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**MINUTES OF THE 200<sup>TH</sup> MEETING OF THE ELEVENTH ANGUILLA**  
**EXECUTIVE COUNCIL HELD ON THURSDAY 29<sup>TH</sup> AUGUST 2019**  
**AT 9:00 AM**

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

The Honourable Premier 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 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 Attorney General (acting), Mrs Nakishma Hull

Clerk to Executive Council, Mrs Jewelle Fleming, MBE

IN ATTENDANCE: Hon Parliamentary Secretary, Mr Cardigan Connor  
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, Finance, Dr Aidan Harrigan  
Budget Director, Mrs Shona Proctor  
Deputy Director, Inland Revenue, Ms Tameika Fleming  
Budget Officer, Ms Myanica Richardson  
Finance Manager, Pension Fund, Mr Giridon Connor

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

The Honourable Attorney General, Mr Dwight Horsford

EX MIN 19/391 **CONFIRMATION OF THE MINUTES**

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

Council confirmed the Minutes of the 199<sup>th</sup> Meeting held on Thursday 15 August 2019.

**MATTERS ARISING FROM THE MINUTES**

EX MIN 19/392

**EX MEM 19/185 ADDITIONAL FUNDING FOR THE ANGUILLA COMMUNITY COLLEGE**

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

Further to EX MIN 19/382 of 15 August, Council requested the Hon Deputy Governor to speak with the PS, MHA/ED on the long-term sustainability issues raised as a matter of urgency.

Action: PS, MHA/ED; PS, FIN; PS, EDICTIT; PAS, FIN; BD; ACC GEN;  
MINS OF GOV'T

EX MIN 19/394

**REVENUE, EXPENDITURE & CAPITAL PERFORMANCE – JULY REPORT**

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained. The following persons joined:

PS, Finance, Dr Aidan Harrigan  
Budget Director, Mrs Shona Proctor  
Deputy Comptroller, Inland Revenue, Ms Tameika Fleming  
Budget Officer, Ms Myanica Richardson

Council noted the financial accounts for the seven months ended July 2019 as follows:

<u>Recurrent Revenue</u>		<u>Recurrent Expenditure</u>		
Estimate	\$132.05	Estimate	\$122.97	
Actual	\$151.41	Actual	\$118.94	
Difference	\$ 19.36	Difference	4.03	<b>3.27%</b>
<u>Recurrent Balance (Surplus/Deficit)</u>		<u>Capital Expenditure</u>		
Estimate Surplus	\$ 9.08	2019 Capital Budget	EC\$16.8m	
Actual Surplus	\$32.47	Capital expenditure at end of July	EC\$ 1.8m	
<u>Capital Revenue</u>				
European Development Fund: Disbursement application submitted June 2019. Combined request of first variable tranche and second fixed and variable tranches.				EC\$13.3m

Council appreciated the continued hard work from the MFEDICIT and cautioned that we must continue to remain vigilant given the uncertainty of the hurricane season and such other events.

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

EX MIN 19/397

**REVOCATION OF ALLOTMENT TO THE ANGUILLA NATIONAL TRUST REGULATIONS, 2019**

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

Council:

- (i) noted the Revocation of Allotment to the Anguilla National Trust Regulations, 2019 which was signed by H E The Governor on 29 August 2019; and
- (ii) noted that these Regulations shall come into force on the date of publication in the gazette.

Action: PS, MHA/ED; HON AG; PS, HLPP; DLS; EX DIR, ANT; MINS OF GOV'T

EX MIN 19/398

**EX MEM 19/192 BILL FOR ANGUILLIAN STATUS ACT, 2019**

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

Council agreed that:

- (i) the Hon Attorney General be asked to insert the suitable wording in the Bill to ensure that the appropriate mechanisms are in place to support the constitutional reforms which were brought into effect by the Anguilla Constitution (Amendment) order 2019; and
- (ii) thereafter, the paper would be sent by round robin for consideration.

Action: PS, MHA/ED; HON AG; LAB COM; CIO; MINS OF GOV'T

EX MIN 19/399

**EX MEM 19/193 ESTABLISHMENT OF THE LABOUR TRIBUNAL**

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

Council:

- (i) endorsed the establishment of the Labour Tribunal in accordance with section 148 of the Labour (Relations) Act 2018; and
- (ii) agreed that clarification be sought on the retainer fees, and the definition of hearing as shown in the document, to be considered at the next meeting of Executive Council on Thursday 5 September.

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

Action: PS, MHA/ED; HON AG; LAB COM; REG, JD; MINS OF GOV'T

EX MIN 19/400

**EX MEM 19/194 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – CARIBBEAN BEACON LIMITED – REGISTRATION SECTION CAULS POND, BLOCK 69214 B, PARCELS 29 AND 31 CONTAINING 1.40 ACRES AND 4.00 ACRES**

Hon Parliamentary Secretary, Ministerial Assistant to the Hon Minister, MHA and Financial Specialist remained. PS, HLPP, Mr Foster Rogers joined.

Council agreed that:

- (a) Executive Council Minute No. 19/317 dated 5 July 2019 be rescinded;
- (b) Caribbean Beacon Limited be granted an Aliens Land Holding Licence to hold property situated in Registration Section Cauls Pond, Block 69214 B, Parcels 29 and 31 containing 1.40 acres and 4.00 acres, subject to the payment of the following fees:

**PARCEL 29**

(i)	under the Stamp Act – 5%	Paid by Receipt no. 91029039
		EC\$5,376.40
(ii)	under the Aliens Land Holding Regulation Act – 5% of EC\$193,550.40	<u>EC\$9,677.52</u>
	<b>TOTAL</b>	<b><u>EC\$9,677.52</u></b>

**PARCEL 31**

(i)	under the Stamp Act – 5% of EC\$100.00	EC\$ 100.00
(ii)	under the Aliens Land Holding Regulation Act – 5% of EC\$537,640.00	<u>EC\$26, 882.00</u>
	<b>TOTAL</b>	<b><u>EC\$26,982.00</u></b>
	<b>GRAND TOTAL</b>	<b><u>EC\$36,659.52</u></b>

- (c) to comply with the Labour Department Act R.S.A. c. L15 and Section 16 (1) and (2) of the Fair Labour Standards Act, R.S.A. c. F15;
- (d) to comply with telecommunication regulations; and

- (e) Caribbean Beacon is to be monitored in terms of its operations, structural safety and radiation emissions as well as aerodrome requirements as specified by the International Civil Aviation Organisation (ICAO). The grant of planning approval and requirements should be adhered to, structural safety requirements, Telecommunications Act and standards and the requirement to monitor frequency from the Ministry of Communications at MICUH. The existing structure shall also be in compliance with environmental standards and monitoring reports should be submitted to the MICUH, MSD, Departments of Planning, Environment and Disaster at their expense.

Action: PS, HLPP; DLS; PS, MICUHAFE; PS, SD; PPO; DDM; DIR, ENV

EX MIN 19/401

**EX MEM 19/195 RESCINDING EXCO MINUTE 19/344 & SUBDIVISION AND TRANSFER OF CROWN LAND, PROPERTY DESCRIBED AS REGISTRATION SECTION NORTH CENTRAL, BLOCK 48714 B, PARCEL 737 (PART OF)**

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

Council agreed that:

- (i) Executive Council Minute No. 19/344 dated 19 July 2019 be rescinded;
- (ii) the lands where Anguilla National Trust (ANT) is currently situated (Registration Section North Central, Block 48814 B, described as Parcel 226 (part of) being approximately 0.17 acres) located in the Valley be exchanged for lands situated in Registration Section Registration Section North Central, Block 48714 B, described as Parcel 737 (part of) being 0.39 acre currently registered to the Crown. The exchange of land is for the construction of the Valley Polyclinic;
- (iii) lands described as Registration Section North Central, Block 48714B, Parcel 737 (part of) be transferred to the Anguilla National Trust (ANT) for the construction of their new office building, subject to the relevant permissions including planning permission; being Lot 1 on Survey Plan LS09-19;
- (iv) the market value of the property is US\$39,000 or EC\$104,839.80; and
- (v) ANT be exempted from the payment of stamp duty in accordance with Section 22 of the ANT Act.

Action: PS, HLPP; PS, MHA/ED; DLS; EX DIR, ANT; MINS OF GOV'T

EX MIN 19/403

**EX MEM 19/197 SCHOLARSHIP BSc. FIRE AND RESCUE DOMESTIC**

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

Council:

- (i) noted that this area of training is crucial particularly now that Maritime has been added to the portfolio;
- (ii) noted that the GoA would be required to expend an estimated total of EC\$360,000.00 for this training; and
- (iii) approved a scholarship for a BSc. in Fire and Rescue Domestic for 2019.

Action: PS, PA; HON DG; PS, MICUHAFE; TRNG OFF; PS, FIN; PS, EDICTIT;  
BD; ACC GEN

EX MIN 19/404

**EX MEM 19/198 SCHOLARSHIP IN PHYSICAL PLANNING**

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

Council:

- (i) noted that this area is crucially needed as the Manager and Middle Manager would be retiring in five to six years;
- (ii) noted that the GoA would be required to expend an estimated total of EC\$200,000.00 for this training; and
- (iii) approved a scholarship for a BA in Urban Design, Planning and Development for 2019.

Action: PS, PA; HON DG; DLS; PPO; TRNG OFF; PS, FIN; PS, EDICTIT; BD;  
ACC GEN

EX MIN 19/405

**EX MEM 19/199 TRANSFER OF FUNDS TO GENERAL NURSING**

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

Council:

- (i) approved the transfer of funds allotted to the BSn. Critical Care Nursing and the Certified Registered Anesthetist to the BSn. General Nursing area – the transfer of funds would assist nurses enrolled in universities overseas; and
- (ii) noted that the GoA would be required to expend a total of EC\$185,000.00.

Action: PS, PA; HON DG; PS, HSD; TRNG OFF; PS, FIN; PS, EDICTIT; BD;  
ACC GEN

EX MIN 19/406

**EX MEM 19/200 BUILDING EFFECTIVE GOVERNANCE FOR LAND USE AND ENVIRONMENTAL MANAGEMENT PROJECT (BEGLUEMP)**

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

EX MIN 19/300 of 5 July refers.

Council noted and accepted the following update:

- (i) the Ministries and Departments of Physical Planning and Environment met with the CDB-funded consultants hired for the legal and public education and awareness components of the project and the local project led by Mr C. Samuel to determine the best way forward to ensure the timely completion of the outputs;
- (ii) it was agreed that the draft Physical Planning bill would need significant revisions prior to commencing the public awareness component in order to deal with the concerns raised by the Ministry of Planning. The legal consultant has agreed to make these amendments in consultation with the Government of Anguilla, and will travel to Anguilla as soon as possible to assist with this aspect.
- (iii) components of the Environmental Management Bill will also be revised since provisions of that bill are linked to the Physical Planning Bill;
- (iv) specific instructions of the suggested changes to the draft Physical Planning Bill have already been shared with the legal consultant, and other concerns will be addressed as the revision proceeds;
- (v) information required to assist with the sensitisation of the public will be provided by the Department of Physical Planning to the consultants for the start of that component when the details of the revised draft bill are closer to completion;
- (vi) monies to develop the Regulations for the Physical Planning Bill will be devoted to the significant changes required within the Physical Planning Bill;
- (vii) funding for the development of regulations will either come from monies left over from the CDB Project, if any, or the GoA would have to identify funding for this aspect independent of the project;
- (viii) public consultation to begin in November 2019; and
- (ix) the current timeline agreed with the consultant is to complete the bill with the view of having the first reading in the House of Assembly in December, 2019.

Council thanked the officials for the progress thus far and encouraged them to continue to do so.

Action: PS, HLPP; HON AG; PS, MICUHAFE; DIR, ENV; DLS; PPO

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