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MINUTES OF THE 219TH MEETING OF THE TENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 4TH DECEMBER 2014

- PRESENT: His Excellency the Acting Governor, Mr Stanley Reid
- The Honourable Evan Gumbs, Minister of Infrastructure, Communications, Utilities and Housing and Acting Chief Minister
- The Hon Acting Deputy Governor, Dr Bonnie Richardson-Lake
- The Honourable Jerome Roberts, Minister of Lands, Physical Planning, Human Rights, Environment, Gender Affairs and Agriculture and Fisheries and Minister of Education, Library Services, Sports, Youth and Culture
- The Honourable Attorney General, Mr Rupert Jones
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Mr Foster Rogers, PS, EDICT
Ms Marisa Harding-Hodge, TIO
- ABSENT: 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

EX MIN 14/752 **CONFIRMATION OF THE MINUTES**

Council confirmed the Minutes of Special Meetings held on Wednesday 19th November 2014 and Friday 21st November 2014 (save for any reference to the appeal by GGII) and the Minutes of the 218th Meeting held on Thursday 20th November 2014.

MATTERS ARISING FROM THE MINUTES

EX MIN 14/753 **EX MIN 14/751 APPEAL BY GGII OF ANGUILLA LTD. AGAINST THE DECISION OF THE LAND DEVELOPMENT CONTROL COMMITTEE UNDER SECTION 7 OF THE LAND DEVELOPMENT (CONTROL) ACT**

Council agreed that confirmation of EX MIN 14/751 of 21st November 2014

should be deferred to the next Meeting of Executive Council on Thursday 11th December 2014 when all Ex Co Members are present.

Action: EXCO MEMBERS

EX MIN 14/754

EX MEM 14/425 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – CLARE HAGERTY GROSS - REGISTRATION SECTION: EAST END; BLOCK: 99516 B; PARCEL 129, CONTAINING 0.45 OF AN ACRE WITH A DWELLING HOUSE THEREON

Council agreed to issue an Aliens Land Holding Licence to Clare Hagerty Gross to hold, on a freehold basis, 0.45 acre of land, described as Registration Section East End, Block 99516 B, Parcel 129 with a dwelling house thereon located at Sile Bay for residential purposes subject to:-

(a) the payment of the following fees:-

(i)	under the Stamp Act – 5% of EC\$1,707,007.00	EC\$ 85,350.35
(ii)	under the Aliens Land Holding Regulations Act – 12.5% of EC\$1,707,007.00	EC\$213,375.88
	TOTAL	EC\$298,726.23

(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 unless an application is made and written permission is obtained from the Ministry of Finance, Economic Development, Investment and Trade, Commerce and Tourism (FEDICT).

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

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

EX MIN 14/755

EX MEM 14/437 FILLING OF THE POST OF COMMISSIONER OF POLICE

Council noted that the term of office of the current Commissioner of Police would conclude on the 9th May 2015. Council additionally noted that the views of the Permanent Secretaries had been sought in relation to the filling of the post and that a favourable response was given.

Council agreed that the post of Commissioner of Police should be filled in accordance with established procedures.

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

Action: PS, PA; HE; COP; PS, FIN; PS, EDICT; BD

EX MIN 14/756

EX MEM 14/438 FILLING THE POST OF SOCIAL WORKER, FAMILY & SOCIAL SERVICES DUE TO EXPIRATION OF CONTRACT

Council noted that the post of Social Worker, Family & Social Services in the Department of Social Development would become vacant as a result of contract expiration. Council additionally noted that the views of the Permanent Secretaries had been sought in relation to the filling of the post and that a favourable response was given.

Council agreed that the post of Social Worker, Family & Social Services in the Department of Social Development should be filled.

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

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

EX MIN 14/757

EX MEM 14/439 EXEMPTION FROM THE WORK PERMIT REQUIREMENT

Council agreed that the following persons should be exempted from the work permit requirement in accordance with Section 3 (g) of the Control of Employment Act:-

- 1) Ms Kareen Krista McGibbon - National of Jamaica who has been residing in Anguilla from the age of six (6) years old. She attended the Teacher Gloria Omololu Institute, the Orealia Kelly Primary School and the Albena Lake-Hodge Comprehensive School. Ms McGibbon has been offered employment at Malliouhana Auberge Resort as PM Restaurant Server.
- 2) Ms Kemoloy Murphy - National of Jamaica who has been residing in Anguilla for the past eight (8) years. Ms Murphy was previously employed at Shop 4 Less as a Sales representative and also at Roy's Bayside Grill as a Waitress. She has been offered employment at the Bamboo Shack Restaurant as a Manager.

Council additionally agreed that the following person should be exempted from the work permit requirement, subject to her presenting a Certificate of Good Standing to the Ministry of Home Affairs:-

- 3) My-elle Angel Pinard - National of Dominica who has been residing in Anguilla for the past seven (7) years. Ms Pinard attended the Albena Lake-Hodge Comprehensive School from September 2007 to July 2014. She has been offered employment at Oasis Smile Centre as a Dental Assistant.

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

Action: PS, IMM; LAB COM; CIO

EX MIN 14/758

EX MEM 14/440 APPLICATION FOR DUTY EXEMPTION FOR SOROPTIMIST INTERNATIONAL OF ANGUILLA

Council agreed that duty exemption should be granted to the Soroptimist International of Anguilla (c/o Ms Sylvia McMeen) on a 32" Samsung Television to be raffled at the Club's annual Christmas Fair on 6th December 2014.

The estimated duty loss to the GoA is US\$67.00.

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

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

EX MIN 14/759

EX MEM 14/441 FILLING OF VACANT CLERICAL OFFICER POSITION – ROYAL ANGUILLA POLICE FORCE

Council noted that the Clerical Officer in the Royal Anguilla Police Force (RAPF) had tendered her resignation effective 5th January 2015. Council additionally noted that the views of the Permanent Secretaries had been sought in relation to the filling of the post and that a favourable response was given.

Council agreed that the post of Clerical Officer in the RAPF should be filled in accordance with established procedures.

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

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

EX MIN 14/760

EX MEM 14/442 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – ENSOLEILLÉE LTD. (REGISTRATION SECTION: WEST END; BLOCK: 17810 B; PARCEL 29; CONTAINING 0.90 OF AN ACRE)

Council agreed that an Aliens Land Holding Licence should be issued to

Ensoleillée Ltd. to hold, on a freehold basis, 0.90 of an acre of land, described as Registration Section West End, Block 17810 B, Parcel 29, with Villa (Les Alize Villa) thereon, located at Barnes Bay property, subject to the payment of the following fees:-

(i)	under the Stamp Act – 5% of EC\$12,680,877.85	EC\$ 634,043.89
(ii)	under the Aliens Land Holding Regulations Act – 12.5% of EC\$12,680,877.85	EC\$1,585,109.73
	TOTAL	EC\$2,219,153.62

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

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

EX MIN 14/761

EX MEM 14/443 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – LAURALYN BRICKHOUSE - (REGISTRATION SECTION: ROAD; BLOCK: 08513 B; PARCEL 435, CONTAINING 0.12 OF AN ACRE WITH A DWELLING HOUSE THEREON)

Council agreed to issue an Aliens Land Holding Licence to Lauralyn Brickhouse, to hold, on a freehold basis, 0.12 acre of land, located in North Hill, with a dwelling house thereon situate at Registration Section Road, Block 08513 B, Parcel 435, subject to the payment of the following fees:-

(i)	under the Stamp Act – 5% of EC\$134,410.00	EC\$ 6,720.50
(ii)	under the Aliens Land Holding Regulations Act – 12.5% of EC\$134,410.00	EC\$16,801.25
	TOTAL	EC\$23,521.75

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

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

EX MIN 14/762

EX MEM 14/444 ANGUILLA SUMMER FESTIVAL 2015 AND BEYOND

Council agreed that the following persons should constitute the Anguilla Summer Festival Committee to manage the Anguilla Summer Festival from 8th December 2014 to 30th November 2016:-

- 1) Mr John Benjamin (Chairperson)
- 2) Ms Cleonette Lake (Financial Controller)
- 3) Ms Shellya Rogers (Administrative Officer)
- 4) Mr James Vanier Harrigan
- 5) Mr Davon Carty
- 6) Mr Alwyn Richardson
- 7) Mr Romare Kelsick
- 8) Ms Erlyn Wilkinson
- 9) Mr Shayne Thompson
- 10) Mr Keithley F T Lake
- 11) Ms Countess Lisa Rey
- 12) Mr Courtney Morton
- 13) Ms Joan Richardson
- 14) Mr Joseph Vanterpool
- 15) Mr Paul Romney (Boat Racing Representative)

Council additionally agreed that a monthly stipend should be paid to members of the Anguilla Summer Festival Committee effective 1st January 2015 as follows:-

Chairperson – \$500.00

Financial Controller – \$350.00

Administrative Officer – \$350.00

Member - \$100

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

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

EX MIN 14/763

EX MEM 14/445 MANAGEMENT OF THE LANDSOME BOWL CULTURAL CENTRE

Council agreed that:-

- (i) responsibility for the management of the Landsome Bowl Cultural Centre should be assigned to the Department of Youth and Culture; and
- (ii) the Ministry should bring back a paper to Executive Council explaining the rationale for the proposed rate structure and detailing how the monies would be managed.

Action: PS, ELSYC; DIR, Y & C

EX MIN 14/765

EX MEM 14/447 REQUEST FOR REDUCTION AND WAIVER UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – AZUL HOMES, LLC (REGISTRATION SECTION: NORTH; BLOCK: 58616 B; PARCEL 77; CONTAINING 0.50 OF AN ACRE)

In EX MIN 14/586 of 18th September 2014, Executive Council approved the granting of an Aliens Land Holding Licence to the Applicant, Azul Homes, LLC ('the subject Company') with its Director, Robert S. Martin and beneficiaries, Robert S. Martin and Yvonne S. Martin for property described as Registration Section North, Block 58616 B, Parcel 77, containing 0.50 of an acre for the construction of a guest house and to create a larger green space for the benefit of Parcel 76, registered to R Yankee LLC, of which the Martins are the Directors.

Council noted a letter dated 5th November 2014 from Solicitors for Azul Homes, LLC requesting a waiver of the 10% refundable deposit and a reduction of the 12.5% stamp duties payable under the ALHRA to 5% on the ground that Mr Martin already owns a house located on the adjacent Parcel 76.

Council did not support the request for a waiver of the refundable deposit and a reduction in the stamp duty under the ALHRA.

Council confirmed its decision in EX MIN 14/586 of 18th September 2014 as follows:

(i)	under the Stamp Act – 5% of EC\$1,142,485.00	EC\$ 57,124.25
(ii)	under the Aliens Land Holding Regulations Act – 12.5% of EC\$1,142,485.00	EC\$142,810.63
(iii)	refundable deposit of 10% of EC\$1,142,485.00	EC\$114,248.50
	TOTAL	EC\$314,183.38

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

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

EX MIN 14/766

EX MEM 14/448 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – PARADISE HOLDING COMPANY LTD (REGISTRATION SECTION: WEST END; BLOCK: 17910 B; PARCEL 279, CONTAINING 0.60 OF AN ACRE)

Council agreed to issue an Aliens Land Holding Licence to Paradise Holding Company Ltd. to hold, on a freehold basis, 0.60 of an acre of land described as Registration Section West End, Block 17910B, Parcel 279 to be developed as part

of the Frangipani Beach Resort for tourism purposes, subject to payment of the following stamp duties:-

(i)	Stamp Duty on Licence @ 4% of EC\$7,392,550.00	=	EC\$295,702.00
(ii)	Stamp Duty on transfer @ 5% of EC\$7,392,550.00	=	EC\$369,627.50
	TOTAL		EC\$665,329.50

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

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

ORAL MENTION

EX MIN 14/767

EXTENSION OF SOLID WASTE CONTRACTS

Council agreed that the current solid waste contracts for waste collection and disposal should be extended to 31st January 2015.

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

Action: PS, HSD; CHIEF PROC OFF; CPO; PS, PA; PS, FIN; PS, EDICT; BD

EX MIN 14/768

MEMORANDUM OF UNDERSTANDING BETWEEN BANYAN LLC AND THE GOVERNMENT OF ANGUILLA

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

Council noted the oral presentation by the PS, EDICT regarding the proposed Memorandum of Understanding between Banyan LLC and the Government of Anguilla.

Action: PS, EDICT; TIO; MINS OF GOV'T
