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**MINUTES OF THE 16<sup>TH</sup> MEETING OF THE ELEVENTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON TUESDAY 1<sup>ST</sup> SEPTEMBER 2015**

PRESENT: Her Excellency the Governor, Ms Christina Scott

The Honourable Victor Banks, Chief Minister and Minister of Finance,  
Economic Development, Commerce, Tourism, Lands & Physical Planning

The Honourable Deputy Governor, Mr Stanley Reid

The Honourable Evans Rogers, Minister of Health and Social Development

The Honourable Cora Richardson-Hodge, Minister of Home Affairs, Immigration,  
Labour, Environment, Human Rights, Gender Affairs, Constitutional Affairs and  
Information and Broadcasting

The Honourable Curtis Richardson, Minister of Infrastructure, Communications,  
Utilities, Housing, Agriculture and Fisheries and Information Technology

The Honourable Attorney General, Mr Rupert Jones

Mrs Jewelle Fleming, Clerk to Executive Council

IN ATTENDANCE: Hon Cardigan Connor, Parliamentary Secretary  
Mr Foster Rogers, PS, EDICTLP  
Mr Leslie Hodge, DLS  
Ms Marisa Harding-Hodge, TIO

EX MIN 15/477 **CONFIRMATION OF THE MINUTES**

Hon Cardigan Connor, Parliamentary Secretary joined the Meeting.

Council confirmed the Minutes of the 15<sup>th</sup> Meeting held on Thursday 13<sup>th</sup> August 2015.

**MATTERS ARISING FROM THE MINUTES**

EX MIN 15/478 None

EX MIN 15/480

**EX MEM 15/273 MS YOLANDE DASH**

Parliamentary Secretary remained in attendance.

Council:-

- (i) acknowledged the achievements by Ms Yolande Dash from the time she was contracted to work with the Government of Anguilla on 12 June 1998;
- (ii) did not agree that the contract for consultancy services, to be provided by Ms Yolande Dash to the Attorney General's Chambers should be extended by twelve (12) months; and
- (iii) agreed that, if any further engagement is needed, it should be done on a case by case basis and further, to explore what Ms Dash's fees would be if engaged on such a basis.

Action: HON AG; PS, PA

EX MIN 15/482

**INF 15/05 FILLING OF POST – DEPUTY GOVERNOR**

Parliamentary Secretary remained in attendance.

The Hon Deputy Governor declared an interest and absented himself from the Meeting.

Council noted that the post of Deputy Governor would become vacant in June/July 2016 when the current post-holder would leave the role. Council noted the proposed filling of the post and that the replacement process would be undertaken as directed by the Constitution.

Action: HE; MINS OF GOV'T

EX MIN 15/483

**EX MEM 15/275 OVERDRAFT FACILITY 2015-2016**

Parliamentary Secretary remained in attendance.

Council agreed that:-

- (i) an overdraft facility of twenty million Eastern Caribbean Dollars (EC\$20,000,000.00) should be maintained at the Caribbean Commercial Bank (Anguilla) Ltd at an interest rate of 6.75 per cent, effective 1 October 2015 to 30 September 2016;
- (ii) a continuing guarantee should be provided by the Government of Anguilla (GoA) to Caribbean Commercial Bank (Anguilla) Ltd;
- (iii) the operating accounts relationships established with the original approval of the facility should be maintained by the GoA at Caribbean Commercial Bank (Anguilla) Ltd; and

- (iv) the attached draft overdraft resolution should be submitted to the House of Assembly at its next sitting to give effect to the renewal of the overdraft facility.

Action: PS, FIN; PS, EDICTLP; PAS, FIN; BD; DM; ACC GEN

EX MIN 15/484

**EX MEM 15/276 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – AMBIA AXA LIMITED – REGISTRATION SECTION ROAD, BLOCK 08512 B, PARCEL 63, CONTAINING 0.75 OF AN ACRE WITH A BED & BREAKFAST BUSINESS THEREON**

Parliamentary Secretary remained in attendance. Messrs Foster Rogers, PS, EDICTLP and Leslie Hodge, DLS joined the Meeting.

Council agreed to issue an Aliens Land Holding Licence to Ambia AXA Limited, to hold, on a freehold basis, 0.75 acre of land, located in South Hill, with an existing Bed and Breakfast Business thereon situate at Registration Section Road, Block 08512 B, Parcel 63, subject to the payment of the following fees:-

(i)	under the Stamp Act – 5% of EC\$1,645,178.40	EC\$ 82,258.92
(ii)	under the Aliens Land Holding Regulation Act – 12.5% of EC\$1,645,178.40	EC\$205,647.30
	<b>TOTAL</b>	<b>EC\$287,906.22</b>

Action: PS, EDICTLP; PS, FIN; DLS

EX MIN 15/485

**EX MEM 15/277 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – PETER KLEE KEMPNER AND BETSY JANE KEMPNER - REGISTRATION SECTION WEST END, BLOCK 18011 B, PARCEL 45, STRATA LOT SL 2A, CONTAINING 564 SQUARE FEET**

Parliamentary Secretary remained in attendance. PS, EDICTLP and DLS remained for discussion.

Council agreed to issue an Aliens Land Holding Licence to Peter Klee Kempner and Betsy Jane Kempner, to hold, as joint tenants on a freehold basis, property described as Registration Section West End, Block 18011 B Parcel 45 Strata Lot SL 2A, containing 564 sq. ft. located at Meads Bay, Anguilla for tourism/residential purposes, subject to the following:-

- a) Payment of the following Stamp Duty fees:-

(i)	under the Stamp Act – 5% of EC\$1,057,548.63	EC\$ 52,877.43
(ii)	under the Aliens Land Holding Regulation Act – 12.5% of EC\$1,057,548.63	EC\$132,193.58
	<b>TOTAL</b>	<b>EC\$185,071.01</b>

- b) Carimar Beach Club Limited should be the exclusive renting agent for the unit;
- c) the Licensees should be required to enter into an agreement with Carimar Beach Club Limited for the management and use of the unit for at least forty-four (44) weeks in each calendar year;
- d) the Licensees shall have the right to reside in the unit for a maximum of eight (8) weeks in each calendar year without being liable for the payment of accommodation tax. However, if the applicants wish to live in their unit for a period longer than eight (8) weeks, then they should be required to pay the accommodation tax.

Action: PS, EDICTLP; PS, FIN; DLS

EX MIN 15/486

**EX MEM 15/278 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – REGISTRATION SECTION SOUTH EAST, BLOCK 79214 B, PARCEL 202, STRATA LOTS SL B5, CONTAINING 1,756 SQUARE FEET AND G3 CONTAINING 336 SQUARE FEET**

Parliamentary Secretary remained in attendance. PS, EDICTLP and DLS remained for discussion.

The Hon Minister of Home Affairs declared an interest and absented herself from the Meeting.

Further to EX MIN 15/376 of 25 June 2015, Council agreed that the paper should be further deferred to enable the DLS to seek confirmation from the Financial Intelligence Unit (FIU) on the content of the letter dated July 15, 2015 from Anne K. DeSimone, Deputy Regional Counsel of the Federal Deposit Insurance Corporation (FDIC).

Action: PS, EDICTLP; PS, FIN; DLS

EX MIN 15/487

**EX MEM 15/279 FIRST ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING AND DRAFT LEASE BETWEEN THE GOVERNMENT OF ANGUILLA (THE “GOVERNMENT”) AND CROCUS BAY DEVELOPMENT (THE “DEVELOPER”)**

Parliamentary Secretary remained in attendance. PS, EDICTLP and DLS remained for discussion. Ms Marisa Harding-Hodge joined the Meeting.

Further to EX MIN 15/474 of 13 August 2015, Council agreed that:-

- (i) further work should be done on the height and physical descriptions of the building for the new Water Plant;
- (ii) additional work should be undertaken concerning the question of the vesting of land; and
- (iii) there should be a separate discussion on a potential land swap.

Action: PS, EDICTLP; DLS; TIO; PS, MICUH; CEO, WCA; HON AG

EX MIN 15/488

**EX MEM 15/280 TEMPORARY FILLING OF VACANT POSITION – DIRECTOR DISASTER MANAGEMENT**

Parliamentary Secretary remained in attendance.

Council confirmed the decision taken by round robin for the approval of the temporary filling of the position of Director Disaster Management, while the substantive holder is on study leave.

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

Action: PS, PA; DDM; PS, FIN; PS, EDICTLP; BD; ACC GEN

EX MIN 15/489

**EX MEM 15/281 PAYMENT OF DEFERRED SALARY – MRS X**

*[note on publication: name redacted to protect personal health information]*

Parliamentary Secretary remained in attendance.

Council agreed that Mrs X who is employed in the Department of Education should be paid her deferred salary of EC\$47,565.85 to assist her with medical costs associated with her child's illness.

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

Action: PS, PA; PS, FIN; PS, EDICTLP; ACC GEN; CEO

EX MIN 15/490

**EX MEM 15/282 PAYMENT OF DEFERRED SALARY – MS Y***[note on publication: name redacted to protect personal health information]*

Parliamentary Secretary remained in attendance.

Council agreed that Ms Y who is employed in the Department of Education should be paid her deferred salary of EC\$16,384.11 to assist her with costs associated with her medical condition.

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

Action: PS, PA; PS, FIN; PS, EDICTLP; ACC GEN; CEO

EX MIN 15/491

**EX MEM 15/283 PAYMENT OF DEFERRED SALARY – MS Z***[note on publication: name redacted to protect personal health information]*

Parliamentary Secretary remained in attendance.

Council agreed that Ms Z who is employed in the Education Department should be paid her deferred salary of EC\$13,443.96 to assist her with costs associated with her medical condition.

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

Action: PS, PA; PS, FIN; PS, EDICTLP; ACC GEN; CEO

EX MIN 15/492

**EX MEM 15/284 TO CORRECT AN ERROR WITH THE FIRST NAME***[note on publication: name redacted to protect personal health information]*

Parliamentary Secretary remained in attendance.

Council agreed that the name **Mr George Frederick Lewis** approved in EX MIN 15/242 of 10 April 2015 for the Permit of Permanent Residence should be corrected to read **Mr Gregoire Frederick Lewis** so that the necessary certificate could be issued. The amended minute is attached.

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

Action: PS, IMM; LAB COM; CIO

EX MIN 15/493

**EX MEM 15/285 PUBLIC HOLIDAYS FOR 2016**

Parliamentary Secretary remained in attendance.

Council approved the list of Public Holidays for 2016 as follows:-

New Year's Day	Friday, 1 January
James Ronald Webster Day	Wednesday, 2 March
Good Friday	Friday, 25 March
Easter Monday	Monday, 28 March
Labour Day	Monday, 2 May
Whit Monday	Monday, 16 May
Anguilla Day	Monday, 30 May
Celebration of the Birthday of Her Majesty The Queen	Monday, 13 June
August Monday	Monday, 1 August
August Thursday	Thursday, 4 August
Constitution Day	Friday, 5 August
National Heroes and Heroines Day	Monday, 19 December
Christmas Day	Monday, 26 December
Boxing Day	Tuesday, 27 December

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

Action: PS, MHA; PAS, MHA

EX MIN 15/494

**EX MEM 15/286 INFORMATION NOTE:- CONSTITUTIONAL & ELECTORAL REFORM COMMITTEE**

Parliamentary Secretary remained in attendance.

The Hon Deputy Governor declared an interest but Executive Council Members agreed that he remained for discussion.

Council agreed that the following persons, in accordance with EX MIN 15/431, paragraph (b) of 23 July 2015 should constitute the Constitutional & Electoral Reform Committee:-

- 1) Mr Don Mitchell QC
- 2) Mr Colville Petty OBE
- 3) Ms Arielle Gaskin
- 4) Mr Kyle Hodge
- 5) Mr Conrad Rogers
- 6) Mrs Keesha Carty

- 7) Mr Stanley Reid OBE
- 8) Recording Secretary

Council noted that it was envisaged that sub-committees would be formed and persons co-opted for each of the specialty areas. The sub-committees would in turn report to the above persons (Core Committee). The Core Committee would deliver a preliminary progress report to Executive Council on or before 29 December 2015. Council additionally noted that the above persons were committed to working on the Committee without remuneration.

Action: MINS OF GOV'T; SOE

### **ORAL MENTION**

EX MIN 15/495

### **MEETING OF EXECUTIVE COUNCIL**

Parliamentary Secretary remained in attendance.

Council agreed that there should be a Special Meeting of Executive Council on Monday 7<sup>th</sup> September 2015 at 2:00 pm to meet with Dr. Daniel Lee and Dr. Marquita Williams of Partners in Change Management & Healthcare Administration (PCMHA). Members noted that PCMHA had been working with the Ministry of Social Development for the past three (3) years to establish a comprehensive array of Mental Health Services.

Action: PS, HSD; EXCO MEMBERS

EX MIN 15/496

### **DISASTER IN DOMINICA CAUSED BY TROPICAL STORM, ERIKA**

Parliamentary Secretary remained in attendance.

Council noted the devastation to Dominica which was caused by the passage of Tropical Storm, Erika on Thursday 27<sup>th</sup> August 2015. Council additionally noted a general request to the OECS Member States of which Anguilla is a Member that consideration be given to pledging a monetary contribution of US\$100,000.00 to Dominica.

Council agreed that Anguilla should be supportive and that a monetary contribution of US\$100,000.00 should be made to Dominica from Anguilla to assist and expedite the island's recovery efforts during this difficult and challenging period.

Action: MINS OF GOV'T; PS, FIN; PS, EDICTLP

EX MIN 15/497

### **BRIEFING ON THE IAAF WORLD CHAMPIONSHIPS 2015 IN BEIJING**

Parliamentary Secretary remained in attendance.

The Hon Parliamentary Secretary briefed Council on the recent IAAF World Championships 2015 in Beijing. Council noted with pride the achievements of Anguillian born Ms Shara Proctor and Mr Zharnel Hughes who represented Great



Britain in the Championships. Ms Proctor earned a silver medal in the long jump category with a personal best record time of 7.07 metres, and Mr Hughes placed fifth in the 200m with a stunning personal best time of 20.02 seconds.

Council acknowledged that the UK athletes were being funded to win medals and wished them continued success in their sporting endeavours.

Action: PS, ELSYC; PARL SEC

EX MIN 15/498

**OVERSEAS TRAVEL**

Parliamentary Secretary remained in attendance.

Council was informed of the following dates of travel:-

- 1) Hon Chief Minister - 2 – 4 September, IMF Meeting, St. Kitts
- 2) HE The Governor - 5 – 12 September, leave
- 3) Hon Min of Home Affairs - 7 – 9 September, OECS Ministers of Environment, Antigua

Action: EXCO MEMBERS

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