

THIS DOCUMENT IS THE PROPERTY
OF THE GOVERNMENT OF ANGUILLA

Copy No:

MINUTES OF THE 174TH MEETING OF THE ELEVENTH ANGUILLA
EXECUTIVE COUNCIL HELD ON THURSDAY 31ST JANUARY 2019
AT 10:00 AM

PRESENT: His Excellency the Governor, Mr Timothy Foy, OBE

The Honourable Chief Minister and Minister of Finance, Economic Development, Commerce, Tourism and Information Technology, Mr Victor Banks

The Honourable Deputy Governor, Mr Perin Bradley

The Honourable Minister of Health and Social Development, Lands and Physical Planning, Mr Evans Rogers

The Honourable Minister of Home Affairs and Education, Mrs Cora Richardson-Hodge

The Honourable Minister of Infrastructure, Communications, Utilities, Housing, Agriculture, Fisheries and Environment, Mr Curtis Richardson

The Honourable Acting Attorney General, Mr Ivor Greene

Clerk to Executive Council, Mrs Jewelle Fleming

IN ATTENDANCE: Ministerial Assistant to the Hon Minister, MHA, Mrs Evalie Bradley
Financial Specialist, Mr Stephen Turnbull
PS, HLPP, Mr Foster Rogers
DLS, Mr Leslie Hodge
PS, FIN, Dr Aidan Harrigan
PS, EDICTIT, Mr Larry Franklin
Budget Director, Mrs Shona Proctor
Director, Economic Planning, Mrs Shantelle Richardson
Budget Officer (acting), Ms Myanica Richardson
PS, PA, Mrs Kathleen Rogers
PS, MHA/ED, Mrs Chanelle Petty Barrett
PS, SD, Dr Bonnie Richardson-Lake
Commissioner of Police, Mr Paul Morrison
Comptroller, Inland Revenue, Mr Kiel Connor
Deputy Comptroller, Inland Revenue, Ms Tamika Fleming

ABSENT: The Honourable Attorney General, Mr Dwight Horsford

EX MIN 19/57 **CONFIRMATION OF THE MINUTES**

Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained.

Council confirmed the Minutes of the 173rd Meeting held on Thursday 24 January 2019.

MATTERS ARISING FROM THE MINUTES

EX MIN 19/58

EX MEM 19/16 DESIGNATION OF SUPERINTENDENT OF PORTS (PORTS, PIERS AND HARBOURS ACT, 2010)

Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained.

Further to EX MIN 19/51 of 24 January, the Hon Deputy Governor clarified that the post of Superintendent of Ports was intended to be a full time post. Council noted that a formal paper would be submitted to next week's meeting of Executive Council.

Action: PS, MICUHAFE; PS, PA; PS, FIN; PS, EDICTIT; CPO; ACC GEN

EX MIN 19/59

EX MEM 19/21 RESCINDING OF EXECUTIVE COUNCIL MINUTE 19/31 – APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATIONS ACT – FSA241 LTD – REGISTRATION SECTION: WEST END; BLOCK: 17810 B; PARCEL 201 STRATA LOT SL K201

Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained.

Council ratified the decision taken by round robin on 28 January 2019 that:

- (i) EX MIN 19/31 of 17 January be rescinded;
- (ii) an Aliens Land Holding Licence be issued to FSA241 LTD., to hold on a freehold basis a luxury condominium unit of approximately 1546 sq. ft. forming part of Resorts & Residences of Anguilla Home Owners Association Ltd. a condominium development at Four Seasons Anguilla Ltd., described as Registration Section West End, Block 17810 B, Parcel 201/SL K201 subject to:
 - (a) Payment of the following stamp duty fees:

(i)	under the Stamp Act – 5% of EC\$3,217,775.40	EC\$160,888.77
(ii)	under the Aliens Land Holding Regulations Act – 3% of EC\$3,217,775.40	EC\$ 96,533.26
TOTAL		<u>EC\$257,422.03</u>
 - (b) Regulations to be issued for exemption by the Attorney General's Chambers.

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

Action: PS, HLPP; DLS; HON AG; PS, FIN

EX MIN 19/60

EX MEM 19/23 2019 BUDGET

Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained.

The following persons joined:

PS, HLPP, Mr Foster Rogers
 DLS, Mr Leslie Hodge
 PS, FIN, Dr Aidan Harrigan
 PS, EDICTIT, Mr Larry Franklin
 Budget Director, Mrs Shona Proctor
 Director, Economic Planning, Mrs Shantelle Richardson
 Budget Officer (acting), Ms Myanica Richardson
 PS, PA, Mrs Kathleen Rogers
 PS, MHA/ED, Mrs Chanelle Petty Barrett
 PS, SD, Dr Bonnie Richardson-Lake
 Commissioner of Police, Mr Paul Morrison
 Comptroller, Inland Revenue, Mr Kiel Connor
 Deputy Comptroller, Inland Revenue, Ms Tamika Fleming

Following further discussion on the 2019 budget, Council:

- (i) thanked the officials in the MFEDICTIT for their hard work and dedication;
- (ii) agreed that consideration be given to providing additional funding to the social sector, subject to the overall performance of revenue;
- (iii) agreed that Accommodation Tax be increased from 10% to 12% effective April 2019 and the Marketing Levy repealed effective April 2019;
- (iv) declined the request from the AASPA for receipt of total Embarkation Tax for 2019 - however, was minded to write off the Embarkation Tax arrears from 2018;
- (v) declined the request from the Anguilla Social Security Board for an increase in social security contributions, and agreed a review subsequently; and
- (vi) approved the 2019 budget as follows:

(a)	Recurrent Revenue	EC\$208,361,315
(b)	Recurrent Expenditure	EC\$213,480,000
(c)	Recurrent Deficit	EC\$5,118,685

Council further agreed that the Capital budget would be discussed at next week's meeting of Executive Council.

Action: PS, FIN; PS, EDICTIT; PAS, FIN; BD; DEP; CPO; OTHER PSs;
 MINS OF GOV'T

EX MIN 19/61

EX MEM 19/24 APPLICATION FOR USE OF THE SEA FLOOR BY AQUA LOUNGE AT RENDEZVOUS

Ministerial Assistant to the Hon Minister, MHA, Financial Specialist, PS, HLPP and DLS remained.

Council agreed that the paper be deferred for the following reasons:

- (i) to present Council with a full understanding of the project's total costs and the investors ability to deliver and sustain an important new initiative;
- (ii) to enable the preparation of a detailed Environmental Impact Statement (EIS) to identify potential issues and how they would be addressed; and
- (iii) for public consultation to be held in the district on the development.

Action: PS, HLPP; DLS; PPO; PEHO; DHP; MINS OF GOV'T

EX MIN 19/62

EX MEM 19/25 APPEAL AGAINST PLANNING REFUSAL APPLICATION REF#: 18/0121 (MONICA REID)

Ministerial Assistant to the Hon Minister, MHA, Financial Specialist, PS, HLPP and DLS remained.

Council agreed that the appeal against planning permission from Mrs Monica Reid to develop a mobile booth at Island Harbour on part of Parcel 1 of Block 89418 B should be allowed on the following grounds:

- (i) the mobile unit can be moved from the area in the event of an approaching storm;
- (ii) the development would create economic activity on Island Harbour Beach and cater to clients which are different to other vendors in the area;
- (iii) the area of the parking lot being used does not negatively impact its usage; and
- (iv) the area is used for similar activity during Festival Del Mar;

Council further agreed that the appeal be allowed with the following conditions:

- (i) approval is for a period of two (2) years. Upon the expiration of this period the Ministry of Lands will indicate the government's desire to extend permission for a further two years or require the activity to cease; and
- (ii) the developer is to apply to the Ministry of Lands for a licence to operate on Parcel 1 for said period.

Action: PS, HLPP; DLS; PPO; PEHO; DHP; MINS OF GOV'T

EX MIN 19/63

EX MEM 19/26 APPEAL AGAINST PLANNING REFUSAL APPLICATION REF#: 18/0098 (NATALIE RICHARDSON)

Ministerial Assistant to the Hon Minister, MHA, Financial Specialist, PS, HLPP and

DLS remained.

Council:

- (i) noted an appeal against planning permission from Ms. Natalie Richardson to develop a restaurant and apartment complex at Sandy Hill on Parcel 40 of Block 79214 B;
- (ii) agreed that the paper be deferred for a site visit by ministers; and
- (iii) agreed that public consultation be held in the district on the development.

Action: PS, HLPP; DLS; PPO; PEHO; DHP; MINS OF GOV'T

EX MIN 19/64

EX MEM 19/27 BILL FOR THE LABOUR (RELATIONS) (AMENDMENT) ACT 2019

Ministerial Assistant to the Hon Minister, MHA, Financial Specialist and PS, MHA remained.

Council:

- (i) approved the Bill for the Labour (Relations) (Amendment) Act 2019; and
- (ii) noted that it would be taken to the House of Assembly at its next sitting on Tuesday 5 February 2019.

PS, MHA thanked the Attorney General's Chambers for the quick response to this matter.

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

Action: PS, MHA; CL, HOA; HON AG; MINS OF GOV'T

ORAL MENTION

EX MIN 19/65

UPDATE ON THE USE OF TECHNOLOGY TO LIMIT THE TRANSMISSION OF VIRUSES IN THE Aedes Aegypti MOSQUITO

The Permanent Secretary Health apprised members of the regional "Meeting on the Integrated Vector Management for the Control of Arboviruses - Exploration of the Wolbachia-based (Aedes aegypti) Population Alteration as Introdudible New Technology" being held in Anguilla on 31 January to 1 February 2019. The meeting is being hosted in collaboration with Public Health England and the World Mosquito Programme on the use of technology to limit the transmission of viruses in the Aedes aegypti mosquito which cause transmittable diseases such as Zika, Chikungunya and Dengue. Attending the meeting are 22 participants from throughout the Caribbean region including overseas territories and independent countries.

Action: PS, HLPP; MINS OF GOV'T

EX MIN 19/66

**STATUS OF ISM CODE COMPLIANCE FOR ANGUILLA PASSENGER
FERRIES**

Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained.

The Hon Deputy Governor informed Council that he had met with Mr Richard Pellew from the Maritime and Coastguard Agency (MCA) with regard to issues around the granting of certificates to prove ISM Code compliance for Anguilla passenger ferries carrying more than 12 passengers.

Council noted that:

- (i) a number of the boats had been audited but were yet to receive their certificates; and
- (ii) urged MICUHAFE to promptly address the reasons leading to the failure to issue certificates and to improve coordination with the marine surveyor.

The Hon DG added that the PS, MICUHAFE had expressed his thanks to the MCA for their continued support in providing guidance, technical and financial support to advance the maritime industry in Anguilla.

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