
THE

House of Assembly Debates

(OFFICIAL REPORT)

FIRST SESSION 1994 – 99

HOUSE OF ASSEMBLY

Tuesday, July 9, 1996

Pursuant to the adjournment, the House of Assembly met at 11.15 a.m. o'clock on Tuesday, July 9, 1996.

PRESENT

His Honour R. D. MARSHALL (Deputy Speaker)
Mr. B. M. TAITT, B.A. (Hons.), M.P.A. LL.B.
(Hons.)

Rt. Hon. O. S. ARTHUR, M.Sc. (Econ.), (Prime Minister, Minister of Finance and Economic Affairs and Minister for the Civil Service)

Hon. D. A. C. SIMMONS, Q.C., LL.M. (Attorney General and Minister of Home Affairs)

Mr. D. J. H. THOMPSON, LL.B. (Hons.) (Leader of the Opposition)

Hon. Sir Harold St. JOHN, Q.C., LL.B.

Dr. R. L. CHELTENHAM, Q.C., M.A., M.Sc. (Econ.)

Hon. Miss B. A. MILLER (Deputy Prime Minister, Minister of Foreign Affairs, Tourism and International Transport) (Leader of the House)

Hon. G. W. PAYNE (Minister of Public Works, Transport and Housing)

Hon. R. C. EASTMOND, J.P., B.A. (Hons.), Dip. Ed., LL.B. (Hons.), LEC (Minister of Agriculture and Rural Development)

Mr. D. CARTER

Hon. R. N. GREENIDGE, B.A., LL.B. (Minister of Labour, Community Development and Sports)

Mr. G. A. CLARKE, B.Sc., Dip. Ed., (Parliamentary Secretary, Ministry of Public Works, Transport and Housing)

Mr. J. M. EDGHILL

Mr. F. J. STUART, B.A., LL.M.

Mr. W. C. C. CALLENDER, J.P., B.A., Dip. Ed., B.Sc. (Chairman of Committees)

Mr. H. F. LASHLEY

Hon. R. St. C. TOPPIN, LL.B. (Minister of State, Ministry of Foreign Affairs, Tourism and International Transport)

Hon. Miss H. E. THOMPSON, LL.B. (Minister of Health and the Environment)

Prayers were led by Canon Ivan Harewood.

Mr. DEPUTY SPEAKER: The House is now in session.

MINUTES

Mr. DEPUTY SPEAKER: The Minutes of Tuesday, June 25, 1996.

Hon. Miss B. A. MILLER: Mr. Deputy Speaker, Sir, I beg to move that the Minutes of this Honourable House of Assembly for Tuesday, June 25, 1996 which have been circulated be taken as read.

Rt. Hon. O. S. ARTHUR: I beg to second that.

Mr. DEPUTY SPEAKER: If there are no corrections or observations, then let those Minutes stand confirmed.

ANNOUNCEMENTS BY HIS HONOUR THE DEPUTY SPEAKER

Mr. DEPUTY SPEAKER: I would like to bring to the attention of this Honourable House that the Speaker of the Assembly, the President of the Senate, the Honourable Member for St. Michael East and the Clerk of Parliament

are all in the Turks and **Caicos** Island on a CPA Conference.

News has reached us that the hurricane Bertha is in that vicinity, and at this moment poses some threat to the Island. I have been in touch, not too long ago, with the CPA people, but was unable to speak directly to them since they were in session. The management of the hotel, where they **are** having the Conference, told me that they will be having the full brunt of the storm between 4.00 p.m. and 7.00 p.m. and it is expected to last for about five to six hours. They said that within a few minutes or so, the whole town will be buttoned down and the telephone lines, most likely, will be out of service. That is the extent of the announcement.

PAPERS

Rt. Hon. O. S. ARTHUR: Mr. Deputy Speaker, Sir, I am commanded to lay Guarantees under the Exempt Insurance Act, Cap. 303 to the following:

1. Alexander Touche Insurance Company
2. **Barinco** Insurance Limited
3. Llona Reinsurance Insurance Company Limited
4. Monaghan Reinsurance Company Limited
5. Motors Mechanical Reinsurance Company Limited
6. Paragon Indemnity Insurance Company Limited
7. RGA Reinsurance Company (Barbados) Limited
8. Sutton Reinsurance Corporation
9. T. T. G. Insurance Company Incorporation

Hon. D. A. C. SIMMONS: Mr. Deputy Speaker, I am commanded to lay:

1. Report on the Vital Statistics and Registration for the year 1994.
2. Report of the Regional Meeting on Drug Control Co-operation in the Caribbean held at Bridgetown, Barbados from May 15 to 17, 1996.

GOVERNMENT NOTICES

Hon. Miss B. A. MILLER: Mr. Deputy Speaker, Sir, I beg to give notice of the Shipping Corporation Bill, 1996.

FIRST READING OF BILLS

Hon. Miss B. A. MILLER: Mr. Deputy Speaker, Sir, I beg to move that the Shipping Corporation Bill, 1996 be read the first time by this Honourable House.

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

STATEMENTS BY MINISTER

Rt. Hon. O. S. ARTHUR: Mr. Deputy Speaker, in 1967 at the Conference in Trinidad of the Association of Headmasters and Headmistresses, a Resolution was passed to the effect that, "Whereas the general interchange of teachers among the Caribbean territories is increasing:

"Be It Resolved that this Association request the appropriate department of the University of the West **Indies** to compile a list of lexical items in each territory and to circulate these to schools, for the guidance of teachers."

Mr. Deputy Speaker, the effort to create a Dictionary of Caribbean English Usage, as from that moment, has been the concern of the University of the West **Indies**. It has been an effort spearheaded by Dr. Richard **Allsopp** supported by his wife, Jeannette Allsopp.

Indeed, at a Meeting of Regional Carifta Ministers of Education in 1973, a Resolution was passed to support the efforts of the University of the West **Indies** to provide an authentic statement of the Lexicon usage of the **English**-speaking Caribbean.

Sir, after more than a quarter of a century of sterling effort, we now have, as intended by the Resolution set out in 1973, a truly authentic statement of the Lexicon Usage of the English-speaking Caribbean. Dr. Richard **Allsopp** has now succeeded in publishing a Dictionary of Caribbean English Usage, and this edition contains a French and Spanish supplement which has been edited by his wife, Jeannette Allsopp.

I truly believe, Mr. Deputy Speaker, that the publication of the Dictionary of Caribbean Usage is a significant moment in the history of the Caribbean. It is of such significance that it would be an injustice if it were not brought to the attention of Parliament. I therefore wish to use this opportunity to bring to the attention of this Honourable Assembly the fact that the endeavour embarked upon by Dr. Allsopp, supported by so many people in the region from over a quarter of a century ago, has now been successfully concluded and that a Dictionary of Caribbean English Usage has now been published.

Dr. Allsopp has been good enough, Mr. Deputy Speaker, to present me with a copy of this Dictionary of Caribbean English Usage. I do feel that having regard to the historic dimension and significance of this publication, that it should really, fittingly, become part of the records and the property of this Parliament.

I feel, Sir, that this Dictionary of Caribbean English Usage will be of great use and enlightenment to Members. I look to the day when our Standing Orders can be amended so that Members, in the course of their presentations to this Honourable House, can speak also in the language of our people, Sir.

11.25 a.m.

I therefore wish on this occasion, as I had indicated when the Dictionary was presented to me by Dr. Allsopp, to **fulfill** an obligation I undertook on that occasion to present the Dictionary of Caribbean Usage to the Honourable House of Assembly of Barbados. I **trust** that it will enrich the legacy of this Parliament.

ORAL REPLIES TO QUESTIONS

Hon. G. W. PAYNE: Mr. Deputy Speaker, I beg to give notice that the reply to Parliamentary Question, No. 20 asked by the Honourable Member for St. John is ready.

SUSPENSION OF STANDING ORDERS

Hon. Miss B. A. MILLER: Mr. Speaker, I beg to move that Standing Orders Nos. 6, 16, 18, 20, 42(5), 43 and 44 be suspended for the rest of this day's sitting.

Rt. Hon. O. S. ARTHUR: I beg to second that.

The question was put and resolved in the affirmative without division

GOVERNMENT BUSINESS

Mr. DEPUTY SPEAKER: Government Business is now the order of the day.

Order No. 7.

ORDER NO. 7 – BILL TO AMEND THE PREVENTION OF FLOODS ACT, CAP. 235

Hon. G. W. PAYNE: Mr. Deputy Speaker, I beg to move the second reading of the Prevention of Floods (Amendment) Bill, 1996. This amendment has become necessary due to the problems facing the country in the area of flood prevention, the most critical problem of this being the cleaning of wells. The necessity for this legislation came to the fore in August last year when we experienced probably the worst floods that this country has experienced in living memory.

A lot of the legislation which had been on the statute book reflected the situation in earlier times when sugar was king in Barbados and there were a number of plantations which were, for the most part, in working order when agriculture was the main industry in Barbados and when the plantation owners saw to it that all the wells in Barbados were cleaned. This situation is no longer the case and we have a situation today where a number of plantations are no longer in operation, where a number of houses have been constructed in areas where there were previously plantations and where, in many **cases**, a number of the wells which were being constantly cleaned in the past have now been blocked.

This legislation, Mr. Deputy Speaker, will also give the Ministry the authority to go into lands of private owners without running the risk of being sued for trespass and clear the various drains and wells so that the problems which we encountered in August last **year** will no longer be the case.

We will also be using the opportunity in this amendment, Mr. Deputy Speaker, to change some of the words in the old legislation which are no longer relevant to the existing position. When the legislation was first implemented, the Chief Technical Director headed the Technical Section in the Ministry of Public Works but this is no longer the title of the Chief Executive Officer in that Division. It will be necessary to change the words "Chief Technical Director" appearing in the existing Statute to the "Chief Technical Officer."

This amendment, Mr. Deputy Speaker, will also redefine the definitions of road area and flood works. The definition of "flood area" will now be any area declared by the Minister to be a flood area under **secuon** 2A.

Included in the definition of **flood** works will be the digging or clearing of wells and it is hoped that we will be able to address the problems which we have not been able to conquer during the past few years as a result of the changes in the problems on these plantations that I alluded to earlier.

In this amendment, Mr. Speaker, we are seeking to give the Chief Technical Officer greater powers to enter into the premises of landowners and to carry out certain road works after the relevant notices have been given to the respective landowners. It will be necessary, in **case** of the flooding of certain areas, to **carry** out some of these works expeditiously. Previously, as I said, the Government had to face the possibility of there being an action for trespass.

We have included a new section in the legislation so that persons who live near wells and drains can also be protected. In this legislation the Chief Technical

does not have the power to go and clear drains and wells which threaten neighbouring property and the insertion of section 6A will allow the Ministry to go in and do this type of work.

The situation whereby the landowner, as happened in the case of **Weston**, would by his own act block a watercourse or block a road causing damage to adjoining lands is also covered by this amendment. In this case the Ministry will have the power to go in and correct any damage that has been done by a landowner in clogging up a watercourse and charging the cost of the construction.

The report of the engineers who had done a brief study on the **Weston** floods for Government did reveal that this was the case at **Weston** but, as the legislation stands, Government is powerless to bring any action against the owner of that particular parcel of land over which the road runs. In this particular case Government will have the authority to do so. So that if the situation that occurred at **Weston** in August were to happen now and the findings were to show that a particular land owner was responsible for the blockage of a water course and in that case there is evidence that about 12 000 cubic metres of water was impounded in that particular area, Government would be able to do the remedial works. In this case, to reconstruct the bridge at Upper Carlton would probably cost, if we are to go by the preliminary estimates, about \$2 million and it would mean that Government would be able to go in and do the remedial work on that bridge and charge the land owner.

11.35 a.m.

Dealing specifically with the actual Bill, Clauses 1 and 2 of the amendment are fairly self explanatory. Clause 1 refers to the actual naming of the Bill, the Prevention of Floods (Amendment) Bill. Clause 2 addresses the problem with respect to the Chief Technical Officer being substituted for Chief Technical Director wherever it occurs in the Bill. Flood area in paragraph 3 means any area declared by the Minister to be a flood area under section 2A. Flood works is more or less a rehash of part of the earlier definition and an expansion with respect to the digging and the cleaning of wells. The authority which was referred to which was not very well defined in the earlier Bill is dealt with in paragraph 4. The paragraph 6 refers to the deletion of section 5 and the replacement of section 5 by another section which allows the Chief Technical Officer or anyone authorised by him to enter into the particular premises for the purposes of doing the remedial work. The Chief Technical Officer or anyone authorised by him must also give 48 hours notice before the proposed entry.

The owner of the property under paragraph 6(3) will have 14 days in which to respond. Under paragraph 8 there

is an insertion with respect to sections 6A and 6B in the original Act for the protection of persons from floods and inundations every owner or occupier of land on which there are suck wells shall, clean the suck wells or cause the suck wells to be cleaned.

Mr. Deputy Speaker, it would mean that the responsibility of cleaning the many wells in the country and on plantations and elsewhere would rest on either the plantation owners or the other owners and if these persons failed to clean or clear the wells at least once a year the Chief Technical Officer or someone authorised by him would be able to go in and actually do the clearing of the wells. Of course the actual cost will be borne by the owner of these wells.

We have had situations in the past where there has been obstruction of officers within the Ministry of Public Works by owners in situations where it is necessary to carry out certain remedial works and under the legislation any person who obstructs the Chief Technical Officer in the execution of these duties will be liable to an offence.

Mr. Deputy Speaker, the costs under paragraph 15, a further amendment to the existing legislation, for carrying out flood works by the Chief Technical Officer is a debt due to the Crown and is recoverable in summary proceedings before a Magistrate for District 'A' notwithstanding the fact that the costs exceed the limit on the jurisdiction of the Magistrate's Court.

Mr. Deputy Speaker, because of the problems which we encountered as a result of the floods at **Weston** it was necessary to move swiftly and establish a drainage unit within the division of Public Works with respect to the problems at **Weston**. I must congratulate the National Housing Corporation for the speedy and competent manner in which they have executed the works to date. About 90% of the work to be done has been completed. We have been able to acquire some land at Bakers. A number of persons have been **resited**. The persons who have been **resited** are happy with their new location. As a matter of fact there is such a **friendly** atmosphere in that particular area that there is one particular incident that I would like to mention and it is a case where a person had actually moved in and had started to live in the house and he realised that someone else needed accommodation more than he did and he actually moved back out and went and rented elsewhere to allow this person to occupy his premises until the unit which was being prepared for the lady had been completed.

As I said, we are about 90% completed and there are certain works still to be done with respect to certain acquisitions in the water course. It is hoped that when

this legislation has been passed there are certain areas within the **Weston** area that will be declared a flood **area** in accordance with the legislation so that the officers from the Ministry of Public Works will be able to work with the Town Planning Department and will be able to have certain restrictions for building in the water course. It is not known whether or not these persons knew that they were actually in the centre of a water course but we will **try** as far as possible. I think that we have a responsibility, as a Government, to ensure that they **are resited** and that no one **else** suffer the same fate that they suffered in August last year.

With respect to the acquisitions we have embarked on a policy which is a departure from the policy in the past whereby as long as we are satisfied that a person in the water course is the owner of a particular parcel of land, that instead of waiting for the actual legalities of the documentation to be completed we will be paying up front one half of the purchase price of the asset by the Commissioner of **Valuations** and the remainder will be paid when the matter is completed. So far we have not yet encountered any problem. **As** I said, we are still about 10 per cent away from doing all the things we would like to do. There are one or two houses that we still need to put some finishes touches on with respect to repairs. But it is with this legislation that we will not be faced with a situation where people will actually be building after today in areas which have been declared flood areas.

11.05 a.m.

Mr. Deputy Speaker, we also moved swiftly by establishing a Drainage Unit within the Division of Public Works. In its transition stages, obviously there are a number of problems which will be encountered by the Unit. It cannot be expected that the Drainage Unit will solve all of the drainage problems overnight. I know some members of the public, as a matter of fact some Members of Parliament, will still want to claim notwithstanding the establishment of the Drainage Unit that they have not seen any marked improvement in the clearing of drains in their area. But it will take some time and it is hoped that after this legislation that we will be able to move a little step further and have an efficient unit within the Division of Public Works so that we will be able to deal with, if not all, most of the problems that we have been encountering during the past few months.

This Unit is staffed with about 90 per cent, some of whom were actually working within the Division of Public Works in other areas and other persons who have been recruited for this purpose. There are a number of problems with respect to the recruitment of the workers. For example, the actual recruitment of workers in certain senior positions within the Ministry where the positions are not

established will take some time to be established. The Wells Inspectors will have to travel the length and breadth of the country in order to ensure that the functions for which they have been set up are being **carried** out. They will have to monitor the work of the Wells Contractors and ensure that if a Wells Contractor says that he has actually finished cleaning a well that the well has been cleaned to the depth that he says that it has been cleaned and to the depth that is required by the Division of Public Works. I would not like to say that in the past there have been cases whereby this situation, where people have actually been paid for work that has not been done. But if this has happened, it has only happened because the inspectorate was not in place. With respect to staffing, seeing that these positions were not established, it will take some time notwithstanding the fact that these persons **are** presently working in a temporary capacity. It will take some time for them to be established in which case they will be able to have the benefits in **terms** of travelling expenses and the provision for a car loan in order to allow them to do their work. At the moment, this is one of the small problems with respect to the staffing of the Unit.

The Drainage Unit will be responsible for the cleaning and digging of suck wells, the construction and maintenance of associated works. For this purpose, the country has been divided into 3 sections – the North, the South and St. Michael. St. Michael is a very large area. I think that St. Michael together with St. **Andrew** and St. Joseph have the greatest problems with respect to the problems surrounding drainage. In addition, they will have to monitor and clear the water courses and outfalls. I would like to state that so far we have managed to clean **outfalls** at Oistins, Welches, Worthing, St. Lawrence, Dover, Silver Sands, Prospect, Johnson Road, Risk Gap, Coconut Creek, Buccaneer Bay, Treasure Beach, Vauxhall, Smugglers Cove, Almond Beach, Holetown, Porters, Golden Palm, Tropicana, Blue Point and Laynes Road to name a few. We are also in touch with the developers of the marina at **Speightstown** and it is hoped that in conjunction with the Town Planning Department we will be able to correct any problems that are being faced in that area. At the same time a Drainage Study is presently being done. This should be completed shortly and it is hoped that when this Drainage Study has been completed that the Drainage Unit will be able to incorporate the recommendations of the Drainage Study and that this particular department will be able to execute any works that are necessary.

The question of the adequacy of pumps in particular at the Princess Alice Highway is one which has engaged our attention for some time. When we came into office, we understand that there was only one pump that was functioning. I think that the absence of a unit like the Drainage Unit in order to coordinate the activities of this area maybe was the reason why no attention was being paid in this particular area. The Pump House has

the capacity to accommodate 3 pumps. We feel in the Ministry that it is really not necessary to have 3 pumps but we have actually replaced the second pump and, notwithstanding the fact that 3 pumps might be more than what we need taking into consideration the problems that we encountered in August last year, we are moving to have a third pump available in case one of those two pumps breaks down. Of course, the Drainage Unit will also be able to execute the works which will become necessary after the passing of this particular piece of legislation which is also to be read in conjunction with the Highways Act which will form the basis of a separate presentation.

We are also hoping that the Drainage Unit will be able to work in conjunction with the Coastal Conservation Department. Here again there were a number of problems in this area which we faced after the flooding. There are many people who will tell you that they have never seen the type of problems to which I alluded before August last year. There were a number of items washed out to sea. We lost a lot of beach. It is hoped that the Drainage Unit will be able to work with the Coastal Conservation Unit in order to remedy a number of the problems which we have encountered in this area. We still have a number of critical drains at Speightstown, **Holetown** and Graeme Hall and we need to meet and liaise with the Coastal Conservation Unit on a regular basis so that a number of the problems which are presently being encountered in particular at Graeme Hall will be a thing of the past.

This Unit will be responsible for the repairing and cleaning of culverts and bridges and drains. So far, we have cleared 37 drains in Eden Lodge, Whitehall, Station Hill, Constitution Road, **Goodland**, **Roebuck** Street, Whitepark, Blenheim and Parkinson Field. In the Southern areas, we have cleaned so far 44 areas like Charles Row Bridge, Byde Mill, Gall Hill in St. John, Glenburnie, Sergeant Street, Sherbourne, St. **Patricks**, Kingsland, Wotton, Bentley, Church Village, Chapel, Bushy Park Road, Station Hill, Parish Land, **Bayfield**, **Skeetes** Bay Road and in the Northern areas we have cleaned about 52 areas.

I would like to mention that, notwithstanding the fact that this is an ongoing exercise and it may be said that notwithstanding the fact that a particular area has been stated to be cleaned and in particular the representative for the area might want to state that the area is still in a state of disrepair, we would like all Members of Parliament to assist the Drainage Unit by informing them of the particular areas that need to be cleaned, because ever so often since the Drainage Unit has been established there are certain areas that have not been cleaned for a number of years, for as long as 20 years, and it would appear as though the information with respect to a particular drain was not within the knowledge of the Division of Public Works. As to whether or not the Division of Public Works

over the years has not been doing its work, I do not know, but it is hoped that with this constant inspection we will be able to monitor and repair wherever necessary.
11.55 a.m.

This Unit will also be responsible for the canalising of water courses and drains. We have done a number of them so far. Since the Unit was established last year we have done **Grazettes**, Snagg Land, Lower Estate, Small Land, Aquatic Gap, Arch Cot Terrace, **Princess** Royal Avenue, Dash Valley, Advent Avenue, Shorey Village and Belleplaine Main Road. I would like to say that this is a very expensive exercise. It would not be possible for us to do very many on a yearly basis, but we will certainly seek to do as many as possible so that over a period of time we hope we will be able to have almost all of the areas that need canalising throughout the island completed.

I did mention complaints. Any complaints with respect to flooding, areas that are prone to flooding that might not be within the knowledge of the Division of Public Works, Members of Parliament and members of the public can also inform the Drainage Unit. There are many people who have been living in areas for a very long time who would know about the problems with respect to flooding better than the engineers who would like to think that they are the only experts. We have had a situation in **Holetown** where we have taken the advice of persons in the area and have been able to remedy some of the problems encountered. When the **Holetown Complex** was being done, there is evidence that the engineers ignored advice of persons in the area who knew the history of flooding in the area. Since the flooding, we have been able to construct a footpath covering the drains. When the complex was built, a number of galvanise sheets and board, together with plastic bags and debris, were left underneath which resulted in a blockage. We have been able to clean the entire footpath. As a matter of fact, we had to break up the footpath, dig new holes and instal new grilles. A concrete box drain has been constructed to take away any overflow water to the sea.

The problem being encountered at Murphy Pasture is one which is engaging our attention and it is hoped that we will be able to at least to remedy a number of these problems after this legislation, because that is also one of the areas we intend to declare a flood prone area. We would like to **resite** the houses at Murphy Pasture as well. I do not know how well this will go down with the parliamentary representative, since obviously she would lose a strong base, but it is an area which is not suitable for housing and, subject to finding suitable land in the nearby area, we intend to **resite** these people.

Sunset Crest is a development which sprung up overnight. Almost every month we are encountering certain

drains and water courses we never knew about. It is difficult really to understand how that particular development could have been constructed as it was without certain **important** information with respect to the drainage systems being known to the Division of Public Works and we are encountering some strange things almost on a monthly basis with respect to the drainage systems at Sunset Crest. This will be an ongoing problem for us, but wherever possible this Unit will try to remedy it.

We are proposing to create an infiltration stream, up stream to reduce the amount of water entering the development. In the past we were unable to do that because of the fact that the relevant legislation was not in place and some land owners actually resisted, even though it was for the benefit of the entire development. You only have to pass through Sunset Crest after a brief shower to realise the serious problems in that **area**. It is hoped that the Chief Technical Officer and his staff will be able to go in and correct a number of the problems, but it is going to take years to correct because of the problems we have been encountering in Sunset Crest.

As I said, we are hoping we will be able to implement a number of the recommendations of the Storm Water Drainage Study. We expect to have the final report very shortly. They will be paying particular attention to a few areas. As I said, these problems cannot be solved overnight by the establishment of a Drainage Unit with 90 persons, 200 persons or 1 000 persons. Obviously, there is a lot of work that needs to **be** done, but the particular areas this study will be **looking** at are areas of the greatest concern. I mentioned Sunset Crest, Holetown, **Weston** and Speightstown. There are also areas like the Constitution River and Wotton, serious flood prone areas. We are hoping in the Drainage Unit to have an inventory of all the drainage systems in the island so that we will be better able to monitor the problems with respect to drainage throughout the island.

Mr. Deputy Speaker, it is hoped that when this legislation has been passed – I do not expect any opposition from Honourable Members on that side, because certainly the Honourable Member for St. Michael West from his seat, and if one may judge from his demeanour, is actually saying it is something that should have been done a long **time** ago – but after this legislation has been passed we are hoping we will be able to enter those private properties which have been the source of concern and carry out the necessary works in order to ensure that the problems which we have encountered do not recur. Also, that we will be able to avoid the problem which we faced in the past, whereby Government was actually sued for trespass, for going on private lands in order to carry out certain works in the interest of the community.

Mr. Deputy Speaker, with those few remarks, I beg to move that this Bill be read a second time.

Mr. H. F. LASHLEY: Mr. Deputy Speaker, I do not intend to be too long on this Bill. I think that its introduction at this time is timely, as we are into the hurricane season, and I am sure the Bill will do a lot to stimulate activities within the respective areas.
12.05 p.m.

Sir, I represent areas of Pinelands, **Wilkey** and **Parkinson** Field, probably the **3** largest housing **areas** in Barbados and a constituency that is probably the most thickly populated. Hence the clearing of wells would always be of significance to the community members. There is some work that has been done in the St. Michael South East in the clearing of these lands, particularly in Parkinson Field; but there is a problem and that problem is that they gave private developers the work to clear these wells and what has happened, not that I have any objection to that, but the problem remains that some of these private contractors are insensitive to some of the residents' needs. Let me draw an instance.

In Parkinson Field a contract was given to a contractor to clear the wells there and up to this present time they are not fully cleared as yet. In addition, they dynamited the land and created a problem for the residents. In fact, the house of a blind person was cracked. When I called the Ministry of Transport and Works they responded but up to now the residents are still complaining to me about this problem of the private contractors doing these wells and causing them problems. The wells must be cleared but **the** fact is that the contractors have to take a more humanitarian approach and find out who are living in these houses that are very close to the wells.

Sir, as we are in the midst of the hurricane season, floods will create a problem once these wells are not cleared **and** again, Sir, I am very concerned that floods being a natural disaster in the midst of the hurricane season we would have a serious problem in St. Michael South East. I am not venturing out too far but what I am saying is that if an emergency arises and there is a flood then, in terms of shelter for residents, there is absolutely none. In fact, **there** is only one shelter in the entire constituency which is at the Wesleyan Church in Pasture Road, Haggatt Hall.

Since this Bill is more of a parochial nature then I have to deal with it at that level. What I am saying is that there is only one shelter in the area and, as I said, I represent probably the most thickly populated area in Barbados and the time has come that some work has to

be done on shelters which were previously considered hurricane shelters and have been condemned at this time by the Central Emergency Relief Organisation.

As I said, Sir, I will not be too long. I know that the Minister is trying his best to make sure that the problems that were encountered last year would not be re-encountered but, certainly, we do have a problem in the St. Michael South East and in **Parkinson** Field in particular with the blowing of the wells and at this point the private contractors who were doing that work and have been on the job for the last 6 7 months have not yet completed the work and it is causing some residents some problems.

Finally, what I should like to say is that I hope the work will continue throughout the island and certainly, the other districts throughout Barbados will benefit from this programme. I hope that something will be done to alleviate the problems that are being faced currently by residents in Parkinson Field.

I want to thank you.

Mr. D. J. H. THOMPSON: Mr. Deputy Speaker, just a few words on this legislation. We, on this side, can see the validity and some virtue in some of the sections of the proposed amendments to the legislation particularly the powers which have been given to execute urgent works and particularly the powers with respect to owners and occupiers of land who do not keep their premises clear from debris, particularly debris which may affect such wells. So I would like to say that we will be giving our support to the legislation because we accept some of the concerns which the Minister may have.

I am always concerned that the first intervention which successive governments, not in particular this one, take to amend legislation without placing in the legislation the option for an owner to give consent. In the Highways Act, as I was going through it yesterday, I noticed under section 26 there is such a provision. I am wondering why the Government would not wish in making amendments to this legislation and I assume in due course to the land acquisition legislation, why it would not consider putting in a section in the legislation which, without prejudice to the compensation that is payable, would give the owner of land an opportunity to consent and to waive the right to claim trespass or any other infringement in the course. Perhaps the Minister may have found it even quicker to achieve results in that way because when people are under siege from floods or other kinds of calamities very often they want you to come and execute urgent works on their premises and perhaps consideration could be given by the Minister and his Ministry to such a provision and particularly in relation to the amendment to section 5 and the substitution **therefor** that perhaps an additional

subclause which would permit the Chief Technical Officer with the consent of the owner to do these other things that are required – **5(2)** and **(3)** and **(4)** – to give consent.

Now if people do not see that in the Act you know how it is going to be and worst than **that** you know how public officers and legal officials in the Ministry are going to react. They are going to believe that they have to go through all of these procedures and there have been many instances in which Government may have undertaken work without knowing that it has not gone through the procedures correctly for which all of the problems could be solved by the owner giving consent for the works to continue without prejudice to the issue of determination of compensation and or negligence by the contractors **and/or** the officers of the Crown in undertaking the works.

That is my suggestion. As I said, I came across a very old – but it appears well drafted provision in the Highways Act in section 26 where you could undertake repairs on a private road in Barbados which is used by the public as long as the owner gives consent and authority to have such roads repaired and therefore it was deemed to be taken and used as a public road for those repairs and that consent binds the heirs and assigns the owner.

My view is that in times of difficulty like that the Crown should also accept that the public may wish the officers of MTW to enter on their land and undertake such works. In fact, one of the impediments which may slow down the work of emergency services maybe that they may wish to hide behind a provision that to undertake further work they have to go through a laborious procedure as set out in this Act. I should like to ask the Minister to reconsider a provision in this legislation which may provide for that consent. That is the first point.

The second point is a point I address exclusively to the **Attorney** General and those who administer Justice. This amendment seeks once again to add another area of unlimited jurisdiction to Magistrates.

12.15 p.m.

Now, here you have a situation in which magistrates are not really independent. I mean they may very well be **outstanding** individuals upon whose independence we rely, but the nature of their appointment to the magistracy, who pays **them** and the incidence of their office are all controlled by the executive. Unlike a judge, who enjoys independence.

Now, how could a Barbadian litigant feel, judges enjoyed independence from political or other interference, magistrates do not enjoy the same level by virtue of

their appointment, by virtue of the incidence or their office, that a judge enjoys. If you check the law, you will see it. In fact, it has been one of the key concerns about increasing the jurisdiction of the Magistrate. You are increasing it, but you **are** not increasing their independence from Government. It may be an academic point, but it is nevertheless a point that has been taken from time to time.

How would a litigant feel, having to defend a claim to a magistrate from a Government Department in respect of compensation that is payable? I think that in all of these matters, one must consider the point that justice must be seen to be done. If there is any apparent **impediment** to that justice, then one has to address it. I believe the Attorney General would be familiar with these concerns which have been raised before.

What I am saying is that, unless we are going to commit ourselves to increasing the significance, the roles, and the independence of magistrates, then I am concerned when the jurisdiction of magistrates is increased. Such as to include a whole multiplicity of new matters to be widened with the new Drug Legislation. It is now being widened with this and it has been widened with Severance Payments. So you are giving them new and additional responsibilities but you are not giving them that level of independence which citizens should feel comfortable that law officers adjudicating such weighty matters should enjoy.

A magistrate, for example, is appointed to act from a Government department, so he has to return to that Government department. It is conceivable that a magistrate could be, let us assume you had a legal officer in MTW who had been sent to the Attorney General's office and then was acting as a magistrate. There are a whole set of scenarios which people could conjure in their mind as impacting in relation to matters of this sort, and we need to ensure that if we are going to continue to increase the responsibilities and jurisdiction of magistrates, we are going to have also to consider enhancing their independence.

That is not to say that I question the independence of any magistrates that we now have in Barbados. I never looked at the point except as a purely academic constitutional level, but I withdraw nothing that I ever say. I do not even want it retroactively withdrawn because that can be done now, apparently. I want it to remain in the record.

I hope that the Honourable Member for St. Thomas may enlighten me as to whether this is mainly to facilitate quick summary hearing, or whether there may not have been another method which could have been undertaken, which would not have further appeared to compromise the rights of the citizens when the Crown is making a claim, particularly, in respect to the cost of carrying out flood work.

I think the section, for the benefit of those who are within hearing, says that, "The costs of carrying out **flood** work by the Chief Technical Officer under sections 6A or 6B is a debt due to the Crown and is recoverable in civil proceedings before a magistrate for District "A" **notwithstanding** that the costs exceeds the monetary limit on the jurisdiction of the Magistrate's Court." The point being, it is similar to Severance Payment, it is similar to some of the Drug Legislation we have in Barbados, it is similar to the proceeds of crime.

Prior to this, if the claim was in excess of \$2 500 it will have to be determined in the High Court. It may, but I am just saying that you **are** also providing another opportunity for magistrates to say, that by increasing their jurisdiction they should get increased benefits, increase status and increased independence. Well if the assurance is given that is coming, fine. Unless you are going to abolish the High Court at the same time. That is a matter that needs **some** consideration and I would be grateful to hear what Government's policy is in relation to that.

I also want to say that there are many people who, in my own constituency, have faced the same problem as a result of flooding. Right now MTW, I am most grateful, is undertaking work in **Sherbourne**. There is a suck well which needed cleaning, and they have replaced the whole culvert which broke some years ago and which is affecting residences. It is clear that there are other areas for which the need for flood works is very serious, particularly in parts of the Scotland district. The Honourable Member for St. **Andrew** and I share that same problem. We have areas in which the slightest rainfall, particularly the Scotland district, threatens the lives of citizens.

As a result of that I support any speedy efforts that are made. I will feel even more comfortable, if in a situation which I was called to assist a constituent facing a problem of flooding, I could come and say this person consents for you to go on the premises now, have the consent drawn up, let them sign it, without prejudice to the issue of compensation. Have the works undertaken without having to go through the procedure of notice, or without having the Chief Technical Director just come upon the premises. The Chief Technical Officer or his nominee, and we cannot always vouch for the diplomacy of people doing these things. They may very well go and start pushing the owner of the land around and getting on, and you therefore have to consider all of those kinds of problems. Sometimes people **react** to that kind of thing and that poses problems for Government.

A fellow may want you to do all the work you can on his land, but he may not like the supervisor or his attitude. He may riot like the person who is coming to undertake that work and therefore he gives problems for that reason.

Therefore to give consent, in my view, would speed up the process and should be something that should be considered, particularly where speedy action is needed. Where the owner of the land agrees, action should be undertaken in his own interest or in the interest of the community **as** a whole.

Thank you.

Mr. B. M. TAITT: Mr. Deputy Speaker, I shall not be long in this debate. I must say that when the Honourable Member introduced the legislation, I waited to hear a certain comment from him. I did not hear it and I believe that a number of citizens of Barbados would be disappointed that the Minister was not in a position, in the introduction of this legislation, to give some information arising out of the inquiries, which were promised on the occasion of the flooding at **Weston**.

As I understand it and **as** all of us understood it, there were at least 3 or 4 different times inquiries were to have taken place. I recall the Parliamentary Representative for the **area** was holding his own inquiry, the Minister **and/or** the Attorney General had indicated that there was going to be an inquiry. I think the people of Barbados looked forward, and many of them stated that they anticipated the results of one or the other of these enquiries because for the ordinary people they wanted to know whether anyone was culpable in the relatively summary demise of a favourite Barbadian. There were people who had anticipated that because the cause of the flooding had been identified by the Press, there were all kinds of questions raised and one had the feeling that there was going to be an official position after the inquiry.

12.25 p.m.

I was a little disappointed that the Minister apparently is not yet in a position to make any statement. In any event if he is, that he did not in introducing this important legislation which he said derived from those events, find himself able to say what was the cause of the flooding, what is the official understanding of the cause of the flooding at **Weston** and, to a lesser extent, flooding in other areas of Barbados during that very strange downpour which we had. I am very keen to hear the actual reason given that it was necessary for me to correct the Minister at the time when he made certain inferences which I will not repeat.

I am also glad that the legislation will focus the Ministry more particularly on the whole question of flooding. This legislation and the introduction of the Minister concentrated on the plantation situation to a large extent, and properly so. What I wish the Minister to do when he responds is to adumbrate the specifics with regard to the low lying areas in the Bridgetown area. He mentioned **Murphy's Pasture** in terms of the removal of

persons but I wish the Minister to focus specifically on an **area** I have discussed in this House over and over again before his time, during his time, during my time, and it is that whole area which I have described as an alluvial plain that takes in all of Bank Hall, lower Bank Hall, and goes into **Goodland** and executes itself into Brandons.

There is an area of flooding in the entire **area** of **Alkins** and the **Goodland area**. It has been identified by the Ministry of Transport and Works, or Communications and Works, or by whoever named, as an area which is prone to almost instant flooding when the rain **sets** up. It is an **area** in which it has been defined before to mean and describe as requiring the digging of wells at strategic points. I have seen no evidence that anyone has undertaken the responsibility and the execution of the work to dig these wells in the particular area.

Now, section B of this new legislation includes very carefully in 3B the digging or cleaning of wells and drains. It may very well be that the Minister was constrained by the absence of this particular definition in the old legislation from 1951 and therefore it was proving difficult to dig wells on people's property. Presumably now, after this legislation, it will not be difficult for the Chief Technical Officer or someone authorised by him to go to particular areas that have been determined beforehand on the basis of geographical examination and to dig the necessary wells that will stop St. Michael West, parts of the City and St. Michael West Central from flooding almost instantly the water starts to come from higher elevation.

Mr. Deputy Speaker, you and I will know perhaps better than anyone else that one does not have to live in the country to suffer the effects of flooding. When the waters start to come from on top the ridges that are in Cave Hill and beyond, when they come down to Fairfield and they come through Black Rock and they go through Goodland, there is a raging torrent, dangerous to friend and foe alike.

We continue to raise these matters and they continue to be treated in a particular way which I am beginning to believe has to do with the nature of the level of occupation in these particular areas. I am beginning to believe that if you live in certain areas of Barbados that the authorities are less likely to pay attention to your problems than if you live in some other area. It is true wherever. I am saying that I represent a constituency that has 95 per cent of people like these and therefore the Chief Technical Director, or Chief Technical Officer will have no difficulty whatsoever getting approval from anybody to put a well anywhere in that area.

Aside.

Mr. B. M. **TAITT**: I hope the Minister understands that I am not quarrelling with him because he is not the first Minister of Transport and Works. He did not occupy that office *sui generis*, so I am not discussing what he has failed to do. I am discussing what has failed to be done from time immemorial with regard to certain **kinds** of people. I am not interested in whose fault it is either and this speech that I am making, Mr. Deputy Speaker, has been made when I was a Minister in a Government so my position has nothing to do with whether the DLP is in power or the BLP is in power. It has to do with the fact that they are taking **too** long to dig wells in **Goodland**, that they are taking **too** long to dig wells in the area in **Peterkins**. You do not need to be a genius and I do not get involved when it comes to my constituents about whose fault it is. I get involved in trying to understand why.

Aside.

Mr. B. M. T A R My constituents do not blame me anymore because we suffered together under the Barbados Labour Party for **12** years and they suffered along with me. What got them upset was that when they got a little relief, or when we thought we had got a little relief, no change. My constituents are faithful. They will continue with me because they know that when the opportunity presents itself I will get up in the House and call the shots as I **see** them.

Aside.

Mr. B. M. **TAITT**: The Honourable Member is reminding me about the two lights which I have not got yet. If you wish now to trade with me the wells for the lights I would have to go with the lights.

Seriously, Mr. Deputy Speaker, what I am concerned about is that this flooding is not related to individuals. There is a necessity for strategic placing of new wells across constituencies. It is not only my constituency but there are some new wells that need to be dug in the areas like Station Hill, coming from Station Hill through the waterway that empties into Hall's Land.

The Technical Officers in the Ministry of Transport and Works have done extremely well, as I have said before, in the area of Hall's Land, the Garden Land and those areas. They have put a canal which has made a substantial difference to the quality of life of the people who live in that area.

Again, Sir, I am not trying to **run** down anybody, I am just putting information for the Minister's benefit on the

Floor of this House as I think it is my responsibility to do in the same way as an attempt is being made to canalise the area that passes through St. Michael North West, just behind the Catholic Church. They have finally started **to** canalise that area and the work is going on, albeit slowly, but for persons who live in those areas a year is not a long time because of what they have had to endure for many years.

It always comes as a surprise when I tell people that it is only when I became a Minister that **the** road in **Fairfield** where we live was paved. **Fairfield** Road, between **Grazettes** and F eld Cross Road, 1971 when I became a Minister it was paved the next year because I threatened to resign. The Honourable Member knows. It is called **Parkinson** Road now. **Ask** the Honourable Member in the Chair.

Aside.

Mr. B. M. T A R They were busy putting the roads in the City thereafter.

Mr. Deputy Speaker, you cannot speak in this debate and it is necessary for me to include your **area** because my family still lives in your area and although they might not find it convenient, as I understand it, to share in your ideology now, they nonetheless understand that you will do the best you can.

12.35 p.m.

Mr. Deputy Speaker, this legislation the Minister says is necessary for him to be able to do certain things. Let us take that as given. I accept it. Now that the legislation has been put in place I do not expect that we are going to **see**, and I am concerned about this now **from** the other end... The legislation now says that the cost of cleaning the wells will fall on the occupier or the owner. The legislation is very clear and I would like the Minister to clarify this because in many instances, Mr. Deputy Speaker, the occupier does not have responsibility for, except in the strictest legal sense, the land.

There are persons who live outside of Barbados, in the United States and elsewhere, who own land and this is an issue which comes up repeatedly. It comes up certainly in the legislation that authorises the Minister of Health to remove derelict buildings. This issue is raised from time to time, the whole question of occupier versus owner and I would think that the Attorney General **and/or** the Minister would explain in detail how this legislation is to be interpreted in relation to this point.

Sir, having made the arguments I did, a few moments ago for the digging of new wells, whereas before these wells were to be seen as part of public policy to avoid flooding in **certain** areas it is now entirely possible that an old pensioner who has a piece of land in one of these areas will find that whereas the Government is prepared to dig the well to relieve the pressure of flooding which she has suffered in the past, she will then be visited with a substantial bill for the digging of that particular well. I think the Minister needs to explain it very carefully and very clearly because one interpretation of this certainly suggests that...

Pause.

Mr. B. M. TAITT: Mr. Deputy Speaker, I need to go a bit more slowly because the Minister from his seat is telling me that I must make a distinction which I am surprised he would even suggest, but if you pass legislation which says amendment of section 2 of Cap. 235 you now include in section 3 a new definition and that definition includes the digging or cleaning and then suddenly, in the same legislation, you are putting in new sections which in fact establish...

Aside.

Mr. B. M. TAITT: The Honourable Member is suggesting that what I **am** saying is not valid. I am saying to him that if it is not, it is for him when he gets up to explain it because not everyone who will read this legislation and read this information in the newspaper tomorrow will have had the benefit of the legal training which the Minister has had. I am saying that an old lady in the constituency who believes that the digging of a well will now fall to be paid for by her will mean that she will no longer wish the well to be dug and all **of** the argument which I put before would be null and void because if the well cannot now be placed or if there is going to be resistance if this whole procedure has to be gone through before the well can **be** dug then the flooding will continue and the difficulty which we have been talking about will remain. If the Minister is saying that none of what I have said applies then I have no quarrel and I would be grateful to him if he would explain it.

The fact is, Sir, that there are some wells in the plantations. Now, Sir, we come to the plantations. There are some former plantations. The Government acquired many acres of land that used to be plantation land. The Government has not in fact, as I understand it, taken the responsibility for the cleaning of these suck wells. Some of these suck wells have not been cleaned for many, many years, partly because it was not clear who owned the suck wells.

Mr. Deputy Speaker, if you take the former Grazettes Plantation and you look at that whole area where the suck wells have been, some of those suck wells now form part of the Government domain, land that is now owned by the Government by virtue of certain principles. It will be necessary for the National Housing Corporation **and/or** the Ministry responsible for lands to seek out as well those suck wells that have fallen to the Government by virtue of either acquisitions or other reasons and ensure that those suck wells are cleaned as well because this legislation will make provision for the people in the private sector who have not cleaned their suck wells in a year to be liable. The question is, when the Government does not clean its own suck wells, who is liable, who is responsible? I would like the Minister to address this issue because it is very important and it is not the first time that legislation has come here dealing with how we are going to deal with the private sector but no provision is made for dealing with the public sector which on many occasions proves to be the major offender.

One example would be the whole question of derelict buildings. The Government, and I am not saying that Government, owns property that qualifies as derelict, have been identified and sometimes not specified because it is owned by the Government and there is the question as to who is responsible. I remember on one occasion writing on a **file** that the Permanent Secretary in the Ministry responsible for Lands should be served the necessary notice. This did not get past the powers that be who had to do these things but the point is it highlights a problem which the Minister should also address. When the Government has suck wells, who is going to be responsible for cleaning them and if they are not cleaned who is culpable.

Mr. Deputy Speaker, I believe I have raised the concerns of a broad nature that I wanted to raise. There are a couple which I would raise when we go into Committee but I would prefer now to listen to the Minister **and/or** any other Minister.

Hon. Miss B. A. MILLER: Mr. Deputy Speaker, Sir, I am greatly pleased that the Honourable Minister with responsibility for Public Works has seen fit to bring this Bill before the House. It is long overdue. It is an excellent piece of legislation and I commend it greatly.

The first point I would wish to make, Sir, is that I **am** glad to hear the Minister in his opening remarks make reference to wells inspectors because like so many areas, debushing, the Honourable Member who just took his seat made reference to derelict buildings and a whole host of others, the importance of monitoring and policing is perhaps the largest importance of all. It is all well and

good to put legislation on the books but if we do not put the mechanisms, particularly the human resource in place, then it remains on the **books** and does not redound to the benefit of Barbadians as it was intended to do.

I am particularly glad to hear that there **are** going to be or that there **are** in fact already – because the unit is in place – wells inspectors whose job it will be to monitor and police. And I want to echo the last point made by the Honourable Member for St. **Michael** West that we do not want, that Government will be the greatest offender in this connection. It is entirely possible that the Government would be the greatest occupier and land owner in respect of suck wells in Barbados. There are a number of suck wells. People do not know. You **walk** alongside of the road and there are wells to take drainage. If I might say a little bit in respect of these wells inspectors, they have a very important power that we are about to give them in this legislation which is given to few in Barbados – the power to enter onto people's premises. Barbadians, like people everywhere else in the world, value their privacy and value their **freedoms**. We for many years in this country and to our benefit, a matter which is praised much abroad, have given to the Public Health Inspector in Barbados over many generations the right of entry onto premises in the interest of the larger public good. It is a right which has hardly if ever been abused in my time that I know of, in fact I do not think that I have ever heard of it being abused, but in the interest of the larger public good and the public health the Public Health Inspectors over the whole of this century have had this right of entry to make sure that the legislation is well-monitored and the legislation respecting the public health and how one keeps ones premises is policed.

12.45 pm

We **are** now about in this legislation to give this power of entry to these wells inspectors. It is not a small power and it is one that we hope they will not abuse and that they will respect and use for the purpose of monitoring and policing this business of the cleaning of wells and the digging of suck wells.

Mr. Deputy Speaker, Sir, Barbados is a small and quite flat island and we have never taken drainage seriously, never. We have a number of natural water courses which have drained Barbados over the years. But in this 20th century in particular and particularly in the last 50 years of this century we have built across water courses. We have blocked water courses and we have diverted water courses without thinking, as the Honourable **Minister** pointed out at the beginning of this debate, of the damage that will be occasioned down stream.

Now, Mr. Deputy Speaker, Sir, the City of Bridgetown of which I have been honoured to represent

over the past 20 years has very auspicious beginnings and I am particularly glad to hear the Minister make reference to the canal at **Murphy** Pasture. I would want to refer him to the canal at Lakes Folly as well and to the sluice gates on the Princess **Alice** Highway. I would also like to make reference **to** something that we call the "Concrete" **uptown**. It is another canal in the **uptown** area which cuts across King **William** Street cross **Spruce** Street which does massive **drainage**, because Bridgetown was and still is for these purposes a swamp. The very first settlers in the **1620's** chose as their site for their settlement a mosquito infested mangrove swamp at the mouth of a river flowing into the main bay of this island. Those of you who have in your possession and who would have read **Richard** Ligon's history of Barbados in 1647 and I would wish to quote Ligon:

"Upon the most inward part of the bay stands the town which is called the 'Bridge.'" (That was the first name for Bridgetown.) "**For** that a long bridge was made at first over a little nook of the sea which was rather a bog than a **sea**." (This is Ligon's description.)

"A town ill-situate, for if they had considered health as they did convenience, they would never have set it there. But one house being set up, another one was erected and so a third and a fourth till at last it came to take the name of a town."

Yet, Mr. Speaker, Sir, despite Ligon's purest and accurate criticisms of its physical defects, Bridgetown has survived and flourished as a capital city. Bridgetown has always in the past, **as** it does today, been able to service its several publics. But indeed Bridgetown was built upon a swamp. The first settlers who chose it for their town despite its swampy terrain obviously chose it because it was the mouth of the only partially navigable river in the main bay of the **island** which we call the Constitution River and it was obviously the most convenient for shipping and commerce as it remains so today.

Mr. Deputy Speaker, Bridgetown was sewered between 1976 **and** 1981 and in that particular **administration**, a former Barbados Labour Party Administration when I was a Minister of Health, we sewered Bridgetown. There are many who mistakenly believe that when we sewered Bridgetown that the sewers were designed to operate not only as sewers but as storm water drains. This is not true, was not true and will never be true because never can those **two** be combined. Sewers are for sewage but we still have not properly developed a network of **storm** water drains that will properly drain the towns of Barbados, not only Bridgetown. We heard the Honourable Minister speak of Holetown. When he speaks of Sunset Crest, he is really speaking of Holetown. Again, no proper system of storm water drainage is in Holetown. The **same** is true of Speightstown. The Honourable Prime Minister can speak with warmth and passion about

Speightstown and the experiences that he has had there in his time as the representative with the flooding of Speightstown. Oistins, and the Baron of Oistins sometimes known, as Sir Harold and sometimes known as the Honourable Member for Christ Church South will be able to speak to other physical difficulties and defects that Oistins suffers. But I would not think that flooding is one of them. But certainly Speightstown, Holetown, and Bridgetown are in dire need of the surfaces of this drainage unit. They have a large job before them and I heard the Minister quite rightly saying that it will take years for them at long last to accomplish this mighty task well before the end of the 20th century. I mean Bridgetown is 368 years as a city, older than the whole of the United States of America, older than Australia, older than the whole of New Zealand. They are barely celebrating bicentenaries. Bridgetown, as a city, is 368 years old and it is not too much to ask, Mr. Deputy Speaker, Sir, that before the end of this century that we would implement and erect in Bridgetown a system of storm water drainage which would see a situation where the people who live in **Chapman Lane**, the people who live in the New Orleans, the people who live in Greenfield. We do not know where the Greenfield is at **Roebuck Street**.

There is a major bridge with a river under it which runs all through Country Road and the back of Louis Lynch Secondary School. People who do not really know the City do not know that we have this network of gullies and water courses, **but** they need proper canalisation, they need proper cleaning, they need proper drainage wells attached to them so that a proper system of drainage would obviate a situation where, as I often say, if you are drinking a Coke on Baxters Road and you miss and it slips out of your hand and the bottle breaks, it will flood Baxters Road. You have these deep storm water drains along Baxters Road, Kensington New Road and in so many other parts of the City of Bridgetown, but many of them are choked, Mr. Deputy Speaker, so that when you have rain – and the rainy season is coming in now – in five minutes it is all flooded.
12.55 p.m.

I wish, again for the umpteenth time, but I hope that my words do not fall on deaf ears – they did not fall with respect to the storm water drains so I believe that the Honourable Minister for Public Works will hearken now – as I speak for an age old problem in the City of Bridgetown where the Ministry of Public Works is the Ministry responsible for the cleaning, the clearing, the upkeep and the maintenance of storm water drains, but the cleaning, clearing, maintenance and upkeep of slipper drains in Bridgetown falls under the responsibility of the Sanitation Service Authority, which of course falls under the portfolio of the Honourable Minister for Health.

This is a serious problem. The sanitation workers are to clean the slipper drains, the shallow drains, and we have

places in the City where whole **trees** are growing up in slipper drains and in storm water drains. I can take you down off Gowdy Gap in Lakes Folly and show you whole trees, whitewood trees, growing up in the storm water drain which leads into the sluice gates on the Princess Alice Highway. Those people's houses flood yearly. They take it as a matter of course that there are certain things they are going to move when the rain sets up. But we have this awful situation where Sanitation is in charge of the slipper drains, Public Works is in charge of the **storm** water drains, never the twain shall meet, never are the sweepings from the slipper drains properly taken up by Public Works, having been swept up by Sanitation. It is just an impossible situation. What we need, Sir, is to regularise that situation and consolidate it all under the Drainage Unit.

I raised this issue at a meeting of the Planning and Priorities Committee only a few weeks ago and a decision was taken at that Committee. I suspect that the Honourable Minister was not in attendance at that time, I think he was away representing Barbados at the Habitat Conference, but I brought this question up and the Planning and Priorities Committee decided that at long last we would consolidate all of this business under the auspices of the Drainage Unit.

It happens outside the City of Bridgetown. We see it happening along the highways and the byways of Barbados, that one set of people sweep it up and the other set of people who are to come now and cart it away never do, and in a day or two it is all over the verges again. I drove down from the airport week **before** last and it was a shameful thing. Literally from the time you left the roundabout at the airport and came down the Tom Adams Highway until I got as far as the roundabout above Top Rock, all the verges there were decorated with garbage, which obviously had been swept up at one point and blown back on to the verges at another.

We have done some very foolish and ill thought out things in our time in respect of drainage, Mr. Deputy Speaker. I remember some years ago we decided to move – I don't know whose brilliant idea it was – all the hedge rows from the cane fields in Barbados. We all grew up with khus khus growing at the side of the cane fields. That kept the soil in the field and not in the road. I see we have started to do it again. Yet now we are putting the hedge rows back. Green pea trees and khus khus. But people never understood that it was not only a way of providing food, because you could have planted green pea trees anywhere else, there is no decent Bajan **backyard** that does not have at least a lime tree, a pepper tree and a green pea tree, but in those years we saw the soil wash on to the road and into the gutters and the water courses choking the system up. Mr. Deputy Speaker, the task that lies before the Drainage Unit is a large one. It is a highly responsible one, one that I wish them well in, and one to which I would give my support.

There is just one other thing I would like to say before I sit down. I would wish to draw it to the attention of the Honourable Minister that St. Lawrence Gap falls within the Tourism Development Programme. Many people do not know, but just north of the Gap is a mini swamp. This is not the Graeme Hall Swamp. The Minister adverted to the Graeme Hall Swamp in his opening remarks and I do believe that work is in train. I have on my desk before me two proposals for a development at one end of the Graeme Hall Swamp, which we want to be getting on with, but this is a little mini swamp which in the rehabilitation of the St. Lawrence Gap area we want to clean up, put nice shrubbery in and around it so that it becomes an area for repose and an area where people can go to relax, and you can have boating events and so on it, but that mini swamp drains into Little Bay in the St. Lawrence Gap. Little Bay is that bay, as soon as you come into the Gap, the Pisces on one end, it is on the right hand side. The Honourable Minister needs to take note that a sand bar is building up there from Sandy Beach, a very serious thing, because we do not want Little Bay to become an area of stagnant water, but that smaller swamps drain by a sluice gate into Little Bay.

There is a canal which was built by a private person many years ago and it is now really a very untidy thing. I visited this site three or four weeks ago and you are talking about a few concrete blocks and so on, the crudest possible thing. We are glad that it was put there at all, but it is now in an advanced state of disrepair and I would like to invite the Ministry of Public Works to give its very early attention to the repair of that canal leading into Little Bay across the St. Lawrence Gap, because in the event of heavy rainfall or certainly a cloud burst or a storm in Barbados, you are talking about major, major flooding and serious damage to the beach there which is already under threat. I would like to invite not only the Ministry of Public Works but the Minister of Health through her Coastal Conservation Unit to give high priority to that St. Lawrence Gap. It is a very important tourist area that we would develop and earmark now as a tourist zone. It is due for major development at this time but the sea works there, the drainage of that swamp, are very important.
1.05 p.m.

No matter what we do in the Gap to clean up the Gap if in fact Little Bay is stifled by the sand bar and becomes a stagnant pool and the smaller swamp which drains into it, then we are looking for serious environmental problems to flow from it and serious coastal conservation problems to flow from it. So I would like to invite not only the Ministry of Public Works but the Ministry of Health through its Coastal Conservation Unit to give its attention to these matters.

Mr. Deputy Speaker, Sir, with those few words I really wish to give my unqualified support to this legislation.

Hon. D. A. C. SIMMONS: Sir, I want to indicate my intention to speak.

SUSPENSION

Hon. Miss B. A. MILLER: Mr. Deputy Speaker, I thank the Honourable Attorney General for indicating his wish to speak in this debate. The time being just 8 minutes past 1 o'clock I beg to move, Sir, that this House be suspended until 2.15 this afternoon.

Hon. D. A. C. SIMMONS: I beg to second that.

The question was put and resolved in the affirmative without division and Mr. DEPUTY SPEAKER suspended the House accordingly.

RESUMPTION

Mr. DEPUTY SPEAKER: This sitting is now resumed.

Hon. Sir Harold ST. JOHN: Mr. Deputy Speaker, I welcome this opportunity to contribute to this debate because as Honourable Members will recall on numerous occasions I have had to draw to the attention of this House the very great dangers that arise to people as well as to crops and to livestock which arise from the lack of proper drainage in Barbados.

I must commend the Cabinet and the Minister for the swift action that they have taken to improve the institutional machinery and the legislative framework against which this very important area of activity can now take place. In the constituency which I now represent and in the surrounding areas, over the years, we have had great devastation arising from flooding. There are a couple bits of advice which I would like to offer to the administrators in the new units and that is that they should respect the golden rule which I have always heard over the years that I have been in politics in Barbados and that is that by the end of June in every year it is a good rule that the well-known flood prone areas are looked after from the point of view of ensuring that the drainage canals, the wells and other areas of activity which help to reduce the potential for flooding have taken place. That is a golden rule and, if it is observed, I am confident that the vast majority of the problems which arise in the traditional flood prone areas will not arise. When the rains come and no one knows when they will come, whether it be early or late, when the rains come and the receptacles into which the excess water goes they would have been cleared.

Now, Sir, the second rule we must have is that this new unit should ensure that it is familiar with all of the areas which have given trouble in the past. We know them, Sir. In Christ Church, the premier **area** is Wotton. Anybody who has been around since Wotton was built will remember the devastation that took place in parts of that **area**, all the dislocation that arose from the first flooding and despite the great amount of work that has been done and it was the privilege of this Government in a previous administration when the then Honourable Member for St. Michael South East was a Minister when all of those wells had to be dug at the back of the Christ Church School to contain that water. Those wells have worked subsequently from the early 80's right up to now. They must always be looked at.

Thirdly, despite the fact that one may gain a certain degree of temporary unpopularity it is vital that a legislation which was put in place to cater to the area by Glendairy Prison right along that Gully House **area** and the areas of Speightstown, namely the stamping out early o'clock of any effort by people to squat in the gullies. I know that sometimes gains unpopularity, but the rule is very clear, Sir. Nobody knows when those houses will be washed away. We had the experience of Speightstown. After Speightstown, the law was amended to make it clear that in respect of certain areas, no housing should take place there. The Town Planner has it, I know, Sir, that despite the fact, that all Honourable Members of the House agree with the position. Sometimes it is still possible that one does get a discordant voice who would seek to try and pursue others, whose duty it is to enforce the law, that they are doing something wrong by enforcing the law.
2.25 p.m.

There can never be anything wrong in enforcing the law to prevent people from putting houses in areas where it is known, and it has been the experience of all of us, that when the waters start to rush down, the houses form no barrier to the water. There are certain areas in Barbados where that takes place. We now know that **Weston** is one. We know that Speightstown is one, we know the Gully House is one and we know at Wotton the houses float. In those days they actually floated.

Now, in addition to that there is an area called **Goodland** in Christ Church. I think it is probably on the border between the Honourable Member of Christ Church East and myself. That was subdivided years and years ago against the advice of everybody. That was a flood prone area.

What has happened in that area now, is that there is a lot of land that has been subdivided. There have been

many attempts to build on some of that subdivided land and every time they build, the foundation goes away and the houses end up in cracks. So the people have abandoned it. There are a lot of house spots there which one sees periodically in the newspapers, everybody goes and looks at it and say "Oh this is Goodland, we cannot buy land in there."

I would hope, Sir, that as part of this effort, not only will we **utilise** the new powers granted by the Act, but also the opportunity should be used, based upon the experience of this new Unit and other experiences, to identify areas of land which now will have to be turned into playing fields. It may be part of the major responsibility of Government to undertake this burden because the landowners there have really thrown their money down the drain.

Now I can make a plea, and I am sure that I would be supported by the Honourable Member for Christ Church East in this respect, because this piece of land borders on both of us. The bottom of **Goodland** has no chance at all of being built up on. No chance at all. Right down in the bottom of Goodland, to the West of Sayers Court, anybody can see that it is virtually abandoned. Whenever you dig a well there, and the Government has one or two wells, and you cased it up, unless you start from down at the bottom, when the rain comes, all of the sides, all of the casing goes back down into the well. It will back up until the next rains. The soil is a thick clay soil.

In short what I am suggesting, Sir, is that all of us who have knowledge based upon experience about the flood prone areas in **our** respective constituencies, should volunteer that information to the Unit. I would hope that the Unit will be receptive to these suggestions that are being made, because none of us like to see the situation developed in Barbados where we have a disaster comparable to the ones that we had in the past, and we recently had.

Now, Sir, there is the last point which I would like to make, and it is really an enlargement of some of the things that have been said by the Honourable Member for the City. It is that along the main Highways of Barbados, in particular Highway 7 and the other Highways that are close to the **seashore**. We never had an adequate storm water drainage system. What we have is some gutters. Some of which have been paved over the course of time, others have been pure excavations, and you have open gutters.

Now, particularly in the **Maxwell** area and the Dover area, I would like to see sort of a miniature storm water drainage scheme being put in place as a matter of urgency.

These open drains, Sir, very often become overgrown with bush, and with the inadequate lighting that we have, it has not been an unknown thing for people falling into them. One person, certainly to my knowledge, in the Maxwell area just outside of San Remo Hotel, had severe damage to a knee cap. What has happened is that the drain only is covers part of the area, it next to a bus stop, they walked down and went straight down and hit their knee cap on the drain.

There are others too, Sir. There is an area in Maxwell called the Salt Pond, and it is interesting how these areas got their names. Now the Salt Pond is an area that takes the water from as far up as **Kendal** Hill, and it goes right down into the back of Maxwell, it goes through Dover, by Casuarina, and goes into the sea. What happens is that very often when you have a **rain**, the sea is also at high tide. The sea comes up and goes back into the drain and that area is a salty, marshy area because it meets the water coming down, which is fresh water, and the sea air. When I was a young boy, those areas used to be cleaned.

Asides.

Hon. Sir **Harold St. JOHN**: A very long time. I agree, and that is why I want to share it.

I remember when those drains were cleaned as a regular part of the activity. I mention it today, Sir, because I have seen, recently, that there are some developments taking place down there, in which there is an encroachment going along on what used to be the old master drain between the Salt Pond and Dover. These are things that people think that, oh let me make up a little piece of land here by coming and building some blocks and then you gradually **backfill** it. That is what causes the problem. You narrow the outlet, and all the surrounding areas are going to be flooded.

So this is a tremendous job that we have, and this new Unit, from the speeches that have been made in here, is starting off with a tremendous amount of goodwill on both sides. There is nobody that is going to quarrel about this Unit, but I think I should warn them, Sir, that they will really be dealt with, if despite all the efforts we make to create the Unit, the condition remains the same.

I wish them well, Sir. I have written repeatedly, to the Ministry of Transport and Works about the areas in my constituency and around my constituency, that I know based on experience are subject to flooding, and I do it

every year. As soon as the month of May comes, I write and say, "The rainy season, please drain."

I wish them well, Sir. I repeat, I wish them well, Sir, and I look forward to seeing the fruits of their works.

Hon. D. A. C. SIMMONS: Mr. Speaker, the Honourable Member for the City has alluded to gutters and the water courses. This Bill has to be seen, apart from tidying up the law, it has to be seen more in terms of its social context.

All over Barbados there are suck wells. We also know that there has been a problem in the last 8 or 10 years with the water distribution system of Barbados. We are told by the Barbados Water Authority that rain water is collected through wells principally and drains into what are called aquifers below the level of the earth. Thereafter, four or five months after that water becomes available again to be pumped and distributed as **drinking** water in our system. It is therefore critical to the position with water collection and water distribution in Barbados. Let me put it this way, Sir. It is critical to the water resources of Barbados that the wells which assist in the collection and drainage of rain water into the aquifers be sufficiently well cleaned as to provide **the** maximum opportunity for that water to reach the aquifers so that this Bill has also to be seen in the context of making better provision for the enhancement of our water resources.

2.35 p.m.

My constituency is more toward the centre, or perhaps, the north of the island. My constituency is on high ground. It tends not to flood, rather, the water from St. Thomas very often finds its way as far as the Constitution River, the Careenage and the sea, or **Holetown** and the sea. This legislation would assist in ensuring that the wells in St. Thomas and other areas like that, St. Joseph, St. **Andrew**, parts of St. James, that the wells in the **area** of high ground are cleaned to be able to offer that facility for collecting and draining water into the bottom of the **earth** into the aquifers rather than having the water run off into the sea.

That is what has happened in the last 8 to 10 years. Too much water and, indeed, too much top soil has found its way from inland Barbados into the sea. This is not to do with top soil. This is to do with water, Sir. Hand in hand with this, however, one hopes that the Sanitation Service Authority and the Ministry of Health would also attack the problem of the cleaning of water courses and gullies because with the wells the watercourses and gullies,

if properly cleaned, we should be able to capture a far greater proportion of the water that ought to be going into the bottom of the *earth* rather than as it presently does, going out to **sea**.

Sir, this Bill has to be seen also, as I said, in that context where we are trying to devise a system for better water collection. The Bill is going to allow the Crown, through the Ministry of Transport and Works, and through the Drainage Unit in particular, to enter on private lands, for example, the plantations in St. Thomas, with a view to cleaning those wells and ensuring (a) that we collect the water, and (b) we reduce the potentiality for flooding.

In the past, many years ago, plantations in this country, as a matter of routine activity, used to clean wells and repair the tenantry roads running through the plantations. Over time they have alleged financial inability to do those works and, as so often happens, the result is that the Government now has to assume that responsibility for cleaning the wells. We have tackled the problem of the tenantry roads by the **Tenantries** Freehold Purchase Act. We are now through this legislation going into areas to enter upon lands and clean wells.

The Honourable Member for St. John made a plea that in legislation of this nature we should follow, perhaps, section 26 of the Highways Act and provide a procedure for the landowner to consent prior to the Drainage Unit going in to clean wells. I would only wish to say, yes, that would be an ideal situation. I would not attempt to draft anything today. I do not think that he ought to fear that the rights of landowners would be trampled upon by governmental authorities because what is provided in the law is a **procedure** for compliance which allows for a discretion on the part of the Chief Technical Officer.

It says:

"The Chief Technical Officer may serve or cause to be served on the owner or occupier of such lands a notice in writing."

That is on page 4 of the Bill, Sir, the new section 6A, subsection (2).

I fully expect that the Minister in discussing the operation of this legislation with the Technical Officer and the members of the Drainage Unit will certainly advise them as a matter of good administrative practice rather than as a matter of **mandatory** legal requirement, that before you send a notice you should contact the **landowner** and tell him what you want to do and get his agreement prior to sending any notice. I am sure that is what will happen. To

that extent it does not require any special form of words in the legislation but I take the point that generally, and in future, in these sorts of situations we could look at incorporating language similar to that of section 26 of the Highways Act.

Honourable Members should also remember, Sir, that this legislation in its structure and intent is no different from legislation which already exists in relation to the Health Services. Some months ago, it could not be more than six months, a debate took place in here in which Members of both sides called for better enforcement of the Health Services legislation to allow the Ministry of Health to go on private property, debush it and charge the owner of the property who allowed the land to run away, to charge the owner the cost of debushing. That legislation exists, but the burden of the argument in here was that it was not being enforced. All who spoke in that debate called for better enforcement of that legislation.

Now, that rests with the public health officials. What we are doing in the area of drainage and well cleaning is to provide the same system where it is identified now not that there is land that needs debushing, but it is identified that there are suck wells which are not drawing which need to be cleaned and the Government, through the Drainage Unit, will make the necessary arrangements to have them cleaned. If the owners and occupiers do not clean them, then just **as** happens in Health, the Drainage Unit will go in, do the cleaning and send the bill to the owner. It is the same procedure.

Therefore, the argument I expect can be a similar argument that it will not be efficacious legislation unless there is a clear understanding on the part of the Drainage Unit personnel that this legislation must be enforced. What is happening, Sir, is that in the area of drainage, a cadre of persons is going to be invested with powers similar to those granted to the public officers in the Ministry of Health who have to deal with cleaning up land and so on which has run to min. That is all this legislation is about. As I say, the drafting is similar to what already exists under the Health Services Act. The Leader of the Opposition made a point about the need for considering the burdens that are being placed by this type of legislation which invests Magistrates with the power to deal with matters whose jurisdiction would normally exclude that of the Magistrate. I understand the point but I want to give the House a glimpse into the future to set at rest any fears that Honourable Members may have.

2.45 p.m.

First of all a new Magistrates Court Bill has been in circulation for at least a year and a half, Sir. It has

recently received approval from the Judicial Council. We have it back in the **Ministry** and the Law Reform Committee is going through it to fine tune, look for **typographical** errors and so on. The new Magistrates Court Bill will extend the jurisdiction of the Magistrate.

Secondly, Sir, the whole question of the independence of the judiciary is one which has been exercising the minds of the Commonwealth. I am glad it has been raised in here. I had to decline membership of a working party Jamaica is on instead of Barbados at the meeting in Malaysia. They have set up a working party within the Commonwealth to report by next year on the whole question of independence of the judiciary at **all** levels – Magistrates and Judges. But two Saturdays ago the Honourable Prime Minister in his Press conference explained that one of the matters which would be addressed by the Forde Commission on the Constitution, is the question of the independence of the judiciary.

We **tried** in a small way in the Constitution (Amendment) Act to provide in a small way for the security of tenure of these persons and to make provision precluding alteration of their terms and conditions of service without their consent. But we need to do more. I wish to assure the Honourable Member that independence of the judiciary is a matter which is specifically referred to the Constitutional Review Commission and I look forward to whatever their report produces on that matter.

Sir, I am happy that this Bill is coming. I hope that the organisation of the Drainage Unit will be such that the island will be zoned. I am not sure if the Minister said that when he opened on it. If he said it then I apologise for repeating it. But I hope that we can zone the island, that we can do adequate mapping in each zone of the suck wells and their locations and that a structured and organised programme for well cleaning is developed on a year round basis.

I know the drainage unit is in place already but I hope that as the Honourable Member for Christ Church South indicated, we should be in a position to go all out, I would say, Sir, from January. After the rainy season has finished, after the wells have silted up in one year we should prepare the next year in the first six months before the rains really come in in June to get the wells cleaned again. That is according to tradition. I am sure the Ministry of Transportation and Works has the capacity, not only to conceptualise the organisation of this project, but also to execute it properly.

Any matters which I have of a constituency nature, I will raise privately with the Minister. I just draw attention to a problem in Welches where even this morning I was

called because there is severe flooding at the last house on the right in Welches Terrace, No. 56. I drew that to the attention of the Chief Technical Officer and I expect that we should have some action on that. The reason for that, Sir, is that the well in the land next to that property is no longer drawing water, it is filled up, and they need to clean that otherwise if there is heavy rain later this week that area is going to be flooded and people would not be able to get out of their houses.

There is another matter, Sir, that I wish to draw to the Minister's attention and it is that throughout Barbados, in every constituency, there are broken wells, there are wells without covers, there are wells without covers **which are** hidden by the overgrowth of grass. All of these wells are dangerous, particularly for small children running and playing. A lot of them are in grassy areas, pastures and so on and I would ask the Minister to ensure that the Drainage Unit becomes aware of the existence of these hazards and that it **does** something to reduce the potential for fatality.

I feel, Sir, that in matters like these perhaps there should be a hot line, especially at this time of the year, and the public should be invited to call in to somebody in the Drainage Unit, a clerical officer or a receptionist. You only need somebody at the level of receptionist to take the calls. The public could call in and say where there are wells which need to be capped, where there are wells which need to be repaired, where there are areas which **are** flooded and so on, so that there can be a response mechanism within the Ministry to follow up on these calls. I hope that all of that sort of arrangement can be put in place. I think then we can get to grips if we have the unit and we ask for public **cooperation** so that the public can tell us where the trouble spots are. These things are noted, even computerised, the department then responds in the light of the **information** given from the public and over time, Sir, we should be able to sort out the problem.

There will still be flooding in Barbados. We cannot make Barbados flood exempt. Every country floods. I saw, I think it was two years ago, in England, the States, last week it was in China, Mexico, Bangladesh is always flooding. I saw one morning about two years ago when I got up and turned on the television, Sydney, which I know well, the whole of Sydney flooded out, could not recognise it. Those are developed countries. Now, what we can do as a developing country is to reduce the impact of exceptionally inclement weather by providing the types of mechanism which we are here giving support to a Drainage Unit operating on a structured organised basis.
2.55 p.m.

I am obliged to you, Sir, and I compliment the Minister on this legislation and wish him and the Ministry well.

Mr. **DEPUTY SPEAKER**: The Honourable Member for St. **Philip** North.

Hon. R. N. **GREENIDGE**: Mr. Deputy Speaker, I too want to join in this debate. I will not be too long. I had a look at the Prevention of Floods Act, Cap. 235 of the Laws of Barbados only to find that the existing legislation gives the Chief Technical Director, and he will now be designated with this new Bill as the Chief Technical Officer, permission to enter certain lands including private lands in order to execute flood works. But all that Act said was that the Chief Technical Director should give the owner or the occupier due notice and it did not really spell out a procedure which should be followed.

Now this amendment to the Act lays down the procedure which the Chief Technical Officer or his agent must follow whenever the Chief Technical Officer enters upon premises to carry out flood works. But even before we reach the procedure, Mr. Deputy Speaker, I just want to say a few words following on what the Honourable Member for St. Thomas has said about the general philosophy behind what is taking place here with this particular amendment. Now the amendment to section 6 is designed to make owners of properties with suck wells act responsibly by minimizing the possibility of flooding on their land and on other lands. Other people's lands may include the person on adjoining land and so on. Such owners must clean the suck well at least once a year.

Now it is clear to me, Mr. Deputy Speaker, that this is an amendment of expediency. It will soon be one year since Barbados lost one of its great calypsonians who was swept away by flood waters and, as someone said quite early that it is a very timely bit of legislation and amendment which is being brought to the House. We do not want to find ourselves in that position again when we have to be mourning the loss of Barbadian citizens. Because that was an experience, Mr. Deputy Speaker, which highlighted the need for clearing the myriad blockages and I mean blockages of gutters, canals, drains, water courses and wells and so on throughout this country.

The amendment at section 5 anticipates that not every single Barbadian land owner or occupier is going to be civic minded. Barbados is made up of all types and, therefore, what the amendment here seeks to do is to let them know that if they do not shoulder their responsibility then Government will do it but that they will have to pay a price. It is this section which lays down the procedure that I spoke about earlier and it says that the Chief Technical Officer will give you not less than 48 hours notice in writing, that he or his agents will be entering on your land. He then enters, examines and estimates the cost.

Then according to the Act he gives you not less **than 14** days notice in writing as to the nature of the work that he will be carrying out. When the work is done, obviously he sends you the bill and, if you do not pay the cost, then that is recoverable through the Magistrates Court. All that is at the expense of the owner.

Now when I spoke of the philosophy which the Honourable Member for St. Thomas outlined, I said so in light of the fact that people in Barbados get what we call very "up tight" or very "worked up" when other persons enter on **their** land. I believe that the procedure which is laid down here in this amendment will help to cushion the effect of that surprise visit which sometimes results in fights and even blood shed. Therefore, once the procedure is made quite clear, I do not **think** that the particular combative eventuality will arise. Personally, Mr. Deputy Speaker, I do not see this procedure as trampling on the owner's property rights because whether you like it or not that so called right is not really an absolute right where your property is concerned. Because you do not have an absolute right to do whatever you like with your property. For instance, you cannot plant what you care to in Barbados on your property. It is quite clear that if you plant the wrong thing that you will end up in the hands of the police. You cannot even where the Health Inspectors are concerned have certain receptacles and utensils which will harbor mosquitoes. You cannot do as you like. Even with your stereo set, you have to be very careful how loud it is. It is your house but you cannot ignore the person next door. The point that I am making is that this amendment seeks to do a similar thing to let you know that you cannot do whatever you like with your property and in so doing cause harm to other people. You cannot for instance, as this amendment says, block the water-course and so forth because that is going to harm people down the road.

Now I believe that your freedom to deal with your property as you like must be buttressed against other people's freedom as well, because the people who live next door to you, for instance, their lives could be put in jeopardy if you do whatever you want to with your land. So even if you consider, Mr. Deputy Speaker, that there is some minuscule diminution in your property rights, I think that that must be weighed against the overall benefit of legislation such as this one because I believe that it is an amendment which is made for the common good. In the parish of St. **Philip**, we have certain areas which we can very well describe as flood prone. There is the Well House area and I remember the very first picture that might have been taken of me as a politician was at a flood really walking through the Well House area barefooted and water up to my waist a few days after September **1994**. Over there I believe at Well House we could do with about 3 more wells in that particular area.
3.05 p.m.

We also have places like **Woodbourne**, which was flooded on the last occasion. The thing about **Woodbourne** is that when the water goes on to the houses it leaves that very dirty colour and smudge on the homes of the people. This is something which all of the residents in that area were very concerned about. It is a very difficult job to have it cleaned and I believe that cleaning the drains over the Woodbourne area is a matter of very high priority where the Drainage Unit is **concerned**.

There is a pond almost in the middle of Vineyard and when it rains heavily there are about five houses which are always in danger of floating down and going some miles down the road. These people have been calling all the while for an extra well to be dug. I have written a letter to the Ministry of Public Works requesting that this be done and I hope that it will be done very soon indeed.

Mr. Deputy Speaker, I welcome the amendments to the legislation. As I said, it is really a **procedural** matter just giving the guidelines as to how the Chief Technical Officer and his agents would be entering upon people's lands and for the sake of carrying out the work of the Drainage Unit. I join with the others and wish them well.

Thank you very much.

Mr. W. C. C. CALLENDER: Mr. Deputy Speaker, I wish to address the section in the Bill which speaks about flood works. According to this Bill, flood works include the construction, alteration, repair, improvement, cleaning, raising, lowering or grading of any bank, channel or watercourse or the clearing or grading of any land adjacent to such bank, channel or watercourse.

Sir, I am addressing this issue, because as you travel around Barbados you will find a lot of areas where watercourses have been blocked by people perhaps putting garbage in these areas, allowing trees to block these areas and putting mould in these areas, oblivious I believe to the fact that the **blocking** of these watercourses is a very dangerous thing. When a watercourse is blocked, the water has to find somewhere to run and it runs in all kinds of **strange** directions. Sometimes it is held back and then by some mystery it breaks all of these blockages and comes rushing down in a vast torrent, as happened in the case of **Weston**, doing great damage to unsuspecting people:

I am drawing attention to this because as I drive through Christ Church East I have noticed one or two areas, particularly St. **Patricks**, where there is a lot of mould, parts of old houses and so on blocking a drain. I

was saying this is something that needs to **be** looked at and I find that this Bill deals with this matter. People must be aware that when they block watercourses this is a serious thing, and they must be asked to clear these watercourses. This **Drainage** Unit will therefore be requesting these people to clear these watercourses and if they do not want to do so, **then** the watercourses will be cleared and the bill sent to **them**. I think this **is quite** fair because we are looking **at the possible** damage. We do not need any more evidence than what happened at **Weston** where a wall house was washed away because a watercourse was blocked, the water was behind this **barricade** for a long time and then came rushing down like some super waterfall.

I think this Bill is very timely and I want to **see** in those areas where there is the potential for a recurrence of what has happened at **Weston** that immediate steps be taken to clear these watercourses. Too many times we allow things to happen but we need to address that situation immediately.

The other section I am looking at, Sir, is clause 7 of the Bill which says that the Chief Technical Officer may enter, **without** prior notice, upon any private lands or premises in such location or area and execute such flood works as are necessary to prevent flooding or to facilitate the drainage of flood waters. We have been speaking a lot about suckwells and so on. That **too** is relevant, but in my **area** I am particularly concerned about the blockage of watercourses and drains. We need to look at this, because this is what causes flooding in a lot of areas and I would hope that once the Bill is implemented – and I believe all of us are going to agree on this – that immediate steps will be taken to prevent a recurrence of the tragedy such as happened at **Weston**.

Thank you, Sir.

Hon. G. W. PAYNE: Mr. Deputy Speaker, most of the matters raised by Honourable Members in respect of certain clarifications have been addressed by the Honourable Member for St. **Thomas**, in particular the points with respect to consent and the powers of the Magistrate in this amendment. I would not really want to repeat what has been said by the Honourable Member for St. **Thomas** and Attorney General in this connection.

With respect to the question of consent though, I should like to say that the difficulty of the Division of Public Works in obtaining the co-operation of many land owners is one of the reasons why we have had to include these provisions. In addition to that, in many cases owners cannot be found and there are also other situations where, because of the nature of the works to be done and the urgency of the particular case, as happened in **Weston**,

you actually have to go in the same time. At **Weston** we had to go in the same afternoon. As a matter of fact, if all of those owners in **Weston** had decided on the afternoon of the flood that they stood a good chance, in normal Barbadian language, to collect a piece of change, and they had decided to bring an action against the Government, under the old legislation, notwithstanding the fact that Government's intentions were good and were very clear on the matter, the Government would be powerless and we would be paying out the same millions of dollars we voted in order to correct the problem to line pockets of owners who I would not necessarily refer to as unscrupulous. But this legislation is necessary in the circumstances and it is important that the Chief Technical Officer can actually go in.

As was mentioned by the Honourable Member for St. Thomas and the Honourable Member for St. **Philip** North, there is still nevertheless a procedure which the Ministry will **follow** so that people will be given notice and then there will be a 14-day period before the works have been completed.

The Honourable Member for St. **Philip** North did mention the problems in certain areas of his constituency. It is difficult, as the Honourable Member for St. Thomas did say, for Government to be able to alleviate the problems of flooding in every area. There are certain areas where the permission of the Chief Town Planner should not have been given in the first place.
3.15 p.m.

I recall in August last year when we had the problems of flooding not only at **Weston** but parts of St. **Philip** having to speak to a certain old gentleman in his 90s and he said that when he came back to Barbados and saw houses on that spot he was surprised because as a boy that was a swampy area. So I don't know what amount of wells you can dig in that particular **area** to stop the flooding if we get a heavy downpour.

I do not know what we can do to stop the **flooding**. We are not saying that the Drainage Unit will not seek to clean the existing wells in that area. It is my understanding from the Honourable Member for St. Thomas who himself lived in the area that there were a few wells at the time that were not cleared and it is necessary for us to go in and clear those particular wells. As a matter of fact, since we gave the contract for the cleaning of wells contractors in those areas have been experiencing some problems with respect to the actual clearing of the wells. It seems as though the problem in certain areas in particular the problems which the Honourable Member for St. **Philip** North alluded are problems that visit us from time to time,

but the Drainage Unit will attempt to **deal** with the matter as best as it can.

With respect to certain points raised by the Honourable Member for St. Michael West, I do not know if he would have expected me to go into details with respect to every problem in every area and certainly the problem in his area is one which is engaging the attention of the Drainage Unit and it is not **necessary** to enter into details with respect to the **Goodland** area. Suffice it that the parliamentary representative did raise the problems facing him in his constituency. The problem of the report of the actual flooding which was mentioned in here at the time when we sought a supplementary for funds to alleviate those persons who were affected we did indicate that a report would have been made available to Government with respect to the problems that were encountered at **Weston**.

In my presentation I did say that there is at present being done a storm water drainage study and this study is expected to be presented to Government very shortly and it will address the type of problems we face in **Weston** as well. I did not want at the time to make available to the House a report on the cause of the overflow of the watercourse at **Weston** which report itself stated that the final report would actually be submitted when the storm water drainage report had been concluded.

This report which is more or less a major report is inconclusive in the sense that even though we have something to allow us to make certain policy decisions and in the sense that we have acted on those recommendations with respect to the water-course and with respect to the town planning involvement in further development of the area we are not in a position to lay the type of report that the Honourable Member for St. Michael West has been speaking about. It is hoped that very shortly this report will be submitted to Government and in the normal way will be presented to Cabinet and we will then be in a position to lay the storm water drainage report.

I think those are the main concerns and I beg to move that this Bill be read a second time.

Hon. D. A. C. SIMMONS: I beg to second that.

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

On the motion of Hon. G. W. PAYNE seconded by Hon. D. A. C. SIMMONS, Mr. DEPUTY SPEAKER left the Chair and the House went into Committee on the Bill, Mr. W. C. C. CALLENDER in the Chair.

COMMITTEE

Mr. W. C. C. CALLENDER: This Honourable Chamber is now in Committee.

Clauses 1-9 were called and passed.
3.25 p.m.

On the motion of Hon. G. W. PAYNE seconded by Hon. D. A. C. SIMMONS, the CHAIRMAN reported the passing of one Bill in Committee and Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

Mr. Deputy Speaker resumed the Chair.

On the motion of Hon. G. W. PAYNE seconded by Hon. D. A. C. SIMMONS the Bill was read a third time and passed and cited as the Prevention of Floods (Amendment) Bill, 1996.

ORDER NO. 6 - HIGHWAYS (AMENDMENT) BILL, 1996

Hon. G. W. PAYNE: Mr. Deputy Speaker, I beg to move the passing of the Highways (Amendment) Bill, 1996. Most of the comments, which were made relevant to the Prevention of Floods (Amendment Act), are relevant to this Bill. There are certain deletions from the last Act which have, more or less, hindered the work of the Chief Technical Officer in carrying out certain works throughout Barbados.

The main Amendment with respect to the existing Highways Act refers to the definition of a highway. Under the old legislation, the definition made references to "public road, streets, lanes, alleys, bridges, watercourses, wharfs, embankments, tunnels, drains, gutters and sewers in any of the towns of this island."

It is the language in this particular Bill in any of the towns of this island, which is the source of concern for the Officers in the Ministry of Public Works in carrying out certain functions required by members of the public.

As a result of this legislation, it means that the Division of Public Works cannot lawfully go into lands owned by private landowners and carry out any necessary road works, unless they do so with the threat of being sued by that particular land owner.

This particular Amendment will now allow the Chief Technical Officer to carry out the necessary road works

with this Amendment to the definition of highways, not only in the towns in Barbados referred to **areas** like Bridgetown, Oistins, **Holetown** and Speightstown. Now they will be able to carry out the necessary works in areas throughout Barbados.

Over the past 15 years, a number of private developments have sprung up around Barbados. Government has, as the law stands, no control **over these** particular areas. It would mean that with this new legislation, Government will now be able to go into these areas and do any necessary work.

There have been cases, out of necessity, where Government actually went in and did necessary works because of the fact that there were certain **areas** that were prone to flooding. When we are talking about highways, the definition of highways include watercourses. There are areas around the Bridge Road, Constitution River, Seclusion, Fairfield, Garden Land, Bank Hall and Headley's Land. These are areas which **are** familiar to you, Mr. Deputy Speaker, where Government actually went in and did some remedial works.

In one particular case Government was threatened with an action and it had to be settled out of court. **We are** hoping that with this legislation, this situation will not recur.

We are also seeking, Mr. Deputy Speaker, by this legislation to change the title of the Chief Executive Officer, within the Division, who is titled Chief Technical Director under the old legislation. In keeping with his new title, he will be styled Chief Technical Officer. Wherever in the Act the word "Director" is used that the word "Officer" will be substituted.

Section 20 of the Act, Mr. Deputy Speaker, we are also seeking an Amendment to this particular section as well. There is a penalty under Section 20. I will just read the particular section. "For contravention of this Act of twenty dollars" we are seeking now to substitute five hundred. In other words to raise it from \$20 to \$500.

Section 20 reads "Any person who injures, obstructs, alters or in any manner interferes with any highway to which this Act applies or with any milestone affixed on the side of any highway to which this Act applies, except with the consent of the Chief Technical Officer, shall be liable to a penalty of twenty dollars," this will now be five hundred dollars.

Mr. Deputy Speaker, I think that at this stage I should also mention that this legislation will also allow for some coordination between the Ministry of Health and

the Division of Public Works in alleviating a number of the problems that were alluded to, when we discussed the former Amendment under the Prevention of Floods (Amendment) Bill, 19%. In the sense that the Ministry of Health had the responsibility. As an off-shoot of this legislation, all those drains within the City area, and the Division of Public Works dealt with the areas outside of the City area and only in situations whereby it involved the use of heavy equipment.

Since the setting up of the Drainage Unit, we have had meetings with the Ministry of Health and the Sanitation Service Authority. It is hoped that we will be able to coordinate, very shortly, the workings of these two departments so that, hopefully, with the necessary staffing and equipment a lot of the problems that have been mentioned earlier will be improved somewhat.

Mr. Deputy Speaker, with those few remarks, I beg to move that this Bill be read a second time.

Thanks very much.

Mr. L. A. WEEKES: Mr. Deputy Speaker, we on this side do not have much difficulty in understanding the need for such Amendments. Sir, we have to be very careful that each time we need to cooperate with the people, we need to pass legislation in order to cooperate.

I believe that, it is fair enough to believe people will cooperate with you, generally, if they have confidence in what you are doing and if they are satisfied, generally, that the works being carried out is the best for the country.

I am certain that most people would admit to the fact that there is need to be improvements in many areas, and the difficulties that do arise could certainly be alleviated by a little bit more cooperation, consideration and in most cases confidence in what you are doing. So we do not have much difficulty with the Resolution.
3.35 p.m.

For me, Sir, I only want to be assured that the amendment does allow for sideways and alleys to be brought under this particular programme. There is a specific problem in one of the areas, a particular area of mine – Headley's Land was mentioned but I think it is Barker's Gap where, for a number of years the pathway to the entrance of the homes is very narrow and the residents have been seeking cooperation with the owner of the land to allow for a wider entrance for access into the particular area. It covers some of the same problems which the Minister mentioned in terms of flooding, proper road

repairs and, by extension, even for community services and social services programmes.

I hope that, at least, this particular area will be considered and that part of the programme would speedily remedy some of the problems. Apart from that, Sir, I do not think any of us on this side have any quarrel with the Amendment no more than to hope that there will be a lot of activity going on after all the attempts by way of legislation to correct the issue. We sincerely hope that the Minister will pay attention to the fact that we need action rather than just putting things on the statute book and hope that Members will agree.

Thank you, Sir.

Hon. G. W. PAYNE: Mr. Deputy Speaker, **notwithstanding** the fact that the Honourable Member who just spoke did say that he would hope for more cooperation and that he hoped we would not be passing legislation simply to get this cooperation, at least in his closing remarks he did agree with the necessity of having this legislation if only to deal with that particular landowner at Barker's Gap whom, I take it, has resisted the **attempts** to widen the corner in his particular area. I can give him the assurance that this is a matter which will be investigated by the Division of Public Works.

This amendment does not only address the question of cooperation. It also addresses certain matters of fact with respect to certain points of definitions. If you look at the changes in the office of the Chief Technical Director to the Chief Technical Officer as a particular example, and also the question of reality when one looks at the penalties which have been imposed by this Act, this is a statute which goes back to 1900. You are talking about a \$5 penalty in the year 1996 so it is fairly obvious that as time goes by a number of changes would be made. This is the occasion when we are seeking an amendment in this direction.

Mr. Deputy Speaker, with those few remarks, I beg to move that this Bill be read a second time.

Hon. D. A. C. SIMMONS: I beg to second that.

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

On the motion of Hon. G. W. PAYNE seconded by Hon. D. A. C. SIMMONS, Mr. DEPUTY SPEAKER left the Chair and the House went into Committee, Mr. W. C. C. CALLENDER in the Chair.

COMMITTEE

Mr. CHAIRMAN: The House is in Committee.

Clauses 1 – 4 inclusive, were called and passed.

On the motion of Hon. G. W. PAYNE seconded by Hon. D. A. C. SIMMONS, Mr. CHAIRMAN reported to His Honour, the DEPUTY SPEAKER, the passing of one Bill in Committee and Mr. DEPUTY SPEAKER resumed the Chair and reported accordingly.

On the separate motions of Hon. G. W. PAYNE seconded by Hon. D. A. C. SIMMONS the Bill was read a third time and passed.

QUESTION TIME

Hon. Miss B. A. MILLER: Mr. Deputy Speaker, I beg to move that Question Time be now taken.

Mr. DEPUTY SPEAKER: We are now into Question Time. Question No. 20.

Hon. G. W. PAYNE: Mr. Deputy Speaker, the Honourable Member for St. John who asked Question No. 20 is not now in his place and I beg to lay the reply to Question No. 20.

Mr. DEPUTY SPEAKER: Question Time has now expired. We now resume Government Business.

ORDER NO. 10 – RESOLUTION TO APPROVE THE COMPULSORY ACQUISITION OF LAND AT FOUR ROADS, ST. PHILIP, FOR THE PROVISION OF A PLAYING FIELD FOR ST. MARTIN'S PRIMARY SCHOOL

Hon. G. W. PAYNE: Mr. Deputy Speaker, I beg to move the passing of a Resolution for the acquisition of 712 square metres of land at Four Roads Primary School for the purpose of a playing field for the St. Martin's Four Roads Primary School. The reason for this particular Resolution stems from the fact that the School was constructed very close to premises of an adjoining owner. At the time Government did not seek to acquire the land of this particular owner because of the fact that there seemed to have been very close cooperation between the owner and the School and the facilities which were owned by this individual were always made available to the School. Government should have made the necessary acquisition of enough land which would not only cover the area which was needed for the school but the area which would be needed for the kids to use as a playing field. I think the

situation is so serious that after a dispute between some of the teachers at the school and this land owner that he blocked off this particular area and it became extremely difficult for you not to trespass on this particular parcel of land.

3.45 p.m.

My understanding is that if you ran too hard from off the steps and you actually fell it might be a situation whereby you would actually fall on this particular owner's land. He was very rigid in his approach to the Government's use of this land after the dispute and insisted that nobody from the school, teacher, pupil or Ministry official would be allowed to go on his land.

We sought to have this matter dealt with in the spirit of cooperation which Honourable Members on that side normally speak about. We had several meetings with the parties involved and the particular individual simply would not budge. In this instance, Mr. Deputy Speaker, while we like to follow the normal procedures of informing land owners and ensuring that we get their consent or approval of a particular Government project, it does not seem as though we would ever be able to get the permission or the consent of this particular owner.

This land owner also has a house on this adjoining parcel of land and we do not think that it is necessary to compulsorily acquire the entire portion of land. We just need enough space that would constitute a decent playing area for the school children and members of staff.

In the circumstances, the Cabinet has decided to acquire 712 square metres, which is just over 7 000 square feet, part of a larger area of land owned by Mr. Terrence Coppin as set out in the Schedule in keeping with the normal practice as Mr. Coppin is not favourably disposed to this acquisition and the question of the payment of compensation will be dealt with by the Division of Housing after all of the formalities have been completed.

Notwithstanding his lack of cooperation we in the Ministry have open arms out for him so that at least on the question of cooperation we would be able to meet him all the way within reason in an attempt to have this matter more amicably resolved than has been up-to-date. With those few remarks, Mr. Deputy Speaker, I beg to move that this Resolution do now pass.

Hon. R. N. GREENIDGE: Mr. Deputy Speaker, I want to say just a few words on this particular Resolution. This acquisition of the 712 square metres of land which adjoins the St. Martin's Four Roads School, surrounds a

small portion of land the size of a basketball field. It is a portion of land which was always used by the St. Martin's School for many years. The owner of the land, and I must now say that I do not know whether he is owner in his own right or whether he acts as agent or as trustee on some other person's behalf, I am not aware as to what type of interest he has. He was not initially averse to the school children using that portion of land as their playing field because it was always seen as the school's playing field. But he reacted negatively to the school teachers, as was pointed out, who had tried to prevent him from getting access to his son who was a pupil of the school and that son was not in his custody, but was in the mother's custody.

Now, his reaction at first, Mr. Deputy Speaker, was to ban the physical education teacher from trespassing on his land and then he went even beyond that and he banned the entire teaching staff and then the children from trespassing on the land. As was pointed out by the Minister of Housing, the school is so close to the portion of land that it is virtually impossible to have school activity there and not have people going on to the land and that is where the crux of the matter really is. Right now the school does not use the land, they **try** as best as possible to avoid going on to it. Every now and then somebody still steps on to it and something happens but the Ministry of Education has actually asked the school not to use the land, and to try their best not to go on it.

I know for instance that there is a very vibrant parent teachers' association at the school. A lot of these parents, when they were students there, used the land as the school's playing field and therefore they see it now as a kind of reversal of a custom and right and they really want something done about it. They want the matter dealt with.

Now, Mr. Deputy Speaker, I have a very soft heart when it comes to playing fields for schools because I know of the importance of a playing field to a school. If you take an example of someone at a school who wants to be a fast bowler and the only playing field you have is something the size of this Chamber, this means that the youngster cannot find anywhere to run up, he can't bowl too fast because the glass windows are right there the wicket keeper can't really keep wicket properly and so you cannot develop your sportsmen as you would really want, therefore without this playing field it is going to hamper all of those children who have some kind of sporting talent, some kind of sporting ability.

Even in the Four Roads Community, they used to use the same area because as I said it was the school's playing field and they would go on to it in the evening. This is really a bit sad when it has to reach this level and when it has to be solved in this particular manner.

In my constituency, Mr. Deputy Speaker, there is Bayleys and Shrewsbury and I want to speak just briefly about those two schools as I address this matter of St. Martin's Four Roads. In the opinion of everybody in St. **Philip** Bayleys used to be a mediocre school when it came to sports, and Shrewsbury the same thing, the reason being that they did not have playing fields of their own. When those two **schools** became amalgamated into what is now the Bayleys School, they were provided with a playing field and the standard **has** risen tremendously. Bayleys is one of the leading primary schools in sports in this country and I am sure that 99 per cent of that school's success is due to the fact that there is now a playing field at Memcks. 3.55 p.m.

I also want to say, Mr. Deputy Speaker, that the same thing has recently happened again to Holy Trinity Primary School as well as the **Beulah** Primary. Two schools again without their playing fields but they have now been amalgamated and they are now the Hilda Skeene Memorial and they have a playing field. I am also looking forward to a tremendous improvement in the sporting ability of those children who now go to the Hilda Skeene School.

I **want** to take this opportunity too, Mr. Deputy Speaker, to commend the media and by this I mean all aspects of the media in particular the newspapers and the television for the coverage which they have given to the schools competition over the years. I know that a lot of the parents and grandparents and so on feel extremely excited when they hear their children's names these days on the radio with the sports and so forth.

While on this matter of playing fields, Mr. Deputy Speaker, I want to ask for a bit of latitude here because I am going to move from St. **Philip** at the Four Roads School and I want to say something about St. Leonard's. Mr. Deputy Speaker, the reason why I do this is because of something which touches me as Minister responsible for Sports and also because I was a teacher at St. Leonard's Boys'. I know that the Speaker of the House was also a teacher when I was there and so too was the Member for St. James North. But this St. Leonard's School has achieved so much in sports without a playing field that I wonder what would have happened to those students at St. Leonard's if they had access to a playing field over the years.

Mr. Deputy Speaker, you had an all-boys school at St. Leonard's and that boys school had to watch all of the other boys' schools in Barbados playing cricket and representing their own school. They had no playing field. They could form no team and the worst of it, Mr. Deputy Speaker, is that when they turned around and asked some of the schools, because I know this proposal was made: "Will you take some of our boys, the two best boys

we have and let them play for your school?" They were told: "No, they do not belong to our school and therefore they cannot play". That must have been extremely painful to them that you could not play because you did not have a playing field and then when you tried to play for somebody else you were told that you do not belong, and St. Leonard's was left out for a long, long time. It means so much to you when you can have a playing field and have your own school come and support you right there and this is something which was denied from the time that school was built. I do not know how in spite of all of that they were able to achieve so much in the field of sport.

Mr. Deputy Speaker, it is on record that in 1992/93 in football that St. Leonard's Boys' School captured every possible school's title in that year. How they did it, I do not know. They won the Division One title, the Under 14 title, the Champions of Champions title and it was a clean sweep. How they did it I repeat, Mr. Deputy Speaker, is just unbelievable. I think that it was year before last or last year that St. Leonard's School played in the finals of the BET Under 15 Competition and I do not remember that ever happening before – we call them the lesser schools – when one of those schools actually got to the finals of that competition. It was done by St. Leonard's and I said **all** of this they achieved in spite of not having a playing field.

I remember teaching there as I said, Mr. Deputy Speaker, and watching the boys run their 100 yards in the road. You know the straight road that leads you down to the St. Leonard's School. That is where they used to run their 100 yards in the ~~tar~~ road and, Mr. Deputy Speaker, on the present CARIFTA Team, St. Leonard's still has representatives. They still have about 3 people representing Barbados in the Junior CARIFTA coming from St. Leonard's Boys' School. A lot of what I am saying also refers to the girls as well that in the same way the boys did not have playing facilities, the girls really and **truly** did not have these facilities either. I believe that you have to say thanks to places like the YMCA which from time to time would have loaned them their grounds for their sports and to carry on the odd football match and so forth.

Mr. Deputy Speaker, it means a lot to us when we have a playing field and when we have a pavilion that we can store our equipment. They do not have a pavilion, Mr. Deputy Speaker, and if you see where they have to store their equipment you'll be shocked. They have no changing facilities, no bathrooms and so on for the classes to change when they do their physical education and so forth. It is really and truly, as I said, very amazing what St. Leonard's has achieved over the year. In this year, Mr. Deputy Speaker, and I am going to wind up now, St. Leonard's captured 5 of the 6 football trophies. They won the Under 15 Competition, Under 17 Competition, the Seniors

League, the Senior Knock Out and the Senior Champion of Champions and they were finalist in the one that they **did** not win. I would once again say, Mr. Deputy Speaker, that I would really and truly want to know what would have happened and what heights would St. Leonard's have reached if and only if they had a playing field. I look forward to what is going to happen when St. Leonard's move into their compound at St. **Thomas**. Thank you very much, Mr. Deputy Speaker.

Mr. DEPUTY SPEAKER: The Honourable Member for Christ Church East.

Mr. W. C. C. CALLENDER: Mr. Deputy **Speaker**, in looking at this Resolution and varying comments made so far, I can see that there are many things that one **can** speak of. I would, therefore, like to speak on the relevant issues that emanate **from** this Resolution and I would perhaps take as much of my time as is possible since this is an issue dear to my heart. First of all it deals with a school. It is dealing with youngsters, with education in a broad sense. We are dealing with community development. We are dealing with playing fields and pavilions, all of these things, and I have quite a lot to say not only as it relates to the St. Martin's Four Roads School but also as it relates to other people in similar circumstances.
4.05 p.m.

Sir, the Resolution before us I think is quite in order. It comes to me as a surprise that we have had to reach this stage. I happen to know the owner of this property. I dealt with him when he was working in media – I am not going to say **anything** bad about him, Sir – and I found that he was one who was supportive of the youth of Barbados. I found that he was always quite willing to expose issues needed to be addressed. I found that he had an interest in education. It therefore came to me as a surprise when I read that he had found himself in confrontation with the staff at the St. Martin's Four Roads School.

I do not know the background of this issue, Sir, but there must have been something that happened. I am making that point to say that no matter how well intentioned people are, no matter what goodwill exists, one cannot **impose** simply on good will because goodwill sometimes turns into ill-will and therefore when we are dealing with educational institutions, when we are dealing with circumstances that impact on the youth of this country, we need to put safeguards in place to prevent an occurrence such as happened in this case. So many times a good **thing** turns sour because of some interpersonal problem. I am not saying this is the reason but that conditions change and we have to have the foresight to forestall these kinds of occurrences which place

children and teachers at ransom to other members of the community, however well meaning these people may have been originally.

I am therefore making the point, Sir, that I do agree that if the landowner is not willing to come into some amicable arrangement that the school should use the land and if all efforts were put in place to reach an amicable settlement that the Minister and those involved would have had little recourse but to acquire this land. And I am hoping that the landowner will still be reasonably compensated, despite the fact that the Ministry had to resort to acquire the land.

How is it you have a school and you have no playing field? A playing field should automatically go with a school especially if you are dealing with younger children. I am familiar with a number of schools that had very limited facilities and we had to use other places. We had to **walk** very far to use their facilities and I am very familiar with a school that was once located in less than ideal conditions at the corner of Halls Road but used the park as a playing field that produced a number of top athletes in Barbados who went to the Olympics. But it does not mean that a school should not have access to its own playing field in its immediate environment.

Sir, I believe that the Ministry has gone in the right direction and I hope that a reasonable arrangement is going to be made and **that** the land-owner will be reasonably compensated for his land and I hope it will not take 10 years. I am hoping that it will be done in the immediate future. I know in the past we have had to compensate people 10 years down the line but I am hoping in this instance because of the nature of the circumstances that this landowner will be compensated as soon as possible. I am not **talking** about 10 years. In 10 years' time he is going to be very old.

Sir, this brings me to a similar situation at Walls in Christ Church because as I listened to the representative for St. Philip North he is making a point about playing fields and consultation and all these things and he wants things to be done amicably Sir, there is a landowner, a lady by the name of Maisie Games. She lives in Lodge Road. She is over 70 years old. She is one of the most peaceful people you could ever find. Her family are some of the most decent and peaceful people you could ever find and they are prepared and have been prepared for the longest time to sell their land to the Government so that the goodly people of Christ Church could have a playing field to call their own. They have been using it for 20 years and so far the Games have been very decent. They have not gone and ploughed up the land. They have not fought with the boys. They have not cursed anybody because they are the decent people of Christ Church. They have done none of that and

we are seeking to impose on their decency. These people want to **sell** this land. I spoke about it in the House on 2 occasions.

I wrote to the Minister of Sports about this matter. I could quote the letter **verbatim** and I **am** now going to write the same letter **verbatim** to the Minister of Housing because I believe I am going to get some action. I went into my computer yesterday and I am going to write the same letter to the Minister of Housing and I am going to let the House hear what **this** letter says.

I am going to put some heat under these fellows because I begged them verbally. I speak in the House and once I represent Christ Church East and the Christ Church team I **am** going to **speak** where I have to speak and nobody is going to tell me shut my mouth. I am going to speak because this is a time for action. I am here for action and I am going to get action. My people must know that if I don't get action I am going to speak. This is not the former representative like Ginger **Bourne**. I have nowhere to run but I am going to stand up and speak in this House. This is not Tyrone Estwick, a nice fellow. But I am afraid of nothing. I am representing my people and I have done it in this country for free for many organisations, I am being paid to do it and I am going to be more determined to do it. Whatever it costs me to do it, it will cost me. I have said that to my family and I have said that repeatedly and I am here today to sound a warning that I am representing Christ Church East and by extension all of Christ Church because I have been **born** and bred in Christ Church. Every man is fending for himself. I am fending for Christ Church too. I am sending that message loud and clear for Christ Church.
4.15 p.m.

I am going to read the letter that I sent to the Ministry of Sports. I have not even **gotten** a reply yet. I have not **gotten** a word on it. This is what the letter says. I have the new date, July 8, concerning the same copy to the Minister of Housing. I put on yesterday's date. It went months **ago** to the Minister of Sports. Tomorrow this will be posted to the Minister of Housing. It says:

"I am writing to request that arrangements be made to acquire the land which is used as a playing field by the Walls Cricket Team..."

Mr. DEPUTY SPEAKER: Member for Christ Church East, what document are you reading from?

Mr. W. C. C. CALLENDER: This is a letter which will be going to the Minister...

Mr. DEPUTY SPEAKER: You are going to make this a document of the House?

Mr. W. C. C. CALLENDER: It will be a document of the House. I can always go the computer, get a copy and sign my name.

"I am writing to request that arrangements be made to acquire the land which is used as a playing field by the Walls Cricket Team at Inch **Marlow**, Christ Church to the South of Chancery Lane Terrace and to the East of Ealing Park South. The Walls Cricket Team is represented by young men from the Christ Church East and Christ Church South constituencies, and have been playing on the ground for over 20 years. This cricket ground is the only such playing ground on the South coast stretching from Chancery Lane to Dover. Other playing grounds have been taken over by land-owners over the years."

I do not have that in the letter. We have places like Goodland, South Point, Sherwood and of those things have been taken over. **Hopewell**, all of those things have been taken over by land-owners.

It goes on to say:

"With respect to this ground," listen to this section, Sir. "land owners have been cooperative. I have been reliably informed that they would be prepared to sell the land at Inch **Marlow** at this time. It is proposed that a mini pavilion be also placed on this ground and that the ground be allocated as a sporting facility catering to such sports as cricket, football, volleyball and hockey which would service such areas as Chancery Lane, Ealing Park, Inch **Marlow**, Breedy's, Silver Sands, St. Christopher, Hopewell, Ealing Grove, Gibbons, Bournes Land, Goodland, Sayers Court, Carters Gap, Enterprise, **Keizer** Hill and surrounding areas, and as far as Oistins in the constituency of Christ Church South. In the interest of protecting this sporting ground, it is recommended that you give this proposal your immediate blessing and action."

Sir, I spoke this morning to the nephew of Maisie Games, and he is of the same frame of mind, he represented her. They are prepared to sell this land to the Government and they are still at goodwill with the Government and with everybody. When somebody comes

in and there is ill-will, Sir, and this same occurrence comes, you are going to have trouble. Do things when goodwill exists. It does not cost much money to acquire this land, deal with the people and acquire the land. Avoid "rush, rush" business, avoid pain and all of that.

Hon. R. N. **GREENIDGE**: On a point of order. The Honourable Member seems to **be** addressing the letter to me. He addressed it to me. He seems to be giving the impression that the Minister of Sports acquires land. I told the **Honourable** Speaker what to do. Write me so that I in turn can recommend that the land be acquired. I did it the same day.

Mr. W. C. C. CALLENDER: Mr. Deputy Speaker, I am glad to hear that the recommendation has been made. Sir, I have also been **speaking** to the Director of the Sports Council, who advised me that I now have to write to the Ministry of Housing. Therefore I am getting the letter, and the letter will go to the Ministry of Housing.

Mr. G. A. **CLARKE**: On a point of order. I just want to clarify a little misunderstanding here. The Member for St. **Philip** North drew this matter to my attention sometime ago, and we are looking at it. Before a property is acquired, there are a number of things that have to be done. I can assure the Honourable Member that we are now going through the process of looking at the land for him.

Mr. W. C. C. CALLENDER: I have taken the advice of the Director of Sports and this letter will go to the Ministry of Housing, so that both Ministries would have a copy of it. While I am aware that the Ministry of Sports does not acquire land, I would believe that once it deals with sports, once it deals with children, I would believe, Sir, that the Ministry of Sports should initiate action. As soon as they have initiated such action, they should have informed me appropriately.

Sir, I also wish to speak about another development. We are talking about schools and playing fields. We are talking, now, about the pending amalgamation of the St. Christopher Boys and Girls' Schools. Something dear to me. Sir, I went to the St. Christopher Boys' School. It is being amalgamated with the Girls. I had a little piece in the Girls' School too. In the early days you went to the Girls' School as boys and then you went down by the Church, then you change up.

Asides.

Mr. W. C. C. CALLENDER: I **went** school there for a **year**.

Sir, there is an amalgamation pending. I understand that for a year the children in the Boys' School will be placed in some other accommodation. I understand that it will be the Adventist Church, I believe, but I am hoping that arrangements will be made during that time for them to have access to some suitable playing field.

Whatever the circumstances are, Sir, I am hoping that suitable arrangement be made for children to have access to a suitable playing field during that year. Subsequent to that, after the building has been **constructed**, that they would have the appropriate playing field so that they can develop the kind of skills that we have been hearing about.

Sir, the matter of consultation and the involvement of communities with schools, I think that it also inherited the difficulties that we have emanating from this Mangrove Four Roads situation here. Sir, I am making an appeal, again, Sir, that whenever schools are involved or any integral **part** to a community, that the Ministries that are involved should seek to get the widest possible consultation from people within the communities. This also, Sir, applies to the Member of Parliament. Sir, I do not know if it is the technocrats in the Ministry, I do not know if it is the Ministers or who, but it appears as if the role of the MP is supposed to be minimised when there is a major event going on with a school in a community.

One officer in the Ministry almost tried to run me out of a school, when I was asked by the parents to come and hear what was going on in terms of that school.

Asides.

Mr. W. C. C. CALLENDER: I am now seeing another development where, and it is rightfully pointing out, I am dealing with "hearsay," Sir, because there is no consultation with the Member of Parliament who represents parents as serious as this.

I believe, I do not know what informed such a decision, what informed such a policy, but I see no rational for such. The Member of Parliament, **whatever** he is, should be involved, or should be consulted, in matters relating a significant body of persons that reside in his constituency. Whoever public officer believes this is not so, should be told where to get off. That evening the people told that man where to get off for me. I did not have to tell. Outside, quietly, I told him that he was on the wrong ground. A Member of Parliament representing a particular **area**. No matter whether he is a B, D or N. He represents that area and therefore you owe him the respect because he traverses the **area**, therefore he should know the views of the people and should, at least, be able to give you a decision which you can then weigh the balance to find out whether it makes sense or not.

Asides.

Mr. W. C. C. CALLENDER: He wanted to throw me out, but the people told him no that I have to stay. I am representing them.

Asides.

Mr. W. C. C. CALLENDER: Sir, the final point that I want to make is another **area** within the Fairy Valley, a place called Rockville. People have been playing on the land for years, years upon years, before I was even born, probably. Some day somebody is going to come and push them off. These matters need to be addressed.

Sir, I support this Resolution. I am sorry about the context in which it arises, I am surprised about some of the developments, because I know who is involved in this whole issue. I am hoping that there will be fair play despite some bad blood in between there, that the gentleman will get a reasonable compensation. I am hoping that we will put steps in place to forestall the recurrence of such eventualities especially when they are going to affect young children. We are asking about the youth but we have to show the youth we are serious by starting on the right track.

Thank you, Sir.

4.25 p.m.

Hon. G. W. PAYNE: Mr. Deputy Speaker, seeing that none of **those** comments was directed at the Resolution, I now move that this Resolution do now pass.

Hon. D. A. C. SIMMONS: I beg to second that, Sir.

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

ORDER NO. 11 – RESOLUTION TO APPROVE THE
COMPULSORY ACQUISITION OF LAND AT
COTTAGE AND GROVES PLANTATION,
ST. GEORGE, FOR HOUS-
ING DEVELOPMENT

Hon. G. W. PAYNE: Mr. Deputy Speaker, this is a Resolution pertaining to the acquisition of certain parcels of land at Cottage and Groves. The Parliamentary Secretary in the Ministry and the Parliamentary Representative for the constituency of St. George North will give the details on this Resolution.

Mr. G. A. CLARKE: Mr. Deputy Speaker, this Resolution seeks to acquire **18.4** acres of land at Cottage and Groves, St. George. The land that we are

earmarking for housing development is situated to the east of Market Hill, to the south of Groves Tenantry and to the north of Bridge Cot in St. George. This portion of land was earmarked some time ago when Government was **looking** around to find suitable sites and services to house the many people who were disenfranchised who had lost the right to purchase, or who had to move from the Zone 1 area.

Now, Honourable Members must know that within St. George we have a large **area** where people live in Zone 1, especially at Golden Ridge, Sweet Bottom and Bailey's Alley. We have noticed from a survey that there are about possibly 25 houses that have to be **resited** from the Zone 1 area of Golden Ridge because they cannot obtain water. Many of them are tenants of the **Ashbury** Plantation or tenants of the **Redland** Plantation and they are entitled to the land. They have lived there for a number of years but because they live in the Zone 1 area, they cannot obtain permission to install running water, toilet facilities and things of that nature. Therefore, it is incumbent on the Government to find suitable sites and services to provide these people with decent accommodation. To this end, the Groves site was chosen. It is approximately one mile west of **Redland** and Golden Ridge. Therefore, the people will still be in a similar community in the St. Augustine area. We find that it is very important for us to develop this area to help the people of **Redland** and so on.

I understand that many people are anxious for this development. I know they are waiting for it, but we have from today to look at putting in roads, electricity, running water and services to help the people of the area. We hope that when this development is taking place that we can provide them with bigger lots. I believe we can use this occasion to help develop agriculture within the area where people can do small farming, where people can keep their small kitchen gardens.

I believe we should be looking, not at 3 000 square feet of land as the normal size that we have used before, but we can do a similar development to one that had been done years ago at Apes Hill in St. James. I believe we should be able to provide an opportunity where householders can grow their own peas, beans and so on. They can have a little garden, they can do farming and, of course, provide themselves with food.

We also hope that in this community when it is properly planned, some recreational facilities will be provided as well. Now, those members who know this area will recognise that it is very close to the St. Augustine's Anglican Church. There are a number of churches within the area so it is within a community setting. I believe it will provide an opportunity for the wider community of

Market Hill to mix with those persons who would now come here and provide a meaningful setting.

Mr. Deputy Speaker, I hope Members will support this Resolution. I now beg to move that this Resolution do now pass.

Hon. D. A. C. SIMMONS: I beg to second that.

Hon. Sir Harold St. JOHN: Mr. Speaker, I am very glad to see that some action is being taken to deal with the issue of Zone 1. It is not only in the **area** of **Golden Ridge** that there is a problem but, believe it or not, Sir, it is still a problem in what is known as the Belle Gully area and the Waterford area, and in other areas of Barbados. I understand that **Clifton** Hall is one.

I am hopeful that with the acreage that is being acquired, if one uses the usual norm for what one would call middle income houses of eight houses to the acre, it appears from the indication of the size the Honourable Member gave, that there would be some 160 spots. There will be substantial spots. I hope that even if one takes off some for recreational facilities, which I believe is indispensable if one is not to have another manifestation of the difficulty one gets in areas like Silver Hill and those areas where you put a large number of people and no playing fields, and the roads then become the playing fields, that there will still be scope for the development of fulfilling the needs of other areas other than Market Hill.

I hope it is not approached in a parochial manner because we do have a problem with Zone 1. The problem in the Belle Tenantry is very old. I believe people are still going **there** because of the shortage of house spots because the landlords are only too willing to get somebody to put on their land. They never tell them, of course, that they cannot get water but I know for a fact that for many years now the policy has been that the Water Authority will refuse to connect water once you are in Zone 1, so I am hopeful that the Honourable Member will be able to accommodate these other areas. He is in the Ministry of Housing in addition to being the representative of St. George North. I also want to warn the Honourable Member that inevitably the acquisition of this **land** is going to attract some kind of criticism because of the fact that people will say that once upon a time it was agricultural land. Now, I myself was concerned about that point but I have been assured by the Honourable Member that this land is a piece of land which is essentially an area which connects with a well developed subdivision, namely St. Augustine/Bridge Cot subdivision.

4.35 p.m.

Those of you who know that area well, in particular Members on this side, will know that it is such a large and populous area that is a famous place for political meetings and attracts large crowds and sometimes one gets lost going up above the gas station which connects you with Groves on the Hill. It is amazing the number of side roads that you have on the crest of the hill overlooking the gas station. If you recall how Barbados has developed, how the worst land was used for housing it gives you an indication that this land is really sandwiched between the roads that lead from Groves to Golden Ridge and the St. Augustine Road. At least I am told that is the area.

I would be very glad, Sir, that these matters will be cleared in the response because I have consistently advocated in this Parliament that we ought to be exceedingly careful with interfering with any agricultural land and we should only do so on the pressing demand. Quite obviously the demand for housing to facilitate the removal of people in the Zone 1 area must be a pressing undertaking.

Hon. G. W. PAYNE: Mr. Deputy Speaker, in moving that this Resolution do now pass I would like to urge Members on both sides to supply the Ministry, and I have been saying this for some time now, with locations of marginal lands on the periphery of existing communities so that we would be able to, in the words of I think it is the Honourable Member for St. John, create a land bank to avoid the problems of persons wanting to own or to rent a house spot. I believe that there is enough land in Barbados, notwithstanding its size, to accommodate everyone.

It is true that there are certain lands that have been acquired, including lands in my constituency, that nothing has as yet been done on and I believe that the Honourable Member for St. John is anxious for his development, I think it is at Clifton Hall. I am glad that over the past few months he has become so mellowed and mature that he no longer threatens to take the Ministry to court for not moving swiftly with respect to that particular development. I would like to give him the assurance that as soon as...

Mr. D. J. H. THOMPSON: If the Honourable Member would give way on a point of order. What I have done though is that I have sent every person who applied for such a lot a copy of the reply to my Parliamentary Question and I have made the point in a letter which I personally wrote to them that the ball is now in the court of the Honourable Member for St. Andrew so I have handed it over and it is for him now to deal with it.

Hon. G. W. PAYNE: I now understand your silence on this matter. Mr. Deputy Speaker, with those few remarks, I beg to move that this Resolution do now pass.

Hon. D. A. C. SIMMONS: Seconded.

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

ORDER NO. 5 – RESOLUTION TO APPROVE THE
SALE TO KASIM PATEL OF LAND AT
HAMLETS TENANTRY, HINDSBURY
ROAD, ST. MICHAEL

Hon. G. W. PAYNE: Mr. Deputy Speaker, this Resolution seeks to dispose of Lot 24, Hamlets Land, Hindsbury Road, St. Michael, to an adjoining owner, Mr. Kasim Patel, in keeping with Government's policy of offering for sale, certain abandoned and derelict buildings or lands in residential areas to the adjoining owners or to offer same by sale by public auction.

The position is that this particular lot has been derelict for some time. Mr. Patel who is the statutory tenant under the Tenancies Freehold Purchase Act is the owner of Lot 23. He has already obtained permission for certain repairs to be done to his lot. The value of this lot has been estimated at \$11 900 in keeping with market value and Mr. Patel has agreed to pay that sum for the land.

As I said he is a qualified tenant, his house is in a very poor state of repair and he is obviously awaiting the passing of this Resolution before proceeding with the repairs to his house. The Attorney General has approved this Resolution for submission to Parliament and I now move that this Resolution do now pass.

Aside.

Hon. G. W. PAYNE: The Tenancies Act would not apply now because this adjoining land. He was a qualified tenant before.

Hon. D. A. C. SIMMONS: I beg to second that.

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

ORDER NO. 13 – RESOLUTION TO LEASE LAND
AT EDEN LODGE, ST. MICHAEL TO
SOROPTIMIST INTERNATIONAL
OF BARBADOS

Hon. G. W. PAYNE: Mr. Deputy Speaker, this Resolution seeks to lease 1.96 acres of land at Eden Lodge, St. Michael to the Soroptimist International of Barbados. The Soroptimist International of Barbados, like the Kiwanis and other service organisations is a service club which has been involved in community projects relating to the

youth and senior citizens since about 1962. The club in 1974 embarked on a project to establish a **Soroptimist** Village for senior citizens of Barbados. In so doing, the club solicited Government's assistance with the project by way of requesting a plot of land on which to build the village. In 1976 the club was granted a 25-year lease with an option to renew 2.2 acres of land at Eden Lodge, St. **Michael** for the establishment of the village. The club has done an excellent **job** so far in erecting 15 efficiency units and a multi-purpose building for activities. It is now proposing to embark on a bigger project Phase IV of which will call for the construction of 16 additional rental efficiency units and has sought to raise funds by way of mortgage.
4.45 p.m.

While there is a provision in the lease for renewal of a term of 25 years, this does not arise until the year **2001** and it is necessary to have a lease of a long-term **nature** in order that the mortgage can be secured. In the circumstances, it has now been agreed that the **Soroptimists** will surrender its existing lease, the **unexpired** portion thereof, and that there should be a new lease drawn up for 50 years so that it will be able to obtain the loan facilities from the bank. So it is a renewal with a change in the sense that we **are** actually doing a completely new lease but it is for the **same** premises and it is for 50 years.

With those few remarks, Mr. Deputy Speaker, I beg to move that this Resolution do now pass.

Hon. D. A. C. SIMMONS: I beg to second that, Sir.

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

ADJOURNMENT

Hon. Miss B. A. **MILLER**: Mr. Deputy Speaker, Sir, I beg to move that this House do now adjourn until Tuesday, July 16, 1996 at 11 o'clock in the morning.

Rt. Hon. O. S. ARTHUR: I beg to second that, Sir.

The question that this Honourable House do now adjourn until Tuesday, July 16, 1996 at 11 o'clock in the morning was put and resolved in the affirmative without division, and Mr. DEPUTY SPEAKER adjourned the sitting accordingly.
4.50 p.m.

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