



Minutes for the meeting held on Thursday 21st October 2021
Venue: PLC Conference Rm

MEMBERS PRESENT	
Woody DaCosta (WD)	Chairperson
Teddie Ebanks (TE)	Deputy Chair
Elsie Kynes (EK)	Member
Ezmie Smith (ES)	Member
Shane Edwards (SE)	Member
Shanna Myles (SM)	Member
Jon Hall (JH)	HOD L&SD
Jonathan Jackson (JJ)	DCO T&T
Wilbur Welcome (WW)	ACO DAL
Sharon Roberts (SR)	Secretary PLC

ABSENT	
Kathryn Dinspel-Powell	DCO FSC
David Fawcitt (DF)	SPO DAL

INVITED	
Nigel Gayle (NG)	Crown Counsel SGC
Alice Mae Coe	Member of the Concerned Citizens Group
Billy Adam	Member of the Concerned Citizens Group

KEY:	
ACO	Acting Chief Officer
AG	Attorney General
AGC	Attorney General's Chambers
CI	Chief Inspector
CIG	Cayman Islands Government
CO	Chief Officer
CPA	Central Planning Authority
DCI	Department of Commerce and Investment
DCO	Deputy Chief Officer
HOD	Head of Department
DoP	Department of Planning
L&SD	Lands and Survey Department
FSC	Ministry of Financial Services & Commerce
T&T	Ministry of Tourism & Transport
MOE	Ministry of Education
MOH	Ministry of Health and Wellness
PresL	The Prescription Law (2018 Revision)
PLC	Public Lands Commission
PLA	Public Lands Act (2021)
PLR	Public Lands Regulations (2021)
SPO	Senior Policy Officer

1. Meeting called to order.

The Chair called the meeting to order at 1:20 pm with a quorum of six (6) members present.

1.1 Welcome / Apologies & Nonattendances

- DF - SPO DAL and DCO FSC sent apologies.
- Chair extended a warm welcome to all members.



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2. Revision and confirmation of previous PLC meetings.

- 2.1 Minutes for the meeting of 14th October 2021** were review and on motion made by ES and seconded by EK the minutes were accepted as presented.
- 2.2 Minutes for 10th November 2020** were presented and upon motion made by EK and seconded by ES the minutes were accepted as presented.
- 2.3 Minutes for 20th April 2021** were presented and upon motion made by TE and seconded by ES the minutes were accepted as presented.
- 2.4 Minutes for 19th May 2021** were presented and upon motion made by TE and seconded by EK the minutes were accepted as presented.

3. Matters Arising.

3.1 Minutes for meeting held 10th November 2020.

- **Item 4.4 Uncle Bod Rd- Prescriptive right of way blocked because of construction** to be revisited and discussed at the next meeting.
 - o The secretary was asked to look to see what action was carried out and confirm the letter sent.

3.2 Minutes for meeting held 20th April 2021.

- **Item 5.1 Coastline Cleaning Project.**
TE mentioned that the machine should be here in the Cayman Islands and the matter should be followed up on and discussed at the next meeting.
- **Item 5.2 Letter from Cayman Islands Volleyball Federation (CIVF)**
TE mentioned that the way to resolve the matter could be a very simple solution:- relocating the sand within the same area. However the matter remains as to which entity should be task with the responsibility. WW mentioned that the Federation had free access to the facility which was a project donated by the DART Enterprise. The Chair enquired if the DART Enterprise was approached, as he was of the opinion the developers should be the entity to approach to resolve the matter raised in the letter.
 - o WW offered to follow up on the matter further to the comments from the Chair.

3.3 Minutes for the meeting held 19th May 2021.

Item 1. Meeting called to order – correction to read – “A motion to nominate Mr. Teddie Ebanks to the Chair”.

Item 7.1 Other Business – add the word “signs” at the end of the first paragraph to read – “Ms Ezmie Smith moved a resolution regarding drafting a letter to the Rum Point Club warning against the removal/relocation of beach access signs.”

3.4 Royal Palms public rights of way relocation application.

- **The Chair** made mention that it appears that the Commission was not made aware of the matter from the initial correspondence and *Notice* that was served to Chief Inspector Prendergast/PLC.
- In addition, sincere appreciation was extended to ES who was diligently looking into the matter and very helpful in identifying some anomalies/issues on the matter that could be presented as arguments at the hearing.



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- **The Chair** mentioned that **JJ** sent an email correspondence with comments further to the last meeting and highlighted that there was a recommendation that the PLC look into attaining additional outside legal advice on the matter of the Royal Palms right of way matter.
- **The Chair** then went on to state that this legal matter should be considered a very critical matter, as it could set precedents on how Rights of Way are contested going forward.
- **Further to the introductions of the members present and Crown Council Nigel Gayle, NG** confirmed that he now had all the legal documents that was served on the Chief Inspector Prendergast/ PLC.
- **NG** provided a lengthy update and mentioned the area of weaknesses that he felt could be argued in the PLC's favour.
- The matter of compensation to the PLC was discussed in reference to the Public Lands Act and Regulations.
- **Mr Adam** mentioned the correspondence received on behalf of the Concerned Citizens Group and further discussions was had on how the group would present their concerns at the hearing as interveners. Suggestion was also made that **NG** visit the site for clarity on the physical site and concerns raised on the various hazardous risks associated with the blockage to the beach access.
- **NG** outlined his strategy on how he planned to present at the next day's Hearing proceedings.
- The following **actions** were agreed upon:
 - o Mr Gayle would make arguments to request a postponement, citing a few errors and lack of sufficient evidence to proceed. If asked, he would request 90 days extension.
 - o Several members indicated that they would make the effort to attend the hearing on Friday 22nd 2021 to witness the proceedings.

All other Matters Arising were deferred to the next meeting due to time constraints. Brief verbal updates were given by **DF** from the previous meeting 14th Oct 2021 and are as follows;

3.5 PLC Annual Report 2020

- The report was completed in June 2021 and will be provided to the new members of the Commission for review and comment.
- The report was due March 2021 for the Minister to submit to Parliament.

3.6 Rum Point Club registered public right of way.

- Matter is ongoing, the Inspectorate to update members in due course

3.7 Beach Volleyball Association – request for additional sand / filtered sand.

- Matter is ongoing as it is still to be determined which agency should be responsible for sourcing the sand and resolving the matter.

3.8 GT Fish market on private land

- ongoing.

3.9 PLC website.

- The website is almost completed.

3.10 Concerned Citizens Group be invited to meet the PLC to discuss public access matters.

- A date is to be agreed upon to arrange this meeting.

3.11 Unregistered prescriptive public rights of way – legislative update.

4. Chief Inspector Report and update.

- Deferred due to time constraints

5. New Business

Deferred due to time constraints. DF gave an update from the previous meeting 14th Oct. 2021.

5.1 Kaibo rezone application

- o Application received by CPA for rezoning of Kaibo public open space 33M49. The Chairman's response was forwarded to Planning.

5.2 Simon Rivers vendor application

- o Pending policy directive sought from Hon Minister

5.3 New signage

- o The signs are now on island.

5.4 Policies and Procedures

- o Chair mentioned that the Policies and Procedures are being worked on.

6. Any Other Business

6.1 Chair mentioned that the list of Affidavits for Block 9A Parcel 428 (Uncle Bob Road) was created by the secretary and a copy of the names listed would be added to the Minutes as an Addendum.

6.2 Chair mentioned that the ACO WW agreed to provide guidelines on the role of the Chief Inspector, Secretary and other Inspector's main duties and responsibilities.

- o Procedures on communication between the Inspector and Commission is being looked into.
- o A monthly written report is being looked at as an option going forward.

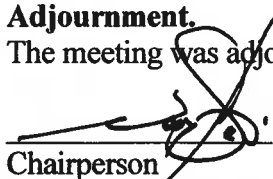
6.3 Chair agreed with the request raised by SM to revisit the use of the Meeting Minute Tasking Document and Actions List for ease of reference going forward.

7. Scheduling of the next PLC meeting

7.1 Chair mentioned that due to the lateness of the meeting all matters on the Agenda would be carry forward to the next meeting confirmed for 10am Thursday 28 October 2021.

8. Adjournment.

The meeting was adjourned at 5:15 pm.



Chairperson
Public Lands Commission

