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MINUTES OF THE 126th MEETING OF THE TWELFTH ANGUILLA
EXECUTIVE COUNCIL HELD ON WEDNESDAY 1st MARCH 2023 AT 3.00 PM

PRESENT: Her Excellency the Governor, Ms Dileeni Daniel-Selvaratnam

The Honourable Premier and Minister for Finance, Economic Development & Investment and Health, Dr Ellis Webster

The Honourable Deputy Governor, Mr Perin Bradley

The Honourable Minister for Social Development, Cultural Affairs, Youth Affairs, Gender Affairs, Education and Library Services, Ms Dee-Ann Kentish-Rogers

The Honourable Minister for Home Affairs, Immigration, Labour, Human Rights, Constitutional Affairs, Information and Broadcasting, Lands and Physical Planning, Mr Kenneth Hodge

The Honourable Minister for Infrastructure, Communications, Utilities, Housing and Tourism, Mr Haydn Hughes

The Honourable Minister for Sustainability, Innovation and Environment, Mrs Quincia Gumbs-Marie

The Honourable Attorney General, Mr Dwight Horsford

Clerk to Executive Council, Mrs Angela Hughes

IN ATTENDANCE: The Honourable Parliamentary Secretary, Mr Merrick Richardson

Financial Specialist, Mr Stephen Turnbull

EX MIN 23/56

CONFIRMATION OF THE MINUTES

Parliamentary Secretary and Financial Specialist remained.

Council confirmed the Minutes of the 125th Meeting of Executive Council held on Thursday 23rd February, 2023.

MATTERS ARISING FROM THE MINUTES

EX MIN 23/57

EX MEMO 23/40 2023 STATUTORY BODY BUDGETS – ANGUILLA DEVELOPMENT BOARD

Parliamentary Secretary and Financial Specialist remained. The PAS Finance, Ms Marisa Harding-Hodge, Deputy Chief Procurement Officer, Ms Solange Lloyd, ADB Manager - Mrs Althea Hodge, Mrs Heather Richardson and a third ADB representative joined the meeting.

Council considered the budget of the statutory body.

Obligations under the Financial Administration and Audit Act:

- Section 64 of the Financial Administration and Audit Act requires Government Agencies to submit estimates of expenditure and revenue for approval by the respective Minister and the respective Minister of Finance.
- In accordance with subsection 4 of Section 64, these estimates of recurrent and capital expenditure must not be altered without the approval of the Minister of Finance.
- The Minister of Finance must lay the approved estimates before the House of Assembly.

Council:

- 1) noted the concerns, ADB's Budget performance is underpinned by an anticipated increase in interest income that depends on enhanced compliance by clients in servicing loans. Therefore, there is a risk that such anticipated sums may not be realised. Noted the ADB's indication that payments are being made and efforts are being made to

utilise the available collateral. Levels of non-performance are high in certain sectors and alternative means of collateral may be necessary in future to reduce default risk;

- 2) noted the EC\$71,000 variance in the operational Budget as a result of reduced software licensing costs. Noted the ADB's indication that they are compliant with the 1% increased contribution to the public service pensions fund;
- 3) noted that operational expenses have been reduced by using in-house IT services. Consideration would have to be given, as to any potential cost savings on rental expenditure; or potential reduction in costs that could be realised through the ADB's desire to acquire its own property, if the feasibility of this could be established;
- 4) noted that the non-performing loans rate is 40%, remedial action needs to be taken and the underwriting policy should be strengthened;
- 5) noted that the ADB is seeking an equity contribution of EC\$2 million, however, this was not formally raised with the GOA and therefore has not been included in the 2023 Appropriation. Noted the ADB's indication that increasing the maximum lending amount may assist the ADB in attracting further business and improve its sustainability;
- 6) agreed that instructions and guidance for the preparation of Budgets, including all detailed requirements, should be issued to statutory bodies;
- 7) agreed that a paper should be presented to Executive Council regarding the long term sustainability of the ADB, including any policy considerations or recommendations; and
- 8) approved the 2023 Budget of the Anguilla Development Board.

Action: PS, FIN; PAS, FIN; HON, PREM

EX MIN 23/59

EX MEMO 23/42 HOSTING OF OECS COUNCIL OF MINISTERS OF ENVIRONMENTAL SUSTAINABILITY MEETING (COM:ES 10)

Parliamentary Secretary and Financial Specialist remained.

The Hon Minister for MSIE and PS EDMSIE briefed Council. The OECS Council of Ministers of Environmental Sustainability Meeting is an annual meeting held in a different member or associated member state of the OECS each year. The Minister of the host country usually chairs COM:ES and any virtual meetings throughout the year. The OECS has approached the Government of Anguilla to host this year's meeting.

The Ministry of Sustainability, Innovation and the Environment proposes that Anguilla agrees to host the meeting from 13th to 15th June 2023.

Council:

- 1) noted COM:ES-10 provides an opportunity for Ministers, technical officers and development partners to collaborate and find creative solutions on issues related to environmental sustainability, resilience and prosperity in the OECS. It is an opportunity for sharing ideas and developing relationships that can bolster our capacity to address challenges. Given Anguilla's renewed environmental focus it also provides an opportunity to further highlight Anguilla's efforts regarding prudent environmental management;
- 2) noted the financial implications, the proposed budget for hosting the meeting is EC\$40,000 and the breakdown was noted. The Ministry proposes to transfer funds from other areas within its budget to meet approximately half of the costs. However, it is still anticipated that there will be a short-fall of approximately EC\$20,000 if Anguilla is to host the COM:ES-10 meeting;
- 3) authorised the reallocation of EC\$20,000 from Restricted Expenditure and instructed that the warrant for the reallocation of EC\$20,000 be prepared; and
- 4) approved of Anguilla hosting the 10th OECS Council of Ministers for Environmental Sustainability Meeting (COM:ES-10) and the proposed budget.

Action: PS, EDMSIE; HON, MIN SIE

EX MIN 23/60

**EX MEMO 23/43 ANGUILLA POPULATION AND HOUSING (AP&H)
CENSUS 2022 UPDATE**

Parliamentary Secretary and Financial Specialist remained. PS, EDMSIE, Mrs Chanelle Petty-Barrett and Chief Statistician, Mrs Lori-Rae Alleyne-Franklin joined the meeting.

The Chief Statistician briefed Council. In Ex Min 22/383 Executive Council *“agreed the following, for action by the ASD:*

- i. This includes the percentage completion rate for both the Visitation record listing and the census questionnaires;”*

With regard to the above, Executive Council is asked to note the following since the last update:

- i. 452 individual questionnaires completed
- ii. 146 household questionnaires completed

Enumerators and supervisors

Since the last update, four (4) enumerators have discontinued their services. In summary there are currently thirty-three (33) enumerators and seven (7) supervisors. Two (2) enumerators who were previously assigned have completed their ED and their work is being reviewed by their supervisor.

Council:

- 1) noted the ASD’s indication that Anguilla is not yet in a position where the census should be considered to be overdue. It is anticipated that with current resources it can be completed within a year. Throughout the world the average time for census completion is between 8 – 12 months, to complete the data collection. In some cases it can take 2 - 3 years;
- 2) noted the progress of the AP&H Census 2022 and that updates will be given on a monthly basis; and

- 3) agreed that action should be taken forward to engage an external management company to complete the AP&H Census 2022.

Action: PS, EDMSIE; CHF, ST; HON, MIN MSIE

EX MIN 23/61

EX MEMO 23/44 DEPARTMENT OF EDUCATION DONOR - FUNDED PROJECTS

Parliamentary Secretary and Financial Specialist remained.

The Hon Minister for Social Development briefed Council. The Ministry & Department of Education is currently engaged with the Inspire Project and the School Feeding Programme which are two donor funded projects.

Council:

- 1) noted the history of the Inspire Project and the School Feeding Programme;
- 2) noted the concerns, while the Government of Anguilla (GoA) has not created any additional expenditure obligations in relation to the above mentioned programmes, it is an expectation in each case that GoA will demonstrate commitment through the contribution of resources. A major concern is that donors could choose to discontinue funding for these important projects. Should this be the case, the GoA could elect to scale down the scope of the programme;
- 3) noted the financial implications, all equipment for the Inspire Project was sourced and paid for by the Anguilla Initiative. The overall cost for the pilot at OKPS was US\$397,868, of which US\$80,765 has been expended for equipment. Additionally, the following resources were donated:
 - 30 devices for teachers @ US\$569 = US\$17,070
 - 350 student devices @ US\$478 = US\$167,300
 - The warranty licenses for the first 3 years of the project - 380 licenses @ US\$24.50 = US\$9,310 (3yrs = USD \$27,930).

Monies for goods and services that were procured locally were channeled through the Anguilla Community Foundation and followed the provisions of the Public Procurement and Contract Administration Act. Additionally, the Government has allocated EC\$536,000 in 2023 for capital expenditure to support the Inspire Project. Through the Anguilla Initiative, the Inspire Project received a total of US\$19,703 to pay the System Technician and US\$25,401 to finance electrical upgrades to OKPS. The total estimated cost of a three-year roll out to all primary schools is US\$3.9 million to be financed by donors via the Anguilla Initiative.

With regard to the School Feeding Programme, the Department of Education expended US\$44,315 from its 2022 capital budget, for kitchen supplies and the upgrading of school kitchens, in addition to the monies received from the Schultz foundation. The programme has been rolled out in two phases, the school feeding pilot commenced in September 2022 and ran through December 2022 in AARPS, ATHPS and MVPS. The pilot project received US\$80,400 for food and food service, plus an additional US\$18,000 for set up costs. These monies were sent from the Schultz Foundation via the Anguilla Community Foundation to the Department of Education;

- 4) noted that a MoU between the Anguilla Community Foundation and the Department of Education will be established within one month, with terms to govern the Inspire Project and the School Feeding Programme. Future donations will follow the provisions of the Financial Administration and Audit Act;
- 5) noted that with respect to the funds required to extend the Inspire Project to all schools these shall be donor funded. However, because there is interest from several donors, to support specific elements of the programme, there is no need for all of the funds to be provided by the Anguilla Initiative;
- 6) approved the equipment donations for the Inspire Project received thus far, as well as the receipt of US\$58,985.78, which was received by the Anguilla Community Foundation to support the programme. This sum is ready for disbursement to the Department of Education;

- 7) noted that consideration shall need to be given as to how the School Feeding Programme is being budgeted and accounted for in the future; and
- 8) approved the receipt of US\$275,000 for the continuation and expansion of the School Feeding Programme to the three remaining public schools, through to June 2023, of which US\$39,000 has already been dispersed to the Department of Education.

Council authorised the issue of the Action Sheet before confirmation of the Minutes.

Action: PS, SD; PS, FIN; HON, MIN SD; HON; PREM

EX MIN 23/62

EX MEMO 23/45 APPLICATION FOR ISSUE OF LICENCE UNDER THE ALIENS LAND HOLDING REGULATION ACT – REGISTRATION SECTION EAST END, BLOCK 99415 B, PARCEL 365 CONTAINING 0.52 OF AN ACRE

Parliamentary Secretary and Financial Specialist remained.

Council agreed to issue an Aliens Land Holding Licence to hold on a freehold basis, property situated in Registration Section East End, Block 99415 B, described as Parcel 365 being 0.52 of an acre located in Sea Feathers, with a villa thereon, subject to the following:

(a) Payment of the following Stamp Duties:

- | | | |
|------|---|-----------------------|
| (i) | under the Stamp Act – 5%
of EC\$1,411,305.00 | EC\$ 70,565.25 |
| (ii) | under the Aliens Land Holding
Regulation Act – 5%
of EC\$1,411,305.00 | <u>EC\$ 70,565.25</u> |

TOTAL **EC\$141,130.50**

(b) the property must be used for residential purposes;

- (c) the Licencee must not rent their dwelling house without first notifying the Ministry of Economic Development & Investment, in order to rent the said property; and
- (d) the Licensee shall fully comply with the laws of Anguilla in force from time to time including the Land Development Control Act, the Property Tax Act, the Building Regulations, the Labour Relations Act 2018 and Work Permit Regulations, the Social Security Act, the Immigration and Passport Regulations and any statutory modification or re-enactment thereof and any rules or regulations made there under.

Action: PS, HA; DLS; HON, MIN HA

EX MIN 23/63

EX MEMO 23/46 APPOINTMENT OF PUBLIC RELATIONS OFFICER (PRO)

Parliamentary Secretary and Financial Specialist remained.

The Hon Premier briefed Council. A Public Relations Officer is important to provide a medium through which Government channels its communication to the general public and select stakeholders. A PRO ensures effective communication with stakeholders, media and the general public. Mr Ivan Connor has performed the duties of PRO for two years and has successfully delivered on the requirements of the role. Mr Connor's work during this period included expanding Government's representation in the media landscape, including presence on social media platforms and delivering a regular Government information service through a twice-weekly video series known as the Progress Report.

Council:

- 1) noted the draft contract of employment; and
- 2) approved the re-appointment of Mr Ivan Connor as Public Relations Officer in the Office of the Premier/Ministry of Finance and Health, with effect from March 1, 2023 for a period of two years or for the term of the administration whichever is shorter.

Action: PS, FIN; PAS, FIN; HON, PREM

EX MIN 23/64

EX MEMO 23/47 2023 STATUTORY BODY BUDGETS – PUBLIC UTILITIES COMMISSION

Parliamentary Secretary and Financial Specialist remained. The PAS, Finance and PUC representative Mr Ardin Richardson joined the meeting.

Council:

- 1) noted the concerns, that the 2022 outturn exceeds the Budget by 5%. This variance is being driven by overspend in PE for which the HR estimates were fixed at the commencement of the year. In year adjustments to approved estimates are subject to approval by the Governor in Council. Notwithstanding, the PUC adjusted their PE estimates within year, which inter alia resulted in the creation of new posts (the promotion of a regulatory analyst to chief professional). There should be stricter controls on within year increases to Budget and prior approval should be obtained;
- 2) noted that the PUC does not receive a subvention and its expenditure is fully covered by its licensing fees as provided under statute;
- 3) noted that the Budget has to be approved before operators can be paid. A professional consultancy has been engaged to support regulatory strengthening and work will commence shortly. Noted that expansion of the PUC's remit to electricity and water is within scope;
- 4) approved the planned 2023 Budget of the Public Utilities Commission. However, the forward revenue estimates for 2024 and 2025 should be populated and the figure may be made equivalent to expenditure, which is consistent with the funding mechanism set out in legislation; and
- 5) instructed the PUC that these estimates, including HR estimates, must not be increased or otherwise altered without the requisite approval of the Governor in Council.

Action: PS, FIN; PS, MICUHT; HON, PREM; HON, MIN MICUHT
