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**MINUTES OF THE 233<sup>RD</sup> MEETING OF THE TENTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON THURSDAY 19<sup>TH</sup> MARCH 2015**

- 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 Hon 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 Education, Library Services, Sports, Youth and Culture
- The Honourable Evan Gumbs, Minister of Infrastructure, Communications,  
Utilities and Housing
- The Honourable Attorney General, Mr Rupert Jones
- Mrs Jewelle Fleming, Clerk to Executive Council
- IN ATTENDANCE: Hon Haydn Hughes, Parliamentary Secretary  
Mr Foster Rogers, PS, EDICT  
Mr Leslie Hodge, DLS  
Ms Marisa Harding-Hodge, TIO  
Mr Jeffrey Goldstein, Director, Fountain Beach Residences Ltd.  
Mrs Lynne Smith, Registrar of Lands

EX MIN 15/173 **CONFIRMATION OF THE MINUTES**

Council confirmed the Minutes of the 232<sup>nd</sup> Meeting held on Thursday 12<sup>th</sup> March 2015 and the Minutes of a Special Meeting held on Tuesday 17<sup>th</sup> March 2015.

**MATTERS ARISING FROM THE MINUTES**

EX MIN 15/174 None

EX MIN 15/175

**EX MEM 15/89 APPLICATIONS FOR THE PERMIT OF PERMANENT RESIDENCE**

Further to EX MIN 15/172 of 17<sup>th</sup> March 2015, Council agreed that the persons on the attached list should be granted the Permit of Permanent Residence in accordance with Section 24 of the Immigration and Passport Act, subject to checks by the Police that the police records of the individuals remain up to date. Council further agreed that the report from the police on the status of the individuals and, an update on the back log of permanent residence applications should be presented to Executive Council on Thursday 2<sup>nd</sup> April 2015.

Action: PS, MHA/IMM; LAB COM; CIO

EX MIN 15/176

**EX MEM 15/90 APPLICATIONS FOR THE PERMIT OF PERMANENT RESIDENCE**

Further to EX MIN 15/172 of 17<sup>th</sup> March 2015, Council agreed that the persons on the attached list should be granted the Permit of Permanent Residence in accordance with Section 24 of the Immigration and Passport Act, subject to checks by the Police that the police records of the individuals remain up to date. Council further agreed that the report from the police on the status of the individuals and, an update on the back log of permanent residence applications should be presented to Executive Council on Thursday 2<sup>nd</sup> April 2015.

Action: PS, MHA/IMM; LAB COM; CIO

EX MIN 15/177

**EX MEM 15/91 APPLICATIONS FOR THE PERMIT OF PERMANENT RESIDENCE**

Further to EX MIN 15/172 of 17<sup>th</sup> March 2015, Council agreed that the persons on the attached list should be granted the Permit of Permanent Residence in accordance with Section 24 of the Immigration and Passport Act, subject to checks by the Police that the police records of the individuals remain up to date. Council further agreed that the report from the police on the status of the individuals and, an update on the back log of permanent residence applications should be presented to Executive Council on Thursday 2<sup>nd</sup> April 2015.

Action: PS, MHA/IMM; LAB COM; CIO

EX MIN 15/178

**EX MEM 15/94 APPOINTMENT OF EXTERNAL AUDITORS AND CHIEF AUDITOR FOR 2013 AND 2014**

Council noted that the Welsh National Audit Office had done a good job and that it was being recommended that they should be re-appointed to act as External Auditors and Chief Auditor for the 2013 and 2014 Government of Anguilla Accounts. Council additionally noted that the cost to the Government of Anguilla would be GBP 44,500 for each year (not including travel and accommodation expenses, etc.) and GBP 15,000 for the Chief Auditor's services for each year.

Council agreed that:-

- (i) the Welsh National Audit Office should be appointed as External Auditors and Chief Auditor for the 2013 and 2014 Government of Anguilla Accounts;
- (ii) the Attorney General's Chambers should vet the draft contracts for the External Auditors and Chief Auditor; and
- (iii) if the draft contracts are satisfactory, that the PS, Finance should sign the contracts on behalf of the Government of Anguilla.

Action: PS, FIN; PS, EDICT; PAS, FIN; BD; DM; INT AUD; ACC GEN

EX MIN 15/179

**EX MEM 15/95 APPLICATION FOR DUTY EXEMPTION FOR THE ANGUILLA FOOTBALL ASSOCIATION**

Council agreed that duty exemption should be granted to the Anguilla Football Association (c/o Mr Alkins Rogers) on Player Benches as attached. Council noted that the AFA was preparing to host Nicaragua on the 29<sup>th</sup> March 2015 and that the two national teams would be competing in the FIFA World Cup 2018 Qualifiers. The AFA was required to have a number of upgrades to meet FIFA requirements.

Council additionally noted that the House of Assembly was dissolved on the 25<sup>th</sup> February 2015 and that only the HoA could grant duty exemption. With this in mind, Council accepted that the Customs Act contained a mechanism which allowed the Comptroller of Customs to release such goods in advance of consideration by the HoA, once the importer provides a written guarantee in a manner acceptable to the Comptroller.

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

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

EX MIN 15/180

**EX MEM 15/96 FILLING OF THE POST OF SENIOR JUVENILE CARE WORKER**

Council:-

- (i) noted that the contract of one Senior Juvenile Care Worker in the Department of Probation would expire in August 2015;
- (ii) noted that the views of the Permanent Secretaries were sought in relation to the filling of the post and favourable responses were given;
- (iii) further noted that budgetary provisions had already been made within the 2015 Budget for the post; and

- (iv) agreed that the post of Senior Juvenile Care Worker in the Department of Probation should be filled.

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

EX MIN 15/181

**EX MEM 15/97 FIRST ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING BETWEEN GOVERNMENT OF ANGUILLA (THE “GOVERNMENT”) AND CROCUS BAY DEVELOPMENT (THE “DEVELOPER”)**

The following persons joined the Meeting:-

Hon Haydn Hughes, Parliamentary Secretary  
Mr Foster Rogers, PS, EDICT  
Mr Leslie Hodge, DLS  
Ms Marisa Harding-Hodge, TIO

Council:-

- (i) shared the Water Corporation of Anguilla (WCA’s) concerns;
- (ii) agreed that no amendments be made to the MOU between the Government of Anguilla and Crocus Bay Development at this time; and
- (iii) agreed that the various concerns raised by the WCA regarding the interface with the desalination plant should be passed to the developer for discussions.

Executive Council is to be kept informed of the discussions.

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

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

EX MIN 15/182

**EX MEM 15/98 IMMEDIATE PROCUREMENT OF ANGUILLA WARNING SYSTEM SERVER AS A PRIORITY 1A ITEM AS PER HURRICANE GONZALO – RECOVERY AND MITIGATION EFFORTS**

Council approved the addition of the Anguilla Warning System server as item (10) to the immediate execution of the priority 1a projects totalling EC\$350,692.00 as indicated below:-

- 1) repair roof guttering/flushing at the Library to alleviate flooding in computer lab;
- 2) replace old roof and mouldy ceilings at Anguilla Statistics Department;
- 3) repair leaking roof and replace mouldy ceilings at Ministry of Home Affairs;
- 4) repair leaking roof at Sandy Ground Police Station;

- 5) repair leaking roof at Anguilla Fire and Rescue Services building at the Airport;
- 6) replace (water-damaged) carpets with tiles at Library;
- 7) replace (water-damaged) carpets with tiles at the General Post Office;
- 8) assistance to Water Corporation of Anguilla – pump and meter replacement; and
- 9) install Navigational Aid (light) at Anguillita
- 10) expedite the procurement of the Anguilla Warning System server

Council requested that the DG/PSs Group in consultation with technical persons and the NDMC prioritise the remaining projects for Executive Council's consideration.

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

Action: PS, EDICT; PS, FIN; PAS, FIN; CPO; BD; PA/HON CM/FIN

EX MIN 15/183

**EX MEM 15/99 RESTRUCTURING OF THE MANAGEMENT & ACCOUNTING PROCEDURES IN THE 2015 CAPITAL BUDGET FOR CCRIF PROJECTS**

Council:-

- (i) agreed that the CCRIF allocation should be placed under the direct management of the MICUH since it is that Ministry that has oversight for all CCRIF related projects; and
- (ii) approved the creation of a capital account in the MICUH to account for expenditure under the CCRIF projects.

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

Action: PS, MICUH; PS, PA; PS, EDICT; PAS, FIN; CPO; BD; ACC GEN;  
OTHER PERM SECS

EX MIN 15/184

**EX MEM 15/100 APPROVAL OF PASSPORT MOU AND PROPOSED NEW PASSPORT FEES**

Council:-

- (i) approved the Passport MOU and its execution by the Hon Chief Minister; and
- (ii) agreed to defer consideration of the proposed revised passport fees until after the elections.

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

Action: HON DG; PS, PA; MINS OF GOV'T

EX MIN 15/185

**EX MEM 15/101 PROPOSED MEMORANDUM OF UNDERSTANDING BETWEEN THE ANGUILLA RED CROSS AND THE GOVERNMENT OF ANGUILLA**

Council agreed that:-

- (i) the GOA should enter a MOU with the Anguilla Red Cross; and
- (ii) the Director, Disaster Management or someone else should execute the MOU on behalf of the Government of Anguilla.

Action: DIR, DIS MAN; MINS OF GOV'T

EX MIN 15/187

**EX MEM 15/103 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – BIXBY BRIDGE FUND II, LLC, TO HOLD A REGISTERED CHARGE OVER PROPERTIES DESCRIBED AS REGISTRATION SECTION: NORTH; BLOCK: 59018 B; PARCELS 213 – 219 (WITH 89 STRATA LOTS SITUATE THEREON) & PARCELS 220, 221 & 34**

PS, EDICT, DLS and Registrar of Lands remained for discussion.

Council agreed that an Aliens Land Holding Licence should be issued, under Section 4 of the Alien Lands Holding Licence Regulations Act, RSA, CA55, to Bixby Bridge Fund II, LLC to allow the registration of a charge in the sum of US\$11,625,000.00/EC\$31,250,325.00 in favour of Bixby Bridge Fund II, LLC over properties registered to Fountain Beach Residences Ltd described as Registration Section North Block 59018 B being 89 strata lots situate on Parcels 213 – 219 & Parcels 220 & 34 containing 6.36 acres subject to the payment of the following stamp duties:-

i)	Stamp Duty on Licence in accordance with Aliens Land Holding Licence Regulations Act	=	EC\$ 500.00
ii)	Stamp Duty on Charge @ 1% of EC\$31,250,325.00	=	EC\$312,503.25
	<b>TOTAL</b>	=	<b>EC\$313,003.25</b>

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

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

EX MIN 15/188

**INF 15/03 RE-APPOINTMENT OF CHAIRMAN OF THE BOARD OF THE FINANCIAL SERVICES COMMISSION**

Council noted:-

- (i) the approval of Mrs Helen Hatton as a Member of the Board and as Chairman of the Board of the Financial Services Commission, effective from 29 March 2015, for a period of three years; and
- (ii) the approval of Mr Ralph Hodge as Deputy Chairman of the Board of the Financial Services Commission, effective from 24 January 2014.

Action: HE; PS, FIN; PS, EDICT; DIR, FSC

**ORAL MENTION**

EX MIN 15/189

**EX MIN 15/142 UPDATE ON ZEMI BEACH RESORT & RESIDENCES: RESURFACING OF ROAD**

Parliamentary Secretary, PS, EDICT, DLS and TIO remained for discussion. Mr Jeffrey Goldstein, Director, Fountain Beach Residences Ltd. joined the Meeting.

Further to EX MIN 15/142 of 5<sup>th</sup> March 2015, Council noted the presentation from the Director, Fountain Beach Residences Ltd regarding the resurfacing of the road and the urgency to have it completed for the opening of the Resort scheduled for October 2015. Mr Goldstein indicated that he would fund the costs for the portion of road, currently vested in the Crown, leading to the Zemi Beach Resort & Residences exclusively. Council requested that Mr Goldstein writes to the GoA outlining his intention and commitment. Council pointed out the importance of complying with all the requirements under the Road Act/Regulations to Mr Goldstein.

Council mandated the Chief Engineer, DICUH and the DLS to liaise on the procurement process.

Action: PS, MICUH; PAS, FIN/CHAIR, PB; PS, FIN; DLS; CHIEF ENG; HON AG; PS, MHA/LANDS

EX MIN 15/190

**FERRY BOAT FEES**

Council noted the concern from the public regarding the increase in Ferry Boat fees from US\$15.00 to US\$20.00. Ministers of Government shared the concern that there had been no prior discussions with the GOA, and that this was not an action by the GoA but one to be addressed by the Anguilla Air and Sea Ports Authority (AASPA).

Council pointed out that there had been no rationale for the increase and reiterated that the GoA had not been involved in the negotiations. Council asked the Hon Attorney General to forward his advice to AASPA on the issue to the PS, MICUH.

Action: PS, MICUH; HON AG; CEO, AASPA

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