

THIS DOCUMENT IS THE PROPERTY
OF THE GOVERNMENT OF ANGUILLA

Copy No:

MINUTES OF THE 161ST MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 29TH AUGUST 2013

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, Mr Ivor Greene

Mrs Jewelle Fleming, Clerk to Executive Council

IN ATTENDANCE: Mr Kennedy Byron, ECCB
Mr Hudson Carr, ECCB
Mr Christopher Louard, ECCB
Ms Gillian Skerritt, ECCB
Mr Robert Martin, Conservator
Mr Martin Dinning, Conservator
Mr Keith Bell, AFSC
Dr Bonnie Richardson-Lake, PS, HSD

ABSENT: The Honourable Attorney General, Mr James Wood QC

EX MIN 13/569 **CONFIRMATION OF THE MINUTES**

Council confirmed the Minutes of the 160th Meeting held on Thursday 22nd August 2013.

MATTERS ARISING FROM THE MINUTES

EX MIN 13/570 None

EX MIN 13/571

EX MEM 13/255 THE NATIONAL MENTAL HEALTH POLICY AND ACTION PLAN

Dr Bonnie Richardson-Lake, PS, HSD joined the Meeting.

Council approved the National Mental Health Policy and Action Plan.

Council noted the financial implications in realising the implementation of the Action Plan, which will be phased in according to the availability of funds.

Action: PS, HSD; PS, FIN; BD

EX MIN 13/572

EX MEM 13/256 NATIONAL NURSING POLICY FOR ANGUILLA

PS, HSD remained for discussion.

Council approved the National Nursing Policy which will ensure the provision of effective and efficient quality nursing services that will promote and maintain optimal levels of care for individuals, families and communities.

Action: PS, HSD; PS, FIN; BD

EX MIN 13/573

EX MEM 13/267 APPLICATION FOR DUTY EXEMPTION FOR CUISINART RESORT AND SPA

Council agreed that duty exemption should be granted to Cuisinart Resort and Spa (c/o Mr Stephane Zaharia) on the attached itemised list in accordance with the MoU.

Council further agreed that the following items should be duty paid:-

- 1) office supplies (excluding paper)
- 2) ink cartridges
- 3) blueprints, plotter paper
- 4) hand tools
- 5) large equipment (small lifts)
- 6) lull
- 7) concrete blocks
- 8) cement
- 9) chain-link fence material
- 10) tools
- 11) fencing pipe
- 12) fencing wire
- 13) generators
- 14) fertilizer
- 15) mulch, sod

The estimated duty loss to the GoA is \$10,138,330.85.

Council authorised the issue of the action sheet before confirmation of the Minutes to enable early consideration of the duty exemptions by the Assembly.

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

EX MIN 13/574

EX MEM 13/268 FILLING VACANT POSTS IN THE DEPARTMENT OF PROBATION DUE TO PROMOTION

PS, HSD remained for discussion.

Council approved the filling of:-

- (i) the two (2) vacant posts of Juvenile Care Worker; and
- (ii) the post of Senior Probation Officer Adult

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

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

EX MIN 13/575

EX MEM 13/269 ACTING APPOINTMENT – DIRECTOR OF SOCIAL SECURITY BOARD

Council:-

- (i) agreed that Mrs Maglan Richardson, Deputy Director, Social Security Board would act as Director, SSB for the period 8th August – 1st September 2013; and
- (ii) noted that steps were being taken to include a provision in the SSB Act to appoint a Deputy Director who in the absence of the Director would assume the powers, duties and functions of the Director.

Action: PS, FIN; PS, EDICT; DIR, SSB

EX MIN 13/576

EX MEM 13/270 APPEAL AGAINST PLANNING PERMISSION - BIJOUX

Council agreed, following site visits at both developments at Blowing Point and the Forest by Executive Council members and the relevant personnel, that the appeal against the refusal of planning permission for Bijoux to erect advertisements signs at Blowing Point (Block 38409B Parcel 60) and at the Forest (Block 78813B Parcel 131) should be allowed.

Action: PS, MHA/LANDS; PPO; DLS

EX MIN 13/577

EX MEM 13/271 TO AMEND THE BEACH VENDING REGULATIONS 2013

Council agreed that the Beach Vending Regulations 2013 should be amended and instructed the AG's Chambers to draft the necessary Bill to amend the Beach Vending Regulations, 2013 as follows:-

- (i) to appoint the Director of Environment as Curator of Beaches, and as the Chairman of the Committee;
- (ii) to appoint the Director of Lands or designate as a Member of the Committee; and
- (iii) to remove the Registrar of Lands as Member and Secretary and to appoint the Commerce Officer from the Ministry of FEDICT as a Member and Secretary to the Committee.

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

Action: PS, MHA/LANDS; AG; PS, EDICT; PS, FIN; DIR, ENV

EX MIN 13/578

EX MEM 13/272 APPEAL AGAINST PLANNING PERMISSION – CALVERT CARTY

Council agreed, following a site visit to the proposed development at Sandy Point by Executive Council members and the relevant personnel that the appeal by Mr Calvert Carty against the refusal of planning permission for a restaurant, bar and lounge at Blowing Point, Anguilla (Block 28309B Parcels 19 and 169) should be denied.

Council's decision not to allow the appeal was based on the GoA's desire to retain this parcel of crown land for use as a public park and enjoyment by the general public.

Action: PS, MHA/LANDS; PPO; DLS

EX MIN 13/579

EX MEM 13/273 AMENDMENT TO EXCO MINUTE 12/208 – APPLICATION TO CLAIM LAND (REGISTRATION SECTION CAULS POND BLOCK 68914 B, PARCEL 61, BEING APPROXIMATELY 0.30 ACRE) BY ABSENTEE OWNERS – PROPERTY REGISTERED DURING CADASTRAL SURVEY AND REGISTRATION PROJECT

Council agreed that the matter should be deferred. Council further agreed that the technical staff should be invited to attend the Meeting of Executive Council on Thursday 5th September for more in depth discussion on this matter.

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

Action: PS, MHA/LANDS; DLS

EX MIN 13/580

EX MEM 13/274 AMENDMENT OF EXCO MINUTE 13/476 GRANTING AN ALIENS LAND HOLDING LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – NEIL & JANICE ABRAHAMSON (SECTION: WEST END; BLOCK: 17910 B; PARCEL 59 SL 4AW & 4BW)

Council agreed that EX MIN 13/476 of 18 July 2013 should be amended to grant an Aliens Land Holding Licence to allow Neil Abrahamson and Janice Abrahamson to hold jointly on a freehold basis one (1) strata lot described as situate in Registration Section West End, Block 17910 B, Parcel 59 SL2 1AW containing 1365 square feet which forms part of the Turtle Nest (Condominium) Development with strata lot registered to Paragon Holdings Ltd. subject to stamp duties payable as follows:-

(i)	under the Stamp Act – 5% of EC\$739,225.00	EC\$ 36,962.75
(ii)	under the Aliens Land Holding Regulations Act – 12.5% of EC\$739,225.00	EC\$ 92,406.88
	TOTAL	EC\$129,369.63

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

EX MIN 13/581

EX MEM 13/275 SIGNING OF THE FIRE AND RESCUE SERVICE REGULATIONS, 2013

Council agreed that the Fire and Rescue Service Regulations, 2013 would be signed by HE the Governor and gazetted.

Action: PS, MICUH; AG

EX MIN 13/582

EX MEM 13/276 APPOINTMENT/REAPPOINTMENT OF MEMBERS OF THE ANGUILLA BUILDING BOARD (ABB)

Council agreed that the matter would be deferred to enable further discussion between the HE the Governor, Hon Minister of Infrastructure and the PS, MICUH before further consideration in Executive Council.

Action: HE; HON MIN, MICUH; PS, MICUH

EX MIN 13/583

EX MEM 13/277 APPOINTMENT OF PERSONAL ASSISTANT TO THE CHIEF MINISTER

Council agreed that the paper would be deferred and that it would be considered at a Special Meeting of Executive Council to be held on Monday 2nd September 2013.

Council further agreed that a job description and the Budget Head from which funds would be allocated should be submitted to Executive Council for consideration.

Action: HON CM; PS, FIN; PS, EDICT

ORAL MENTION

EX MIN 13/584

UPDATE PRESENTATION FROM ECCB

The following ECCB Officials and Conservators joined the Meeting:-

Mr Kennedy Byron, ECCB
Mr Hudson Carr, ECCB
Mr Christopher Louard, ECCB
Ms Gillian Skerritt, ECCB
Mr Robert Martin, Conservator
Mr Martin Dinning, Conservator
Mr Keith Bell, AFSC

Mr Kennedy Byron, the ECCB Presenter updated Council on operations at the two banks. The ECCB's intention remained to stabilise the banks, carry out the objectives of the strategic plan and subsequently to submit an investigative report to Executive Council and the Monetary Council.

Action: EXCO MEMBERS

EX MIN 13/585

EX MIN 13/529 WASTE COLLECTION

PS, HSD remained for discussion.

Further to EX MIN 13/529 of 15th August 2013, the PS, HSD informed Council that the Procurement Board with the Evaluation Committee had not yet reached a decision with regard to the waste collection.

Council, taking into consideration the above, agreed:-

- (i) to extend the existing contracts for waste collection until 30th September 2013;
- (ii) that within the month of September, weekly updates were to be made to Executive Council on the progress being made by the Procurement Board (PB) and the Evaluation Committee (EC); and
- (iii) that the PB and the EC must be made aware of the Executive Council's position that no further extensions would be granted and it was imperative that a decision be made.

The Hon Minister of Infrastructure stated that he was not supportive of the extension of the contract to 30 September 2013.

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

EX MIN 13/587

MONETARY RELIEF TO SENIOR CITIZEN

PS, HSD remained for discussion.

Council noted that the services of the ambulance had become necessary to assist a terminally ill elderly lady (about 80 years old) to be transported to the Princess Alexandria Hospital twice per week. The lady's family had indicated that every time the services of the ambulance were rendered, a fee of EC\$300.00 had to be paid, which had become a financial burden.

Council, being cognizant of the need to assist senior citizens wherever possible, requested the PS, HSD to look into matter to determine what assistance/relief might be given to the family.

Action: PS, HSD

EX MIN 13/588

SOCIAL SECURITY

The Hon Chief Minister raised concern about individuals in the public service or statutory bodies who retire at age 60 and are not eligible for social security until the age of sixty-five. The CM undertook to bring a formal paper to Executive Council for consideration.

Action: HON CM

EX MIN 13/589

UPDATE ON THE SECRETARIAT ROAD

Council agreed to an update to Executive Council on Thursday 5th September on the Secretariat Road with financial implications included.

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

Action: PS, MICUH

EX MIN 13/590

MEETING OF EXECUTIVE COUNCIL

Council agreed that there should be a Special Meeting of Executive Council on Monday 2nd September 2013 to discuss EX MEM 13/277, 'Appointment of Personal Assistant to the Chief Minister'.

Action: EXCO MEMBERS

OVERSEAS TRAVEL

Council noted that the Hon Chief Minister would be off island from the 3rd – 17th September 2013 to attend official business in St. Lucia, London and Gibraltar
