

Minutes of a Meeting of the Public Lands Commission (“PLC” or the “Commission”)
held at 10:00am on Thursday February 7th 2023 at 133 Elgin Avenue, George Town (the “Meeting”)

Members Present	Woody DaCosta	Chairperson and Member for Bodden Town
	Teddie Ebanks	Deputy Chairperson and Member for North Side
	Elsie Kynes	Member for Cayman Brac and Little Cayman
	Shanna Myles	Member for George Town
	Ezmie Smith	Member for West Bay
	Shane Edwards	Member for East End
	Wilbur Welcome	Acting Chief Officer Ministry of MDAL
	Perry Powell	Representing the Chief Officer of the Ministry of T&T
	Michael Whiteman	Representing the Director of Lands & Survey
	Kathryn Dinspel-Powell	Representing the Chief Officer of the Ministry of Commerce
Invitees	David Fawcitt	Senior Policy Advisor
	Eldon Chisholm	Policy Advisor
Ex-officio member	Melissa Brown-Watler	PLC Secretary

1. Call to Order

With quorum being established the meeting was called to order at 11:12 a.m. and proceeded accordingly.

A motion was proposed by **Chairperson DaCosta** to amend the agenda by adding item 2.4 under **Matters Arising** to facilitate the review of the PLC ticket form configuration and amendments. **EK** moved the motion which was seconded by **WW**.

SE addressed the Commission in reference to his availability to attend PLC meetings based on business schedule conflicts, and requested feedback on the possibility of adjusting the scheduled PLC meetings for an alternate day(s) and later time to facilitate his schedule. Additionally, concerns were raised by **SE** regarding the Public Lands Commission Law, in reference to PLC representation and the function of ex-officio members, and their capacity to vote. **SE** also submitted apologies regarding his departure from the PLC meeting at 1:00 p.m., due to attendance of the Public Beach Restoration Committee meeting. **Chairperson DaCosta** advised that the Commission operates by consensus and as such the current meeting day and time was agreed upon by the majority based on key factors such as inter-island travel availability, external engagements, and responsibilities i.e., child care. In reference to the function and voting capacity of PLC ex-officio members, **Chairperson DaCosta** reference the AG’s findings and legal advice to the PLC and the restrictions which arise due to lack of quorum without the voting capacity of ex-officio members.

2. Matters Arising

2.1 PLC Affidavit Template - Registration of Dedications and PROW's

Following a brief discussion, it was unanimously agreed the amendments to PLC Affidavit template be updated based on the PLC input as indicated below:

- (i) On page 1 of the Affidavit remove the wording "THE PUBLIC LANDS COMMISSION" and replace with [Insert Name].
- (ii) Item number 2 of page 1
Remove "I am a Caymanian ... (post) ... graduate of" and replace with I am a [Nationality] who [Residency Status] of [District] and I am currently [Employment Status].
- (iii) Item number 8 of page 2
Remove "As a Caymanian ..." and replace with As a [Residency Status] ...

2.2 PLC Public Education Campaign/ Scheduling of Proposed District meetings

A brief discussion was held in reference to the PLC Public Education Campaign and scheduling of proposed district meetings. WW advised that the SMPB Vendor Park Policy was approved by Caucus on Monday, January 30th 2023 and scheduled to be reviewed by Cabinet on Tuesday, February 7th 2023. The education campaign was therefore revised to include the Seven Mile Public Beach Vendor Park Policy. It was unanimously agreed that a meeting be scheduled for Friday, February 17th 2023 to facilitate a presentation by the Ministry Communication Manager in reference to the PLC Public Education campaign and scheduling of Proposed District meetings.

2.3 Draft Amendment Bills – PLC Comments and Recommendation

The Draft Prescription (Amendment) Bill, 2021 and Registered Land (Amendment) Bill 2021 were reviewed by the Commission.

(i). Under the Prescription (Amendment) Bill, 2021 it was proposed that the word beach be removed and replaced with the word coastline and its interpretation meaning any surface area abounding the territorial waters including the beach, shoreline and iron shore.

(ii) It was proposed that section 4(1), 4(2) of the Prescription (Amendment) Bill, 2021 be modified with no objections.

(iii) It was proposed that Section 5 - Computation of Time under the Prescription (Amendment) Bill, 2021 be modified with no objections.

(iv). It was proposed that section 9 of the Prescription (Amendment) Bill, 2021 Procedure for establishing right under section 4 be repealed and replaced with no objections.

SE excused himself from the meeting at 12:50 a.m., due to another engagement

(v). It was proposed that section 10 of the Prescription (Amendment) Bill, 2021 - Production of documents of title and procedure thereafter be modified with no objections.

TE excused himself from the meeting at 11:50 a.m., due to another engagement

(vii). It was proposed that section 98 A of the Registered Land (Amendment) Bill, 2021 – dedication of land for public use be modified with no objections.

(viii). It was proposed that section 98 D of the Registered Land (Amendment) Bill, 2021 – discharge modification of a dedication be modified with no objections.

(ix). It was proposed that section 138 of the Registered Land (Amendment) Bill, 2021 – Acquisition of easements and profits by prescription be modified with no objections.

(xi). It was proposed that section 138A of the Registered Land (Amendment) Bill, 2021 – Registration of rights under section 3 of the Prescription Act (2018 Revision) be modified with no objections.

(xii). It was proposed that section 138B of the Registered Land (Amendment) Bill, 2021 – Registration of public rights of way be modified with no objections.

(xiii). It was proposed that section 153 of the of Registered Land (Amendment) Bill, 2021 – Service of notices be modified with no objections.

(xiv). It was proposed that section 153 (3) of the Registered Land (Amendment) Bill, 2021 – Schedule be modified with no objections.

2.4 PLC Ticket Form Amendments/Regulations

The PLC Ticket form was reviewed and it was unanimously agreed that minor amendments be made based on the PLC input.

TE rejoined the meeting at 2:24 p.m.

3. Other Business

3.1 Land Register Description & Map – Update

It was unanimously agreed that the Land Register Description & Map update be deferred until the next PLC meeting scheduled for Tuesday, February 17th 2023.

3.2 Compass Media Questions Related to Beach Access

It was unanimously agreed that Commissioners review the questions which were submitted by Compass Media in reference to Beach Access and provide comments for the joint MDAL response by end business day on February 8th 2023.

3.3 PLC Response Letters

a. PROW Access Clearing - NS33 Block 40A Parcel 15

The PLC letter in reference to PROW Access Clearing - NS33 Block 40A Parcel 15 was signed by Chairperson DaCosta for submission to the applicant post haste.

b. Damian Bancroft - Spotts Newlands Public Beach Water Tours - Block 25C Parcel 160

The PLC letter to Mr. Damian Bancroft in reference to Spotts Newlands Public Beach Water Tours - Block 25C Parcel 160 was signed by Chairperson DaCosta for submission to the applicant post haste.

c. Prescriptive Access Claim to Mariners Cove - Block 25B Parcel 8

Following a brief discussion in reference to the letter for Prescriptive Access Claim to Mariners Cove - Block 25B Parcel 8, a motion was proposed by Chairperson DaCosta that the Commission approve the revised changes for signature and delivery to the applicant post haste. WW moved the motion which was seconded by EK.

4. **Next Meeting Date**

The next meeting is scheduled for Friday, 17th February 2023.

5. **Adjournment**

There being no further matters the Meeting adjourned at 3:20 p.m.



Chairperson
Public Lands Commission

