

THE

House of Assembly Debates

(OFFICIAL REPORT)

FIRST SESSION 1986 - 91

HOUSE OF ASSEMBLY

Tuesday July 17, 1990

Pursuant to the adjournment, the House of Assembly met at 12:20 p.m.

PRESENT

His Honour L. A. WEEKES, G.C.M., J.P., (Speaker)
His Honour J. J. PAYNE, (Deputy Speaker)
Rt. Hon. L. E. SANDIFORD, B.A., M.A. (Econ.), J.P., (Prime Minister and Minister of Finance and Economic Affairs)

Hon. H. deB. FORDE, Q.C., M.A., LL.B.

Hon. B. M. TAITT, B.A. (Hons.), M.P.A., LL.B. (Hons.), (Minister of Health)

Hon. P. M. GREAVES, Q.C., B.A., (Deputy Prime Minister, Minister of International Transport, Telecommunications and Immigration and Leader of the House)

Hon. E. E. GREAVES, B.A., Ed.M., (Minister of Trade, Industry and Commerce)

Hon. Dr. D. G. BLACKMAN, B.A., M.A., (Minister of Transport and Works)

Hon. M. A. KING, Q.C., LL.B., (Attorney General, Minister of Legal Affairs and Minister of Foreign Affairs)

Hon. W. O. FRANKLIN, A.I.C., M.I.A.S., J.P., (Minister of Agriculture, Food and Fisheries)

Hon. N. K. SIMMONS, (Minister of Employment, Labour Relations and Community Development)

Hon. H. A. BLACKMAN, B.Sc. (Econ.), (Minister of Housing and Lands)

Mr. O. S. ARTHUR, M.Sc. (Econ.)

Hon. C. V. WALKER, (Minister of Education and Culture)

Mr. L. L. BRATHWAITE, J.P., (Chairman of Committees)

Hon. W. W. HALL, G.C.M., H.B.M. (Minister of Tourism and Sports)

Mr. C. A. NEBLETT, B.A., (Parliamentary Secretary, Ministry of the Civil Service)

Mr. C. LeR. TROTMAN, M.A.

Mr. R. L. MORRIS, B.A., Cert. Ed.

Mr. P. J. M. MILLER

Mr. R. P. BYER, LL.B.

Mr. D. J. H. THOMPSON, LL.B.

Prayers were led by Rev. Father Ivan Harewood.

Mr. SPEAKER: The House is in session.

MINUTES

Mr. SPEAKER: The Minutes of Tuesday, July 10, 1990.

Hon. P. M. GREAVES: Mr. Speaker, I move that the Minutes of the proceedings of this Honourable Chamber for the meeting held on July 10, 1990 be taken as read and confirmed.

Hon. W. O. FRANKLIN: I beg to second that.

Mr. SPEAKER: There being no observations or corrections, then let these Minutes stand confirmed.

PAPERS

Rt. Hon. L. E. SANDIFORD: Mr. Speaker, I am commanded to lay the following:-

The Annual Report of the Caribbean Broan aising Corporation for the year 1988.

Hon. P. M. GREAVES: Mr. Speaker, on behalf of the Honourable Minister of Trade, Industry and Commerce, I am commanded by the Cabinet to lay the following:

The Annual Report of the Public Utilities Board for the year 1989.

On my own behalf, Sir, I lay the following:-

The Report and Financial Statements for the Barbados Port Authority for the year ended December 31, 1989.

GOVERNMENT NOTICES

Hon. P. M. GREAVES: Mr. Speaker, I give notice of the folio wing: -

Resolution to approve the use of the remainder of a loan, (that is, U.S. \$5 806 092 and £1 715 637) which was not fully utilised during the financial year 1989-90 for the purpose of assisting in the purchase of capital and semi-capital goods during the financial year 1990-91.

Mr. Speaker, the Resolution of which I have just given notice, it is the wish of the Government to have it done today. I am now, with the leave of the House, giving this information, Sir.

NOTICES OF QUESTIONS

Mr. SPEAKER: The Honourable Member for the City of Bridgetown - Repair to houses owned and occupied by the old age pensioners and handicapped persons as promised by the National Assistance Board.

Mr. P. J. M. MILLER: To ask the Minister of Employment, Labour Relations & Community Development -

1. Is the Minister aware that the National Assistance Board has promised as part of the policy of Government, to execute full repairs to houses owned and occupied by old aged pensioners and handicapped persons?
2. Is the Minister aware that there are several such houses in the Constituency of the City of Bridgetown in varying states of disrepair and in urgent need of attention by the Board?
3. Is the Minister also aware that the Board has only partially repaired houses of such old aged pensioners and handicapped persons?
4. Will the Minister state if it is the policy of Government that the Board should not complete

such repairs and, if so, will Government immediately institute a change in that policy?

5. Will the Minister undertake that all necessary repairs to the homes of eligible old aged pensioners and handicapped persons will be initiated and completed at an early date?

Mr. SPEAKER: The same Honourable Member - Flooding in the New Orleans area.

Mr. P. J. M. MILLER: Mr. Speaker, to ask of the Honourable Minister of Transport and Works:-

1. Is the Minister aware that the road surfaces in the New Orleans area of the City of Bridgetown have for several years been in a state of disrepair?
2. Is the Minister also aware that the extensive resurfacing of roads in the New Orleans during the 1988/89 period has not corrected the problems of the area since?
 - (a) no slipper drains have been built; and
 - (b) there is, since that work has been done, an acute problem of flooding of the yards of residents?
3. Will the Minister state whether Government will cause slipper drains to be constructed and any other appropriate measures to be taken to eliminate the problem of flooding in the New Orleans area?

SUSPENSION OF STANDING ORDERS

Hon. P. M. GREAVES: Mr. Speaker, I am moving the suspension of Standing Orders Nos. 6, 16, 18, 20, 42(5), 43 and 44 for the remainder of today's sitting, Sir.

Hon. B. M. TAITT: I beg to second that.

The question was put and resolved in the affirmative without division.

ORDERS OF THE DAY

Mr. SPEAKER: Government Business is the instant order of the day. Order No. 2.

GOVERNMENT BUSINESS

RESOLUTION TO APPROVE THE COMPULSORY
ACQUISITION BY THE CROWN OF LAND AT
CORBIN'S VILLAGE IN ST. ANDREW
FOR THE PURPOSE OF HOUSING
DEVELOPMENT

Hon. H. A. BLACKMAN: Mr. Speaker, St. Andrew, as we all know, is a parish which suffers from land slippage and other problems when the rain falls. In the Ministry we looked around for suitable lands in St. Andrew, lands which the technicians believed are not prone to slippage and lands which seem fairly good for housing development and sites and services. 12.30 p.m.

In the search, it was decided that Corbin's Village fits this criterion. We are asking Parliament for permission to acquire, I think it is about four acres of land at Corbin's Village. It can accommodate about 26 of the households which are to be relocated. There are 38 households in all which are urgently in need of relocation. Corbin's Village can accommodate about 26 of them. The land, I said, is about four acres and this resolution seeks the permission and approval of Parliament to acquire this land at Corbin's Village.

With those remarks, I beg to move, Sir, that this resolution do now pass.

Hon. W. O. FRANKLIN: I beg to second that, Sir, and reserve my right to speak.

Mr. C. A. NEBLETT: Mr. Speaker, I should just like to address a few points with regards to this proposed housing development, more of a resiling, in the constituency of St. Andrew.

As you would be aware, the media in general have been making points about the instability of land in the Scotland District for housing purposes. Over the last four years, we have had some unseasonal rains that have definitely created unusual landslides in the area. What we thought were relatively stable areas have now shown signs of erosion. If something is not done, in a hurry, no doubt it might result in the loss of life or, probably, injury.

With that in mind, the Ministry of Housing set out to find, in the low lying areas, the sort of site that would, at least, provide a safe area for the resiting of some of these houses that are affected. There are areas such as Boarded Hall in the Cane Garden area and White Hill that are in a desperate need to be resited. It would cost a fortune to get back road surfaces and also to re-establish proper utilities to serve those people, in a manner that we would want to serve them. It would seem to be more economical to find suitable areas and resite these people who are affected at a lower cost than trying to re-establish their villages, as they were before.

The history of the area has been one of movement, from time to time. In fact, one would hardly believe that, within the last 50 years, people living in these areas seem to be comfortable and well sited. One would not even believe that a place like Back River Valley offered house spots to people of yesteryear. As the road surfaces became wetter and as the running water was clearly established, many of those people moved away from what was regarded as these rather backward areas and they moved towards the more established village areas.

We also had a situation where people have moved away from the plantation tenancies to move again into areas that were better suited for them socially, and otherwise.

We now have a situation where, some people on their own land, have found that the land has become unstable and there is this need to get into areas where they can better pursue their lives comfortably and safely.

I have no hesitation in supporting the Ministry of Housing in establishing the area at Corbin's Village for the resiting of some of these people.

There is also a problem at Isolation Road where I understand that most of the residents there moved into this area without any proper permission being given. The technocrats have now advised them that that area is also becoming unstable.

With the establishment of Corbin's Village and later on, we will hear of another resolution dealing with the Walkers area, I think there is an ideal chance.....

Mr. SPEAKER: I do not think you should prejudge that resolution that is to be laid.

Mr. C. A. NEBLETT: Thank you, Mr. Speaker. There will be ample space for providing sites and services to many of those residents who now would like to escape their area.

This augurs well for them. But there are others who live in these areas who really are not interested in moving. There are some who would like to move but they are not particularly interested in moving back to the valleys.

What I would suggest to the technocrats is that they offer some sort of incentive to those who are willing to move now and, at the same time, Housing could set a model village that would encourage those who are reluctant to begin to relate to moving, at the earliest opportunity.

With those few words - as I said, there is an opportunity to examine another area - I put my full support behind the Minister of Housing and his quest to get this particular problem resolved.

Thank you, Mr. Speaker.

The question that this resolution do now pass was put and resolved in the affirmative without division.

Mr. SPEAKER: Order No. 3.

RESOLUTION TO APPROVE THE VESTING IN THE
NATIONAL HOUSING CORPORATION OF LAND
AT CLIFTON HALL PLANTATION IN THE
PARISH OF ST. JOHN

Order No. 3 was called - To move the passing of a Resolution to approve the vesting in the National Housing Corporation of land at Clifton Hall Plantation in the parish of St. John.

Hon. H. A. BLACKMAN: Mr. Speaker, this 32 000 or so square metres of land at Clifton Hall, St. John, about eight acres was acquired for the provision of a sites and services programme. It will accommodate about 60 lots. We had a serious problem in St. John because, apparently, most of St. John is in Zone 1. The Ministry had to search around to find an adequate area for the development of house spots for the people of that parish.

The area in question, Mr. Speaker, is the area which is bounded by the main road coming from the cemetery on the northern side. It is bounded by the cemetery on the eastern side and by the Gall Hill Playing Field on the western side.

This land is to be developed by the National Housing Corporation and is to provide, as I said, the sites and services programme and additional house spots in that area of St. John.

There are about three persons, I think, living at the bottom of Bath Hill whose houses are in a precarious position where, my information is that, there are springs underneath the houses. Those three houses will be relocated to this site, as soon as possible.

This resolution seeks the approval of Parliament to vest this land. It has already been purchased. We are now vesting this land in the National Housing Corporation so that infrastructural works can be carried out and disposal of the lots can be undertaken, as quickly as possible.

With those remarks, I beg to move, Sir, that this resolution to vest this land at Clifton Hall, St. John in the National Housing Corporation do now pass.

Hon. W. O. FRANKLIN: I beg to second that, Sir.
12.40p.m.

Mr. D. J. H. THOMPSON: Mr. Speaker, just a few words on this. I think I have spoken on Resolutions relating

to this matter before. I should just like to point out that the Ministry of Housing has worked very swiftly in providing these alternative lots as accommodation for those persons who are perched precariously at the bottom of Bath Hill in St. John. Originally, as I understand it, there was a proposal to relocate these three houses on a piece of land at Coach Hill in St. John and this met with a lot of consternation, ^ because the particular area of land is used by the residents and is Government owned.

Subsequent work by the Minister and myself has been able to produce a compromise where the three houses, which are in a very dangerous position and threatening life and limb and have in fact shifted from their props, will now be relocated as the first houses of this development to the east of Gall Hill in St. John.

The Development Plan that was recently published for ^ the years 1988-93 sets out very clearly that one of the centres of development in Barbados in terms of small locations in rural areas with high concentrations of population would be Gall Hill. This Government has committed itself not only to providing additional house spots in the Gall Hill area, but I understand as a result of this particular initiative there will be about 60 house spots available shortly. It has been negotiated by private treaty, which is always attractive, because it means the owner of ^ the land is satisfied with the price he gets and Government is satisfied with the price it has paid.

In addition to that, in an area very near to this location, commencement of the construction of a polyclinic will take place shortly, and this will be one of two new polyclinics that will be constructed during the period of this Development Plan.

We have also carried out considerable refurbishing of the facilities at Gall Hill, which had been left for a period of <* ten years to rot and decay. For example, the Community Centre at Gall Hill, St. John. We have established a new Welfare Centre at Gall Hill, St. John, refurbished the playing facilities, exclusive of the pavilion, and have generally tried to upgrade the facilities in that area. We have carried out considerable work on the St. John's Primary School and in the area of Colleton we have provided a children's play park. So that the objectives of the Government's Development Plan and the Development Plan which was made available to the public in 1987 are-* being met...

Aside.

Mr. D. J. H. THOMPSON: Commonly called the St. John Development Plan, but you could ask the person sitting next to you, he defended it with me. ^{115*}

We are also building a new school at Mount Tabor, and that is also within that general location, so that all of

the proposals that had been canvassed in that Plan are being consistently met and at any point I am quite prepared to make it a document of the House so that the Honourable Member for St. Peter and the Honourable Member for Christ Church West, who is my constituent and is more than interested in what I can achieve for him and is sure that I will achieve it, can see for himself that these were the objectives and these are the objectives being met.

Aside.

Mr. D. J. H. THOMPSON: I will lend the Honourable Member for the City a copy, because I know he has one at home and he can peruse it, if he reads still.

We have therefore tried to meet all the objectives of the Plan. The Plan sets out the social services that Government would provide and housing has been a priority. In fact, within four weeks of my being elected the representative for St. John, the Minister of Housing immediately summoned me to a site visit and we looked at a number of areas. We looked at Small Hope, we looked at Haynes Hill, both of which are in Zone 1 or Zone 2. If they are in Zone 1 they could pose health problems. If they are in Zone 2 septic tanks would have to be installed, which is quite costly for low income persons building low income houses. We finally settled on this small piece of land at Gall Hill.

People have to understand that it is not easy to find areas of land outside of Zone 1 in St. John which are suitable for that kind of development. Although it might look like there is a lot of flat land and a lot of land on which you can build, most of it is in Zone 1 and this Government has a very clear policy in relation to the water zone and is pursuing that policy.

This particular development is complementary to the objectives of the Development Plan. Once again I congratulate the Ministry of Housing for the speed with which they have facilitated this development and I look forward to the expansion of that area of Gall Hill and other surrounding areas as part of the Democratic Labour Party's contribution to the rural sector, because there is a lot of talk now about the rural sector. There are a lot of proposals related to the rural sector, but people have only now come to recognise the importance of the rural sector.

People who have had strongholds in the rural sector for 40 and 50 years could not point to one single composite initiative that would improve conditions of persons living in the rural sector. This Government can point to the tenantry road project, the health and all kinds of other facilities as part of its initiatives in the rural sector to improve the quality of life of citizens living in the rural sector, particularly citizens living in St. John, irrespective of political affiliation. All citizens of St. John, constituents,

will benefit from those facilities, including the Honourable Member for Christ Church West, irrespective of their particular political alignment.

I know that he wishes to give the fullest support to this initiative and I will receive the fullest support from other Members of the Opposition, who probably could speak even more eloquently than I on these kinds of initiatives that we have proposed.

Thank you very much, Sir.

Mr. R. P. BYER: Mr. Speaker, there is a difference, to my mind, between having a clear policy in relation to Zone 1 matters, in so far as the water resources are concerned, and the way one handles violations of that policy. This, to my mind, is where the distinction would lie.

I remember some time ago, about 1986 or probably early 1987, I had raised a question concerning Zone 1 and building development in Zone 1 areas. I had cited the Dash Valley District in St. George and the Clifton Hall District in St. John. I do not recall the response of the Minister at the time, but I think he had set out Government's policy in relation to building in those areas. What was surprising about the last Member's contribution was that I thought he would have raised the question again about the problems people who live in the Clifton Hall area in St. John were having in relation to titles that they would have acquired because of the Tenancies Freehold Purchase Act 12.50 p.m.

Now I know that there is a problem in this area in this regard because a matter of that nature was referred to me in my professional capacity, and I do now know how the Ministry of Housing or the Chief Town Planner is trying to resolve those matters at the moment, where people, having acquired the properties under the Tenancies Freehold Purchase Act and proceeded to build upon those properties without proper planning permission. Some of them have built substantial properties.

Now I know that the approach is to follow the guidelines as laid down in law where an enforcement notice is served on the person and that person then has a certain time in which to put in the response to the enforcement notice. But there is a difference between approaching something in a legal way and then what the Minister might perceive to be the proper approach in terms of policy. The Minister or the Chief Town Planner might feel that a substantial investment had been made and that it would not be right to enforce the enforcement notice, and would try to find some way to deal with the matter that would not cause extreme pain and difficulty to the persons who would have violated the law in the first place. So what I would like to find out from the Minister is what is being done, not necessarily the legal approach, but in terms of policy, where people have acquired titles because of the operation of the

Tenancies Freehold Purchase Act and would have proceeded to build on those properties that are in the Zone 1 area without the proper planning permission. I know of one instance in Clifton Hall, St. John where someone built a wall house and when they asked for retention of the premises, Sir, the Chief Town Planner proceeded to serve that person with an enforcement notice and the matter then proceeded to the Appeals Tribunal under the Town and Country Planning Act. So I want to know from the Minister if he can at this stage provide me with the answer, what is the approach being adopted in these matters, because the answer to that question would also affect persons who live in the Dash Valley district of the St. George .South constituency.

Hon. H. A. BLACKMAN: Mr. Speaker, I don't recall having any application for refusal to extend the house or add a substantial amount of wall to a house for Dash Valley.

Mr. SPEAKER: May I intervene here. My understanding was that the question he was raising was in reference to Clifton Hall and not Dash Valley.

Hon. H. A. BLACKMAN: The point I am getting at, Mr. Speaker, is that whether it is Clifton Hall or Dash Valley, I don't recall any applications coming to me for a waiver or to do something about any refusal because people have built illegally in Zone 1. I have had maybe about two or three of these applications coming to me with regard, I think, to the area of the Belle, not the area that has been in the news recently, and the Town Planner tends to be lenient to those people who were already in Zone 1. I think the policy is that there should be no new construction in Zone 1. I think that is what the policy is. I think if you have been there they will allow you to upgrade. That is my recollection of it. I will check it and let you know. But my recollection is that there should be no new building in Zone 1. I think that is all I need to respond to at the moment. I, will give you the information when I get it.

The question that the Resolution do now pass was put and resolved in the affirmative without division.

COMPULSORY ACQUISITION OF LAND AT WALKERS, ST. ANDREW

Order No. 4 was called - to move the passing of a Resolution to approve the compulsory acquisition of land by the Crown at Walkers in the parish of Saint Andrew for housing development.

Hon. H. A. BLACKMAN: Mr. Speaker, as I stated earlier with regard to the acquisition of land at Corbin's Village, the land at Corbin's Village could accommodate

about 26 houses, and at the moment there are about 38 houses urgently to be resited, and therefore the Ministry of Housing had to look around St. Andrew again for additional lands in order to accommodate the additional twelve houses. The land, Mr. Speaker, at Walkers will be used then for the remaining twelve houses and there will be additional lots, I think probably about 20 or 30, which would become available as part of the sites and services programme, providing house spots for persons in the area of St. Andrew. The land at Walkers is about 15 000 square metres, which is about four acres, and as I said, it would accommodate roughly about 30 or 32 house spots of which twelve will be used for relocation of persons affected. I beg to move that this Resolution do not pass.

Hon. W. O. FRANKLIN: I beg to second that.

Mr. C. A. NEBLETT: Mr. Speaker, again I should like to make a short intervention here. The offer of the extra sites is welcome with one (I would not want to put it in the form of) warning, but a sort of advice to the engineers who will be involved with this project to recognise that the site chosen at Walkers would require an adequate amount of drainage, taking into consideration the hills and the backdrop, and one would hope that when they are preparing the sites that this will be taken into consideration.

On the whole, Mr. Speaker, the Scotland district, especially St. Andrew, since the area lies below the hills in the valleys, has always had a drainage problem, and drainage in that area is becoming rather acute. There are areas where one can see improvement of housing, say, in the Belleplaine area, but again one would have to recognise the need to drain the area to help guide that water that comes out of the surrounding hills towards the river that moves on its way to the sea. I hope that our engineers will come to terms with the problem there and ensure that those houses that are likely to be sited will be safe from not only a question of landslide, but be safe where draining is concerned. With those few words I hope that the House finds it fit to pass this particular Resolution.

The question that the Resolution do now pass was put and resolved in the affirmative without division.

Mr. SPEAKER: Earlier the Leader of the House •••• indicated that he was seeking leave to do a Resolution. If there is no objection, then that leave is granted. 1.00p.m.

ORDER NO. 5 - RESOLUTION TO APPROVE THE USE OF THE REMAINDER OF A LOAN OF (U.S. \$5 806 092 AND POUNDS STERLING 1715 637) WHICH WAS NOT FULLY UTILISED DURING THE FINANCIAL YEAR 1989-90 FOR THE PURPOSE OF ASSISTING IN THE PURCHASE OF CAPITAL AND SEMI-CAPITAL GOODS DURING THE FINANCIAL YEAR 1990-91

Rt. Hon. L. E. SANDEFORD: Mr. Speaker, I am indeed grateful to you, Sir, and to the House for its indulgence in agreeing to deal with this particular Resolution at this time and at short notice.

Sir, the Resolution is a relatively uncomplicated one because the principle itself on which the Resolution is based has already been approved by this Honourable Chamber. Some time in December last year the House agreed to the borrowing of a sum of U.S. \$ 5 850 000 and Pounds Sterling 1 850 000 from the Crown Agents Services Limited for the purpose of purchasing capital and semi-capital goods as part of the Government operations. That Resolution was approved by this Honourable Chamber. The Cabinet had approved the matter on December 7, 1989 and on December 20, 1989 this Honourable Chamber approved the loan.

The Agreement, Sir, was signed on January 4, 1990 and under the terms of the Agreement only orders for approved goods placed on or before March 31, 1990 were eligible for funding under the financing package so we were called upon between January and the end of March to purchase the items in accordance with the terms of the agreement.

By the end of March 1990, the orders placed were valued at U.S. \$43 908 and Pounds Sterling 134 363. The goods which it was intended to purchase in 1989-90 have been by and large revoted in the current Estimates. They are still to be purchased and they include a variety of goods such as buses, vehicles for the Sanitation Service Authority, vehicles for the Royal Barbados Police Force, just to mention some of the items which were intended to be purchased and which, in the current Estimates, are scheduled for purchasing.

Sir, we have been advised that unless the Resolution already passed is amended to refer to the financial year 1990-91, then it would not be in order to utilise this line of credit from the Crown Agents Services Limited.

The Resolution specifically referred to the year 1989-90 and the purpose of this amendment is to add the year 1990-91 so that the line of credit would apply to both financial years, the current financial year as well as the preceding financial year.

The sum outstanding, Sir, as the Resolution indicates the remainder of the loan is U.S. \$5 806 092 and Pounds Sterling 1 715 637. The resolution, therefore, seeks to put the framework in place for the orders to be placed for the capital and semi-capital goods as I have indicated previously.

Sir, the principle was already approved. This is merely to utilise the remainder of the funds under the line of credit and I commend this Resolution to this Honourable Chamber.

I beg to move that the Resolution do now pass.

Hon. P. M. GREAVES: I beg to second the Resolution and reserve my right to speak.

The question was put and resolved in the affirmative without division.

PRIVATE MEMBERS' BUSINESS

Mr. SPEAKER: Order No. 8.

RESOLUTION CALLING UPON GOVERNMENT TO ENSURE PUBLIC ACCESS TO BEACHES AND ADEQUATE SIGN-POSTING OF PUBLIC ACCESSES TO BEACHES

His Hon. J. J. PAYNE: Mr. Speaker, a number of observations have prompted me to bring this Resolution regarding the desirability that the public should have free and reasonable access to the nation's beaches at all times and that such public accesses should be adequately sign-posted. 1.10p.m.

The beaches of this island and, indeed, the parks have become a place of recreation, an attractive place for the enjoyment of the sea and sun. Over the many years, there have been two main methods of approaching our beaches. There have been a number of public accesses to our beaches, on the one hand, and on the other hand, there have been a number of private accesses to our beaches.

Many persons have expressed some concern that the situation regarding accesses to the beach is a matter which deserves some concern. Many of my constituents have written me letters. Some of the older people in the community find it difficult, particularly now that some of the private accesses have been blocked to walk some distance to have access to the beach. The amount of building activity that continues to go on, on privately-owned beach land at times reduces the number of public accesses to the beach.

A brief analysis of the situation therefore would permit me to make a few observations:

Over the past years, the two main means of accesses, taken together, that is, public and private accesses have proven adequate for the needs of our people. The overall increase of public accesses to the beaches has not been significant over the past years. There have been a number of additional public accesses created by Government but this has not been sufficiently significant to match the number of privately existing accesses which have been taken away. The reduction in the number of private accesses to the beach has created some concern, on the part of many persons.

In addition to that, the owners of privately owned lands have been expressing a lot of concern when the public has to cross their properties, and they will do so for good reason. Also the public has been expressing considerable concern when they find that those private accesses to the beach which have been used for generations are suddenly shut off to public use.

The matter is one, in my view, which is of some public concern and one which Government must focus some attention to, at this point, even though I do not see a serious problem today. It could be a serious problem, some time in the future.

Let me say that this Government has a policy which approaches the problem in a very interesting way. In fact I have to say that the Ministry responsible for Parks and Beaches has taken a very reasonable approach to this problem and has, over the years, been tackling the problem in a way which should bring some measure of satisfaction. But I think we have to go a little further. For that reason, I have been prompted to bring this resolution. In fact, I had a discussion with the Honourable Minister responsible for Parks and Beaches, the Honourable Member for St. James South and he has already given me some assurances that some elements of the resolution which I am proposing have already been implemented by his Ministry.

Let me say therefore, Mr. Speaker, that what we are suggesting is that there must be some method of dealing with this particular matter. I am suggesting that we need two or three additional six foot passages, somewhere along the west coast and the south coast which would make up for the reduction in privately owned accesses to the beaches. As the amount of privately owned accesses are reduced, I think we need to see that the publicly owned accesses create a balance which is reasonable and adequate in the interest of the public.

This matter, no doubt, has a variety of implications for our society. First of all, are the legal implications. We have to look at the legal implications of acquiring these accesses.

We have to look at the proprietary rights and interests of the persons who own land and who would be affected.

Let me say that Section 16 of the Constitution protects persons who own land and prevents them from being deprived of their property without some form of compensation being offered or tendered, by Government. Many of us are familiar with the Supreme Court ruling in a «> case of Gulf Rentals Ltd. v Bryan Evelyn and Harold Carvalho trading as Buccaneer Restaurant. This was a case which touched on the Landlord and Tenant (Registration of Tenancies) Act 1977 where the Government sought to make proposals whereby a landlord who rented a property without registering that property was deprived from receiving rent for a number of years. It made provision that the tenant could live, rent free, in that dwelling for a number of years. The Supreme Court, in that particular case, made a ruling that that particular matter was unconstitutional. *

The point I am highlighting, first of all, is that we have to look at the right of the individual, in respect of his ownership of the land. There are many instances, Mr. Speaker, where the owner of land is not permitted to do whatever he likes with it. There are a number of exceptions to this principle of absolute ownership. Some exist, for example, under the Town and Country Planning legislation. There is social legislation which also makes provision for * restricting the rights of owners. Of course, there is the provision for compulsory acquisition, by Government, - for public purposes.

Even though, generally speaking, the owner of land has an absolute right in respect of his land, privacy, his freedom to do whatever he likes with it, there are some general exceptions to that rule of absolute ownership. I believe that the Town and Country Planning legislation is particularly noticeable in this regard and it is an area which can assist in dealing with this particular problem of people ** who need to have accesses to beaches.

I believe that there are many institutions, where we see construction going up on privately owned land where it may not necessarily be in the interest of the public in that, many times, they may take away an existing right of way which is in favour of the public. I believe that the Town and Country Planning Department will, no doubt, be looking at this particular aspect of the matter, from time to time to see that these existing accesses to the beaches are maintained.

Mr. Speaker, there are also the financial implications of this resolution. We have to recognize that beach land is very expensive. Twenty years ago, it was quite possible that a person could have acquired a piece of land on the beach for as little as \$7 per square foot. Today, it is difficult to _{JW} acquire beach land at less than \$25 a square foot. The price of beach land has accelerated so significantly that the value of such beach property is very expensive.

What we are looking at here, therefore, would be raw land, land which is not in productive use, land which has been used for a number of years and which would not create a particular burden on the financial resources of the Government in seeking to create such accesses.

I believe that, as far as possible, each district should have an access and the members of each district should have an access to the beach. The people who live in Porters, the area in which our Prime Minister resides have been complaining to me. I have not yet received a complaint from the Prime Minister. But I can say that the people in that area of Porters have been making complaints. 1.20p.m.

If we look at the situation in that particular area seriously, we will recognise that the nearest access for persons in that area is something in the region of almost a mile from their residences.

Let me say, first of all, that I have no objection to persons having to walk some distance to get to beaches. When I was a boy I was not fortunate, like some of my colleagues, to live on or near to the beach and I had to walk considerable distances to get to the beach, but I believe that today we must recognise that there are going to be some senior citizens who will not be able to walk those considerable distances. Some of these people will not have motor cars, like some of our Members, and I believe that the facility is one that should be afforded to our people that they can have such access to the beaches.

This financial aspect of the matter is one which I believe should be given some consideration. But on top of that, Mr. Speaker, is the matter of public interest. I feel that it is very desirable that the public should have that right of access to the beach. We have many tourists who visit this island from time to time and they may want to move from one beach to another, and the opportunity to gain access must always be present. I believe that people who own private lands should not be hampered by the frequent use of persons trespassing on their property in order to gain access to the beach. I think that people who own private lands have tolerated a lot of this over the years and it is something which they have gradually been seeking to prevent.

We have a situation where in Barbados people are expressing considerable concern about the increase of crime. People tend to loiter and people would be justified in shutting off their lands from persons who encroach or seek to trespass. This is a matter, therefore, which should be approached at this stage, because if not dealt with now it will become more expensive later on, and perhaps even more difficult, with the massive amount of construction that we see going on along the coastal areas of the island.

I am saying that with the expansion of our tourist industry we have that greater number of persons who may

want to gain access to our beaches and it should therefore be one of the areas on which we should focus some measure of attention.

No doubt when the particular areas are acquired they will have to be maintained in some form or fashion. Again I have to say that the National Conservation Commission has been doing a significant job in maintaining those existing public accesses. I can speak particularly of the one at Folkestone. There is one at Sandy Lane which has been given some attention and one at Gibbes. Those are three that come to mind immediately, where the National Conservation Commission maintains a team of workers who keep those accesses and those areas where the public frequents in a beautiful and presentable looking fashion, but I believe it is something that has to be encouraged.

If we examine the situation, Mr. Speaker, we find that there are not a lot of people today who use our beaches. I do not think it could be accounted for by the fact that they do not have adequate access. In part that could be due to the fact that many people have other interests. Many people prefer today to watch television, video and find other means of recreation. Government has been acquiring an additional number of playing fields and public parks where people find other areas of entertaining themselves on public holidays and so on, but I remember years ago the beach was the area where people concentrated much of their attention for recreation. I can tell you that many of my athletic skills were gained from my opportunity to go on the beach and outrun many of my colleagues, and I believe that this opportunity for persons to enjoy the facilities of our beaches should continue to exist if we are to maintain that kind of community which we seek to create.

The point I am making in this Resolution is that the public interest must be balanced against the right of the individual and we must seek at all times to ensure that the interest of the public whom we serve is always recognised.

What I would also like to say in relation to this Resolution, Mr. Speaker, is the fact that with such considerable amount of building operations going on on beach lands, we also have to recognise the implications in terms of soil erosion. As I said, this is a matter for the Town and Country Planning Department, but research has shown that much of our beach erosion has been accounted for by the fact that construction on beach lands has not always been in keeping with a policy which could discourage beach erosion. It is something that has to be examined very carefully and I am sure that the Ministry of Lands has been looking at the problem.

I know, for example, that recently there was a very serious problem in the area of Trents, below Maple playing field, and there was also a very serious problem in the area of Lower Carlton, where a number of persons wrote to me

and I made representation to the Ministry. I know that efforts have been made by the Ministry to protect those areas where encroachment has been made by the sea, but I think that building operations on beach land is one of those areas which must also be focussed on, and I thought I would mention it while I debate this particular Resolution, because it is a matter which I feel needs consideration.

It also brings into focus the fact that many of our beach lands have been changing ownership from private hands and going into foreign ownership. This is also a matter which I believe the Government may want to examine. I believe that there must be some balance maintained between the ownership of private lands by Barbadians and we have to consider the extent to which we will put the ownership of beach lands into foreign hands.

All these are considerations which I feel should be examined at this particular point in our history, because we serve the interest of our country. The country and the interest of the country must be superior to the individual interest and this Resolution seeks to highlight this matter, which I consider as a matter of some national importance.

It is with those words, Mr. Speaker, that I beg to move that this Resolution do now pass.

Mr. C. LeR. TROTMAN: Mr. Speaker, Sir, I want to second this Resolution, but in doing so I wish to refer to the Introduction to the Democratic Labour Party's Manifesto of 1986, where it says:

"The Democratic Labour Party, as its name implies, is a people-oriented Party, dedicated to the upliftment of all Barbadians, regardless of colour, class, creed or political affiliation. The Democratic Labour Party, on assuming the reins of Government in 1961, set about transforming Barbados from a land in which there was unequal treatment and a lack of opportunity for the majority of people, into a land of high and equal opportunity for all."

I see the Resolution, Sir, as an attempt to reassure all and sundry in Barbados of Government's commitment to this high ideal and I commend the effort, especially at a time when it is necessary for people to be reassured, given some of the malicious attempts which have been made in some areas to undermine the philosophical moorings of this Government and the positions of high principle that have been adopted and the selfish, self-seeking reasons of some people to attempt to establish other particular objectives. 1.30p.m.

I think it is true, Sir, in looking at this Resolution, for us to recall the historical position which the Democratic Labour Party has adopted. I do not have to go too far, Sir, to

remind that in the Bank Hall area (I know it is not a beach, Sir, but it is indicative of the kinds of approaches that there were to these matters) there was a line down the centre of the street dividing the one class from the other class in what was called Strathclyde. At the beaches themselves, Sir, people did not have the opportunity to travel along them because there were all kinds of obstructions which were placed in the way of having the beaches free and available, * and as a matter of fact, Mr. Speaker, part of what was the position adopted by the Democratic Labour Party was a position to ensure that it was clearly recognised that this party had embarked on a policy which said that Barbados was first and foremost a place for Barbadians. We welcome our visitors, we welcome them but we want them to understand that this was a place for us all. I would like purely because of the history to compare and contrast that with the need that the Mighty Gabby had, the need that he perceived he had to write a calypso sometime after the Democratic Labour Party demitted office, the calypso being ^x "Jack tell we we can't bade on we beach". Perhaps I have got the words wrong, Sir, but the sum total of the point was that at that time after the Democratic Labour Party demitted office, it was perceived that the beaches of Barbados were no longer a place where the peoples of the country could go-

I want to put it in perspective because I don't want to suggest that any Government would want to deny total *» access of its people, and that may not have been the position of the Government, but it may have been -the position of some people who served the Government. Nonetheless the people of the country had reached the stage where that calypso had to be celebrated, and that, Sir, was at the time when you may remember that we were going back to a situation where the beaches were not perceived as being as easily accessible as they had been before and as they now are again.

I think that the philosophical position of the parties * concerned has been one where it was clearly recognised that the commanding heights of the economy of this country and the highest social benefits within this country should be shared in common by the masses within the country, and I think that the Resolution endeavours to address that, Sir, and for that reason we have ever so often to come back to matters like this, matters of first principle, and to have the reassurances we spoke of.

It is my view, Mr. Speaker, that the Resolution allows for certain philosophical discussion regarding the matter of the position of beaches, regarding secondly the matter of beach front land and regarding the matter of land identifiable as suitable for recreation. Clearly in all three of those areas, the matter of beaches themselves, beach front land and land identifiable as being suitable for recreational «, purposes, the Government of the day has a certain responsibility to balance its respect for the right of private property against its over-riding concern for and interest in

seeking to observe the need for suitable access, suitable use by all the people of the country of certain earmarked areas which are thus identified. When therefore one notices matters like the encroachment of groynes or groynes extending into the sea thereby preventing people from travelling along the beaches, when one notices fences extending along the road-side to prevent people from using what previously were accesses to the beach, or walls extending in such a way that neighbouring walls touch one another thereby preventing people from being able to walk along known and established access to the beach, one would obviously need to be concerned. One now has to be concerned for the reasons put forward by the mover of this Resolution, but one has to be concerned as well because physical lines of demarcation such as those I have referred to will lead to attitudinal changes within the society, and it is my view, Sir, that they have led from time to time to confrontational positions which are adopted by frequent users of the beaches, who perceive in such physical barriers that efforts are being made to divide them from those parts of the beaches and/or parks which were enjoyed by them and their forebears in common before. It can lead as well to a breakdown in the social cohesion that the Democratic Labour Party has been trying to cultivate, and I would imagine that any Government ought to want to cultivate.

I think that in addressing this subject, Mr. Speaker, the mover of the Resolution is very apprised of these matters and is concerned and is seeking to satisfy what may be the questions in the minds of some persons, but I believe that in our addressing this matter we are doing so from a position where the historical stance of the Democratic Labour Party, the philosophical position of the labour movement generally and the peoples committed to the movement of the masses has been one where free access to the beaches is an entrenched position, and because we speak from that position of entrenchment of commitment to that social benefit, I believe that we will always within a Democratic Labour Party regime be able to recognise that the assurance which is being sought by the Resolution will be forthcoming, and I therefore have great pleasure, Sir, in seconding the Resolution.

Hon. N. K. SIMMONS: Mr. Speaker, I want to compliment my colleague and friend from St. James North for bringing these concerns of his constituents to this Honourable House. It shows that he is doing his homework and because I represent a similar area, I also get these complaints. I would just like to say that a lot of the building which we see going on on the west coast in particular has had planning permission for many a year, and as I understand it, what the owners do is to just do a minimum over the years to make sure that that planning permission does not lapse. For example, I understand that for the building which went on opposite the Crusher Site road, planning permission had been granted in the early 1960s, so

that when people started to complain about the blocking of the sea window, there was nothing that could have been done at that stage.

The problem as I see it is that when the beach accesses were first made, probably when Sandy Lane was first built in the early 1950s, they were catering for people mainly on foot, pedestrians. What has happened now is that a lot of people who are using the beaches are driving in cars and need parking facilities. This is a big problem which we are facing, for example, the one at lower Holders Hill. 1.40p.m.

People are not complaining about the fact that Tamarind Cove has extended or is in the process of building more rooms. What they are arguing about is that they no longer have places to park their cars and this is a problem which we have to look at so that on the one hand we have to look at the old accesses and what we will do with the new accesses.

You will notice that of late Government in providing accesses to beaches is also making available parking space, for example, in Bay Street. At Batts Rock we have just started building a new road and when you get on the beach there will be parking facilities as well.

We are aware of what is happening and I think it is a good thing that the Honourable Member for St. James North raised this so that we would have the opportunity to indicate to the general public how we are moving so that they too would understand what is happening.

As far as signposting is concerned, about last year or year before last we carried out a survey of all the beach accesses and it was the intention of the Ministry to put up proper sign posts. Unfortunately, they have signposted the accesses but it is difficult to see them from afar. I think the sign posts are about 3 in. wide by about 6 in or 9 in. long so you have to be on top of the signpost to realise it and we are looking at a proper logo so when people see the logo alone they would know that this is a beach access and that will soon be rectified.

The Honourable Member for St. James North also spoke of the fact that a lot of the accesses are very far apart. You would recall that about two years ago when Settlers was expanding that we met there and had a discussion at his invitation with the investors of S elders and as a result of that they did put an access to the south of the development so that he is reaping some success in his efforts but I think that he wants to draw this to the attention of more persons.

As far as building on the beaches is concerned as well, the Department for Coastal Conservation Project Unit is always asked to comment on any building which is going on on the seashore so that set-backs are decided between

the Town and Country Planning and the CCPU in order not to create any problems with erosion.

The fact of the matter, however, is that we have to have a balanced development in the sense that most of our visitors who come to this Island although they might live 400 or 500 miles from a seashore, once they get to Barbados they feel that the hotel rooms must be on the water, not even near it so that if you have to cross from one side of the road to the next, only about 30 ft., they complain and this creates some problems for those persons who are investing. Therefore, there must be some balance in the development so that in one respect the customer gets what he wants and in the other respect the operator of the business also offers the type of service which the customer is asking.

We have tried to prevent people from building groynes on the sea and as far as I could remember, one had to be removed from in Fitts Village and one near Tropicana on the west coast because the groynes create severe erosion to the south of the groynes. The sand is pulled away from the south of the groyne and taken to the north of the groyne.

The actual erosion of itself is not only caused by the building but the fact of the matter is that our reefs are dying for a number of reasons, pollution, the major one, dynamiting, spear fishing, the cruise ships dropping their anchors and breaking the coral which takes many, many years to grow and because the reefs are dying, you find that the wave energy has increased. The reefs are designed to reduce the wave energy and if the wave energy increases, obviously, it takes the sand out.

I believe some time ago last year we made an agreement with IADB for a sum of U.S. \$7.3 million to carry out a feasibility study on the south and west coast to see if we can retard the progress of the beach erosion.

Coming back to the facilities, Mr. Speaker, you will notice that in order to make the facilities better for our people and hence visitors to the Island, we have upgraded a number of facilities, Half Moon Fort, for example. We have put down a new facility at Batts Rock. At Brandon's a new facility has been put there. We are in the process of looking at putting a beach facility at Browne's Beach, the back of the Garrison and Rockley because these are areas where we

have adequate parking facilities and people would be able to park there.

Also we have to take into consideration that on the beaches which attract most people we have provided our lifeguard service and we encourage people to go to those beaches. There are some beaches which we try to prevent people from going to because they can be a bit dangerous at times and that is why we are looking at it from that point of view.

I do not think that I need to add more to this but only to say that I agree in principle with the Resolution and to say that Government has taken everything into consideration and will try to adhere or do something about what our Honourable Member has said.

I thank you.

The question that the Resolution do now pass was put and resolved in the affirmative without division.

Mr. SPEAKER: This is the end of Private Members' Business. In bringing Private Members' Business to a close, I want to draw other Members attention as well that there are a number of items under Private Members' Business which probably may be coming to the expiration of their time. I would wish that Honourable Members who have some Resolutions under their own names may very well want to do them before that time arrives.

ADJOURNMENT

Hon. P. M. GREAVES: Mr. Speaker, I move that the House do now adjourn until Tuesday July 24, 1990 at 12 o'clock noon.

Hon. B. M. TAITT: I beg to second that.

The question that the House do now adjourn until Tuesday, July 24, 1990 at 12 o'clock noon was put and resolved in the affirmative without division and Mr. SPEAKER adjourned the House accordingly. 1.50p.m.

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