$19,500.00 to cover cost of travel, accommodation, transportation and subsistence for the two (2) Engineers.

Action: PS, MICUH; CHIEF ENG; PS, FIN; PS, EDICT; ACC GEN

EX MIN 14/100

EX MEM 14/50 APPLICATION FOR DUTY EXEMPTION FOR BERNARD B. WATTLEY

Council agreed that Mr Bernard B. Wattley should be granted an extension to duty exemption on a board game. Council further agreed that the administrative charge of 5% should remain.

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

Action: PS, FIN; PAS, FIN; COC; FO

EX MIN 14/101

EX MEM 14/51 RETIREMENT OF COMPTROLLER OF CUSTOMS AND FILLING OF POST

Council agreed that the post of Comptroller of Customs which is due to become vacant because of retirement of the incumbent should be filled.

Council noted that the views of the Permanent Secretaries were sought and that they have endorsed the request that the post be filled.

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

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

EX MIN 14/102

EX MEM 14/52 FILLING THE VACANT POST OF JUVENILE CARE WORKER DUE TO PROMOTION

Council noted that one Juvenile Care Worker at Zenaida Haven was recently promoted to the post of Senior Juvenile Care worker thus resulting in a vacant position.

Council agreed that the vacant post of Juvenile Care Worker at Zenaida Haven should be filled.

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

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

EX MIN 14/103

EX MEM 14/53 FILLING THE POST OF SENIOR CLERICAL OFFICER/ACCOUNTS ASSISTANT IN THE DEPARTMENT OF HEALTH PROTECTION

Council noted that the Senior Clerical Officer/Accounts Assistant in the Department of Health Protection was recently transferred to another department.

Council agreed that the vacant post of Senior Clerical Officer/Accounts Assistant in the Department of Health Protection should be filled.

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

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

EX MIN 14/104

EX MEM 14/54 NATIONAL HEALTH SERVICES QUALITY POLICY FOR ANGUILLA

Council agreed that the paper should be deferred to enable Ministers to study the document thoroughly.

Action: PS, HSD; EXCO MEMBERS

EX MIN 14/105

EX MEM 14/55 APPOINTMENT OF TWO (2) MEMBERS TO THE BOARD OF THE WATER CORPORATION OF ANGUILLA

Council:-

- (i) approved the appointment of Mrs Marlene Lewis-Brooks as a member and

as Chairperson of the Board of the Water Corporation of Anguilla for a period of 2 years;

- (ii) approved the appointment of Mr Stephenson Rogers as a member and Deputy Chairperson of the Board of the Water Corporation of Anguilla for a period of 2 years; and
- (iii) agreed that the allowances for all Board members including the Chairperson and Deputy Chairperson should remain unchanged.

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

Action: PS, MICUH; CEO, WCA

ORAL MENTION

EX MIN 14/107

MEETING OF THE HOUSE OF ASSEMBLY

Council agreed that the next meeting of the House of Assembly should be held on Thursday 27th February 2014 at 2 pm.

Action: SPEAKER, HOA; CL, HOA

EX MIN 14/108

ZEMI BEACH ROAD

PS, EDICT; DLS and TIO remained for discussion.

Council agreed that the TIC should come back to Executive Council on Thursday 20th February 2014 for further discussion and directive as to how to proceed with the Zemi Beach Road.

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

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

EX MIN 14/109

STATEMENT BY HON CHIEF MINISTER

The Hon Chief Minister circulated copies of a statement (dated 13th February 2014) made by him regarding the Wallblake Airport.

Action: EXCO MEMBERS
