



Ninth Report of the

JOINT SELECT COMMITTEE ON
LOCAL AUTHORITIES, SERVICE COMMISSIONS
AND STATUTORY AUTHORITIES
(INCLUDING THE THA)

On an
Inquiry into certain aspects of the operations of the
Chaguaramas Development Authority (CDA)

Third Session (2017/2018), 11th Parliament

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Third Session (2017/2018), Eleventh Parliament

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ACRONYMS AND ABBREVIATIONS

Abbreviation	Term
CDA	Chaguaramas Development Authority
MoPD	Ministry of Planning and Development
DMRC	Diego Martin Regional Corporation
T&TTGA	Trinidad and Tobago Tour Guides Association
MoT	Ministry of Tourism
CoSL	Commissioner of State Lands
TMP	Traffic Management Plan
ODPM	Office of Disaster Preparedness Management
EMA	Environment Management Authority
TSTT	Telecommunication Services of Trinidad and Tobago
WASA	Water and Sewerage Authority of Trinidad and Tobago
MoNS	Ministry of National Security
TGATT	Tour Guides Association of Trinidad and Tobago

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EXECUTIVE SUMMARY

- 1.1. At its eleventh meeting held on Wednesday April 26, 2017, the Committee resolved to inquire into certain aspects of the operations of the Chaguaramas Development Authority (CDA) and agreed that the following three (3) objectives would guide the inquiry:
 - i. **To determine what policy and Development Plans are presently guiding the development of the North-West Peninsula;**
 - ii. **To assess the processes and criteria which are being applied by the Authority to allocate and designate land for the various developmental activities.**
 - iii. **To understand the operational constraints and challenges that are advisedly affecting the performance of the Authority.**
- 1.2. In furtherance of these objectives the Committee gathered both oral and written evidence. Oral Evidence was captured during two public meetings which were held on: Wednesday May 24, 2017, with officials of the CDA and the Ministry of Planning and Development (MoPD) and on Wednesday June 28, 2017, with officials of the CDA, the Diego Martin Regional Corporation and the Trinidad and Tobago Tour Guides Association (T&TTGA). Written evidence was gathered by sending correspondence to a selected group of stakeholders.
- 1.3. Some of the significant issues which were highlighted during the course of the inquiries included:
 - a) **The continued use of the 1974 Development Plan for the North-West Peninsula and its relevance to the developmental strategies of today;**
 - b) **The significant amount of debt on the CDA's books and the consequential effects on the viability of the Authority;**
 - c) **The need to transform the CDA into a Self-Sufficient entity;**
 - d) **The Relationship between the Diego Martin Regional Corporation and the CDA;**

- e) Considering sport tourism as a feasible initiative for the North-West Peninsula;**
- f) The compliance of the CDA's tenants with the development policy for the Peninsula and other statutory obligations;**
- g) Farming in the Chaguaramas Area;**
- h) Development activities targeted at the Off-shore Islands;**
- i) Plans for developing the Transportation network on the Peninsula;**
- j) The maintenance of Tourism Sites located in Chaguaramas;**
- k) The relationship between the T&TTGA and the CDA;**
- l) The arrangements in place for maintaining and maximizing the economic potential of the Boardwalk facilities;**
- m) Challenges associated with lease agreements entered into by the CDA.**

Based on observations made during this inquiry, the Committee has proffered recommendations which we believe will assist with addressing the challenges highlighted during the course of this inquiry. A summary of these recommendations follows this Executive Summary.

We anticipate that the Parliament, the CDA, the Ministry of Planning and Development and other stakeholders would give due consideration to the findings and recommendations contained in this Report with a view to enhancing the operations of the CDA. The Committee looks forward to reviewing the Ministerial and stakeholder responses to this Report which becomes due, sixty (60) days after it is presented to the Houses of Parliament.

SUMMARY OF RECOMMENDATIONS

- i. The MoPD should assume a leading role in reviewing the Master Development Plan, 2015 with the input of the CDA and provide the Parliament with a status update on this review exercise as well as a plan/strategy for producing a new or revised development plan for the north-west peninsula.
- ii. The CDA should collaborate with its line Ministry to produce a “recovery plan” to guide the reformation of this Authority. This plan should be completed and submitted for the attention of this Committee by July 01, 2018.
- iii. The Compliance Unit of the CDA should undertake a thorough examination of tenants’/leaseholders’ records in order to determine whether they are compliant with statutory obligations. Further to this, the CDA must take appropriate legal and or administrative action against those who are non-compliant.
- iv. There should be further collaboration between the CDA and the DMRC. In this regard, we suggest that:
 - i. the CDA designate an officer to attend monthly Regional Coordinating Committee meetings of the DMRC. The Line Ministry should also seek to have a representative attend these meetings;
 - ii. a MoU to guide the parameters of cooperation between these two bodies should be formulated and encourage continuity regarding of changes in the management of both entities.
- v. In its Ministerial Response to this report, the line Ministry must account to the Parliament for what appears to be its failure to act pursuant to Section 6 of the TCP Act.

- vi. The CDA should develop a revised Model Layout plan which should guide the configuration and intensity of further physical and infrastructural development activities in the region.
- vii. In the Ministerial Response to this report, the line Ministry should provide the Parliament with confirmation of:
 - i. The status of the assessments
 - ii. The criteria used to assess these requests for approval;
 - iii. The rationale for approving or rejecting the requests which were already assessed.
- viii. In its Ministerial Response, the Ministry of Planning and Development should provide the Parliament with a definitive position on the legal status of the operations of the Pier 1 Facility vis-à-vis the Lease Agreement between the operators of the facility and the CDA and the Land Use stipulations set out in the 1974 Plan. This should be accompanied by a copy of any investigative reports which was submitted on this matter by the EMA, IMA and the Maritime Services.
- ix. Given the significant ecological and economic potential/value ascribed to the North-West peninsula, the development plan for this region (and other regions) should be carefully and strategically integrated with the national development policy.
- x. CDA should seek to urgently engage stakeholders within two months of the presentation of this report to the Parliament with a view to formulating and testing an appropriate emergency response plan and an evacuation plan for the North-West peninsula.

- xi. The line Ministry should significantly increase its oversight of its operations and play an active role in assisting the organization to rationalize its operations and to formulate strategies to assist in its rejuvenation. Greater innovation and creativity must be incorporated into the organization's operations moving forward.
- xii. The CDA should take decisive action on leases for which it has received legal advice. It is further recommended that the CDA exercise its right to invoke the termination clause in its leases. Compulsory acquisition should be initiated within the prescribed legal parameters for occupied public land.
- xiii. We recommend that consideration be given to temporarily suspending the granting of leases and the processing of applications for leases, until the CDA has conducted a proper reconciliation of its existing lease arrangements and has the benefit of the necessary legal guidance to inform its future negotiations with potential investors.
- xiv. The EMA and IMA should provide technical guidance to the CDA to ensure that sufficient environment protection measures are implemented to counteract the potential impact of an expansion in commercial activities on the seabed.
- xv. There needs to be a critical review of the CDA Act Chapter 35:02 with a view to updating it provision to be more aligned to prevailing realities.
- xvi. The CDA needs to work assiduously in building its relations with tourism stakeholders including the Ministry of Tourism, the National Trust of Trinidad and Tobago and the T&TTGA with a view to forging an alliance for the purpose of rejuvenating and sustaining tourism activities in the North-west peninsula.

- xvii. The CDA should undertake a review of its organizational structure given the findings of the manpower audit and establish a new organizational structure that is consistent with the recommendations of the manpower audit and the strategic goals of the Authority.
- xviii. The CDA should forward a proposal to the PS, MoPD for the consideration of public private partnerships to assist the CDA in the development of the north-west peninsula.
- xix. The CDA's line Ministry should carefully and objectively consider whether the CDA is currently fulfilling its core mandate. An assessment of the efficacy of the CDA's involvement in promoting tourism in the north-western peninsula should be conducted.
- xx. It would be useful for the CDA to re-evaluate the feasibility studies and concept documents associated with the Board Walk Project to determine what may be stymieing its success. The CDA must also conduct comparative research of the business models used by other countries in relation to boardwalks and similar facilities with a view to determining how best to optimize this facility.
- xxi. Urgent action should be taken to rectify the telecommunication challenges affecting the CDA. In the interim, the CDA should continue to strategically utilize email as well as suitable forms of social media maintain robust connectivity with the public.

INTRODUCTION

Background

- 2.1. The Chaguaramas Development Authority (CDA) is a statutory body, established in 1972 under the Chaguaramas Development Authority Act, Chap. 35:02³ and mandated *inter alia* to provide for “the development of the North-West Peninsula in the interest of the People of Trinidad and Tobago”.⁴ In accordance with the provisions of the Act, the Chaguaramas Development Authority (CDA) is empowered to promote the development of the peninsula so as to maximize the returns from the lands under its control.
- 2.2. By virtue of the Chaguaramas Development Authority Vesting Order (under section 16 of the Act), the Authority has been vested with 4,850 hectares of land, comprising the entire North-West Peninsula of Trinidad.⁵
- 2.3. The Authority’s policy is to encourage development by granting leases to private individuals and companies for:
 - Eco-tourism and the Resort Hotel Industry;
 - Leisure and Recreational facilities;
 - The Marine Industry; and
 - Knowledge-Based Industries.⁶
- 2.4. Its range of property management activities includes physical planning and development; estate management including collection of rents and arbitration; and asset valuation. Its Tenancy Department performs the lease management functions of the Authority.

³ http://rgd.legalaffairs.gov.tt/laws2/alphabetical_list/lawspdfs/35.02.pdf

⁴ http://www.terrainstitute.org/lupap/lupap_pdf/lm004.pdf

⁵ Assessment of State Agencies with Responsibilities for Lands and Other Real Properties – Chaguaramas Development Authority. Terra Institute. http://www.terrainstitute.org/lupap/lupap_pdf/lm004.pdf

⁶ http://www.terrainstitute.org/lupap/lupap_cd/landmanagexpe.html

2.5. As at May, 2017, the following person comprised the Board of the CDA:

1. Narine Gupte-Lutchmedial - Chairman
2. Deborah Cheesman - Deputy Chairman
3. Mary Bliss Seepersad - Member
4. Robert Cezair - Member
5. Judith Primus-Chow - Member
6. Juliet Ann Roberts-Antoine - Member
7. Noel Elias - Member

Fiscal Expenditure

2.7. The CDA's main source of revenue for recurrent expenditure is derived from the rental of lands and buildings throughout the peninsula while developmental funding is received through the CDA's application for development projects.

2.8. The CDA also owns and manages the only public golf course in the country which is a subsidized public facility. A third source of revenue is the Chaguaramas Hotel and Convention Centre which houses long-term and short-term tenants.⁷

Government Funding

2.9. Details of the Estimates of Recurrent Expenditure of the CDA for the period 2014-2017 are outlined in Table 1 below:

Table 1

Details of Estimates of Recurrent Expenditure for the years 2014- 2017

2014 (Actual)	2015 (Actual)	2016 (Estimates)	2016 (Revised Estimate)	2017 (Estimate)
-	\$10,000,000	\$10,000,000	\$10,000,000	-

⁷ Page 95 Ministry of Planning, Housing and the Environment Administrative Report 2007/2008

- 2.10. Details of Estimated Revenue and Expenditure for the year ending 30th September 2017 are at Table 2⁸:

Table 2
Chaguaramas Development Authority
Estimated Revenue and Expenditure for the year ending 30th September 2017

Personnel Expenditure	Goods and Services	Minor Equipment and Purchases	Current Transfers and Subsidies	Total	Revenue	Government Loan/Subvention
\$28,326,000	\$25,654,000	0	\$2,020,000	\$56,000,000	\$56,000,000	-

Conduct of the Inquiry

- 2.11. The Committee held two (2) public hearings with the CDA and other stakeholders. The first was held on Wednesday May 24, 2017 with representatives of the CDA and the Ministry of Planning and Development (MoPD) and the second on Wednesday June 28, 2017 with representatives of the CDA, DMRC and T&TTGA. A list of officials who attended these public hearing can be viewed at Appendix II.
- 2.12. Prior to the first public hearing, the Committee wrote to the CDA requesting written responses to certain preliminary questions. The written responses submitted by the CDA provided a frame of reference for the questions pursued at the hearing.
- 2.13 The Minutes and Verbatim Notes are attached as **Appendix I and Appendix III** respectively.

⁸<http://www.finance.gov.tt/wp-content/uploads/2016/09/Estimates-Statutory-Boards-2017-Final-Book-Numbered.pdf>

Summary of Evidence, Findings and Recommendations

Objective 1: To determine what Policy and Development Plans are presently guiding the development of the North-West Peninsula

Legislation guiding the development of the North-West Peninsula

3.1.1. The Legislation guiding development plans for the North-West Peninsula include:

- a. Chaguaramas Development Authority Act No. 37 of 1972;
- b. Chapter 35:02, Town and Country Planning Act Chapter 35:01;
- c. Environmental Management Act Chapter 35:05; and
- d. Municipal Corporation Act Chap 25:04.

3.1.2. Other legislation guiding the development plans are:

- a. State Lands Act Chap 57:01;
- b. Institute of Marine Affairs Act Chap 37:01;
- c. Forestry Act Chap 66:01; and
- d. Conservation of Wildlife Act Chap 67:01.

Development Plans

3.1.3. The CDA informed the Committee that development plans for the North-West Peninsula require approval by the Parliament in accordance with the Town and Country Planning Act Chapter 35:01. In this regard, the CDA has one approved plan; the Development Plan of 1974. Several other plans were drafted but did not obtain the required statutory approvals for myriad of reasons. Some of these draft plans include:

- i) the 1988 draft - prepared by a Company called Plan Viron; and
- ii) the Draft Master Development Plan, 2015 - developed by a team of local consultants⁹.

⁹ Halcrow Group (T&T) Ltd., a CH2M HILL company, is a leading global consultancy in transport, development and natural resources with over 50 years ongoing presence throughout the Caribbean.

Primary Plans

- 3.1.4. Apart from the Development Plan 1974, the National Physical Development Plan 1984 is also a primary plan which guides the CDA in the development of the North-West Peninsula.

Other policies and plans

- 3.1.5. The following are additional policies and plans which guide the developmental activities in the North-West Peninsular:
- a. The Chaguaramas Development Authority Leasing Policy dated 13th February 2012 (under review by CDA Board);
 - b. Draft Forestry, Protected Areas and Wildlife Conservation Bill 2014;
 - c. National Forest Policy 2011;
 - d. National Protected Areas Policy 2011; and
 - e. National Environmental Policy 2005.
- 3.1.6. The following documents also referenced:
- a. Draft Chaguaramas Development Plan- Ministry of Planning and Mobilisation, Town and Country Planning Division, November 1988;
 - b. Chaguaramas Master Plan 2015;
 - c. National Spatial Development Strategy for Trinidad and Tobago 2012/2013.

Challenge with the Development Plan, 1974

- 3.1.7. The CDA advised the Committee that the development of the Chaguaramas area was being constrained by the lack of an update development plan for the region. As such, the CDA is focusing on improving or enhancing or adopting parts of the Draft Master Development Plan, 2015.

Draft Master Development Plan, 2015

- 3.1.8. The CDA informed the Committee that the Draft Master Development Plan, 2015 is being reviewed by the Board to determine:
- a. the extent to which the Master Plan 2015 is in alignment with the National Development Strategy (Vision 2030);
 - b. whether the Master Plan 2015 conforms with:
 - the National Physical Development Plan 1984;
 - the National Spatial Development Strategy (NSDS);
 - the 2014 Draft Forestry, Protected Areas and Wildlife Conservation Bill;
 - National Forest Policy 2011;
 - National Protected Areas Policy 2011;
 - the National Environmental Policy 2005; and
 - c. which components of the Master Plan 2015, if any, may be considered suitable to promote and guide the development of the North-West peninsula.
- 3.1.9. During the first hearing, the Deputy Permanent Secretary (DPS), MoPD submitted that the CDA's line Ministry was willing to assist in expediting the CDA's review of the Draft Master Development Plan (2015) to reduce the timeframe for its completion and to assess its compatibility with the Government's Vision 2030 Policy. The DPS, MoPD further advised that the plan should be submitted to the MoPD so that it can be forwarded for the necessary approvals to be obtained.
- 3.1.10. It was also indicated that comparative development plans have been analyzed to identify any new aspects that can be incorporated into the Draft Master Development Plan, 2015, for submission to Cabinet. However, these have not been finalised.

Delineating the CDA's jurisdiction

- 3.1.11. The Committee was informed that the CDA's boundary begins after Alcoa on the Western Main Road (after Abbey Poujade Street in Carenage) and ends at Chacachacare. As such, Diego Martin is not incorporated in CDA's boundary.

Role of the Diego Martin Regional Corporation in Developing Lands falling under the purview of the CDA

- 3.1.12. The Committee was informed that the DMRC does not have a statutory obligation for the development and maintenance of tourist sites located in the Chaguaramas area. However, through its Building Inspectorate Unit, the DMRC examines and approves or disapproves plans which have received planning permissions from the Town and Country Planning, MoPD, inclusive of plans for lands designated to the CDA.
- 3.1.13. Additionally, the Corporation provides assistance to the CDA based on formal requests. Support services provided include Disaster Management, Health Services, truck-borne water, and cutting and removal of fallen trees.

The Number of Compliant Leaseholders with Planning Approvals

- 3.1.14. During the period 2000 to 2017, the DMRC received thirty-eight (38) planning permissions from Town and Country Planning Division (TCPD) which fell under the purview of the CDA. However, it appears that in addition to the approval of TCPD, the approval of the associated Regional Corporation is also necessary. The Committee was advised that only five (5) leaseholders obtained the necessary statutory approvals from both of these bodies. The remaining thirty-two (32) leaseholders are yet to provide the required documentations necessary for final approval.
- 3.1.15. On this note, the CDA indicated that its Compliance Unit conducts regular compliance visits to all tenants. Tenants without the necessary regulatory approvals are flagged as this is considered a breach of the lease agreement. Complaints concerning the lack of approvals are discussed with tenants. Follow-up compliance visits are also conducted and tenants who remain non-compliant in terms of obtaining final approvals are issued stringent letters, some of which invite tenants to visit the CDA's office for further discussion on the issue. The CDA was unable to state the number of tenants who are not in full compliance with regards to obtaining approvals.

Land and Building Violations

3.1.16. The Committee was informed by the DMRC that there have been instances of violations of land and building plans in the North-West region. In such instances, the DMRC has served demolition notices to quit. Additionally, over the years, some small structures in the CDA region have been removed. Approximately fifty to sixty per cent of tenants throughout the region were in breach of the regulations.

Findings

3.1.17. Based on the evidence set out in the previous section the Committee concluded as follows:

- i. The Development Plan 1974 is outdated and 44 years later remains the only approved plan to guide developmental activities in the north-west peninsula;
- ii. The CDA has sought to enhance the existing development framework for the North-West Peninsula by examining the contents of more recent plans such as the Draft Master Development Plan, 2015. However, it appears that due to internal operational challenges at the Authority the progress on this exercise has been delayed. The line Ministry's willingness to assist the CDA in this regard was noted.
- iii. The DMRC and CDA have distinctive jurisdictions as it pertain to the dissemination of services and approvals to the residents and business community of Chaguaramas. However, as primary development regulators in this region, closer collaboration will only advance the efficient planning and development of the North-west peninsula;
- iv. The records management processes at the CDA appeared inadequate as the CDA was unable to confirm the number of tenants/leaseholders who do not possess the necessary statutory approvals to operate in the Chaguaramas Region. As such, it was not surprising that the DMRC revealed that approximately 50 to 60% of tenants throughout the CDA's region were in breach of certain statutory requirements.

- v. The Committee noted that Part II, Section 6 of the Town and Country Planning (TCP) Act mandates that the Minister, “At least once in every five years after the date on which a development plan...is approved by Parliament...” must “carry out a fresh survey...and submit to Parliament a report of the survey, together with proposals for any alterations or additions to the plan that appear to...be required...”. However, there was no evidence which suggested that this statutory requirement has been adhered to by the line Ministry.

Recommendations

- A. The Committee recommends that the MoPD assume a leading role in the reviewing of the Master Development Plan, 2015 together with the input of the CDA. It is further recommended that in the Ministerial Response of this report, the Ministry must provide the Parliament with a status update on this review exercise as well as a plan/strategy for producing a new or revised development plan for the north-west peninsula.
- B. Given the operational challenges confronting the CDA and the consequential impact on the execution of its mandate, we recommend that the CDA collaborate with its line Ministry to produce a “recovery plan” to guide the reformation of this Authority. This plan should be completed and submitted for the attention of this Committee by July 01, 2018.
- C. We recommend that the Compliance Unit of the CDA undertake a thorough examination of tenants'/leaseholders' records in order to determine whether they are compliant with statutory obligations. Following this review, the CDA must take appropriate legal and or administrative action against those who are non-compliant.

- D. There should be further collaboration between the CDA and the DMRC as ultimately both entities are required to perform crucial regulatory responsibilities as it related to various forms of activities in this region. In this regard, we suggest that:**
- i. the CDA designate an officer to attend monthly Regional Coordinating Committee meetings of the DMRC. The Line Ministry should also seek to have a representative attend these meetings;**
 - ii. a MoU to guide the parameters of cooperation between these two bodies should be formulated and encourage continuity regarding of changes in the management of both entities.**
- E. We recommend that in its Ministerial Response to this report, the line Ministry must account to the Parliament for what appears to be its failure to act pursuant to Section 6 of the TCP Act.**

Objective 2: To assess the processes and criteria which are being applied by the Authority to allocate and designate land for the various developmental activities.

Land Usage

- 3.2.1. To determine the purposes for which land will be used, the CDA refers to its Act No. 37 of 1972 as amended (Legal Notices for Special Reserve Areas) and the Development Plan 1974. Specifically, Appendix 1 of the Development Plan 1974 outlines the *Schedule of Land Use Designations* for the lands vested in the CDA (See Appendix IV of this report). Further, development in the respective zones as stated in the Development Plan 1974 are to be compatible with the uses detailed in Appendix IV and Appendix V of the Plan.
- 3.2.2. Clauses 3 of the Development Plan 1974 also specifically identifies the proposed land uses for areas in the North-West Peninsula including Highlands, Scotland Bay, Tetron Bay, Staubles Bay, Chaguaramas, Point Gourde, the Marina Area, Carenage Area, Tembladora, Tucker Valley, Macqueripe, the Off Shore Islands (Gaspar Grande, Monos, Huevos, Chacachacare).
- 3.2.3. The CDA refers to the Model Layout Plans, Development Plan Map and Appendix III of the Development Plan 1974 in determining the amount of land to be assigned for the various purposes and activities. However, the CDA's submission to the Committee advised that the model layouts are merely indicators of the general form and intensity that development can assume and are not intended to be rigidly adhered to.

The terms and conditions under which land will be leased for private/commercial activities

- 3.2.4. The CDA is guided by its leasing policy in determining the terms and conditions under which lands are to be leased for private/commercial activities in the North-West peninsula.

- 3.2.5. Master Leases are approved by the Board and its terms and conditions are guided by its Leasing Policy. Additionally, Cabinet's approval is required for leases granted for 30 years with an option to renew for another 30 years or for 99 years.
- 3.2.6. The Committee was advised that the CDA is currently reviewing/considering forty-one (41) requests for approval to execute projects on the North-Western peninsula.

Sport Tourism as a potential developmental activity

- 3.2.7. The Committee was informed that the CDA's Business Development Sub-committee encompasses the various aspects of Business Development including Sports Tourism. The CDA also indicated that it is currently undertaking extensive renovation of the golf course which has been attracting an increased number of golfers.

Issues with Pier 1

- 3.2.8. The Committee was informed that the use of the site for Pier 1 is consistent with marina type activities articulated in the Development Plan, 1974. Further, it was submitted that in accordance with Clause 3.8.5 of the Chaguaramas Development 1974 Plan, Pier 1 and Pier 2 are located within the Carenage Bay Model. This area under the Model is *"to be developed as a Commercial Centre to include:*
- a) Hotel Sites*
 - b) Convention Centre*
 - c) Hotel Training School*
 - d) Handicraft manufacture and shopping*
 - e) General and in bond shopping*
 - f) Light clean industries related to tourist development. (Tourist landing facilities)*
 - g) Social and Recreational Facilities*
 - h) Bathing facilities"*

- 3.2.9. Clause 3.8.4 of the said 1974 Plan further stated as follows: *“Additionally, the area is in close proximity to the piers in Carenage Bay which are used occasionally for berthing commercial boats and which it is anticipated will eventually be developed to provide berthing and landing facilities for passenger ship.”*
- 3.2.10. Further, the Committee was informed that, *“The Pier 1 area is leased to a company called Sun Island Cruises Ltd and under the lease the permitted use is stated as:*
- i) To establish a cruise ship facility to be situated at Pier 1 in Carenage Bay, Chaguaramas for embarkation of passengers and cargo and which will cater extensively for social gatherings, conferences, excursions, day, night and sunset cruises and a wide range of water sports which will include sailing, windsurfing, canoeing, diving/snorkelling, paddle boating, fishing (where possible) and swimming;*
 - ii) To establish a mariner facility for servicing pleasure crafts and ships;*
 - iii) To establish for the better enjoyment of the above facilities: a bar, a restaurant, sports facilities, a clubhouse, a jetty and car park.”*
- 3.2.11. An incident in 2015/2016 occurred where the CDA discovered that there were certain large vessels berthed at the Pier I facility. The CDA’s Legal and Compliance Department investigated same and alerted the relevant regulatory bodies (EMA, IMA and Maritime Services). The CDA reviewed all responses and consideration was given to whether the tenant may be in breach of his lease agreement given that the terms of the lease prescribed that the areas be use for “pleasure crafts and ships”. No determination was made as to whether the lease granted to Sun Island Cruises Ltd is in contravention of the Development Plan 1974 and/or whether the current activities at Pier I are in contravention of the said Development Plan. An opinion on same has been sought by the CDA from external legal counsel.
- 3.2.12. The CDA also indicated that it is unaware of any industrial activities taking place at the site. However, the CDA indicated that the uses of Pier 1 have changed significantly. A Planning specialist at the line Ministry advised the Committee that as far as he was aware the current activities at Pier 1 are consistent with the 1974 plan as it relates to marina type activities.

Agriculture Activities

- 3.2.13. The CDA indicated that it is actively pursuing collaboration with the Ministry of Agriculture, Land and Fisheries for the development of Agriculture in the region. The CDA also indicated its intent is to rejuvenate the *Seed Project* to reduce the importation of seedlings by supplying the same to farmers across the country.
- 3.2.14. As it pertains to the Tucker Valley area it was submitted that approximately 44% of lands in this area is dedicated to agricultural activities comprising 455 acres of flat land and 200 acres which is being used for farming. Additionally, the future course of action to be taken with respect to 100 acres previously designated to the now defunct Tucker Valley Agricultural Enterprise Limited (TVET) (which was an area zoned for agriculture under the Development Plan 1974), will be determined based on legal advice.
- 3.2.15. It was also indicated that the Minister of Agriculture, Land and Fisheries has visited the site on a couple of occasions along with CDA personnel to discuss certain prospective agricultural developments for the area. Additionally, the CDA continues to work alongside the Ministry of Agriculture, Land and Fisheries and other stakeholders including ChagFarms Ltd (tenant with a mega farm) to promote agriculture in the Tucker Valley area. The CDA submitted that within the ensuing few months certain portions of the Tucker Valley area will be developed for use by farmers.
- 3.2.16. The Committee was also informed that the CDA intends to return its focus to farming in the Chaguaramas area and was therefore seeking to amicably resolve its ongoing court matter with the Guave Road Farmers.

Development Plans for the Off Shore Islands Falling Under the Purview of the CDA

- 3.2.17 In short, the 1974 planning recommended land use purposes for the offshore islands as follows:
- i. **Gaspar Grande-** Resort Housing and Tourism
 - ii. **Monos-**Resort housing and National Park;
 - iii. **Huevos-** National Park and recreational activities; and
 - iv. **Chacachacare-** Resort Residential, public beach, marina and restaurant facilities.
- 3.2.18. The Committee was advised that the Draft Master Plan, 2015 identified options for the further development of the off-shore islands. As such, the review of the plan will determine whether or not the stipulations in the plan are in keeping with current Government's development Policy for the North-west Peninsula.
- 3.2.19. In this regard, the MoPD indicated that it has not engaged the CDA with a view to formulating a business plan or business proposal for the development of the offshore islands. However, the Ministry advised that it intends to continue discussions with the CDA Board on the relevant areas of the Draft Master Development Plan, 2015 with regards to ensuring that the right land is available to support the relevant activity and to avoid appropriate land use.

Evacuation Plan

- 3.2.20. The CDA informed the Committee that discussions are being held with the Defence Force with regards to establishing the necessary infrastructure to treat with injuries in the event of an emergency and for an Evacuation Plan given the traffic congestion associated with events held at the peninsula.

- 3.2.21. The County Superintendent, DMRC confirmed that discussions are ongoing with the Ministry of Works and Transport to improve the evacuation plan. It was also indicated that evacuation by sea or by air was explored by the Corporation because of restricted road options for existing the area.

Findings

- 3.2.22. Based on the evidence set out in the previous section the Committee concluded as follows:

Land Usage

- i. It is noted that leases were granted to investors to undertake activities in the absence of a revised planning framework. The Development Plan 1974 and the CDA's Act provides a framework to guide the allocation and designation of land in the Chaguaramas area, however, in the absence of adequate monitoring and tracking of developmental activities by the CDA, the Committee was unclear whether or not there are developments which have taken place in the north-west peninsula which are not aligned to the provision of the 1974 plan.
- ii. The Model Layout plans used to determine the amount of land to be assigned for various purposes and activities is not intended to be rigidly adhered to.
- iii. It is axiomatic that a revaluation of the land guidelines set out the 1974 Plan would involve a revaluation of the Land Use guidelines set out at Appendix I to IV of the Plan.
- iv. The assessment of the forty-one (41) requests for approval to execute projects on the North-Western peninsula is important to ensuring that the proposal activities are aligned to Plans and Policies of the CDA and the line Ministry. A decision will have to been taken as to what criteria will be used to evaluation these Request for Approval? Those set out in the 1974 Plan or those outline din the Draft 2015 Master Plan?

Issues with Pier 1

- v. The Committee noted that although investigations were conducted on the facility and the operations of Pier 1, the CDA and the line Ministry appeared to be uncertain about whether the Pier 1 facility is being operated in line with the 1974 Plan and is not in breach of the terms of its lease agreement.

Emergency and Evacuation Plan

- vi. The Committee was concerned to learn that notwithstanding the increased level of recreational and entertainment activities in this region, a documented and tested egression/evacuating plan for the Chaguaramas region does not exist. This is inconceivable and must be immediately address through multi-stakeholder cooperation.

Recommendations

- A. We recommend that subsequent to the approval of the revised Draft Master Plan, 2015 that the CDA develop a revised Model Layout plan which should guide the configuration and intensity of further physical and infrastructural development activities in the region.
- B. With respect to the assessment of requests for approval to undertake activities in that are currently being considered by the CDA, we recommend that in the Ministerial Response to this report, line Ministry provide the Parliament with confirmation of:
 - i. The status of the assessments
 - ii. The criteria used to assess these requests for approval;
 - iii. The rationale for approving or rejecting the requests which were already assessed.
- C. We recommend that in its Ministerial Response, the Ministry of Planning and Development provide the Parliament with a definitive position on the legal status of the operations of the Pier 1 Facility vis-à-vis the Lease Agreement

between the operators of the facility and the CDA and the Land Use stipulations set out in the 1974 Plan. This should be accompanied by a copy of any investigative reports which was submitted on this matter by the EMA, IMA and the Maritime Services.

- D. Given the significant ecological and economic potential/value ascribed to the North-West peninsula, the development plan for this region (and other regions) should be carefully and strategically integrated with the national development policy.
- E. Given that a proper emergency and evacuation plan is critical and long overdue, we recommend that the CDA seek to urgently engage stakeholders within two months of the presentation of this report to the Parliament with a view to formulating and testing an appropriate emergency response plan and an evacuation plan for the North-West peninsula.

Objective 3: To understand the operational constraints and challenges that are advisedly affecting the performance of the Authority.

CDA's debt

- 3.3.1. The Committee was informed that the Board on assuming office requested an audit on the Authority which revealed that the CDA has an aggregate debt of one hundred and eighteen million, nine hundred and twelve thousand, three hundred and fifty-four dollars and eighty-six cents (\$118,912,354.86).
- 3.3.2. The report on the audit was submitted to the Ministry of the Attorney General and Legal Affairs and the Committee was advised that this Ministry will determine whether it is to be made public. The CDA maintained that it does not have possession of the audit report and that the recommendations from this audit report have not been implemented. The main contributors to the CDA's debt is summarized at Appendix VII.
- 3.3.3. In order for the Authority to improve its financial position, rebuild stakeholder reputation and investor confidence, the CDA prepared a strategic plan 2016 to 2020 which focuses on the following strategic objectives:
- i) Increase revenue from existing business;
 - ii) Increase revenue from new lines of business;
 - iii) Improve financial performance;
 - iv) Reduce operating costs;
 - v) Broaden range of services and products;
 - vi) Maintain a safe and pristine environment;
 - vii) Maintain a secure north-west peninsula;
 - viii) Strengthen the CDA brand;
 - ix) Enhance quality of customer service;
 - x) Strengthen stakeholder management;
 - xi) Improve park management;

- xii) Strengthen marketing and brand management;
- xiii) Enhance management systems;
- xiv) Implement good governance best practices;
- xv) Improve and leverage technology platform;
- xvi) Increase organizational alignment;
- xvii) Strengthen strategic competencies;
- xviii) Create a learning organization; and
- xix) Develop a high-performance culture.

3.3.4 Under these projects the following are being undertaken:

1. A Manpower Audit which will provide possible solutions/recommendations to further reduce the CDA's operational cost, as well as a cost-effective structure which will be aligned to CDA's core functions;
2. Revised negotiation strategies with debtors, including the establishment of payment plans;
3. Commencement of a due diligence and audit exercise of major utilities, with a view to cutting out wastages wherever possible;
4. Closing off on rent reviews to boost rental income;
5. Regularization of leases; and
6. Increasing revenue from existing business as well as identifying business opportunities for large scale investments.

3.3.5. The CDA indicated that it will continue to aggressively leverage and strengthen its partnership outreach efforts in meeting its overarching objective of conserving and developing the northwest peninsula.

3.3.6. The CDA also indicated that it has been making representations to the MoPD for assistance in reducing its Government financing or PSIP debt. As it relates to some of the other debts, the CDA indicated that it has been making part payments for example for contracts external to PSIP funding.

3.3.7. Additionally, consideration is to be given as to whether salary expenses can fall within 35% to 50% of the overall operating expenses of the Authority pending the completion of the Manpower Audit.

Challenges with meeting expenses

3.3.8. The CDA admitted that it has been running a deficit for the past couple years. Its monthly operating costs for April, 2017 was approximately \$2.6million.

Inability to pay salaries on time

3.3.9. CDA currently has a cadre of 253 employees comprising 101 daily rated, 129 monthly paid, 14 temporary daily rated employees and 9 contracted employees. A breakdown of CDA's staff compliment is at **Appendix VIII**.

3.3.10. Salaries account for 90% of CDA's expenses. This was evident by information submitted by the CDA as illustrated in Table 3 below:

Table 3
Comparison of Salary Expenditure & Revenue 2016/2017 YTD

COMPARISON OF SALARY EXPENDITURE & REVENUE 2016/2017 YTD							
	OCT	NOV	DEC	JAN	FEB	MARCH	APRIL
Staff Costs	2,011.00	500.00	200.00	4,300.00	492.00	1,200.00	2,500.00
Overtime	141,133.00	76,636.00	28,880.00	65,934.00	8,026.00	60,646.00	48,109.00
Salaries & salary related costs	3,227,965.00	2,654,592.00	2,336,596.00	2,274,856.00	2,184,622.00	2,184,030.00	2,175,706.00
TOTAL	3,371,109.00	2,731,728.00	2,365,676.00	2,345,090.00	2,193,140.00	2,245,876.00	2,226,315.00
TOTAL REVENUE	2,582,595.00	2,702,586.00	2,612,233.00	3,180,924.00	2,927,322.00	3,485,170.00	2,921,243.00

3.3.11. The CDA also indicated that it struggles to pay salaries every month to its monthly and daily paid staff. Further, it was indicated that there have been months when the payment of salaries was delayed. Currently, salaries are given priority for payment but this arrangement has resulted in other debts remaining unpaid and in some instances, interest has been accruing. The Manpower Audit was commissioned as a result of the challenges with meeting salary expenses.

High overtime bill for maintenance works on the peninsula

3.3.12. The CDA has a high overtime bill for maintenance of the peninsula. However, temporary employees are employed on a shift basis which assists in reducing the amount of overtime paid to daily rated staff as is evidenced in Table 4 below:

Table 4
Effect of Use of Temporary Workers on Overtime Bill

Year	2014	2015	2016	2017
Financial Impact	\$2,006,926.73	\$2,499,243.54	\$89,336.04	\$168,574.35

Payment of pensions and gratuity

3.3.13. The CDA indicated that it has been unable to pay gratuities for the period 2011 to 2013. The amount owed to employees as at April 2017 was \$851,648. 40.

3.3.14. It was also indicated that the CDA has an ageing work force which has contributed to its high personnel costs. Some pensioners have taken the CDA to court regarding outstanding pensions which totals to \$50million. The CDA received \$10million from the MoPD to pay pensions which was used to settle some outstanding pension payments ordered by the Court. The CDA attributed the pension liability to the absence of a pension plan which was only established in 2015 although required by the CDA Act.

Retrenchment of employees

3.3.15. Given its financial constraints, the CDA retrenched four (4) employees, the Manager of Estates and Operations, Manager of Finance, Urban Planner and Assistant Manager of Facilities. All four employees were given a retrenchment package in accordance with the Retrenchment and Severance Benefits Act Chapter 88:13. The CDA has had no further recruitment pending the Manpower Audit. The union and employees were informed that the Manpower Audit was due to be completed on June 8, 2017.

Inability to pay utilities

- 3.3.16. The CDA owes a considerable amount of arrears to public utility companies including the Trinidad and Tobago Electricity Commission (T&TEC), Water and Sewage Authority (WASA), Telecommunication Services of Trinidad and Tobago (TSTT) and Columbus Communication (FLOW). It was indicated that small monthly payments are being made towards reducing these balances. In order to avoid disconnection, the CDA has been negotiating payment plans with utility companies such as TSTT. However, the Committee was informed that CDA has even been struggling to pay its bill in installments.
- 3.3.17. The CDA advised that its WASA bill is being queried because it appears that in certain cases, the CDA was billed instead of the CDA's tenants.
- 3.3.18. The strategic utilization of CCTV cameras by CDA has been adversely affected by the Authority's inability to cover its utility bills. The current situation requires the CDA to prioritise payments for some services that are essential to its operations.

Debt owed to past service providers

- 3.3.19. Additionally, the Committee was informed that in the past, service providers and contractors were engaged to provide services to the CDA but were not paid because of a lack of funds. Some of these service providers have terminated their services which has further affected the Authority's daily operations. For example, electrical, plumbing and IT issues which have been existing since 2016 have worsened.
- 3.3.20. It was also indicated that some service providers are refusing to supply services or goods on purchase orders without being paid within thirty (30) days and others have refused to provide quotations until they are paid in full.
- 3.3.21. Numerous pre-action protocol letters have been issued against the CDA for breaches in contracts and outstanding monies owed. To avoid further litigation costs, CDA has been holding back on the filing of court actions against it.

Lack of Business Development

- 3.3.22. The Committee was informed that the lack of funds have stymied the initiation and advancement of business ideas and projects. Notwithstanding the Authority advised that it has been aggressively marketing several projects over the past year. The CDA submitted that if it is unable to capitalize on social media, radio and print, it is unlikely that it will be able to effectively and efficiently reach its desired targets.
- 3.3.23. The CDA has also worked closely with the now defunct Tourism Development Company (TDC) by attending meetings to discuss the formation of the Tourism Policy for Trinidad and Tobago. The CDA's products and services were presented to the TDC. The TDC in turn, collaborated with the Tour Guide Association of Trinidad and Tobago (TGATT) to market CDA's products and services.

Plans to achieve self-sufficiency

- 3.3.24. The strategies applied over the past twenty (20) months by the CDA to achieve self-sufficiency entailed the development of a strategic plan for the period 2016-2020. It was indicated that the strategic plan 2016 to 2020 focuses on the following initiatives:
- increasing contribution to the national economy;
 - enhancing the CDA and northwest peninsular customer experience; and
 - strengthening CDA's governance and operating policies and procedures.
- 3.3.25. The CDA has also been aggressively pursuing outstanding rents and moneys owed to the Authority. A rent collection team has been established comprising employees of the Office of the General Manager, Legal and Compliance Department, Finance Department and Business Development Department. Meetings are held weekly to monitor the progress and to discuss challenges. The GM will intervene where the tenant is especially difficult or where funds are required urgently.

3.3.26. However, as it pertained to the projects the Board intends to pursue to generate revenue, it was indicated that it was not possible for the CDA to embark on the projects at this time as the focus was on debt reduction.

Source of Revenue

3.3.27. The Committee was informed that the main source of CDA's revenue is rents paid by tenants and leaseholders. Other revenue streams include car parks, the golf course, tours of tourism sites, Gasparee Caves, short-term events such as fetes and short-term licenses to vendors.

3.3.28. Additionally, the Committee was informed that the CDA receives funding from the national budget for development projects only and not for recurrent expenditure. Under the Development Programme, the CDA received an allocation of \$7,750,000 for fiscal 2016/2017.

3.3.29. The CDA indicated that a disparity between revenue earned and revenue actually collected exists because in some cases, especially after 2010, tenants were not paying rents and the Authority failed to act decisively to secure these payments by issuing non-payment notices and Notices to Quit. In other cases, the payment of debts owed to the CDA were statue-barred.¹⁰ However, the CDA indicated that it is anticipated that there will be an improvement in the collection of rents in 2017.

¹⁰ (especially of a debt claim) no longer legally enforceable owing to a prescribed period of limitation having lapsed.

3.3.30. The total revenue earned/collected by the CDA over the past five years is illustrated in Table 5 below:

Table 5
Total revenue earned/collected by the CDA over the past five years

Year	Revenue Earned	Revenue Collected
Oct 2010 – Sep 2011	31,000,955.94	24,633,133.16
Oct 2011 – Sep 2012	28,443,681.60	26,006,896.64
Oct 2012 – Sep 2013	38,980,962.25	29,319,828.35
Oct 2013 – Sep 2014	32,311,850.83	30,382,926.59
Oct 2014 – Sep 2015	36,355,434.00	28,041,529.65
Oct 2015 – Sep 2016	33,227,561.03	31,284,704.44
Oct 2016 – Apr 2017	20,412,074.15	18,389,737.56

The above figures were provided by the Finance and Accounting Department.

Source: CDA dated May 16, 2017

- 3.3.31. The CDA also indicated that there have been instances where tenants have mounted legal challenges against the CDA for issuing Notices to Quit. These legal proceedings have further increased the CDA's expenditure burdens.
- 3.3.32. The CDA noted that some of its larger debtors are government agencies. The MoPD's assistance is being sought in this regard. Additionally, it was indicated that some projects have been stalled and some tenants continue to pay nominal rent as little as one hundred dollars (\$100) pending the formalisation of leases which were deemed controversial.
- 3.3.33. The CDA has been writing tenants regarding their outstanding rents as part of their collection drive to improve the system of collecting arrears including outstanding rents.
- 3.3.34. The projected amount of revenue to be collected from the existing lease agreements is One Hundred and Seventy Six Million Eleven Thousand One Hundred and Thirty Seven Dollars and Fourteen Cents (\$176,011,137.14) over the next five (5) years.

Leases Arrangements

- 3.3.35. The CDA informed that Committee that no historical information is available on the number of leases granted by the CDA from its inception. However, information is available for current tenants. On record, there are 195 tenants, 138 which are located on the Mainland and 57 on the Offshore Islands. Overall, 83 leases are current, 64 leases are expired and 48 Tenants are without leases. Additionally, 53 leases are valid for 30 years, some of which have an option to renew, 15 leases are for 99 years, some with an option to renew, 2 leases are for 199 years and 13 leases are for less than 30 years. A specimen of Key Terms and Conditions included in a Deed of Lease is at Appendix IX.
- 3.3.36. The CDA indicated that it is currently reviewing leases and has engaged a Senior Counsel for legal and commercial advice on how to proceed with leases and to determine whether they are legal.
- 3.3.37. The submission from the CDA dated May 16, 2017 contained a legal opinion from Senior Counsel Elton Prescott, SC which indicated that leases were in contravention of the 1974 Development Plan.
- 3.3.38. The CDA has recognised that approximately \$2 billion was invested by the leaseholders whose agreements are under review. Pending legal advice on the leases some leaseholders continued to pay rent while others have not. As it relates to persons with dubious lease arrangements, the CDA has not prevented these persons from undertaking further development projects. Tenants of ongoing projects have been advised that they are proceeding without prejudice.
- 3.3.39. No legal action has been initiated against the CDA with regards to rental leases.

3.3.40. The Committee was informed that the following five (5) leases were deemed illegal:

1. Fouraine Enterprises Limited;
2. Chexobox Limited;
3. Shoreline Development Company;
4. Starburst Parks Limited; and
5. Animals for Education Limited.

3.3.41. It was further indicated that there were several leases which are still under review by legal counsel to determine their compliance with the 1974 Plan. However, a negotiated settlement was reached with Fouraine Enterprises Ltd through an Inter-Ministerial Committee.

Termination Clause in Leases

3.3.42. The CDA indicated that it has considered enforcing the termination clause contained in its lease agreements. The Authority further advised that reference is often made to this clause when writing notices to delinquent tenants. Breaches to lease agreements, whether by failure to pay rent or failure to get the necessary approvals are taken into account when determining whether to renew a lease.

Compulsory Acquisition

3.3.43. The Committee was informed that the CDA has at its disposal the provision of compulsory acquisition where land is required for governmental or public use. The CDA has considered compulsory acquisition for some tenants.

Leases granted to the operators of the Piers 1 and 2 facilities

3.3.44. The information provided by the CDA indicated that Pier I (Sun Island Cruises Limited) is rented at \$1,200.00 (VAT exclusive) per month. Additionally, \$1.5 million dollar (VAT exclusive) premium was paid for a thirty (30) year lease which commenced on June 1, 1994.

- 3.3.45. As it pertains to Pier II, it was indicated that it forms part of the lands that were leased to Fouraime Enterprises Limited by Deed of Lease No. DE201401297248D001 and dated 25th April 2014. The rental value for the entire demised premises for which Pier II forms a portion is \$5,000,000.00 annually or \$416,667.00 monthly and Nominal rent of \$3,400.00 (from the start of the construction period or for 18 months or for any agreed extension).
- 3.3.46. It was also submitted that by Cabinet Minute 1928 of December 22, 2016 it was determined that the CDA proceed to execute an amended lease and agreements with Fouraime Enterprises Limited in accordance with the new terms and conditions negotiated, which included, amongst other things, that Fouraime would return the Pier II area to the CDA.

The Upgrade of the Transportation network on the Peninsula

- 3.3.47. The CDA indicated that it is only responsible for traffic within its jurisdiction (Alcoa to Tetron). Certain short-term measures have been instituted with the cooperation of the MoWT and TTPS. When events are held at the peninsula, the CDA's Estate Police engages other Government Agencies such as the Careenage Police, Traffic Branch of the TTPS, and the Office of Disaster Preparedness Management (ODPM) prior to the date of the event. A Traffic Management Plan (TMP) was developed in collaborative with these agencies. The TMP is extended to areas such as Careenage and Glencoe. A major aim of the TMP is to allow a smoother flow of traffic post and pre-event or at peak times during festive season.
- 3.3.48. Both the CDA and the PS, MoPD advised that the issue of traffic congestion in and out of the Chaguaramas area is under active consideration by the MoWT.

Challenges with the existing legislation

- 3.3.49. The MoPD indicated that some of the challenges facing the CDA includes the need for amendments to be made to its legislation to empower the Authority to pursue a wider scope of investments opportunities including public/private partnerships.
- 3.3.50. Accordingly, the Act is currently being reviewed to determine whether certain amendments should be pursued which may afford the Authority more powers to manage the peninsula. In particular, section 14 is being examined.

Challenge with leasing the seabed/squatting on the seabed

- 3.3.51. The CDA indicated that there are tenants of the CDA who have erected piers and jetties which under the high tide water mark falls directly under the purview of the Commissioner of State Lands (CoSL). To address this issue, the CDA revisited Cabinet Note No. 1334 of 1994 with the intention of having the seabed leased to the CDA in collaboration with the CoSL. If the concurrence of the CoSL was obtained, and the CDA is given control over the seabed, the CDA can generate revenue by subleasing the seabed and also be able to regulate the development on the seabed of the north-west peninsular.
- 3.3.52. In the interim, CDA's Estate Police conduct routine patrols in an effort to monitor and identify alleged squatters. If an individual is identified as an alleged squatter, a report is compiled with all the necessary information including pictures of structures and submitted to the GM for review. The information is thereafter forwarded to the Legal department for further checks, verification and advisement on the way forward. The CDA has also engaged the CoSL to have these squatters removed.

Decrease in the number of tours

- 3.3.53. The Committee was informed by the Trinidad and Tobago Tour Guides Association (T&TTGA) that in the past, the CDA contracted its services. However, the CDA discontinued the services with the T&TTGA and opted to provide tour guide services using in house Customer Service Representatives (CSRs). However, the CDA confirmed that its CSRs are not certified tour guides and do not fall under the purview of the MoNS. Notwithstanding, the CDA indicated that it has one (1) trained tour guide who conducts most tours and who also trains its CSRs.
- 3.3.54. The rate of payment to a Tour Guides of the T&TTGA ranges between \$60 and \$100 per hour. However, the number of tours conducted has decreased therefore not much income is generated from tours. It was reported that the cost of acquiring and/or maintaining a vessel to facilitate tours to the offshore islands was prohibitive. As a result of the significant financial constraints confronting the organisation, engaging the services of the T&TTGA is not economically feasible at this time.
- 3.3.55. In the opinion of the T&TTGA, the decrease in the number of tours conducted in the Chaguaramas area was as a result of the dismantling of the tour guides section at the CDA and to the difficulties encountered in communicating with the CDA to book tours. The T&TTGA claimed that a certain sum of money is owed to tour guides for approximately two years. In response, the CDA indicated that it has no record of moneys owed to the T&TTGA.
- 3.3.56. The CDA confirmed that it received complaints regarding its telephone system and has raised the issue with the relevant Manager. However, the CDA suggested that its communication system has improved over the years. The Authority is active on social media and a PR Specialist has been assigned to respond to any queries and a CSR team to ensure that all calls are answered. The CDA also suggested that it may be necessary to utilise other forms of communication to reach the CDA such as Facebook, webpage.

- 3.3.57. Given the shortcomings of the CDA, the T&TTGA implied that the CDA does not possess the capacity to deal with a tourism product and recommended the hiring of staff who understand the tourism industry such as graduates of the Trinidad and Tobago Hospitality and Tourism Institute (THTI) to engage in the marketing of tourism of the peninsular or a separate entity to oversee tourism in the western peninsular.
- 3.3.58. The Committee was informed that in 2014, the CDA observed an increase in the number of visitors when Phase II of the Boardwalk was opened. However, the numbers have since dwindled significantly.
- 3.3.59. The CDA indicated that it has been in discussions with the T&TTGA regarding a revised relationship. It was also indicated that a Memorandum of Understanding (MoU) between the T&TTGA and the CDA was drafted and reviewed by the GM, CDA. The Committee was advised that the CDA intends to move ahead with this MoU as a means of re-establishing an active relationship between the CDA and T&TTGA.

Marketing Strategies to expand the Tour Guide Package

- 3.3.60. Given the limited resources available to the CDA, it was unable to implement a main stream media marketing campaign. As indicated above, the Authority has attempted to capitalize on the use of various Social Media platforms. Additionally, the Authority has connected with potential visitors by letter. In this regard, the CDA has written letters to most schools in Trinidad at the pre, primary and secondary levels as well as universities.

The upgrade and proper maintenance of tourism products

- 3.3.61. Due to the Authority's large debt it has been constrained in terms of upgrading or maintaining some of the sites and facilities which fall under its remit. The

CDA indicated that the following tourism sites and products were in need of upgrades:

- Covigne Trail;
- Nutmeg Vale;
- Edith Falls;
- Gasparee Caves;
- Salt Lake Pond;
- Chacachacare;
- Tour of Chaguramas; and
- Tour of west isle.

3.3.62. The CDA indicated that it is doing some measure of maintenance works but this was not sufficient. CDA also lacks the resources to undertake the continuous maintenance of the Board Walk Facility. A lack of sufficient equipment, fuel and poor maintenance of equipment has resulted in a reduced upkeep of the peninsula. As a consequence, there has been a direct impact on revenue generation as the number of visitors to the peninsula has reduced. It was also indicated that boats used to clean and maintain the off shore islands are in dire needs of repair.

3.3.63. Nevertheless, the CDA submitted that it was pursuing make improvements to these facilities for example the Gasparee Caves, the golf course and some trails. Some of the trails such as Edith Falls Trail and Covigne Trail were expected to be cleared in preparation for the peak period during July and August, 2017. The authority is also reassessing the potential of the salt pond. The CDA has sought assistance from the DMRC for services such as the removal of a fallen tree but not for general maintenance. However, the CDA welcomed any assistance from the DMRC in the area of general maintenance.

3.3.64. In terms of the vending booths, the Committee was informed that eight (8) vending booths situated on Phase II of the Boardwalk were never occupied because a number

of complaints were received from vendors regarding inadequate electrical installations. The CDA is currently seeking to have the booths outfitted with electricity but due to its lack of funds it has proven very difficult.

- 3.3.65. To increase revenue, the CDA attempted to promote small events. For example an Easter Parade which was unsuccessful and partnered with the International Yoga Committee for yoga on the Boardwalk. Other events are being considered such as a Mango Parade Festival and a Curry Festival.

Public Private Partnership

- 3.3.66. The CDA indicated that it has considered public private partnership as a financing option but has to confer with its line Ministry on the matter. A formal proposal has not been prepared however, discussions were with persons who have expressed interest in the partnership which has to be formalised and forwarded to the Ministry for approval.

Findings

- 3.3.67. Based on the evidence set out in the previous section the Committee concluded as follows:

Mechanisms to achieve self sufficiency

- i. It may be reasonable to conclude that a number of operational inefficiencies have contributed to the CDA's poor financial state. Based on the information provided to this Committee it would appear that areas of weakness in the company's operations include:
 - a. Records management especially as it pertains to the records of clients;
 - b. Collection of rents and other payables
 - c. Revenue generation strategies
 - d. Tourism development and marketing
 - e. Enforcement of statutory provisions

f. Lack of business development and expansion

The CDA is not unique in this regard as unfortunately this Committee is aware of other state bodies who possess potential but are unable to capitalize on it due to a myriad of operational shortcomings.

- ii. It is somewhat commendable that the CDA has developed some new plans and strategies as a means of improving its operational efficiency. The Committee will be monitoring the CDA's progress as it attempts to implement these plans and strategies.

Leases

- iii. The CDA has issued leases notwithstanding that some of these leases may be in contravention of the 1974 plan. The Committee considers this an area that the CDA must work with the Ministry of the Attorney General and external counsel to resolve expeditious.
- iv. Further, the Committee is concerned that although the north-western peninsula was expected to benefit significantly from large investment projects, certain leases held by investors may be illegal. It appeared that although the CDA considered enforcing the termination clause contained in its lease agreements, there were no instances where the clause was successfully executed.
- v. A comprehensive review is required to analyse leases to determine where compulsory acquisition can be applied.

Leasing the seabed to CDA

- vi. The leasing of seabed has economic potential that the CDA can benefit from. However, the Committee is also concerned about the adverse impact and expansion in commercial activities may have on the marine life.

Review of CDA's Act

- vii. The Committee noted the challenges facing the Authority with regards to its legislation particularly as it pertains to engaging in profitable investments that can improve the CDA's financial situation and noted that a review of the CDA Act Chapter 35:02 is currently being pursued.

Tours

- viii. The CDA has attempt to sustain it guide tour services by training internal staff to conduct tours. Although this type of creativity is commendable, the authority must ensure that persons who it has designated as tour guides are properly trained to executive the commensurate tasks. In this regard, it may be feasible to reestablish the relationship with the T&TTGA to work alongside CSRs until they can obtain the necessary certification.
- xiv. Shortcomings with the CDA's telecommunication system is hindering its operations and may be causing an already crippled entity to be lose clients and or investments. This is a highly unsatisfactory state of affairs.

Treating with the Tourism products of the North-Western Peninsula

- xv. As a result of its operational shortcomings the CDA appears to be facing difficulty in treating effectively with tourism in this north-west peninsula. This is very unfortunate since this region of the island of Trinidad has been viewed as one with a significant amount of potential as a space for leisure and recreation activities. In this regard, there is sufficient evidence to suggest that additional support should be provided to the CDA by the Ministry of Tourism and or associated tourism management agency.
- xvi. The CDA's inability to properly maintain tourism sites and facilities in this region has had an adverse impact of its ability to yield revenue as poor maintained facilities would not attract visitors.
- xvii. Notwithstanding, it promising launching the Chaguaramas Board Walk appear to have fallen short of its expected impact as a visitor attraction.

- xviii. The Committee noted the merits the CDA's plan to pursue public-private partnerships with the support of its line Ministry. This may be an effective strategy for acquiring financial and technical support to assist with the development and maintenance of tourism sites and other facilities.

An approved Organisational Structure

- xix. The Committee is concerned that the CDA's organizational structure is not aligned to the strategic goals of the organisation. It is anticipated that the manpower audit and other evaluation of organizational performance will assist the CDA to align its organizational structure and processes with its strategic objectives.

Recommendations

- A. **Given the number of operational challenges confronting this organization, it is strongly recommended that its line Ministry significantly increase its oversight of its operations and play an active role in assisting the organization to rationalize its operations and to formulate strategies to assist in its realignment. It was also clear that greater innovation and creativity must be incorporated into the organisation's operations moving forward.**
- B. **We recommend that the CDA take decisive action on leases for which it has received legal advice. It is further recommended that the CDA exercise its right to invoke the termination clause in its leases. Additionally, where it is determined that land which is currently occupied by a tenant is justifiably required for public purpose compulsory acquisition should be initiated within the prescribed legal parameters.**
- C. **We recommend that consideration be given to temporarily suspending the granting of leases and the processing of applications for leases, until the CDA has conducted a proper reconciliation of its existing lease arrangements and**

has the benefit of the necessary legal guidance to inform its future negotiations with potential investors.

- D. We recommend that should the seabed in the Chaguaramas area be vested in the CDA by the CoS, the EMA and IMA should provide technical guidance to the CDA to ensure that sufficient environment protection measures are implemented to counteract the potential impact of an expansion in commercial activities on the seabed.
- E. We recommend that there be a critical review of the CDA Act Chapter 35:02 with a view to updating it provision to be more aligned to prevailing realities.
- F. We recommend that the CDA work assiduously with building its relations with tourism stakeholders including the Ministry of Tourism, National Trust of Trinidad and Tobago and the T&TTGA with a view to forging an alliance for the purpose of rejuvenating and sustaining tourism activities in the North-west peninsula.
- G. We recommend that the CDA undertake a review of its organizational structure given the findings of the manpower audit and establish a new organizational structure that is consistent with the recommendations of the manpower audit and the strategic goals of the Authority.
- H. We recommend that the CDA forward a proposal to the PS, MoPD for the consideration of public private partnerships to assist the CDA in the development of the north-west peninsula.
- I. We strongly recommend that the CDA's line Ministry carefully and objectively consider whether the CDA is currently fulfilling its core mandate. An assessment of the efficacy of the CDA's involvement in promoting tourism in the north-western peninsula should be conducted.

- J. It would be useful for the CDA to re-evaluate the feasibility studies and concept documents associated with the Board Walk Project to determine what may be stymieing its success. The CDA must also conduct comparative research of the business models used by other countries in relation to boardwalks and similar facilities with a view to determining how best to optimize this facility.**
- K. Urgent action should be taken to rectify the telecommunication challenges affecting the CDA. In the interim, the CDA should continue to strategically utilize email as well as suitable forms of social media to maintain robust connectivity with the public.**

The Committee respectfully submits the foregoing for the consideration of the Parliament.

Mr. H.R. Ian Roach
Chairman

Ms. Ramona Ramdial, MP
Vice-Chairman

Dr. Lovell Francis, MP
Member

Mr. Esmond Forde, MP
Member

Mr. Darryl Smith, MP
Member

Ms. Khadijah Ameen
Member

Mrs. Jennifer Baptiste-Primus
Member

Mr. Nigel De Freitas
Member

Updated: March 07, 2018

Appendices

APPENDIX I

Minority Report by Ms. Ramona Ramdial

MINORITY REPORT

Ninth Report of the

Joint Select Committee on Local Authorities, Service
Commissions and Statutory Authorities
(including the THA)

On an
Inquiry into certain aspects of the operations of the
Chaguaramas Development Authority (CDA)

Third Session (2017/2018), 11th Parliament

March 19, 2018

Re: Issues not highlighted in draft JSC report on CDA

The following dissenting comments are submitted in accordance with Standing Order 114(6) of the House of Representatives and 104 (6) of the Senate.

On Friday 16th March, the final draft JSC report on CDA was circulated to members to sign for laying in Parliament.

However, on perusal of the draft I noticed that there were two issues which we previously discussed which had not been wholly inserted into the report, hence my refusal to sign.

Issue 1:

During our examination of the CDA, I drew reference to a \$1billion investment made during the period 2010-2015 and its subsequent legal battle between investors and government after 2015. This action resulted in some investors' contracts being retained and renegotiated by CDA and some being cancelled by the decision of the courts.

In the report there was a stated \$2billion investment which may have been a typographical error and there was also no period attached to this investment amount.

In the report there was a list of investors whose contracts were not retained but there was no list of those retained of the \$1billion.

Issue 2:

During the hearing I would have also raised the issue with Pier 1 and its operation outside its lease arrangement with CDA. This is particularly the servicing and dry-docking of ships used for industrial purposes.

I requested an investigation be conducted by the EMA to determine such and for Ministry of Planning/CDA to act on findings.

This issue was not clearly inserted into the report and what was included instead was Ministry of Planning saying during the hearing that, as far as they were concerned, there was no breach of lease arrangement by Pier 1.

In my humble opinion the report should include these issues raised above before any member signs off on it but I noticed the other three members have already signed.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ramona Ramdial', is positioned above a horizontal dotted line.

Ms. Ramona Ramdial, MP
Vice-Chairman of the Committee

APPENDIX II

Minutes of the Proceedings

MINUTES OF THE 16TH MEETING OF THE JOINT SELECT COMMITTEE APPOINTED TO INQUIRE INTO AND REPORT ON LOCAL AUTHORITIES, SERVICE COMMISSIONS, STATUTORY AUTHORITIES (INCLUDING THE THA) HELD IN THE LEVEL 9, CONFERENCE ROOM AND THE J. HAMILTON MAURICE ROOM, MEZZANINE FLOOR, OFFICE OF THE PARLIAMENT, TOWER D, 1A WRIGHTSON ROAD, PORT OF SPAIN ON WEDNESDAY MAY 24, 2017

PRESENT

Members

Mr. H. R. Ian Roach	Chairman
Ms. Ramona Ramdial, MP	Vice-Chairman
Ms. Khadijah Ameen	Member
Mr. Darryl Smith	Member
Mr. Stuart Young	Member
Mrs. Jennifer Baptiste-Primus	Member

Secretariat

Mr. Julien Ogilvie	Secretary
Ms. Khisha Peterkin	Assistant Secretary
Ms. Katharina Gokool	Graduate Research Assistant

ABSENT

Mr. Faris Al-Rawi, MP	Member (Excused)
Mr. Nigel De Freitas	Member (Excused)

Those who appeared in public are as follows:

The Officials of the Chaguaramas Development Authority

Mr. Robert Cezair	Board Member
Ms. Mary Seepersad	Board Member
Mrs. Deowatee Dilraj-Bathoosingh	General Manager (Ag.)
Mrs. Susan Russell-Edwards	Manager – Human Resources
Ms. Tricia Dyer	Corporate Secretary

The Officials of the Ministry of Planning and Development

Ms. Marie Hinds	Deputy Permanent Secretary
Ms. Wendy Williams	Project Specialist
Ms. Andrea Julien	Senior State Counsel
Dr. Ancil Kirk	Assistant Co-ordinator
Mr. Earl Jardine	Development Control Specialist
Ms. Jassodra Rampersad	Research Officer II

CALL TO ORDER

- 1.1 The Chairman called the meeting to order (*in camera*) at 9:39 a.m.
- 1.2 The Chairman informed Members that Mr. Nigel De Freitas and Mr. Al-Rawi requested to be excused from the meeting.

CONSIDERATION OF THE MINUTES OF THE 15th MEETING HELD ON APRIL 26, 2017

- 2.1 The Chairman asked Members to examine, page by page, the Minutes of the Meeting held on Wednesday April 26, 2017.
- 2.2 There being no corrections or omissions, the Minutes were confirmed on a motion moved by Ms. Ramona Ramdial and seconded by Mr. S. Young.

MATTERS ARISING FROM THE MINUTES

- 3.1 The Chairman referred Members to item 7.1, page 3- at the last meeting the Committee agreed to conduct enquiries into the CDA and the Rent Assessment Board. By letter dated May 01, 2017 the Secretary wrote to the Ministry of Housing and Urban Development to ascertain the status of the Rent Assessment Board, the Permanent Secretary advised that the Board is now defunct. As such the Committee would have to select another inquiry topic.
- 3.2 The Chairman also referred Members to Item 10.1, page 13 indicating that the additional information requested from the Statutory Authorities Service Commission were due on May 24, 2017.

PRE-HEARING DISCUSSIONS INTO CERTAIN ASPECTS OF THE OPERATIONS OF THE CHAGUARAMAS DEVELOPMENT AUTHORITY (CDA)

- 4.1 The Chairman advised Members that officials from the CDA and the Ministry of Planning and Development are expected to appear before the Committee.
- 4.2 Chairman indicated that copies of the following documents were circulated to Members:
 - The Pre-Hearing submissions were received from the CDA and the Ministry of Planning and Development ;
 - An Issues Paper based on the submissions of the CDA and the Ministry; and
 - A public submission from Mr. Eugene Reynold - Secretary /Director of the Haig Street Community United.
- 4.3 The Committee agreed that in order to create a more focused inquiry, questions will only be asked on one objective at any one time before proceeding to another objective.

OTHER BUSINESS

The Date and Agenda of the Next Meeting

- 5.1 The Committee agreed that the next meeting will be on Wednesday May 24, 2017 at 9:00 am (in-camera) and 10:00 am (in public) with the CDA and the Rent Assessment Board.

The meeting was suspended at 9:54 a.m.

PUBLIC HEARING WITH OFFICIALS OF THE CHAGUARAMAS DEVELOPMENT CORPORATION (CDA) AND THE MINISTRY OF PLANNING AND DEVELOPEMENT

- 6.1 The Chairman reconvened the meeting (*in public*) at 10:05 a.m.
- 6.2 Introductions were made.
- 6.3 The Chairman highlighted the objectives of the inquiry and informed the witnesses that the inquiry would not be a live broadcast but rather taped and will be broadcast later that day at 2:00 p.m.

Opening Statements

- 7.1 The Chairman invited the Chaguaramas Development Authority to make a brief opening statement. Mr. Cezair, Board Member advised the Committee of the following:
 - i. that the following persons would be absent from the hearing and he apologised for their absence – the Chairman and Deputy Chairman of the Authority who were both out of the country and the Project Manager who was in a vehicular accident the day before.
 - ii. that on assuming office the Board requested an audit which revealed that the Authority was approximately \$118M in debt; and
 - iii. The Board sought to restore the CDA's financial position, rebuild stakeholder reputation and investor confidence with the preparation of a strategic plan for the period 2016-2020;
 - iv. In an effort to reduce the Authority's debt the Board focused on two key projects – achieving self-sufficiency and increasing alignment; and
 - v. That the CDA will continue to aggressively leverage and strengthen its partnership outreach efforts in meeting its objective of conserving and developing this northwest peninsula.
- 7.2 The Chairman invited the Deputy Permanent Secretary, Ministry of Planning and Development, Ms. Hinds to make an opening statement. She apologized for the absence of the PS who was out of the country on official business. She also indicated that the Ministry supports the process and look forward to the Committee's recommendations.
- 7.3 The following issues arose from the discussions held with the officials of the CDA and the Ministry of Planning and Development:
 - i. **The Transformation of the CDA into A Self-Sufficient Entity**
 - a. The Committee enquired about the strategies used by the Board over the last 20 months to ensure the Authority's self –sufficiency. The Authority advised that the following policies were put into action:
 - development of a strategic plan for the period 2016-2020;
 - enhancing the CDA and the northwest peninsula customer experience
 - strengthening governance and operating policies and procedures
 - b. The Committee enquired about the projects the Board intends to pursue to generate revenue, the Authority indicated that it was not possible for the CDA to embark on the projects at this time as the focus was on debt reduction. The Committee was informed that the Authority has commenced an aggressive rent and debt collection exercise.

c. *The CDA's Main Source of Revenue*

The CDA informed the Committee that the main source of revenue is rent from leased properties. During the audit exercise the Board discovered that some of the leases granted by the former Board for certain projects were not in keeping with the current land value. As such the leases are currently under review and the Authority has sought legal advice on how to proceed in this matter.

d. The Acting GM sought to explain that although the CDA's main revenue source was from rent collection there are other sources such as the golf course, car park rentals, Gasparee Cave Tours, fete licences, vendors and boardwalk tours. However, due to the Authority's large debt they have not been able to maintain or upgrade the facilities to generate the revenue they ought to be collecting. The Committee was also informed that the Authority does not receive money from the Government for recurrent expenditure only development projects for which \$7.75M was received for fiscal 2016/2017.

e. The Acting GM informed the Committee that due to the \$118M debt the Authority is running a deficit budget for a couple of years. This deficit would have been the main reason for the manpower audit to be done. The results of the audit were submitted to the Ministry of the Attorney General and Legal Affairs. The Committee requested a copy but was advised that the CDA is not authorized to make that decision.

f. *The Effects of the Debt incurred by the CDA*

The main effect of the CDA's debt has impacted on its ability to pay salaries, the Committee was informed that salaries exceed the monthly revenue. The expenditure for April 2017 was \$2.6M and salaries are 90% of that cost. Payments for outstanding utility bills are made in small amounts monthly. There are currently 253 employees: 101 daily-rated; 129 monthly; 14 temporary daily-rated. The 24 temporary workers help to reduce the amount of overtime paid to daily rated staff.

The Authority has not been able to pay gratuity for the period 2001-2013 which totals \$851,000 and due to the ageing population the pension owed is approximately \$50M. The Authority has sought assistance from the Ministry to pay pensions owed and an allocation of \$10M was received to settle the outstanding pension payments ordered by the Court. In order to address the issue of pension payments in 2015 the Authority established a Pension Plan.

ii. **The Relevance of the 1974 Development Plan for the North West Peninsula in 2017**

The Committee sought clarification on the development plan used by the CDA to guide its operations. The Acting GM indicated that there have been a number of draft plans over the years but only one approved plan – the 1974 Plan.

Further to this the Committee sought an explanation on the relevance of the 1974 plan in 2017. The Acting GM informed the Committee that the Authority is currently seeking to improve the 1974 plan by adopting the 2015 Master Plan which is currently under review by

the Board. The Committee sought to determine the reason no other plan has been approved since 1974. The Acting PS explained that approval has to be sought by the Town and Country Planning Division, Cabinet and the Parliament and to date only one plan was ever approved. The 2015 Master Plan was never forwarded to the Ministry to be sent for Cabinet approval as such the plan was never approved. The PS advised the CDA that upon the completion of its review the plan should be forwarded to the Ministry for further action. She also offered the Ministry's assistance to review the Plan in relation to the framework of the Vision 2030 Government Policy and to guide the CDA in its development.

iii. **Legal Action against the CDA**

- Members sought clarification on the legal issue before the CDA, the Acting GM advised that no legal action was ever taken against the CDA in regard to rental leases.
- The Committee also enquired whether rent is being collected on the leases under review by the Board. The Committee was advised that some tenants have continued to pay whilst other have stopped.

The CDA has recognised that approximately \$2 billion was invested in by the leaseholders whose agreements are under review to determine the validity. In the interim some of the leaseholders have continued with their projects although they were advised by the Authority if they proceed they would be doing so "without prejudice". The Acting GM further indicated that the CDA continues to collect rent on these properties as it relates to the occupation of the premises.

iv. **The Relationship between the Diego Martin Regional Corporation and the CDA**

The Committee enquired about the issues that would have arose between the DMRC and the CDA in relation to planning works in the area and the concern of the residents living down the islands. The Authority indicated that the entire process is under review to determine the best way forward with the development of the peninsula whilst working under constraints of an outdated plan. Members voiced their dissatisfaction with the response stating that the Board has failed to take any initiative to rectify the current situation due to the constraints of the 1974 Plan.

v. **The Difference between Revenue Earned and Revenue Collected**

The Chairman sought to ascertain the reason for the disparity in revenue earned and revenue collected. The Acting GM stated the revenue earned is rent that ought to be payable to the Authority and revenue collected is rent that is actually in hand or collected. The main reason for the disparity is the failure to collect of outstanding arrears which was due to the following reasons the issuance of notices to quit to leaseholders in arrears rather than collect monies owed; tenants' refusal to pay based on disagreement of land valuations. The CDA recognized that these issues are not new but occurred before 2010 and were not addressed however, these matters are currently in arbitration.

The Chairman questioned the Authority further on the reason for the CDA's inaction in rent collection over the years. The Acting GM explained that when the Authority is about

to issue Notices to Quit, the tenant usually challenges the matter in Court which has proven to be too costly for the Authority. The Committee also asked whether a Termination clause was in the Contracts, it was determined it was but the tenants have also taken the CDA to Court due to this. In order to address the Legal issues that have hampered the CDA's ability to collect its main source of revenue the Chairman suggested that they consider compulsory acquisition to retrieve lands.

vi. **The Boundaries of the CDA**

The CDA's boundary starts after Abbey Poujade Street, Carenage on the Western Main Road to the island of Chacachacare.

vii. **Development of the North West Peninsula for Sport Tourism**

The Committee enquired whether based on the complaints received by persons who use the sporting facilities on the peninsula were any upgrades being done to address these concerns. The CDA informed Members that an extensive renovation of the golf course is being done currently. The Authority also indicated that golfers have returned to the area.

viii. **The Compliance of tenants with the 1974 Development Plan**

- Members questioned whether Pier I operated in compliance with the 1974 Plan. The GM was unable to provide a definite answer because she did not examine that tenant. The Member then enquired whether Pier I was utilizing its port for other industrial purposes that were not agreed to. The Acting GM indicated that she could not interpret the plan to ascertain whether someone was in breach of their agreement or not. The Committee was not satisfied with the response as such a request the information in writing was submitted.

The Chairman sought to receive a response and asked the Developmental Control Specialist to provide some clarity on this matter. He stated that to his knowledge the use of the Pier I site has changed over the years but it is consistent with marina type activities of the 1974 Plan. The Committee proposed that a site visit be done to investigate this matter.

- The Committee sought to determine the University of Trinidad and Tobago's status in relation to land occupation in the peninsula. The CDA advised that UTT pays rent for three different locations at different rates due to the land valuation and that accommodation was made for the university to occupy lands in the Chaguaramas area due to the outdated 1974 Plan.

ix. **Farming in the Chaguaramas Area**

The Committee enquired about the matter with the Guave Road Farmers, the Committee was informed that the matter is ongoing but they are seeking to resolve the matter amicably because the CDA intends to return its focus to farming in the Chaguaramas area.

Members also enquired about the status of the Tucker Valley Agricultural Enterprise Limited, the CDA reminded the committee that it is now defunct. However, the CDA is actively pursuing the return of the seedling initiative to the Chaguaramas area in collaboration with the Ministry of Agriculture, Land and Fisheries but a land use policy for the peninsula has to be reviewed and based on this the requisite land space allocated for agricultural purposes.

x. **Development for the Off-shore Islands**

The Committee enquired about the development of the off-shore islands, the Authority advised that this is under review in relation to the 2015 Master Plan. The Plan has identified certain ways in which the islands can be developed but it has to be in relation to the Government's policy.

xi. **The Upgrade of the Transportation Facilities on the Peninsula**

The Committee asked the CDA's plans to address the issues with the transportation system in Chaguaramas in relation to the economic development plan for the area. The CDA informed the Committee that it is under active consideration by the Ministry of Works and Transport.

xi. **Is the CDA still Relevant in 2017?**

- The Chairman expressed his dissatisfaction with the failure of the CDA to meet its required mandate and settle outstanding debts generated by the lack of proper oversight and poor management. Thus the Authority has failed to be self-sufficient and the lack luster approach by the Board and current management in addressing the revised development plan for the north-peninsula which is the policy for any decision taken on development in the area. In response the Authority highlighted 19 projects that are apart of the strategic plan to improve the Authority's current situation, they are:

- a) Increase revenue from existing business;
- b) Increase revenue from new lines of business;
- c) Improve financial performance;
- d) Reduce operating costs;
- e) Broaden range of services and products;
- f) Maintain a safe and pristine environment;
- g) Maintain a secure north-west peninsula;
- h) Strengthen the CDA brand;
- i) Enhance quality of customer service;
- j) Strengthen stakeholder management;
- k) Improve park management;
- l) Strengthen marketing and brand management;
- m) Enhance management systems;
- n) Implement good governance best practices;
- o) Improve and leverage technology platform;
- p) Increase organizational alignment;
- q) Strengthen strategic competencies;
- r) Create a learning organization; and
- s) Develop a high-performance culture.

- The Authority also informed the Committee that a decision was taken to revisit Cabinet Note No. 1334 of 1994 request approval to lease the seabed from the Commissioner of State lands to sublet to the CDA's tenants to generate additional revenue because currently tenants pay for land usage and not the use of the seabed.

xii. **Outstanding Administrative Annual Reports**

The Chairman questioned the officials on their failure to submit administrative reports. The Acting GM informed the Committee that all reports up to 2014 were submitted to the Ministry. The 2015 report was submitted to the Board but further amendments are to be made. The PS also advised the Committee that a Cabinet Note is currently being drafted to forward the Reports to Parliament.

7.4 The Chairman thanked the officials for their attendance and invited the officials from CDA and the Ministry of Planning and Development to make closing statements.

Request for Additional Information

8.1 The Chaguaramas Development Authority (CDA) was requested to provide certain information in writing that they were unable to provide during the hearing.

ADJOURNMENT

9.1 The Chairman thanked all present for attending.

9.2 The meeting was adjourned at 12:53 p.m.

I certify that the Minutes are true and correct.

Chairman

Secretary

June 16, 2017

MINUTES OF THE 17TH MEETING OF THE JOINT SELECT COMMITTEE APPOINTED TO INQUIRE INTO AND REPORT ON LOCAL AUTHORITIES, SERVICE COMMISSIONS, STATUTORY AUTHORITIES (INCLUDING THE THA) HELD IN THE ARNOLD THOMASOS ROOM (WEST) LEVEL 6 AND THE J. HAMILTON MAURICE ROOM, MEZZANINE FLOOR, OFFICE OF THE PARLIAMENT, TOWER D, 1A WRIGHTSON ROAD, PORT OF SPAIN ON WEDNESDAY JUNE 28, 2017

PRESENT

Members

Ms. Ramona Ramdial, MP	Vice-Chairman
Mr. Nigel De Freitas	Member
Ms. Khadijah Ameen	Member
Mrs. Jennifer Baptiste-Primus	Member

Secretariat

Mr. Julien Ogilvie	Secretary
Ms. Khisha Peterkin	Assistant Secretary
Ms. Katharina Gokool	Graduate Research Assistant

ABSENT/ EXCUSED

Mr. H. R. Ian Roach	Chairman (Excused)
Mr. Darryl Smith	Member (Excused)
Mr. Stuart Young	Member (Excused)
Mr. Faris Al-Rawi, MP	Member (Excused)

Those who appeared in public are as follows:

The Officials of the Chaguaramas Development Authority

Mr. Robert Cezair	Board Member
Mrs. Deowatee Dilraj-Bathoosingh	General Manager (Ag.)
Mrs. Susan Russell-Edwards	Manager – Human Resources (Ag.)
Mrs. Kelly Jackson-Baynes	Manager – Legal & Compliance Audit Services
Mr. Sheldon Gibbs	Draughtsman / Estimator, Project Team

The Officials of the Diego Martin Regional Corporation

Mrs. Beverly Haywood	Chief Executive Officer
Mr. Albert James	Building Inspector
Mr. Lutchman Maraj	County Superintendent

The Trinidad and Tobago Tour Guides Association

Mr. Wendell Griffith	President
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CALL TO ORDER

1.3 The Vice-Chairman called the meeting to order (*in camera*) at 9:39 a.m.

- 1.4 The Vice-Chairman informed Members that the Chairman would be absent and Mr. Stuart Young, Mr. Al-Rawi and Mr. Darryl Smith were asked to be excused from the meeting.

CONSIDERATION OF THE MINUTES OF THE 16th MEETING HELD ON MAY 24, 2017

- 2.1 The Vice-Chairman asked Members to examine, page-by-page, the Minutes of the Meeting held on Wednesday May 24, 2017.
- 2.2 There being no corrections or omissions, the Minutes were confirmed on a motion moved by Ms. K. Ameen and seconded by Mrs. J. Baptiste-Primus.

MATTERS ARISING FROM THE MINUTES

- 3.1 The Vice-Chairman referred Members to item 8.1, page 9, informing Members that additional information was received from the CDA on June 20, 2017 and was circulated via email on June 21, 2017.

CONSIDERATION OF DRAFT REPORT ON AN INQUIRY INTO THE REGULATION AND LICENCING OF MEDICAL DOCTORS BY THE MBTT

- 4.1 The Committee reviewed the comments and suggested amendments made by Mrs. Jennifer Baptiste- Primus.
- 4.2 The Members then agreed to accept the report subject to the inclusion of the amendments proposed by Mrs. Baptiste-Primus.
- 4.3 Members also agreed that the Report would be presented in the House of Representatives by the Vice-Chairman.

PRE-HEARING DISCUSSIONS

- 5.1 The Vice-Chairman advised Members that officials from the CDA, the Trinidad and Tobago Tour Guides Association, the Diego Martin Regional Corporation and the Guave Road Farmers are expected to appear before the Committee.
- 5.2 After some discussion the Committee agreed that due to the on-going legal dispute between the CDA and the Guave Road Farmers that the Committee should err on the side of caution postpone the appearance of the Guave Road Farmers.
- 5.3 The Vice-Chairman reminded Members of the inquiry objectives and indicated that copies of the following documents were circulated to Members:
- An Issues Paper based on the submissions of the T&TTGA, DMRC and the CDA; and
 - A public submission from Mr. Eugene Reynold - Secretary /Director of the Haig Street Community United.

OTHER BUSINESS

The Date and Agenda of the Next Meeting

- 6.1 The Committee agreed that the next meeting will be on Wednesday September 20, 2017 at 9:00 am (in-camera) and 10:00 am (in public) with the NLCB.

The meeting was suspended at 10:08 a.m.

PUBLIC HEARING WITH OFFICIALS OF THE CHAGUARAMAS DEVELOPMENT CORPORATION (CDA) AND STAKEHOLDERS OF THE NORTH-WEST PENINSULA

- 7.1 The Vice-Chairman reconvened the meeting (*in public*) at 10:22 a.m.
- 7.2 Introductions were made.
- 7.3 The Vice-Chairman highlighted the objectives of the inquiry and reminded the public that it was the Committee's second public hearing on this topic.

Opening Statements

- 7.4 The Vice-Chairman invited the T&TTGA to make a brief opening statement. Mr. Griffith, the President of the Association advised the Committee that the association is a part of the tourism sector and as such will only answer questions on the CDA in relation to tourism.
- 7.5 The Vice-Chairman invited the CEO of the DMRC, Ms. Haywood to make an opening statement. She informed the Committee that the Corporation:
- is a regulatory body;
 - provides certain principal functions; and
 - is a service provider for the region.
- 7.6 The Vice-Chairman also invited the General Manager (Ag.), CDA to make an opening statement who deferred it to Mr. Cezair, Board Member of the CDA. He indicated the following:
- that this public hearing was an opportunity for the CDA to report to Parliament and by extension the nation on its operations;
 - the CDA's developmental thrust ensures that all decisions are made in the best interest of the people of Trinidad and Tobago;
 - the Association is moving forward with its mandate to conserve and develop the north-west peninsula and plans will be strengthened and input is made from all sectors of society.
- 7.7 The following issues arose from the discussions held with the officials of the CDA and its stakeholders:
- ii. **The Working Relationship between the CDA and the Diego Martin Regional Corporation**

- a) The CEO advised that the Corporation is a service provider to the CDA but because the CDA is a Statutory Authority with its own resources and jurisdiction, assistance is provide on a needs basis. The Regional Corporation's services include disaster management, health services, delivering truck borne water, cutting fallen trees and the Building Inspectorate Unit.
- b) The Committee enquired whether the CDA attends the Regional Coordinating Committee (RCC) meetings arranged by the DMRC. The CEO indicated that the last meeting attended by the CDA's representative was in January 2017. The CEO also advised that the Minutes are forwarded to the CDA monthly. The GM of the CDA informed the Committee that Mr. Michael Forde, Senior Agency Officer is the CDA's representative who the RCC meetings. The Committee highlighted its dissatisfaction with the CDA non-attendance at the Regional Coordinating meetings and advised that management should address this issue as soon as possible. The Committee also suggested that a formal relationship be developed between the two state bodies.

The Role of the Regional Corporation in Relation to the Development of Lands

- c) The Committee sought clarification on the role the Regional Corporation in the development of lands in the north-western peninsula. The Corporation informed the Committee that there is no statutory obligation imposed on the Regional Corporation to develop or maintain tourist sites in the Chaguaramas area. However, the Corporation regulates development in the area, all requests for development from the Town and Country Planning Division are investigated.
- d) The Building Inspector noted that throughout the region that 50 to 60% of persons were in breach of the regulations. These persons were served notices to either cease construction or Demolition the structure. In other cases legal advice was sought but in the absence of a Corporate Secretary, external legal services are required and due to the protracted nature of some of the legal matters the CDA has had cause to incur a significant amount of legal fees.
- e) The County Superintendent noted that from the year 2000 to 2017 there were 38 applications from leaseholders of the CDA for planning permissions from Town and Country Planning Division, to date only five were granted final approvals from the Corporation. The other 32 applications have not brought in all the required supporting documents.
- f) The Committee sought further clarification on whether persons are operating on CDA lands without the required approvals. The GM (Ag.) explained that the Compliance Unit of the CDA conducts regular site visits to all tenants and if approvals have not been received these persons are flagged and a deadline is set for the necessary information to be provided. Follow-up site visits are done and if the tenants fail to produce the final approvals as the landlord the CDA will send more strongly worded letters inviting the tenant to come in and discuss the issue. The CDA was unable to state the number of tenants that are not in full compliance.

- g) Members also enquired whether the Corporation has a role in the clearing of waterways obstructed by construction. The Corporation advised they will only intervene if a request is made by the CDA.

The Maintenance of Recreation Grounds

- h) The Committee sought clarification on whether the Corporation or the CDA is responsible for the maintenance of the recreational grounds, public pastures, beaches and other public spaces. The County Superintendent informed the Committee that although the Corporation provides maintenance services, the lands are under the jurisdiction of the CDA. A request has to be made by the CDA for the Corporation's assistance.

ii. **The Role Diego Martin Regional Corporation in relation to large events**

- a) The Committee sought to ascertain the role of the CDA in the management of large events such as parties/fetes on the north-west peninsula. The GM (Ag) advised that all the standard approvals are required before an event is hosted on the lands under their control. That is the CDA's Superintendent and the Business Development Unit ensures that the promoter has the necessary approvals to host the event and this is verified with the Regional Corporation and the EMA. The Regional Corporation is also responsible for supplying Municipal Police who work together the CDA Estate Police and the national Police from the Carenage Police Station.

b) *Traffic Management*

- Members sought further clarification on the management of traffic and the working relationship between the CDA's Superintendent and the response time in the event of emergencies. The CDA advised that the Superintendent of Police was a retired Assistant Commissioner and therefore has a good working relationship with the national police and other state security agencies including the Defence Force.
- The Committee continued its probe to ascertain whether the CDA has an emergency evacuation plan for the Western Peninsula. The Board Members stated that the CDA is currently in discussions to formalise a plan with the Defence Force to utilize their infrastructure and equipment to deal with major injuries in the event of an emergency in the region.

iii. **The Relationship between the T&TTGA and the CDA**

- a) The President of the T&TTGA informed the Committee that the Association no longer has a relationship with the CDA because some years ago the CDA terminated its Tour Guides Unit. The CDA currently operates its own tours using non-licensed Customer Service Representatives. This was done to ensure that the CDA had an

internal staff that could conduct tours along the peninsula, currently there is one licenced tour guide working at the CDA. Another reason the CDA stopped using the services of the Association was due to the cost as the organization was facing severe financial complaints. The GM advised that the CDA is currently reviewing the former draft MOU between the CDA and the Tour Guides Association.

- b) The Committee advised the CDA to carefully consider the legal implications of the Authority's failure to have licenced tour guides operating on the peninsula. The CDA reiterated the point of the Authority's financial constraints in retaining certified tour guides. The Committee noted that it cost between \$60 and \$100 per hour for the services of a certified tour guide.
- c) The Committee expressed its dissatisfaction with the CDA's management of the tours because tourists pay for the tours as such the cost for a licenced tour guide should be factored into the total cost of the tour. Currently the CDA generates between \$5000 and \$7000 per month from tours. During the July/August vacation the revenue earned increases to \$9000. The CDA indicated that the tourism product of the peninsula can be further augmented but it needs the assistance of the T&TTGA.

The Tourism Industry and the CDA

- d) The Committee sought the perspective of the T&TTGA on the tourism potential of the Western peninsula. The President of the Association informed the Committee that when the CDA dismantled the tour guide unit and failed to replace it, the tourism product also began to fail. It became increasingly difficult for tour guides to contact the Authority to book tours in the area and as such the Association has ceased operating in the area.
- e) The Committee asked the President whether the Association had any proposals that may would assist the CDA to develop and revive its tourism expansion initiatives. The President suggested the following:
 - hire staff that understands the tourism industry;
 - the CDA utilise the graduates of the Trinidad and Tobago Hotel and Tourism Institute (THTI); or
 - use a separate entity to manage the tourism aspect of the peninsula.

f) The Maintenance of Tourism Sites

The T&TTGA in their submission highlighted key sites that were not properly maintained by the CDA as they have failed to have them "... cleared, cleaned or properly secured as to guard against destruction and vandalism." The GM (Ag) advised that the Authority has limited financial resources but has made some improvements, for example Gasparee Caves were recently secured and the improvements were advertised in the newspaper. Some of the trails such as Edith Falls and Covigne Trail

are to be cleared in preparation for the peak period during July and August. The Committee impressed upon the management of the CDA that they should seek to engage in a more collaborative relationship with the Regional Corporation or engage certain enterprises to enter into a Public Private Partnership (PPP) to ensure that the tourist sites are properly maintained and to assist in the general maintenance of the area.

g) The Issues with the Boardwalk and its Immediate Environs

- The Committee questioned the reasons why the booths along the boardwalk are not properly maintained. The GM (Ag.) informed the Committee that the grass surrounding the Gazebos was cut, but the CDA does not have the resources to undertake the continuous maintenance of the Board walk facility.
- Also the physical infrastructure is in need of repair, especially with regard to the pond that was to be used for paddle boating. The pond has to be cleared due to the caimans that are a threat to the public. The Authority is exploring solutions to address this matter.
- The eight vending booths situated on Phase II of the Boardwalk were never occupied because there were a number of complaints regarding the poor electrical work that was done. The booths were not outfitted for a freezer or a microwave as such the vendors did not want to use them. The CDA is currently trying to have the electrical problem rectified but due to the lack of finances it has been very difficult.

h) Outstanding Monies from the CDA

- The Committee questioned the CDA about the claim that the Authority owed monies to the T&TTGA. The CDA advised that in preparation for the hearing they made checks to ascertain whether the Association was owed monies. The authority advised that based on its records no money was owed to members of the tour guide association.
- However, the T&TTGA were not able to specify the amount that is allegedly owed by the CDA. As a result, the Committee advised the President of TTTGA that his members who have claims for money owed by the CDA owed should contact the CDA as soon as possible and provide the necessary information.

iii. **Marketing Strategies of the CDA**

Members enquired about the marketing strategies used by the CDA to expand/enhance its guided tours. The GM informed the committee that with the limited resources available, the Business Development team has done the following:

- a) wrote letters to various schools informing them about the various sites that are associated with the school's syllabus, e.g. the Gasparee Caves in relation to the CXC Geography syllabus;
- b) increasing the number of tour guides; and
- c) routine maintenance of the tourist sites.

The CDA advised that additional activities were expected to be pursued during the July / August vacation period:

- a) golf Course clinic for juniors (to commence in July). This would also encourage participation in mini tours; and
- b) hiking on the Macqueripe trails.

v. Communication at the CDA

The Committee questioned the CDA about the claims made by the T&TTGA that it was extremely difficult to communicate with its office. The GM (Ag.) indicated that the communication system has improved over the years. The Authority is active on social media with a PR Specialist assigned to respond to any queries and a CSR team to ensure that all calls are answered.

vi. Lease Agreements

- a) The Vice-Chairman enquired whether the CDA considered increasing the rental fees. In response, the CDA advised that in order to increase the rent, the Authority has to be guided by the terms and conditions of the lease agreements and each lease is reviewed every five years with the intention of a possible rent increase.
- b) In relation to a tenant who has breached the lease agreement, whether by failure to pay rent or failure to get the necessary approvals, the Committee was informed that these factors are taken into account when determining whether to renew a lease.

vii. Pier I and the CDA

Members raised the issue of the legitimacy of Pier I's operations given that there are conflicting records regarding the approval granted by statutory authorities such as the EMA for its operations. The GM (Ag.) advised that the Authority would have to conduct its own checks to determine whether the correspondence it received concerning Pier I was legitimate or fraudulent. If it is proven to be a fraudulent, the EMA intends to refer this matter to the Fraud Squad.

viii. Outstanding Public Utility Payments

The Vice-Chairman questioned the CDA about its outstanding bill payments to the Water and Sewerage Authority (WASA) and the Telecommunication Authority of Trinidad and Tobago (TSTT). The GM (Ag.) advised the amount the CDA has been billed by WASA is being queried

because it appears that in certain cases the CDA was billed instead of the CDA's tenants. With regard to TSTT, the Committee was advised that a payment plan has been created with that service provider.

- 7.8 The Vice-Chairman thanked the officials for their attendance and invited the officials from the CDA, the T&TTGA and the Regional Corporation to make closing statements.

Requested information

- 7.9 The CDA was requested to provide the names of the leaseholders who are not compliant with the terms and conditions of their lease agreement

ADJOURNMENT

- 8.1 The Chairman thanked all present for attending.
- 8.2 The meeting was adjourned at 11:43 a.m.

I certify that the Minutes are true and correct.

Vice-Chairman

Secretary

September 18, 2017

APPENDIX III

Verbatim Notes

EXTRACT OF VERBATIM NOTES OF THE SIXTEENTH MEETING OF THE JOINT SELECT COMMITTEE APPOINTED TO INQUIRE INTO AND REPORT ON LOCAL AUTHORITIES, SERVICE COMMISSIONS, STATUTORY AUTHORITIES (INCLUDING THE THA), HELD IN THE A.N.R ROBINSON (WEST) MEETING ROOM (IN CAMERA) AND (IN PUBLIC) IN THE A.N.R ROBINSON (EAST) MEETING ROOM, LEVEL 9, TOWER D, INTERNATIONAL WATERFRONT CENTRE, #1A WRIGHTSON ROAD, PORT OF SPAIN, ON WEDNESDAY, MAY 24, 2017 AT 9.39 A.M.

PRESENT

Mr. H. R. Ian Roach	Chairman
Miss Ramona Ramdial	Vice-Chairman
Miss Khadijah Ameen	Member
Mrs. Jennifer Baptiste-Primus	Member
Mr. Stuart Young	Member
Mr. Julien Ogilvie	Secretary
Miss Khisha Peterkin	Assistant Secretary
Miss Katharina Gokool	Graduate Research Assistant

ABSENT

Mr. Faris Al-Rawi	Member [<i>Excused</i>]
Mr. Darryl Smith	Member
Mr. Nigel De Freitas	Member [<i>Excused</i>]

CHAGUARAMAS DEVELOPMENT AUTHORITY

Mr. Robert Cezair	Board Member
Ms. Mary Seepersad	Board Member
Mrs. Deowatee Dilraj-Bathoosingh	General Manager (Ag.)
Mrs. Susan Russell-Edwards	Manager, HR (Ag.)
Ms. Tricia Dyer	Corporate Secretary

MINISTRY OF PLANNING AND DEVELOPMENT

Ms. Marie Hinds	Deputy Permanent Secretary
Ms. Wendy Williams	Project Specialist
Mr. Andrea Julien	Senior State Counsel
Mr. Ancil Kirk	Assistant Co-ordinator
Mr. Earl Jardine	Development Control Specialist
Ms. Jassodra Rampersad	Research Officer II

Mr. Chairman: Good morning, just please bear with us a couple minutes more, because we are just sorting out some technical issues here. One of the officers here may ask you all to separate a bit so that we can get a proper focus on the cameras. He will instruct you accordingly, thanks. *[Interruption]*

Good morning again, ladies and gentlemen. Thank you very much for your cooperation. We are about to commence. I welcome you first of all to the Sixteenth Meeting of the Joint Select Committee on Local Authorities, Service Commissions and Statutory Authorities (Including the THA).

This morning the Committee will engage in open discussion with officials of the Chaguaramas Development Authority, the CDA, and the Ministry of Planning and Development, pursuant to its enquiry into certain aspects of the operations of the CDA.

My name is HR Ian Roach, and I am Chairman of this Joint Select Committee. On my right the other members will introduce themselves.

[Introductions made]

Mr. Chairman: I will now ask the members of the Chaguaramas Development Authority to introduce themselves.

[Introductions made]

Mr. Chairman: Would the members of the Ministry of Planning and Development please introduce themselves.

[Introductions made]

Mr. Chairman: Thank you very much. This morning generally would have been a live telecast. This is going to be a delayed telecast owing to the fact that there is another Joint Select Committee taking place, but this will be telecast at 2.00 p.m. this afternoon.

I just want to remind you all, the objectives of this enquiry this morning, one, is to determine what policies and development plans are generally guiding the development of the northwest peninsula; two, to assess the processes and criteria which are being applied by the Authority to locate and designate land for various developmental activities; and, three, to understand the operational constraints and challenges that are affecting the performance of the Authority.

I will now invite the Chairman of the CDA to make a brief statement. I understand the Chairman is not here as well as the Deputy Chairman.

Mr. Cezair: Thank you very much, Mr. Chairman, and other members of the Joint Select Committee. On behalf to the CDA, I take this opportunity to thank you all for convening this session. The CDA welcomes this reporting mechanism to our national community via the Parliament, and rest assured that our representatives stand ready to share with those present and the country at large pertinent information relating to the CDA's accounts and affairs for the period 2007 to 2017.

Permit me also to apologize on behalf of the CDA's Chairman, Mr. Narine Lutchmedial and the CDA's Deputy Chairman, Ms. Deborah Cheeseman for their absence, both of whom are currently out of

the jurisdiction, and for which the Committee was informed by letter dated May 17th, 2017.

Mr. Chairman, please also be advised that the CDA's team member, Mr. Rakesh Ramnath, who holds the portfolio of Project Manager and was carded to speak this morning on project matters, was unfortunately involved in a vehicular accident yesterday evening. As a result, Mr. Chairman, Mr. Ramnath is unable to be here this morning. I have therefore been given the honoured task of leading the CDA's team to this hearing.

Mr. Chairman, the current CDA board, on assuming strategic oversight at the end of 2015, found the CDA in a most untenable situation, with records from the CDA's Finance and Accounting Department reflecting a debt of approximately \$80 million. However, following an organizational wide audit, the reality of the debt was more in the vicinity of \$118 million.

The board, together with the management team, immediately hit the road running to conscientiously and as practically as possible to restore the Authority's financial position to a positive one, while rebuilding stakeholder reputation and investor confidence.

Key to this turnaround was the preparation of a strategic plan 2016 to 2020, focusing on several key strategic projects, including the reduction of operating costs, increasing revenue, improving park management, achieving financial self-sufficiency and increasing organizational alignment.

Recognizing the severe constraints placed on the CDA as a result of the large debt, the board and management have given concentrated efforts to two key projects: achieving self-sufficiency and increasing organizational alignment. Both these projects have at their core, the reduction in operational costs, working complementarily to capitalize on income earned while strategically aligning its workforce.

Under these projects, the following items are being undertaken:

1. Undertaking of a manpower audit which will provide possible solutions/recommendations to further reduce the CDA's operational cost, as well as a cost-effective structure which will be in alignment with the CDA's core functions;
2. Revised negotiation strategies with debtors, including the establishment of payment plans;
3. Commencement of a due diligence and audit exercise of major utilities, with a view of cutting out wastages wherever possible;
4. Closing off on rent reviews to boost rental income;
5. Regularization of leases; and
6. Increasing revenue from existing business as well as identifying business opportunities for large scale investments.

Mr. Chairman, allow me to take this opportunity to assure all our stakeholders that the CDA's developmental thrust ensures all decisions that are taken are in the best interest of the people of Trinidad and Tobago. To this end, the CDA will continue to aggressively leverage and strengthen its partnership outreach efforts in meeting its overarching objective of conserving and developing this national

treasure that is the northwest peninsula.

Thank you, Mr. Chairman.

Ms. Hinds: Good morning again all. Today we count it a privilege to participate in this process. My team and I would first like to apologize on behalf of the Permanent Secretary, Mrs. Joanne Deoraj, who is out of the country on official duty. Nevertheless we stand ready to, one, support the process and, two, we actually look forward to any recommendations which may come out of this Committee that would in fact assist us in the better management of what we were given responsibility to do. So again thank you; we just look forward to the process.

Mr. Chairman: Thank you very much. You will now be subject to some questionings from members of the Committee here.

Miss Ramdial: Good morning again everyone. Mr. Cezair, you spoke about having CDA transformed into a self-sufficient entity. What do you really mean by that, and what have you done over the past 20 months to ensure this self-sufficiency?

Mr. Cezair: As we would have reported in the opening statement, we have been severely constrained by the extensive debt that we would have met and would have occurred. However, the board would have put forward a strategic plan that we would have developed, encompassing from 2016 to 2020, with the hope of bringing the CDA out of the red that we are in. This strategic plan would include financial and economic goals, customer goals, internal processes, and original capacity of the entire Authority. So the strategic plan also would focus on increasing contribution to the national economy, enhancing the CDA and northwest peninsula customer experience, strengthening our governance and operating policies and procedures so as to bring us back to where we were.

Miss Ramdial: What kind of projects do you intend to embark on to create that revenue and to get you out of the red?

Mr. Cezair: The focus has not necessarily been on these projects just yet, because if we do not clear up the debt that we have, we cannot go forward in the way in which we would want to and ought to in terms of projects. So we would have been aggressively going after outstanding rent and moneys owed to the Authority, in an effort to bring this debt down so that we can really focus on the way forward.

Mr. Young: Thank you, Chair. Just to follow up CDA, on the questions by the Deputy Chair. You told us that you inherited, when you came in, a debt of about \$118 million dollars. Correct?

Mr. Cezair: Correct.

Mr. Young: And you have just told the Vice-Chair that this has led to severe constraints. I mean, basically shackles on your ankles and your hands going forward as an entity. Correct?

Mr. Cezair: Correct.

Mr. Young: But what would CDA's main income stream or revenue stream be from, rent?

Mr. Cezair: Yes, Sir, rent.

Mr. Young: I mean, basically you have no other revenue stream other than rental, leases of land, et cetera?

Mr. Cezair: Correct.

Mr. Young: And is it not true we have seen that you inherited, meaning when you all came in as a new board, you all found a number of leases that were granted by the CDA for some projects that you could describe as being less than favourable to both the CDA from a revenue stream as well as to the public interest?

Mr. Cezair: Correct, correct.

Mr. Young: So you would accept that that is an additional burden and constraint that you found yourselves with?

Mr. Cezair: Most definitely.

Mr. Young: These leases have some terms attached to them, do they not, including the rental value placed on them that are a lot less than favourable commercial rates, correct?

Mr. Cezair: Yes.

Mr. Young: And what are you all doing about that?

Mr. Cezair: Well, we are currently reviewing these leases and seeing where we go to see how we proceed in terms of getting proper value for the peninsula to the people of Trinidad and Tobago.

Mr. Young: And you are ensuring that you protect the public's interest in doing so?

Mr. Cezair: Most definitely.

Mr. Young: Because my understanding is you all are working with senior counsel and getting legal advice as well as commercial advice as to how these leases may be dealt with. Correct?

Mr. Cezair: Correct.

Mr. Young: Thank you, Mr. Chair.

Mr. Chairman: Probably the General Manager could answer this question. I know the CDA was incorporated in 1972, and you had a number of plans. I think there were probably four in existence since then—development plans.

Mrs. Dilraj-Bathoosingh: Yes.

Mr. Chairman: So it is something serving like 44 years—a 44-year plan, right, from the commencement of the CDA?

Mrs. Dilraj-Bathoosingh: There is one approved plan that is in existence that is the development plan of 1974. There have been though over the years a number of draft plans, but none of which were approved by the Parliament in accordance with the Town and Country Act.

Mr. Chairman: So what is in existence is the 1974 plan?

Mrs. Dilraj-Bathoosingh: Correct.

Mr. Chairman: In the development and the aspirations of the CDA, is there any intention or objective to make the CDA a revenue-earning statutory entity or self-sustaining?

Mrs. Dilraj-Bathoosingh: Mr. Chairman, it is exactly that, and as Mr. Cezair would have indicated in order to achieve financial sustainability we do have to reach the point where we are revenue generating and profit generating. If it is that our key source of income is our leases and the rent that we derive from these leases, we do have to ensure that we lease the properties with the values that we ought to be getting from the leases as it relates to rental. And that in itself you would see from the figures, because some of the questions that would have arisen in the written submissions that we did, the rental value is really key to the survival of the Authority. There are other subsidiary facilities, for example, the golf course, the boardwalk, tours, et cetera, that we do get some measure of revenue from, but it is nothing close to what the rental income as it relates to the leases brings to the Authority.

Mr. Chairman: In other words, the rental aspect of the CDA's portfolio, revenue-generating efforts, would be the main source of income?

Mrs. Dilraj-Bathoosingh: It would be the main source, most definitely not sole. There are other aspects that we do get revenue from, but we have been constrained because of the debt and then an inability to upgrade some of the facilities or even maintain the facilities to be able to generate the type of revenue that we ought to be getting from those other facilities as well.

Miss Ameen: Thank you, Mr. Chairman. Just before this question, the issue with regard to the leases and the collection of revenue. You continue to collect the revenue from those leases that you claim there is an issue with. So the CDA continues to acknowledge those leases by collecting the moneys being paid by the tenants?

Mrs. Dilraj-Bathoosingh: In some instances tenants have continued to pay the rent, and rent is being collected. Some have not been paying their rents.

Miss Ameen: There was a matter that went to court and the ruling was in favour of the CDA with regard to those leases?

Mrs. Dilraj-Bathoosingh: No, there is no live court matter.

Miss Ameen: No, it would have been completed.

Mrs. Dilraj-Bathoosingh: As it relates to these recent leases?

Miss Ameen: Was there—

Mrs. Dilraj-Bathoosingh: No, there is no court matter on it.

Mr. Chairman: What the member is asking is that there may have been a matter before the court that was determined, completed in other words, and completed in favour of the CDA. Is this what you are suggesting?

Mrs. Dilraj-Bathoosingh: No, that is not correct. There has been no filed actions as a result of these leases in the courts.

Miss Ramdial: Are these leases legal—that were given out previously, are they legal?

Mrs. Dilraj-Bathoosingh: That is a matter that we are awaiting a legal opinion from our senior counsel

on.

Miss Ramdial: How soon would we know whether or not these leases are legal?

Mrs. Dilraj-Bathoosingh: We have been working with senior counsel in terms of providing the necessary instructions. It is, of course, a very technical matter because it does involve a lot of analysis of the plans and the respective plans and what may or may not be in contravention of the plan, and that then hinges on the legality of the leases.

Miss Ramdial: Well, just quite recently your Chairman stated in the media that these leases were legal, so are you conflicting with his statement?

Mrs. Dilraj-Bathoosingh: I think subsequent to that though he would have issued a statement indicating that that was taken out of context in terms of the interview that he gave with that respective reporter. So he did not suggest in any way that all the leases were now legal.

Miss Ramdial: What about those letters that would have been sent out by your previous Chairman, Mr. Pierre, to the leaseholders stating that their leases were legal?

Mrs. Dilraj-Bathoosingh: Those letters did not say that the leases were legal, and those letters were in fact rescinded by the board subsequently.

Mr. Young: Is it not true that the CDA has received at least one legal opinion from senior counsel, I believe it is Senior Counsel, Prescott, to the effect that there may be issues with the legality of leases that were granted in a period in 2015?

Mrs. Dilraj-Bathoosingh: What Mr.Prescott indicated in his opinion was that if the leases are in fact in contravention of the 1974 plan, there would be instances where there would be illegalities. So the determination is to whether they are in fact in contravention of the 1974 plan, which is the only approved plan to be followed at this point.

Mr. Young: If I may, Mr. Chair, through you, what you have described to us is that CDA is currently in a process working along with senior counsel and a legal team in answering exactly that question you have just told us.

Mrs. Dilraj-Bathoosingh: Yes, that is correct, and we continue to work on it.

Miss Ramdial: Would you not have been the former lawyer of the CDA working on these previous leases?

Mrs. Dilraj-Bathoosingh: I would have started at the CDA in the first week in September of 2015, which was the week just before election, so I did in fact start at a point where leases were being concluded and being executed.

Miss Ramdial: So in your estimation as a lawyer at that point in time, would you say that there was any sort of illegality attached to those leases?

Mrs. Dilraj-Bathoosingh: At the point of execution, issues as it relates to whether these things have Town and Country Planning approvals or are in contravention of the 1974 plan, are not issues that would arise at the point of execution and final drafting of the leases. Those are issues that ought to have been

addressed at the point of negotiation and where the leases were being now applied for to the Authority.

10.30 a.m.

Mr. Chairman: So is it that you are saying that what is being raised here now with you is being addressed by senior counsel?

Mrs. Dilraj-Bathoosingh: Yes. That is correct. Those issues are now being addressed by counsel.

Mr. Chairman: And upon receipt of that advice, you would probably be able to share it with us at some point in time?

Mrs. Dilraj-Bathoosingh: Yes, of course.

Mr. Chairman: Okay. Thank you.

Miss Ramdial: In the interim, what are the positions of these leaseholders? Do they continue to pay a rent? What is happening to these projects?

Mrs. Dilraj-Bathoosingh: As I would have indicated before, some of the tenants have continued to pay rent, some have not. As it relates to the continuance of the project, the Authority has not stopped developments as it relates to the projects, so some of the tenants have continued as it relates to the works that are going on.

Miss Ramdial: And just one final question: what is the amount of investment from these leaseholders to the Chaguaramas area, the amount of investment from these leaseholders?

Mrs. Dilraj-Bathoosingh: I do not have the exact figures with me, but it is a substantial investment as it relates to the respective projects that they are doing. Yes.

Mr. Young: Whilst the Chair and the Vice-Chair are conferring, may I ask, when you say that you are accepting rent from these leaseholders whose leases may be currently being examined, the CDA is accepting these leases without prejudice to its legal position as to the legality of the leases. Correct?

Mrs. Dilraj-Bathoosingh: That is exactly it. We are accepting the rent in most of the instances as it relates to occupation of the premises and that was one, it is really based on advice from counsel as it relates to collection of rent even in instances where there are issues concerning legality. So, it is being done without prejudice.

Miss Ameen: Chairman—

Mr. Chairman: Yeah.

Miss Ameen:—you mentioned the 1974 plan as being the only approved plan for the Chaguaramas, the development of the Chaguaramas area. How relevant are those plans considering that we are in 2017? You would have had changes in the population, in transport needs, in the socioeconomic needs, housing needs and so on and a number of other issues arising. How relevant is that plan today and what steps are being taken to come up with a new development plan for Chaguaramas and to ensure that that plan gets the approval of Town and Country Planning Division, EMA and all the other authorities?

Mrs. Dilraj-Bathoosingh: Okay. As it relates to 1974 plan, it is correct that certain improvements

probably ought to be made in light of the developments of the peninsula and the country at large. We are, in fact, though constrained because it is the only existing approved plan for which we can be guided by. As it relates to what is being done in terms of improving or enhancing or adopting, if any, parts of the 2015 master plan that is a process that we have, in fact, engaged in. We are doing comparatives. We have done comparatives to see how it differs; are there aspects of it that we would like to incorporate maybe eventually and through Town and Country Planning Division and our line Ministry those would eventually be submitted to the Cabinet, but those conclusions have not yet been made as it relates to the plans.

Mr. Chairman: Miss Ameen, yes.

Miss Ameen: Just arising out of your answer, Mr. Chairman. In 2014 or 2015, there was a master plan that was developed.

Mrs. Dilraj-Bathoosingh: There was a draft master plan 2015. Correct.

Miss Ameen: That plan would have provided for a number of projects that were private/public partnerships that would have really been big investments to develop Chaguaramas. Has the current board been looking at that plan with regard to moving forward with the approvals?—as opposed to simply sitting and collecting whatever income you can from leases, but really being proactive and encouraging investments.

Mrs. Dilraj-Bathoosingh: A review is being done. But may I just pass you over to Mr. Cezair who is one of the board members who may be able to assist further?

Mr. Cezair: We are currently reviewing the 2015 master plan as in how it was put forward, in the form in which it was put forward. However, the fact that the 1974 plan is the only approved plan, we must reference whatever the 2015 master plan is as against the 1974 plan in an effort to make sure that we comply with the law.

Mr. Young: Mr. Chair—

Mr. Chairman: Just now. The PS Ms. Hinds, could you assist us in understanding what is the delay or the hindrance that the subsequent plans in 1974 have not been able to be implemented or approved by the various Governments at this point in time?

Ms. Hinds: There was a very clear process that must be followed. So the 1974 plan followed that process, it got all the way to Parliament. Subsequent to that, there would have been efforts to revise the plan. Now the 1974 would have been produced by the Town and Country Planning Division. There are other drafts. There was a 1988 draft that was produced by the Town and Country Planning Division. I recall attempts by a private company years ago that would have been Plan Viron who, again, attempted to review the 1974 and even the draft 1988.

Then we had a team being hired with lots of local consultants as well. I believe it was Halcrow and they had other local consultants put together, not we, the CDA would have hired them, and that is the draft master plan that is being referred to in terms of 2015. But that has not gone through the process. I recall there was quite a bit of consultation. The next step should have been for the Minister with

responsibility for planning to present it to the Cabinet, and then once there was that level of approval to present it to the Parliament. But I see that this has not been done. So they would be really challenged to attempt to approve anything using the draft master plan of 2015.

Mr. Chairman: Thank you very much. That was very clear. So, in other words, the process is stuck by the Minister of Planning and Development?

Ms. Hinds: Your choice of words I find a bit of a challenge with. Whether or not it was stuck there, but I cannot say that at the Ministry we have a document that is the draft 2015 plan that is to be taken to Cabinet. Something must have happened between CDA getting it to the Ministry to continue the process, but it never got to Cabinet or to the Parliament.

Mr. Chairman: I am not trying to put you on the spot, eh.

Ms. Hinds: No. That is quite all right.

Mr. Chairman: I am just trying to seek clarification—

Ms. Hinds: Yes.

Mr. Chairman:—because the Chaguaramas Development Authority oversees a very important piece of real estate in Trinidad and Tobago which is very heavily used by a large cross section of the society, and a lot of talk has been going on for a very long time in the public domain about the usage, the misuse and so forth, and I am hoping today at the end, at some point in time today, some clarity would come from where we are and where we are hoping to go.

Ms. Hinds: Agreed.

Mr. Chairman: Right? As simple as possible—

Ms. Hinds: Agreed.

Mr. Chairman:—so that the ordinary citizen could understand.

Ms. Hinds: Agreed.

Mr. Chairman: Okay? So in understanding the process that embarks upon making the 1974 plan updated and relevant, given all the changes in demographics and everything like that, I am just trying, not to put anybody on spot, but to get clarity. So, if it is the plan came from CDA, it went to the Ministry of Planning and Development, I am just trying to understand if we can do anything to find out what needs to be oiled, to be shoved, to hurdle over, to push forward to get it to where it ought to be. So this is why I am asking. So are you saying it is in the Ministry of Planning and Development right now on somebody's desk or in somebody's drawer.

Ms. Hinds: It is not with us. So what I would advise is that the plan be sent to us, that they ensure that the plan arrives at the desk of the Permanent Secretary who would then send it to the Minister with our comments and thoughts.

Once the plan is approved, and again, I hear what the CDA is saying. The chairman—the member of the board is saying, we are in the process of reviewing it. So this is what I understand the process would

be. They would review it, they would make a recommendation, maybe edits would be required, I cannot say at this point in time. Once they are happy with the document, they would then transmit it to the office of the Permanent Secretary who then would ensure that the Minister has the opportunity to review it. The Minister will then take to the Cabinet and that is where the sign off will come to then present it before the Parliament.

So, I would say a process has begun. I mean, I was gladdened to hear that they said they are reviewing it. So let us see what comes out of that and let us see how we can follow the rest of the steps of the process.

Mr. Chairman: Just now, eh. Mr. Cezair, so how much time do you need to review this plan?

Mr. Cezair: Well, Mr. Chairman, we would hope that within the next few months we would be able to present an opinion on how we think we should go forward with this master plan in keeping with a consideration of the current Government policy in terms of what we would want for the peninsula. So the fact is that our focus right now is to right the CDA's ship and to get us into some level of comfort in terms of our debt, but we are, in fact, reviewing the plan and we will get to it as soon as we can to be able to make recommendations as we go forward.

Miss Ameen: Mr. Chairman—

Mr. Chairman: Just now. Mr. Smith.

Mr. Young: I just need to excuse myself.

Mr. Chairman: Yes. Sure.

[Minister S. Young exits Committee room]

Mr. Smith: Thank you, Mr. Chairman. I am piggybacking on what you just said. Formerly, as the Chairman of the Diego Martin Regional Corporation for a period of time, there were a number of grey areas even with the planning, moving forward with the CDA, a number of residents from down the islands and even planning and so on, people would come to us and there would be issues with regard to that. When I left there were talks going on for the two to see how they could sort out that with the planning even if they were involved in consultations for the plans moving forward. Has that been rectified with the Diego Martin Regional Corporation?

Mr. Cezair: We are currently, that is why I am telling you—what I am trying to say, Mr. Chairman, is that we are currently reviewing the entire process, the entire plan to see how well we can use some of what is in that plan to facilitate our actions as we go forward, because of the fact that the north-west peninsula is such a dear and sacred area to the people of Trinidad and Tobago, we want to take our time to review this to make sure that whatever decision we come up with is in keeping with what is in the best interest of the people Trinidad and Tobago.

Miss Ameen: Mr. Chairman, if I may. Really, what I am hearing from the board member is that the current board feels constrained to go forward in terms of investments, in terms of taking initiatives because

of the 1974 plan. If this is your obstacle, what steps have you taken to right that?—and it comes to the current development plan, the master plan that you must get approval for.

Mr. Chairman, I get the feeling that in past 20 months or 18 months or so since there was board, there was a chairman, there was a new chairman, that not much progress has been made in that area. This board is a politically appointed board. It accounts to its Minister, and Mr. Chairman, what I am seeing here is a lack of political will to ensure that the plan gets the necessary approval and that those investors who would have been party to leases could move forward. Banks are stopping the financing of these projects to some of these companies and these entities because of the public issues, the publically aired issues surrounding the Chaguaramas development in general. We have had a number of issues, and I am really not getting a sense that there is that political will to get the investment going.

And while your complaint would be that you are constrained to only collect revenue from the leases, I am not getting the sense that you are really being proactive in terms of getting the approvals necessary and so on for investments to begin. There were a lot plans in that master plan, that last development plan and it would not have been attributed only to one Government, you would have had a number of stakeholders contributing, so that should not prevent you from moving forward.

And, Mr. Chairman, the member does not necessarily have to respond, but I would like out of this meeting to see, going forward, that political will to ensure that the development plans for Chaguaramas go forward. I am not getting that sense here this morning.

Mr. Chairman: You want to respond?

Mr. Cezair: Yes, Mr. Chairman. I do not—I respectfully differ with the opinion offered by the hon. member. We are, in fact, awaiting legal opinion concerning these leases and that will determine our way forward, and to say that we do not have the political will, we are acting in what we believe is the best interest of the people of Trinidad and Tobago, and we would want to be able to account to the people of Trinidad and Tobago for whatever decisions that we make.

So the fact is that the law is the 1974 plan. So whether or not the 2015 master plan, draft master plan, has all these good and grandiose ideas, the fact is that we are obligated to follow what is the law. So, I did not recall us saying that we are constrained by the 1974 plan. “Constrain” is not a word to be used in that sense because we do, in fact, have to follow what the law of the land is.

Miss Ramdial: To the board member, earlier on, Mr. Cezair, you said that these projects were still ongoing even though the lease arrangement was being relooked. Is that so?

Mr. Cezair: Correct, without prejudice.

Miss Ramdial: So that \$2 billion and more in investments in the Chaguaramas area, all of these projects are ongoing. Right?

Mr. Cezair: Correct, without prejudice.

Miss Ramdial: So, what now are you expecting as a board in terms of results with respect to looking at

these leasehold arrangements? What really is the crux of the matter there that you have gone back to look at these leasehold arrangements, even though the projects are ongoing?

Mr. Cezair: Well, we are awaiting legal opinion from senior counsel to validate these leases to see if they were, in fact, issued in accordance with the 1974 plan which is the law, because we have some of these projects going forward based on the 2015 draft master plan. However, that is not the law, so, we are awaiting response from senior counsel.

Miss Ramdial: Yeah. But you see, that is where I have a problem. So these projects are ongoing, we have a problem with the leases because it followed a 2014/2015 plan. So what are you going to do with these billions of dollars of investments, these holders, if it is that the leases are deemed to be illegal and not in accordance with the 1974 plan? How are you going to remedy that?—because these projects are ongoing.

Mr. Cezair: Well, some of these projects do require certain approvals, approvals from Town and Country Planning Division, Diego Martin Regional Corporation and they however, depend on the 1974 plan. So, we would have informed tenants that if they are proceeding they are proceeding without prejudice. We are, in fact, awaiting legal opinion that would dictate our position, as we go forward, in terms of complying with the laws of the land, which is the 1974 plan.

Mr. Chairman: Yes. Could you assist us, please? I want to believe that you were in a position, probably you would have the institutional memory, you would have been in a continuity from one administration to the next administration. Yes?

Ms. Hinds: Yes.

Mr. Chairman: Now, you heard member Ameen give her comments about the lack of political will and you heard the response of Mr. Cezair. Could you add anything to that, please, to have it more clear to us as to really what is the issue here?

Ms. Hinds: Well, I was in a different position then, but I will share with you the thoughts that are crossing my mind at this point of time, especially in light of the contribution of the hon. member in terms of political will. If the plan—the draft plan was completed in 2015, I believe, I would have thought that there would have been sufficient time to have brought it to the Cabinet and, in fact, to have brought it to the Parliament. It was completed in 2015.

So, now I can appreciate that they have challenge and it is an entirely new crew that is trying to review a document and to ascertain whether or not development projects or leases that may have been given, to what extent it still fits in line with current strategy, current development programmes.

What I can say on the part of the Ministry and the administrative support that we can offer, I mean, we are also willing to assist them in the review of the plan, if that would even help in the time frame that the board would need further advice on the matter. It is hoped that the Town and Country Planning Division would not shoot me at this point in time, but the staff there could also assist in helping them determine what as well they should be looking for, what is the criteria for a good plan in the context of Vision 2030, as well

as in the context of other relevant documents. That is the kind of support we could definitely offer, especially in the light of the concerns that have been shared by the hon. member in terms of the time frame it is taking to review the document.

Mr. Chairman: That is very encouraging and enlightening. To member Cezair, you heard what the honourable Deputy PS is saying, so I am hoping that meets some favourableness with you?

Mr. Cezair: Very much so. This will be taken back to the board and the board will then decide on accepting this offer on the way forward. Yes.

Miss Ramdial: Just one question. Mr. Cezair, if these leaseholders' projects are not deemed compliant with the plan that is being looked at now, are you going to shut these investors down?

Mr. Cezair: I cannot make that determination on my own. This is a decision for the board and this is squarely based on what the legal opinions are. So when we reach to that bridge, we will mostly certainly cross it.

Miss Ramdial: All right. I am just concerned about the fact that investment continues, the project is continuing as we speak and they are still under review. So it is going to be billions of dollars lost in investment that should have been a revenue-generating project for Chaguaramas and by extension the entry country, and this is very worrisome. If you are talking about representing and working in the best interest of the people, I do not think that these projects are being handled in a manner which would see it fit to save revenues, to save money on the investors' behalf, and if the member is correct in what she is saying with respect to financing for these projects and it is being stalled in some quarters, it is a mess, a huge mess we are talking about. And I really think that you should move with some haste to get these projects and get the entire situation rectified.

Mr. Cezair: And we are, hon. Member, we are certainly aware of the financial investment of these tenants. However, we would have informed these tenants that the process is currently under review legally, and if they are proceeding they are proceeding without prejudice. So at the end of the day, you know, we will certainly do what we have to do, but we must bear in mind that it is a legal matter so we have to treat it and give it the necessary time, so that when we come to a legal opinion, it is something that could withstand the scrutiny of the court.

Mr. Chairman: Miss Dyer, Corporate Secretary. Yes?

Ms. Dyer: Yes.

Mr. Chairman: I do not know if you can assist us this morning. One of the things that caught my concern in reviewing your submissions and so was, there seemed to be a disparity between the revenue earned and the revenue actually collected. What accounts for that?

Ms. Dyer: I will have to defer the answer to that question to the General Manager.

Mr. Chairman: Okay. Whoever could assist us. The period we are speaking to is 2010 to 2017, eh.

Mrs. Dilraj-Bathoosingh: Yes. Correct. So that is the table that is at—

Mr. Chairman: Yes. On page 4.

Mrs. Dilraj-Bathoosingh: Yes. So there is a disparity because revenue earned is really rent that ought to be payable to the Authority or revenue that ought to be collected by the Authority, whereas revenue collected is what is actually collected by the Authority. So the disparity suggests that the amount of money that is supposed to be coming to the Authority is not necessarily coming. For instance, one of the major reasons for this is the non-payment of rent either through arrears or current rent which is something that we have been struggling with, but we are looking at in terms of improving.

Mr. Chairman: Is it because of the lack of enforceability? I mean, under the rent where it defaults under any lease agreement you can take certain actions. Is it that you all are being lethargic in doing that?

Mrs. Dilraj-Bathoosingh: Well there are a number of reasons that would have led to this. One, is that we would have, in the past, as we said it is from 2010, right, in the past tenants would not have been paying their rent and the Authority would not have gone and insisted on non-payment and notice to quit, et cetera. So that had not been happening. Some of it though is not as simple as that. Well, Mr. Roach, you are an attorney, sorry, Chairman, you are an attorney, you know that the tenants always dispute the amount of rent, for example, or that the rent that we see as being owing is not necessarily what they see as owing, to them. So, for example, a lot of them are very old debts so the figures here—

Mr. Chairman: Statute-barred.

Mrs. Dilraj-Bathoosingh: Yes. They really think that it is not rent that is owed by them because, for example, they did not agree to that valuation price, for example, so they are paying what they think is the rent that is owed to them, owed to us, sorry.

Mr. Chairman: But if I may, sorry, even in those agreements there would be a basis through arbitration somehow where there is a query in terms of the re-evaluation of the rent to be determined.

Mrs. Dilraj-Bathoosingh: Correct.

Mr. Chairman: So and certainly I think the obligation would have been on the CDA to initiate that process. Am I right or wrong?

Mrs. Dilraj-Bathoosingh: Correct. Correct. Yes.

Mr. Chairman: So therefore, there must be something that you all should have done that has not been done.

Mrs. Dilraj-Bathoosingh: And I accept that on the onset. There are most definitely things not just from 2010, but even before that was not happening at the Authority in terms of rent collection, and it is something that we are really working at to improving. So hopefully the figures ought to be coming a little bit closer as we move forward from 2017.

Mr. Chairman: Yeah, because what you have been telling us this morning is that your major earner, income earner, is from rent.

Mrs. Dilraj-Bathoosingh: It is. Yes.

Mr. Chairman: So, I mean, the sole source of your survival is the thing you all are not paying particular attention to which you ought to have been paying attention to.

Mrs. Dilraj-Bathoosingh: But there have been instances, Mr. Chairman, where we have really moved to the point of issuing notice to quit for non-payment of rent and the tenants do challenge us and we are then faced with the position of being placed in court where we then have to now take the entire matter to a different stage which is very costly for the Authority. But it is something that we have been writing the tenants. A collection drive has been started in terms of trying to improve on the system that we have in terms of collecting arrears, as well as current rent. And, I mean, if you speak to any tenant now they will indicate that the Authority has been really moving a little quicker in terms of getting rents to us.

Mr. Chairman: I want to just ask you from a legal perspective, again. In any lease agreement there is a termination clause.

Mrs. Dilraj-Bathoosingh: There is.

Mr. Chairman: Right? Have you all looked at the termination clause?

Mrs. Dilraj-Bathoosingh: Of course. We look at it, we quote it in the letters to the tenants, we inform them if we do not get the rents by a certain date, we will be moving to termination, but of course, the termination process itself is a legal process where we cannot simply terminate a lease and remove a tenant. Right? There is a process that we do have to follow and that in itself is a challenge in terms of the tenant then—well, I cannot call names of tenants, of course, but we do end up in very big battles in court. So we do have court matters that have reached where we have issued notice to quit for non-payment of rent and we then have a difficulty in terms of getting the rent and because of our finances, and this is not just current, but even in the past, those processes did not go very far.

Mr. Chairman: All right. Before we—I am trying to avoid getting into any legalistic discourse with you. Right?

Mrs. Dilraj-Bathoosingh: Sure.

Mr. Chairman: But where land is required for governmental or public use, Government can do certain things to acquire that land by, what is the term used?

Mrs. Dilraj-Bathoosingh: Compulsory acquisition.

Mr. Chairman: Compulsory acquisition.

Mrs. Dilraj-Bathoosingh: Yes. Correct.

Mr. Chairman: Is that available to the CDA?

Mrs. Dilraj-Bathoosingh: It is. Yes.

Mr. Chairman: So are you exploring that was well?

Mrs. Dilraj-Bathoosingh: It has come under consideration for some of the tenants. Yes.

Mr. Chairman: I think a comprehensive review should be done of all to bring it in, you know, to get things really, you know, tight, to clean up the act. Whatever resources are available to you, I think, you all

should just make use of it.

Mrs. Dilraj-Bathoosingh: Well, I definitely take that recommendation in terms of going forward. Yes.

Mr. Chairman: Now, the area that—I was a bit concerned, it looked very vast—that the CDA controls is the north-west peninsula of Trinidad and Tobago.

Mrs. Dilraj-Bathoosingh: Correct.

Mr. Chairman: I was looking at your appendix where [*Chairman confers with the Secretary*] I am seeing, I am on—I do not know if other members have the copy of the—on page 16 of Appendix 1, the map of the north-west peninsula. I am seeing Chacachacare, right?—going all the way to St. James, Diego Martin. All that is within the control of the CDA?

Mrs. Dilraj-Bathoosingh: Sorry. Which map are you referring to?

Mr. Chairman: Okay. I do not think you all probably have a copy of this map. Or if you could probably just lend out—I would like them to look at that and tell me exactly. If you could just show them a copy of the map. What exactly is the area of control under the CDA? Just look at that.

Mr. Cezair: Okay. The CDA boundary starts right after Alcoa on the Western Main Road which is just after Abbey Poujade Street in Carenage. There is a demarcation, a concrete pillar that has been placed there from since way back when and there is a line that demarks the start of the area that the CDA is in charge of.

Mr. Chairman: No. But it starts there, where does it end?

Mr. Cezair: Well, it ends at Chacachacare.

Mr. Chairman: So it does not incorporate Diego Martin? It does not—

Mr. Cezair: It does not. It does not. It does not even incorporate the village of Carenage.

Mr. Chairman: Okay.

Mr. Smith: No. It stops there. Chairman, could I?

Mr. Chairman: Sure. Yes.

Mr. Smith: All right. We are talking revenue here. As Minister of Sport and Youth Affairs we are on a sports tourism drive with regard to getting revenue and so on, and I visit down on that peninsula often for various sports, hiking, cycling, off-road cycling, fishing, golf and so on. You all have a subcommittee that is focused on a plan for that, to enhance that facilities for some of these sports that are there, dragon boat and so on, because we get a number of complaints with regard to that, especially the golf course which is a sport that is taking off.

Mr. Cezair: Well, we do have a business development subcommittee that encompasses all the various aspects of business development which would include sports tourism. Yes.

Mr. Smith: Okay. So you all have plans to do some work to improve the enhancement of the golf course down there?—because that is one of the complaints I get as Minister all the time.

Mr. Cezair: Right. We are currently undertaking extensive renovation of the golf course, and I must

report to the Committee that it is going extremely well and we have golfers literally coming back to the peninsula and coming back to play golf at that golf course.

Miss Ramdial: Mr. Cezair, over the past couple of years we have had stakeholders such as environmentalists and other bodies, NGOs actually asking questions about the operations of Pier 1. Are the operations at Pier 1 compliant to the 1974 plan?

Mr. Cezair: I defer this question to the GM.

Mrs. Dilraj-Bathoosingh: Sorry. I would not have examined Pier 1 to be able to give a definite answer today. It is something I can look at and maybe provide an answer.

Miss Ramdial: Well, probably you can answer this or any one of the board members can answer this. Is Pier 1 currently engaging in industrial usage of that area that is not compliant to the 1974 plan?

Mrs. Dilraj-Bathoosingh: When you say industrial, what are you referring to?

Miss Ramdial: Well, it is an active port of entry. Is that part of the 1974 plan? It has been expanded. There are some oil bunkers or tankers some ships parked around and, you know, citizens are asking questions, environmentalists are commenting. What are we, as a board at CDA, doing to about the operations of Pier 1 and are they above board with respect to their current operations? And do they have EMA approvals to have such operations going on at that port?

Mrs. Dilraj-Bathoosingh: And this is one of the challenges, in as much as I am the General Manager and an attorney, I cannot interpret a plan and to say whether someone is or is not in compliance with the 1974 plan. I do have a map which zones off certain areas, but it is something that I would have to refer to someone whose expertise is in interpreting plans.

Miss Ameen: Well, Mr. Chairman, well through you, I would like to request the information, one, does that Pier 1 facility have EMA approval to conduct the activities that they do conduct today? Two, what is the rent that the CDA collects from that facility? And at present have you reviewed that lease and so on, and if they are compliant with the 1974 plan or with any other plan that would have been approved, the EMA and Town and Country Planning approvals? So, Mr. Chairman, if that information could be sent to the Committee after the meeting I would appreciate it. I think it is in the public interest to know.

Mr. Cezair: Very well and we will comply with that in the interest of accuracy, we would certainly research and we will provide the information in writing.

Mr. Chairman: But can Mr. Earl Jardine assist in that question that was being asked to the General Manager, as the Development Control Specialist?

Mr. Jardine: As far as I can recall, the use on that site on Pier 1 would be consistent with marina-type activities in the 1974 plan. That much I can say. If the use has changed to something more industrial, based on what the Vice-Chair is saying, then I am not aware of that. But the use of Pier 1 on the site is consistent with the 1974 plan for marina-type activities.

Mr. Chairman: Okay.

Miss Ramdial: Well, let me just suggest that a team and probably the board invite you down there, Mr. Jardine, to take a look at what is going on at that area because there is need for attention and in terms of regulating the operations of Pier 1 with respect to recent operations.

Mr. Jardine: All right. Within recent times.

Miss Ramdial: Recent operations. Yes.

Mr. Jardine: Yes. The uses have changed significantly to what it used to be.

Miss Ramdial: Significantly there is a pollution problem, sea bathers complain because, I think, there are ship bunkers, oil bunkers parked there. I do not know if they are there for repair or whatever it is, so it is a pollution problem also that we need to deal with. Being an avid environmentalist myself, I am very concerned about that area.

Mr. Chairman: I think you wanted to ask something?

Mr. Smith: Yeah. Again, I am focusing on the revenue streams and the debt that you all incurred to see how we could up that. Agriculture, well you have seen that the Prime Minister at Tucker Valley a few weeks ago, I know they are doing some projects down there. I know there were some issues you all have with the Guave Road farmers. Has that been resolved? And two, what are you all doing to encourage more farming down in that area? Because at one time that was close to one of the food baskets of the country. What are you all doing to ensure that we ignite that agriculture segment of the business of Trinidad and Tobago and if you are working with the Ministry of Agriculture, Land and Fisheries to push that forward?

Mr. Cezair: Well, in terms of the Guave Road farmers, there is a current ongoing matter in court between the farmers and the Chaguaramas Development Authority. However, our lawyers are in discussions with their lawyers so see if we could come up with an amicable solution, because it is the intention of this board and the Chaguaramas Development Authority to really focus on farming and bring farming back to the Chaguaramas peninsula in light of the arable land that we have available for farming. So we would, therefore, continue in discussions with the farmers with the hope of coming to an agreement so as to bring farming back as a major thrust out of the Chaguaramas peninsula.

Mr. Chairman: So is that, just to continue from where member Smith asked, the Tucker Valley Agricultural Enterprise Limited apparently is now defunct. Yes?

Mr. Cezair: Correct.

Mr. Chairman: So is there any new collaboration with the Ministry of Agriculture, Land and Fisheries in terms of using the Tucker Valley as I see like A1 agriculture, class 1?

Mr. Cezair: That is currently actively being pursued in conjunction with the Ministry of Agriculture, Land and Fisheries, because if I may speak for the Ministry of Agriculture, Land and Fisheries, my understanding is there is an intent to bring the seed project back to Chaguaramas so as to create seedlings that they will be able to supply to farmers throughout the country and therefore, we would not have to be

going outside of Trinidad and Tobago to get seedlings. So that is, in fact, coming to pass.

Mr. Chairman: So what percentage of Tucker Valley is going to be dedicated to agriculture as to other usage?

Mr. Cezair: That, again, based on leases that were granted by the previous board, there are some leases that were granted which were in contravention with the 1974 land use policy in areas that were designated for agriculture. So, again, it brings us back to the point of legal opinion and where we stand in terms of the way forward to really push forward with this agricultural thrust. We have to determine what land space we have available before we go forward.

Mr. Chairman: Okay.

Miss Ramdial: Yeah. Mr. Cezair, I understand that a recent audit was undertaken by the board into the operations the CDA. Is it completed, the audit?

Mr. Cezair: When you say audit, we do in fact have a manpower audit currently ongoing. That audit has not yet been completed and we await the completion of that audit.

Miss Ramdial: Was there any other audit done previously in the operations of the CDA by any external company?

Mr. Cezair: Well, there was a due diligence exercise that was done in December, started December of 2015, and that is currently, the results of that currently resides with the Minister in the Office of the Attorney General and Legal Affairs.

Miss Ramdial: Okay. So, can that be made public or?

Mr. Cezair: There may be some evidential value to it so the Ministry of the Attorney General and Legal Affairs is reviewing it and as such they will determine whether it is to be made public and at what stage and whether it will be made public in parts. It is clearly up to them to determine how we go forward. We at the board have not even gotten sight of it.

Miss Ramdial: All right. Thanks.

Mr. Chairman: The CDA, as far as the islands are concerned what development plans are there for developing the islands, the off-shore islands, Chacachacare, Monos and those? Are there any plans in train?

Mr. Cezair: Well, again, Mr. Chairman, certainly we will be looking at ways to develop the off-shore islands that would be in the best interest of the people of Trinidad and Tobago. However, we are currently, like we would have stated before, reviewing the 2015 master plan because that would have spoken to some of the ways in which the islands are to developed, so we are now looking at that to see what in that is in keeping with current Government policy to see what we may need to add to that to determine the way forward. But development of the islands is certainly something that is in cards for the Authority.

Mr. Chairman: Ms. Hinds, again, if you can assist me. What role at all the Ministry of Planning and Development has in developing, in assisting the CDA or as outlining how those off-shore islands are to be developed for economic purposes or for whatever purposes?

Ms. Hinds: We would not necessarily—we being the Ministry, would not necessarily advise on a business plan or business proposal. What we would say is that when a development plan is crafted it does attempt to take into consideration socioeconomic issues, local economic development, and you do that by having consultations with all of your stakeholders. So it is again a bit of a challenge to refer to that process in terms of the 1974 plan and how and what would be a business plan for the islands today.

So, I know there would have been thoughts put forward by that draft plan, and I am sure the committee, the board is considering what it could do, but that is how you would, in fact, do it. You would look and see what is the value of the space and how it is to be used, and then in agreement with those who are coming up with the land use plan, you would ensure that the right land is left available to contribute, to support the activity that you want and you would try to avoid conflicts in uses, so that at the end of the day we achieve what we are trying to achieve. So that is the kind of conversation that should have taken place even in the development of the draft plan, and that is something that we can continue to discuss with the board as they review the document.

Mr. Cezair: Very much so.

Mr. Chairman: Tell me something, in terms of the University of Trinidad and Tobago there, the lease agreement there, is the Trinidad and Tobago university paying rent as well to the CDA?

Mr. Cezair: I defer to the GM.

Mrs. Dilraj-Bathoosingh: Yes. They do pay rent to the Authority.

Mr. Chairman: What is the amount of the rent that they pay?

Mrs. Dilraj-Bathoosingh: It varies because they have three different parcels of land for the Authority. I do not have the specifics as it relates to how much exactly, but—

Mr. Chairman: If it is part of the plan?

Mrs. Dilraj-Bathoosingh:—the location of UTT on the peninsula?

Mr. Chairman: Yeah.

Mrs. Dilraj-Bathoosingh: I am not in a position to say whether they are or not, but that can be supplied to the Committee at a later date.

Mr. Chairman: This plan really under stress, eh? The 1974, I mean, it is really under stress.

11.15 a.m.

Miss Ameen: Mr. Chairman, I was asking if the university and the associated facilities there are in accordance with the 1974 plan. Earlier, member Smith who served as a former Chairman of the Diego Martin Regional Corporation, that shared a lot of interest with the CDA spoke to some planning issues, and in 1974 you did not even have the existence of the regional corporation. That 1974 plan is so outdated, and today in 2017 we are hearing so many references to that 1974 plan, and not hearing in addition to that, the steps to modernize the plans and so on.

There are a number of things that could be done while you work on getting the necessary approval

for the most recent plan. There are a number of things that you can continue to do, and I feel that this board really has not done anything in this area at all within the last few months. Of course, you have a number of issues that are being put forward—one can say they are excuses—with regard to leases, with regard to lack of a modern plan, and so on, but it really takes will. Mr. Chairman, in the meanwhile though there are a number of issues that we have touched on as a committee, the potential to be a food basket, the potential for investment, and a number of other issues that we can do so much while waiting for this plan to be finalized.

Mr. Cezair: Mr. Chairman, whilst I hear and respect what the hon. member is putting forward, the fact is the 1974 plan is the law of Trinidad and Tobago, and whilst we may have suggestions, and we may think about a whole lot of other things that we can look at out of any other plan that would have come forward, the fact is, we have no other choice but to abide by the law. So, until the law changes then we are obligated to comply with the laws of the land.

Mr. Chairman: I think so, but I appreciate also what the member is suggesting, there must be a certain amount of urgency, she is asking, to be attended to bringing this up to scratch. Because 44 years hence is quite a long time, and certainly has not kept pace with all the different changes and needs of the area that you are mandated to look after and develop. This is what she is saying, and I do not think anybody could have any issue with that, where that is concerned.

Now, the other thing I want to hasten on to is, with all the economic development, I mean, rudimentary 101, economic or commerce, production, transportation—transportation underscores whatever significant development can be taken, could be had, or achieved in the CDA's area of development. Getting in and out of Chaguaramas is a major problem, and the environs. How is the CDA addressing that? Are there any provisions being made for alternative methods? Are you exploring anything at all while all that we have discussed this morning is being undertaken? Is there any initiative to tackle that significant problem?

Mr. Cezair: Well, my understanding, Mr. Chairman, is that is currently under active consideration by the Ministry of Works and Transport, which is the body that is defined to treat with the issue of transport in and out. The CDA like I outlined, has jurisdiction from the Western Main Road, which is a little bit west of Abbe Poujade Street, and there is a line that demarks where the CDA's jurisdiction ends. So, we are at the mercy of the Ministry of Works and Transport in order to get this ingress and egress situation dealt with.

Mr. Chairman: Ms. Hinds, would the Ministry of Planning and Development have anything to weigh in as well, it is all part of development?

Ms. Hinds: Yes, it is all part of development, I am trying to be very accurate in what I am about to say. But he is correct in that the Ministry of Works and Transport has been contemplating, and I think they are doing more than contemplating. I just do not want to say that feasibility studies have been done just yet,

because I am not totally accurate. But, I know it is on the drawing board in terms of priority projects to at least pursue and give us a sense of what are the options. It is quite a few options were being discussed in order to improve that situation.

Miss Ramdial: Can you tell me what has been your revenue and your expenditure for the year 2016—or CDA?

Mr. Cezair: I defer that question to the GM.

Mrs. Dilraj-Bathoosingh: Sorry, for which year?

Miss Ramdial: 2016, for the last fiscal year.

Mrs. Dilraj-Bathoosingh: In terms of the written submissions, because there are different revenue streams, what we have at exhibit 3.3 is the rent received for—if we had to tally that for 2016 the total is \$33,462,509.32. So, that is the rent collected as it relates to expenditure. For expenditure—sorry, if you will just give me a moment to just find the document.

Mr. Chairman: GM, if you do not have it you can provide it to us in writing, you know.

Mrs. Dilraj-Bathoosingh: Yes, please, if I can be given the opportunity to do that?

Mr. Chairman: Yes, that could be done.

Miss Ramdial: So, apart from the rent being one revenue stream, what other revenue streams do you have?

Mrs. Dilraj-Bathoosingh: Some of the other revenue streams, and, again, I can detail it in the written submission, would include car parks, the golf course, tours on the facilities, the Gasparee Caves included, events, short-term events, for example if there are fetes on the peninsula, as well as short-term licences in terms of vendors, for example, on the peninsula.

Miss Ramdial: Sure. So, for a total revenue number for 2016, do you have an average as what would have been your total revenue for 2016? You said \$33 million in rent, but you have other revenue streams, do you have that information?

Mrs. Dilraj-Bathoosingh: I do not think I have that information with me in terms of an exact figure, no. I can provide in terms of the total as well as a breakdown to the Committee.

Miss Ramdial: All right, thank you. And earlier on, Mr. Cezair spoke about debt, having \$110 million in debt, have you been using these revenues to pay off that debt or how are you dealing with that debt? How are you paying off that debt?

Mrs. Dilraj-Bathoosingh: Okay, I know one of the questions does outline the breakdown of what the debt represents. So, for example, there is some debt that is PSIP debt meaning that government debts for which we are making representations to the Ministry for assistance there. As it relates to some of the other debts from our recurrent account, we are making efforts to pay part payments as it relates to—I think some of it would be services provided, contracts provided that are outside of, say, PSIP funding. So, that is literally money we have to generate within the authority to pay.

Mr. Chairman: How much money has been allocated to the CDA to finance its operational and recurrent

expenditure, as well as the development?

Miss Ameen: From the national budget.

Mr. Chairman: From the national budget.

Mrs. Dilraj-Bathoosingh: The only money that the CDA receives from the Ministry is for the development projects. So, for 2016/2017 we would have received \$7,750,000.

Mr. Chairman: So, you get no contribution towards your recurrent expenditure?

Mrs. Dilraj-Bathoosingh: No, we do not. All that has to be covered internally by the revenue generated at the CDA.

Mr. Chairman: Or, is it that you all are running—are you all capable of financing your recurrent expenditure, or you are running a deficit, or some kind of overdraft?

Mrs. Dilraj-Bathoosingh: We are running a deficit and have been running a deficit for the past couple years, and it is one of the reasons that would have led to the manpower audit being done. When you look at the breakdown of where our expenses lie. Salaries, for example, is a significant amount of our expenses.

Mr. Chairman: What percentage?

Mrs. Dilraj-Bathoosingh: It exceeds the revenue that is generated.

Mr. Chairman: So, how you all pay salaries then?

Mrs. Dilraj-Bathoosingh: That was one of the questions. We struggle to pay salaries every month.

Mr. Chairman: Is it that some salaries are not paid sometimes?

Mrs. Dilraj-Bathoosingh: Well, what we have is monthly paid as well as fortnightly. So, when you look at the difference in terms of when the payments have to be made, we are able to just meet very barely the salaries.

Mr. Chairman: So, if you can tell me now, what is the required amount of money necessary to finance the recurrent expenditure of the CDA?

Mrs. Dilraj-Bathoosingh: So, we do have—I think you all had asked for the operational cost. So, that is actually attached. Right, at 3.2 is the operational cost—so, this is outside of—so, you will see this is for October 2016. So, this is the monthly, what it looks like in terms of operational cost. So, for April 2017, for example, the total expenditure is approximately \$2.6 million.

Mr. Chairman: \$2.6 million?

Mrs. Dilraj-Bathoosingh: Yes. That is per month, yes.

Mr. Chairman: For the month of April?

Mrs. Dilraj-Bathoosingh: That was for the month of April, correct.

Mr. Chairman: Your recurrent expenditure?

Mrs. Dilraj-Bathoosingh: Recurrent, yes.

Mr. Chairman: And, what—90 per cent of that is salaries?

Mrs. Dilraj-Bathoosingh: Salaries, correct. So, for example, if you look at closely the amounts. So,

for example electricity, it is 117. So, even though it is our operational cost, there actually utility is an important bill that we have not been paying or are paying in very small portions and have been negotiating with the suppliers to not disconnect us and put us on payment schedule.

Mr. Chairman: Yes, but what will require the CDA to have such a heavy salary debt per month? I mean, where does the bulk of your employees come from?

Mrs. Dilraj-Bathoosingh: Can I just defer this to our HR Manager, please?

Mr. Chairman: Sure.

Mrs. Russell-Edwards: Chair, we have a total of 253 employees. We have 101 daily-rated employees on our permanent cadre. In addition to that—well, I do not want to give the total number of our estate police officers, so what I will do is combine it in terms of security reasons. We have 129 monthly-paid employees, and we have 14 temporary daily-rated employees, and the reason for having the temporary daily-rated employees, we have a very high overtime bill with respect to maintaining the peninsula, so in order to reduce that, once we have the temporary employees and we work them on a shift basis, for Saturdays and Sundays we do not have to pay double and triple time. So, that sort of assisted us in terms of reducing our overtime cost—and we have nine contracted employees; 253.

Mr. Chairman: Two hundred and fifty-three.

Miss Ameen: Mr. Chairman, with regard to your human resource, there were some issues with paying—apart from paying the salaries, but paying gratuity and pensions that remain outstanding—has the CDA found a way to pay these employees what they are due?

Mrs. Russell-Edwards: Well, we have not yet been able to pay employees for the arrears for the period 2011 to 2013, and that is in the sum of—it is a bit over 800-and-something thousand—over \$851,000. With respect to our pension, when you look at our back service and so on, we received \$10 million, but it is close to \$50 million when we look at the cost in terms of back service, because—I would just want to mention that the organization also has an ageing population, so we have some employees with a lot of years' service, so you find your pension bill in terms of that would be high.

Miss Ameen: What plans are there to meet this pension bill?

Mrs. Russell-Edwards: Well, we are hoping that we will get some government subventions, I suppose. I do not want to say things that I do not have the locus standi to say. But, you know, we will probably have to lean on the Government for that, and I do not know if I should defer that question to maybe the General Manager or probably a board member, but right now—

Mrs. Dilraj-Bathoosingh: So, if I may, as it relates to the pension arrears, the Ministry has given the Authority \$10 million to assist with pension arrears. So, that is actually through a board decision being placed in certain accounts to assist with, hopefully, some measure of interest bearing. We have, however, started drawing down on the \$10 million to pay pensioners who have—some of whom have actually taken us to court and have judgments against us for their moneys.

So, we have successfully paid some of them and we are continuing to calculate as it relates to the others that we have. Now, the pension liability was caused by the fact that the Authority did not have a pension plan as was required under the CDA Act. We do however have effective 2015 a pension plan in place. So, the pension plan will now cover all current employees going forward. It is just the arrears that we have in terms of finding the moneys, but, of course, it would be as employees retire that those would become payable. But as Mrs. Edwards has indicated, we do have an ageing population, so we have been already calculating to start drawing down on the moneys allocated by the Ministry for us.

Mr. Chairman: Ms. Hinds, if I may again engage you, eh—since listening to this discourse this morning, I am a bit confused or I do not want to use the word “dissatisfied”, I try to understand, what is the real value of the CDA? When this conception of having the CDA in 1972 came about, was this shortly after we obtained the peninsula from the Americans? What had informed the creation of the CDA? Because, you see, I am wondering, what I asked very early, is that, is the CDA supposed to be a self-sustaining body? Is it supposed to be an entity that is supposed to be generating income to contribute to the overall revenue of the Government? What exactly is it? Is it just to preserve heritage, legacies and so forth? What exactly is the relevance of it?

I mean, we are speaking about this 1974 plan, 44 years old, and various members have expressed the urgency of updating it and bringing it to some relevance in present-day utility, so I am a bit lost in understanding or appreciating now the value of this statutory body. Obviously, there is a lot of economic strain right now, because you are not meeting your current expenditure and so forth. The revenue stream seems to be very limited and almost static—it is not something expanding into new avenues—so what are your views? And then, I would ask Mr. Cezair to give his views?

Ms. Hinds: Mr. Chairman, I think you have summarized the issues very eloquently, and you have hit the nail on the head. That is exactly the issue. Back in 1974, I suspect—and you also have to look at the legislation to fully comprehend the challenge of any board to manage the CDA. You got references to—in the legislation it does not speak to it being a national park, but it is clearly a heritage. This is how we have accepted this space. And I suspect the thinking then may have been, the only way to sort of ensure that it remains an environmental and a historical heritage was to possibly do nothing. Thinking has shifted a lot, and I know that the CDA has presented the Ministry with a strategic plan and they are in the process of crafting a Cabinet Note on their behalf to take it forward.

But, one of their challenges has been, how do we effectively—which is the question that you are asking, I do not want to use the word “monetize”, it is not that—how do we efficiently and effectively and sustainably use this extremely valuable and wonderful resource in a way that benefits the public interest, but in a way that also generates the kind of income and revenue to take us forward in terms of transformation of our national economy? Because this thing is a jewel that can possibly go quite a way in terms of a transformation agenda as well.

So, some of the challenges that I think the CDA is currently facing right now would be how would their legislation empower them to be able to do that, and they have had some conversation with me about considering what parts of their legislation may need to be amended to empower them now to go after ventures, to go after the public/private partnerships that you all are thinking about, to make them viable, to make the investments possible.

So, that is the kind of thinking that they have got to engage in now, and you are quite right, 44 years is a long time. So, we know a lot more today, however we have a lot more technology available to us. So, there are ways in which—I do believe the CDA can become viable, you know, as an authority. I might be sounding very hopeful, but I think the big elephant or the white elephant in the room that we are not really speaking to is the issue of capacity, and what has happened over the years in terms of project management capacity, in terms of having the resources necessary, and the right mix of skills to take it forward, and perhaps that is what has been happening with many of our state enterprises at present.

So, one positive thing I heard the CDA say is that we are doing a manpower audit in the context of their strategic plan. So, it means they are aware that they possibly right now do not have the right mix necessary to take it in the direction that they need to go. Let us see what happens. They have brought it to us. We are going to take it forward. We are hoping that after a process like today, we are one step closer to assisting the Authority in becoming a much more viable entity.

Mr. Chairman: I thank you very much for that explanation. Mr. Cezair, would you just give your comments on the same?

Mr. Cezair: Mr. Chairman, as part of our strategic plan 2016 to 2020, the board has identified 19 strategic projects to take us forward:

1. Increase revenue from existing business;
2. Increase revenue from new lines of business;
3. Improve financial performance;
4. Reduce operating costs;
5. Broaden range of services and products;
6. Maintain a safe and pristine environment;
7. Maintain a secure north-west peninsula;
8. Strengthen the CDA brand;
9. Enhance quality of customer service;
10. Strengthen stakeholder management;
11. Improve park management;
12. Strengthen marketing and brand management;
13. Enhance management systems;
14. Implement good governance best practices;

15. Improve and leverage technology platform;
16. Increase organizational alignment;
17. Strengthen strategic competencies;
18. Create a learning organization; and
19. Develop a high-performance culture.

So, these are our initiatives that we plan to move forward.

I also want to mention to the Committee that we have also revisited a 1994 Cabinet approval, Cabinet Note No. 1334 of 1994, we have revisited it with the Commissioner of State Lands, where Cabinet would have approved the seabed to be leased to the CDA so that the CDA can then sublease it to our tenants, and therefore generate revenue. Because, what we are faced with also is we have tenants who are paying for their acreage on land, minimal rent to the CDA, and would have erected piers and jetties out in the water which, under the high-tide watermark, falls directly under the purview of the Commissioner of State Lands, and they are charging people to moor their boats on these piers.

So, we are collecting a minimal rent for the land and we have tenants who have millions of dollars in the water, which is un-accessible to the CDA. So, the CDA would have approached the Commissioner of State Lands to revisit this Cabinet approval with the intention of getting control of these lands, and if the Commissioner of State Lands agrees and we do get control, what it would also help us with is regulating the development on the peninsula in terms of what pertains to the seabed also.

Miss Ramdial: Thank you. Just going back to the PS Ms. Hinds, I agree with you when you say that the thinking has changed over the years with respect to the plan from 1974 to now, and whilst we have CDA looking at all the different plans and how to reconcile the spatial development plans, the 1974 plan, the 1988 plan, and all the other plans after that, you also mentioned the fact about generating revenue for the country, talking about public/private partnerships and I am sure you are aware of at least five leases that were given out in recent times and it is all public/private partnership that amounted to about \$2 billion in investment. And whilst we stall these projects and—as the Chairman says, well not stall, it is ongoing without prejudice—and all of that.

I mean, we are being a bit hypocritical when we say that we are looking to change, and we should change, and all of that, and yet still we have these public/private partnership investors coming in, investing \$2 billion and the CDA has somewhat gone back to look for a second opinion on the lease arrangements and all of that. I mean, what are your thoughts on this? Should we not—you know, tell me your thoughts on this, please?

Ms. Hinds: What I would say is exactly what the hon. member said. Let us just move swiftly. Let us just move swiftly to ensure that everything we do from this point on is legal, it is appropriate, it has all the required approvals, but let us just do it as quickly as we can.

Miss Ramdial: So, are you saying that the previous leases were illegal?

Ms. Hinds: I am saying no such thing, Ma'am. You are trying to put me in some serious trouble outside my area of expertise. *[Laughter]* But, I am just saying that we really are committed to getting this thing going. And we would put our best foot forward in support with this agency, our agency, it is under the Ministry of Planning and Development. They are not a bastard child. We will work together and we will get it done as quickly as we can.

Miss Ramdial: Thank you very much.

Mr. Smith: There is a problem—we sat on a couple, in a different joint select, I did as well, with regard to the issue with squatting across Trinidad and Tobago, a number of issues with squatters, that is prime premium land, not just on the coastline, but also down the islands, you all have a report or any issues with regard to that and how you all are dealing with that?

Mr. Cezair: Okay. We are in fact challenged with—we do not have a perennial squatting problem in Chaguaramas, but the one or two that we have are in fact more or less in the water which is below the high-tide watermark, so it therefore falls under the ambit of the Commissioner of State Lands to treat with that. So, we are in fact working closely with the Commissioner of State Lands in an effort to get them. And, again, if the Cabinet Minute of 1994 comes into effect, it would literally give us some level of control over what takes place with the seabed in and around the peninsula.

Mr. Chairman: Can I ask any one of the members of the CDA—first of all, you all had an internal audit that was conducted by Ernst & Young, can we be provided with a copy of that?

Mr. Cezair: I would have indicated before to the Committee that the report on this audit currently lies with the Ministry of Legal Affairs, and they are in fact reviewing it to see if there is anything in that that is of an evidential nature. So, until they would have done their review, then we could see about getting it released to the Committee and to the people of Trinidad and Tobago as whole.

Mr. Chairman: Now, why has the CDA failed to submit its annual administrative reports to Parliament in a timely manner according to the provisions of section 66D of our Constitution?

Mr. Ogilvie: They have never submitted any.

Mr. Chairman: They have never submitted any?

Mrs. Dilraj-Bathoosingh: We have in fact submitted up to 2014 to our line Ministry. The 2015 was drafted but the board would have reviewed it and asked for further amendments, and that is currently being reviewed, but we would have submitted up to 2014 to our line Ministry.

Mr. Chairman: In other words, you are saying it is stuck at the Ministry?

Mrs. Dilraj-Bathoosingh: Maybe the Ministry can address that.

Mr. Chairman: Ms. Hinds, again, could you enlighten us as you have been doing so eloquently for the morning? *[Laughter]*

Ms. Hinds: I am being advised that the Cabinet Note is being prepared to take it forward.

Mr. Chairman: From 2014?

Ms. Hinds: Yes, for whatever has been completed.

Mr. Chairman: Okay, thank you.

Miss Ameen: Mr. Chairman, with regard to the audit report, the member did indicate that the report is currently with the Ministry of Legal Affairs and the Office of the Attorney General, but I do not see that as preventing you from sending it to the Parliament as you have done with other documents. The Attorney General, of course, will do what he feels is necessary, but that should not change the contents of the report, unless there is an intention to sanitize or remove any information, which I do not think would be the intention. So, I want to ask if you could forward the report to the Committee in the meanwhile.

Mr. Cezair: Again, hon. member, the report does not rest at the Chaguaramas Development Authority. It is in fact with the Attorney General and the Ministry of Legal Affairs, and they are the ones who have sole possession, and it is under their purview. They are in fact reviewing it to see whatever evidential issues that could be obtained from it, and they will release it as they see fit. The CDA does not have that report in its possession.

Mrs. Dilraj-Bathoosingh: Can I just interject, because there would have been an explanation provided on page 5 of our written submission where we would have indicated based on the advice of counsel, same cannot be released as they are currently forming the basis of further investigations, and are being utilized for the purpose of entering civil litigation. Accordingly the CDA cannot waive its privileges at this time to release the report, which we do not have in our possession in any event.

Miss Ramdial: All right. Mr. Cezair, there has been an issue where lessees or their tenants under the CDA have reclaimed lands and erected jetties and other structure on CDA lands, is this legal, and how is the CDA dealing with this?

Mr. Cezair: Again, hon. Member, it speaks to the fact that we would have revisited the 1994 Cabinet Minute, because once it falls under the high-tide watermark it is solely under the purview of the Commissioner of State Lands, and we are in fact actively trying to get the lease of the seabed from the Commissioner of State Lands that would give us some level of control and further be able to generate more revenue for us as we go forward.

Miss Ramdial: Thank you. Just one more question. You spoke about your strategic plan earlier on that was done. What was the cost of doing this strategic plan?

Mr. Cezair: I will be more than happy to provide that in writing for you, because we would not have that available.

Miss Ramdial: Okay, thank you.

Miss Ameen: Mr. Chairman, I have a question with regard to the waters in Chaguaramas. Recently, in the news there has been a lot of attention being paid to sewage pollution on our beaches. Chaguaramas is a place where a number of sea bathers go, and my question is, what is the present condition of the sewage system on the mainland, and have you looked at the impact of sewage waste on our beaches that fall on the

shores of the Chaguaramas area that fall under CDA?

Mr. Cezair: I take it, the key word that you would have used is “recently”. So, it has recently come to our attention also, and I assure you that we will take every possible step to treat with it as best as we can. We will, in fact, see what we can do. We will commit ourselves to work with the Institute of Marine Affairs, the Environmental Management Authority, and other stakeholders to try to determine what the source of this pollution is, and to try to see how best we could treat with it in the best interest of the people of Trinidad and Tobago.

Miss Ramdial: Mr. Cezair, just going back to my previous question on the cost of your strategic plan. You actually sent us the information where this strategic plan cost the CDA \$4.4 million; I just want to confirm that cost.

Mrs. Dilraj-Bathoosingh: That is incorrect, it is not \$4.4 million.

Miss Ramdial: But we have this here from a document that you would have sent to us.

Mrs. Dilraj-Bathoosingh: Can you just indicate to me where exactly you are seeing that, please?

Miss Ramdial: It is in the Appendix.

Mr. Chairman: It is in the strategic plan for Chaguaramas Development Authority, actual expenditure \$4,432,059—where is this coming from? Apparently this came from your submission.

Miss Ramdial: In the Appendix.

Mr. Cezair: What page?

Miss Peterkin: The pages were not numbered.

Miss Ramdial: The pages were not numbered.

Mr. Chairman: You all did not number the pages.

Miss Ramdial: Your submissions were not numbered.

Mrs. Dilraj-Bathoosingh: Okay. What I can indicate is that the allocation for—so the estimate was \$2 million, the actual expenditure in terms of spending, even though it falls under that category of 2015, this would not be the amount that was spent to do this particular strategic plan. If moneys were spent under this heading in 2015, it would relate to strategic planning, invoices or bills as it related to previous expenses that the Authority may have had. I would have to clarify though in terms of the exact amount, because I am seeing \$4.4 million, but I know as it relates to even some of the others, this actual expenditure is not reflective of what would have been spent, only on what we would have engaged in 2015. It would have been bills that we were still paying from the previous years, because we have that situation as well where we are paying old expenses.

Mr. Chairman: Okay, well what you can do is just fortify that and explain it to us in writing, and we will look at it.

Mrs. Dilraj-Bathoosingh: Yes, that can be done.

Mr. Chairman: Okay. Ladies and gentlemen I would like to thank you very much for your participation

this morning. I think we have reached to the point in time where we need to bring some closure to this enquiry. I hope it has been very encouraging from all participants. I certainly have been enlightened a little more on what are the activities of the Chaguanas—Chaguaramas Development Authority. Probably I want to go to Chaguanas, I do not know why.

Miss Ramdial: Nice persons. *[Laughter]*

Mr. Chairman: So, I would invite Mr. Cezair to make his closing comments, followed by Ms. Hinds.

Mr. Cezair: Mr. Chairman, on behalf of the members present and the employees of Chaguaramas Development Authority, I would like to sincerely thank you and your Committee for giving us the opportunity to present our statement of affairs to you, and by extension to the people of Trinidad and Tobago. It is the objective of this board to utilize the resources of the north-west peninsula in the best interest of the people of Trinidad and Tobago. That is what we are focused on.

And, whilst we may face some challenges, we are not overly hampered by those challenges. We are not focused on those challenges. We are focused on the way forward. We really want to make Chaguaramas the eco-friendly national park that we think it is supposed to be. So, what we are looking for—eventually we are looking for the right blend of technology, the right blend of development, whilst preserving the pristine environment, so that the people of Trinidad and Tobago could come to Chaguaramas and find some peace and some solace and really enjoy the natural environment that Chaguanas obtains to.

So, again, Mr. Chairman, on behalf of the members present here, I say to you and to the people of Trinidad and Tobago, thank you very much for this opportunity to present our statement of affairs, and I say to the people of Trinidad and Tobago, rest assured that every single decision the Chaguaramas Development Authority makes concerning the north-west peninsula will be made in the best interest of the people of Trinidad and Tobago. I thank you.

Mr. Chairman: Ms. Hinds.

Ms. Hinds: I must say on behalf of the Ministry of Planning and Development, and the team sitting here—you may not have heard all of their voices—but we really do stand ready to support this process, and support the CDA in moving forward and improving its ability to manage its affairs. We do respect that it is run by a board, but we can give some policy oversight and further support in terms of the way in which things are done. So, we are committed to doing just that.

I also want to comment on this Joint Select Committee process. I found it to be quite an enjoyable experience as a matter of fact. I like the collaboration. It is obvious that the intent and the objective of the Committee is to really help us as a Ministry and as an organization to function more effectively, and as a citizen of Trinidad and Tobago I could only appreciate that. So, thank you again for the opportunity.

Mr. Chairman: Thank you very much. Well, on behalf of the members of this Joint Select Committee and myself, I would like to thank all of you for participating this morning, and enlightening the public of Trinidad and Tobago. Also, I would really like—not taking away from any other who contributed this

morning, but certainly the Acting Permanent Secretary, Ms. Hinds, I find you to be very informative. I feel very encouraged and positive that the Ministry has a resource like yourself as part of your management, and that it can only help us to achieve our objective with that type of capacity within the public service.

So, thank you for your support. Thank you for your information, and I do hope that the CDA would have listened intently to what you would have said, and what capacity you all have that you all could render to them in trying to move this process forward in bringing them up to speed to be able to be delivering successful, and probably becoming a sustainable, self-sufficient corporate body in 2017.

I thank you, and the members of the listening public I also thank you, for those who have tuned in, and as I said earlier on, this was a delayed telecast which would be now aired at 2.00 p.m. this afternoon. I would like to bring this meeting to an adjournment. Thank you.

11.58 p.m.: *Meeting adjourned.*

EXTRACT OF VERBATIM NOTES OF THE SEVENTEENTH MEETING OF THE JOINT SELECT COMMITTEE APPOINTED TO INQUIRE INTO AND REPORT ON LOCAL AUTHORITIES, SERVICE COMMISSIONS AND STATUTORY AUTHORITIES (INCLUDING THE THA), HELD IN THE ARNOLD THOMASOS ROOM (EAST), (IN CAMERA), LEVEL 6, TOWER D, INTERNATIONAL WATERFRONT CENTRE, #1A WRIGHTSON ROAD, PORT OF SPAIN, ON WEDNESDAY, JUNE 28, 2017 AT 9.30 A.M.

PRESENT

Miss Ramona Ramdial	Vice-Chairman
Mr. Nigel De Freitas	Member
Mrs. Jennifer Baptiste-Primus	Member
Miss Khadijah Ameen	Member
Mr. Julien Ogilvie	Secretary
Miss Khisha Peterkin	Assistant Secretary
Mrs. Katharina Gokool	Graduate Research Assistant

ABSENT

Mr. H. R. Ian Roach	Chairman [<i>Excused</i>]
Mr. Faris Al-Rawi	Member [<i>Excused</i>]
Mr. Stuart Young	Member [<i>Excused</i>]
Mr. Darryl Smith	Member

10.22 a.m.: *Meeting resumed.*

T&T Tour Guides Association

Mr. Wendell Griffith	President
Mrs. Cheryl- Ann Borde-Johnson	Vice-President
Ms. Anasha Wilson	Member

Diego Martin Regional Corporation

Ms. Beverly Haywood	CEO
Mr. Albert James	Building Inspector
Mr. Lutchman Maraj	County Superintendent

Chaguaramas Development Authority

Mrs. Deowattee Dilraj-Batoosingh	General Manager (Ag.)
Mr. Robert Cezair	Board Director

Mrs. Susan Russell-Edwards

Mgr. Human Resources (Ag.)

Mr. Sheldon Gibbs

Draughtsman/Estimator, Project Team

Mrs. Kelly Jackson-Baynes

Mgr. Legal & Compliance Audit Services (Ag.)

Madam Chairman: Good morning ladies and gentlemen, I would like to welcome the viewing and listening audience to the 17th meeting of the Joint Select Committee on Local Authorities, Service Commissions and Statutory Authorities (including the THA).

Before I continue, let me just say that I am acting for the Chairman, Mr. Ian Roach who is away on personal business, and I will ask my members to introduce themselves before we continue.

[Introductions made]

Madam Chairman: So this morning the Committee will engage in open discussions with the stakeholders of the northwest peninsula and officials of the CDA pursuant to its enquiry into certain aspects of the operations of the CDA or the Chaguaramas Development Authority. Members of the public may submit comments via the social media platform, Facebook, Twitter and YouTube for those who are locked in.

I will now ask the members of the enquiry team to introduce themselves, and we will start with the Trinidad and Tobago Tour Guides Association.

[Introductions made]

Madam Chairman: We will move on to the Diego Martin Regional Corporation.

[Introductions made]

Madam Chairman: We will move on to the officials of the Chaguaramas Development Authority.

[Introductions made]

Madam Chairman: So before we start let me just note that this is the Committee's second hearing on the issue, with the first meeting that was held on May 24th.

So we will start off by of course identifying the objectives of the enquiry. Firstly, to determine what policy and development plans are presently guiding the development of the northwest peninsula. Secondly, to assess the processes and criteria which have been applied by the Authority to allocate and designate land for the various developmental activities and, thirdly, to understand the operational constraints and challenges that are affecting the performance of the Authority.

We will now like the representatives from each of the stakeholder groups to give some brief opening remarks. I will call upon Mr. Wendell Griffith of the Trinidad and Tobago Tour Guides Association.

Mr. Griffith: Good morning again. I am here representing the tourism sector, so I can only answer questions pertaining to the tourism part of the CDA.

Madam Chairman: Ms. Beverly Haywood, CEO of the Diego Martin Regional Corporation.

Ms. Haywood: I am the Acting CEO for the Diego Martin Regional Corporation. We have certain principal functions of the corporation that we provide. We are also a regulatory body and a service provider

for the region. We sent the answers to questions that were asked of us, written answers, and we are here to answer any follow-up questions. Thank you.

Madam Chairman: Thank you. Lastly, Mrs. Deowatte Dilraj-Batoosingh, General Manager.

Mrs. Dilraj-Batoosingh: I will defer to our board member who has prepared an opening statement.

Mr. Cezair: Thank you very much, Madam Vice-Chairman and other members of the Joint Select Committee. On behalf of the CDA, I take this opportunity once again to thank you all for convening a second session of the Committee whereby the CDA can report to the Parliament, and by extension the country, on the operations of specific concern to our various stakeholders.

As stated in our first meeting, the CDA welcomes these reporting mechanisms, and rest assured, Madam Vice-Chairman, that our representatives stand ready to share with those present all relevant and pertinent information.

Having been honoured the task again of leading the CDA team, I want all to know that the CDA has always held at high priority the engagement and participation of stakeholders, since we recognize that forging such meaningful partnerships and alliances are essential ingredients to both the Authority's success as well as our partners. Such win-win situations can only augur well for the overall business, particularly in the current economic landscape.

Madam Vice-Chairman, allow me once again to take this opportunity to assure all stakeholders that the CDA's developmental thrust ensures all decision are made in the best interest of the people of Trinidad and Tobago. To this end, the CDA, as it aggressively moves forward with its mandate of conserving and developing the national treasure that is the north-west peninsula, our plans will be further strengthened as we leverage on the input of all sectors of society, be it civil society, business and private sector, academia, religious and cultural institutions, none shall be left out. Thank you very much, Madam Vice-Chairman.

Madam Chairman: Thank you very much. So I will start off the round of questioning. My first question is of course directed to the Diego Martin Regional Corporation. I would like to find out the role of the corporation in the development of the lands held under the CDA.

Ms. Haywood: Thank you, Madam Chair. As it stands, there is no statutory obligation placed upon the corporation for the development and maintenance of the tourist sites located in the Chaguaramas area. Here upon, the corporation has no direct role in these activities.

Madam Chairman: So what exactly comprises a working relationship then between the CDA and the Diego Martin Regional Corporation?

Ms. Haywood: The working relationship between CDA and the corporation is that the corporation in their roles and functions that they provide, CDA makes request on the corporation to provide services for them. This includes disaster management services, health services and like truck-borne water and stuff. Regarding disaster management, like cuttings of fallen trees in the area, and also our building inspectorate unit provides services for CDA.

Madam Chairman: I guess I will refer this to the Building Inspector. Can you tell me exactly what type of services you render to the CDA?

Mr. James: Pleasant morning once again. The building inspectorate of the Diego Martin Corporation, the process is that plans with planning permission from Town and Country are brought to the corporation. When these plans are brought to the corporation, with the grant of planning permission the corporation will have the process of going through the plans to see if everything is there or if there is anything missing from the plans. If there are any documents that are missing to give final approval, we will send a document to the client requesting that these submissions that are omitted be fulfilled. When the omitted submissions are fulfilled then final approval is granted. But fulfilling the missing applications this is solely the responsibility of the client.

Madam Chairman: Okay.

Mr. James: Basically where my section is concerned that is the most we really have any kind of interaction with CDA. But this is really a general process for the whole of the region, where plans are brought to the corporation with planning permission from Town and Country. It is basically a process for the—

Miss Ameen: I want to ask, what is your working relationship with the CDA? The corporations have a regional coordinating committee. Do they attend, and outside of that what is the relationship between the regional corporation and the CDA?

Ms. Haywood: Yes to your question. Yes we have the coordinating committee and yes, CDA attends the coordinating committee. The last attendance was in January of this year 2017, and every month Minutes from the meeting is sent to the CDA to update them on what has taken place in the meeting.

Miss Ameen: So does the corporation play a role in regulating development? Because if the rules that apply to the general public in terms of approvals from the Building Inspector of the regional corporation, those apply to the areas controlled by the CDA, not so? So you do play a role in regulating development.

Ms. Haywood: Yes, we play a role in the development of the region. As the Building Inspector explained, we are regulatory meaning that yes we have to investigate the forms when they come from Town and Country Planning.

Miss Ameen: Have you had occasions where you have had violations and you have had reasons to serve show-cause notice or demolition notices, and what is the rate of compliance?

Ms. Haywood: I will direct that question to the Building Inspector.

Mr. James: Well, I am speaking generally throughout the region—we have, on occasions, reasons to serve notices and notice to cease, demolition notices. The percentage of compliance I would say is possibly about 50 to 60 per cent. We have removed some small structures in the region over some years, but some of the situations require legal input, and the Corporate Secretary—there is no existing Corporate Secretary at the region at this point, so we have to try to do the best that we could do legally where some of these situations occur.

Miss Ameen: Where you have legal challenges do you seek outside legal counsel in the absence of your Corporate Secretary?

Mr. James: Yes, we do seek outside legal counsel, but there is a cost attached to it, which the corporation really cannot bear. Remember these cases are prolonged and the cost multiplies.

Miss Ameen: In addition to buildings themselves in terms of construction where you have construction that obstructs waterways or other construction—and this may be further directed to the County Superintendent—do you have instances where the corporation would have had reason to intervene in cases like that?

Mr. Maraj: We intervene based on requests by the CDA, but we do not have a unit to do routine inspection within the confines of the CDA. So if we have any requests, blocked drains, collapsed culverts, we will intervene and offer assistance.

Mrs. Baptiste-Primus: Thank you kindly, Madam Chair. My question is directed to the Acting CEO of the CDA. The regional corporation in its written missive indicated that they took the initiative to invite the Authority to its monthly coordinating meetings. The Authority has yet to accept that invitation. Can you explain to the Committee the apparent unwillingness to have an established relationship with the regional corporation?

Mrs. Dilraj-Batoosingh: As far as I am aware, the invitation has come as it relates to attendance at the monthly meeting, and we do send a representative from the CDA to these monthly meetings. So I am unaware that they have not had our cooperation. If they are saying though that they are looking for a more formal arrangement in terms of—like a partnership between the corporation and the CDA, that is something that has not at least come to my attention, that has been outstanding from the corporation. But I do know that we do have a representative who attends the monthly meetings and does report back to me in terms of things that need to be done and that my input would be needed, coming out of the meetings.

Mrs. Baptiste-Primus: Madam Acting CEO of the Diego Martin Regional Corporation, would you care to clarify?

Ms. Haywood: I understand what she says, but the last attendance for CDA as we have recorded is the January 26, 2017, and despite their attendance, or lack thereof, we send the copies of the Minutes to CDA.

Mrs. Dilraj-Batoosingh: May I just enquire who it is directed to, the Minutes?

Ms. Haywood: To a Mr. Forde

Mrs. Dilraj-Batoosingh: Mr. Michael Forde is our senior agency officer who is the designated person to attend the meetings.

Mrs. Baptiste-Primus: Mr. What?

Mrs. Dilraj-Batoosingh: Michael Forde. He is the senior agency officer at the Authority, so I would of course have to do some enquiries as to why there may be some level of non-attendance. But as far as I know, he was the designated person who is supposed to attend the meetings and report on.

10.40 a.m.

Mrs. Baptiste-Primus: Well clearly there is a lapse that exists, because one would expect two state agencies involved in specific delivery of services that a relationship would be established so there is some coherence in the delivery of those services. I would strongly suggest, Madam Acting General Manager of the CDA, because if your representative has not attended a meeting since January, then we are talking about five months, five continuous months and somebody has to be accountable. So, I would suggest that you all take the necessary corrective action.

Having said that I would also suggest that a formal relationship be established, we are dealing with two state agencies.

Mrs. Dilraj-Batoosingh: Yes. I am guided by that suggestion in terms of the formal relationship, so I would be in touch with the CEO of the regional corporation and we can discuss further in terms of a partnership going forward.

Mrs. Baptiste-Primus: I will like to ask the Acting CEO of the regional corporation, part of the information that was provided to this Committee informed us that the corporation provides several services, one such service is the provision and maintenance and control of parks, recreational grounds, public pastures, beaches and other prescribed public places. Are these places where located at Chaguaramas, under the control of the CDA, is the corporation responsible of those beaches and parks also?

Ms. Haywood: Okay. I would like to direct the question to the county superintendent.

Mr. Maraj: Through you, Madam Chairman. Yes. We provide the services, but not within the confines of the CDA. We clean all the beaches from Cocorite going straight down before you enter the CDA's jurisdiction. But directly only if they make a request for assistance we would go in there to offer assistance, but we do not generally go in there to provide services like that.

Madam Chairman: Going back to the Building Inspector, Mr. James, from your knowledge the number of compliant leaseholders at the CDA with respect to approvals being sought by your corporation, is it positive in terms of compliance? Most of the leaseholders, are they in compliance with the requirements?

Mr. James: From 2000 to 2017 we have 38 applications that are planning permissions from Town and Country Planning. Right? To this date, we have five out of the 38 that were granted final approval from the corporation. So basically there were five who were compliant in seeking their final approval.

Madam Chairman: "Humm". And what about the other 32?

Mr. James: Well their applications are at the office and the requirements sheet was posted out normally about within a week, the plans come to the corporation within a week the sheet is posted out to the client.

Madam Chairman: Right.

Mr. James: Right? So they have the requirement sheet and, as I said before, it is up to the clients to bring in the required documents to effect the final approval.

Madam Chairman: So would we have clients who are operating and existing as a leaseholder under the

CDA, but still not compliant with the requirements?

Mr. James: Well, I do not have all the information, all right?—about the operations of clients or if everyone who was not compliant has constructed. Right? Well, maybe there will be some who are operating without the final approvals.

Madam Chairman: Can the CDA clarify for us whether with respect to what he has said? The General Manager?

Mrs. Dilraj-Batoosingh: Okay. In terms of persons being in compliant with the regulatory approvals, the leases do speak of the need to be in conformity with all regulatory approvals including, of course, the Diego Martin Regional Corporation and others. So if it is the tenant for some reason is operating without the necessary approvals that is, of course, is something that we do look at being a breach.

Our compliance unit we do have at the CDA it falls under the legal department, a compliance unit that does, in fact, do regular compliance visit on all our tenants, and these are normally flagged if it is there are complaints about a lack of approvals, they are raised with tenants who are informed that they must seek the necessary approvals and provide by a certain date to the authority approvals that may be outstanding, some of which are years gone, so we have tenants who might be for many years without approvals operating. But it is something that we to have a unit specifically looking for and we have been working with the tenants to get the necessary approvals.

And when follow-up compliance visits are done and they are not yet in compliance with providing the approvals, stronger or stringent letters are sent to the tenants and even inviting them in some instances to in come and really right to put their house in order, because as the landlord we do have the responsibility to ensure that persons are, in fact, in compliance with their leases.

Madam Chairman: So from your information, how many of those leaseholders are, to date, not in compliance or in full compliance?

Mrs. Dilraj-Batoosingh: I am not in a position to give numbers or a percentage, but—

Madam Chairman: Miss Baynes, would you have information as legal?

Mrs. Jackson-Baynes: No, ma'am, I do not have that information on me at the moment.

Madam Chairman: Okay. Can we get that assurance to have that information submitted?

Mrs. Jackson-Baynes: Yes.

Mrs. Baptiste-Primus: Madam Chair?

Madam Chairman: Yes. Sure.

Mrs. Baptiste-Primus: Thank you kindly, Madam Chair. I would like to just shift the focus somewhat to you Mr. Wendell Griffith the President of Trinidad and Tobago Tour Guides Association. May I enquire, does TTGA service all tourism sites in the western peninsula?

Mr. Griffith: Not any more, we used to work along with the CDA, they would be contracted with the CDA and I do not know exactly what year it was when they actually demolished the tour guide section, and

they actually stopped using our services. So, we do not really operate down on the western peninsula anymore since then.

Mrs. Baptiste-Primus: May I then enquire through the Acting General Manager of the CDA, the information before this Committee indicates that the CDA's decision some years ago to stop using our guides for their tours in the Chaguaramas area, but instead opted to use their customer service representatives who are not certified or licensed nor fall under the Ministry of National Security in performing tour guiding services. Would you care to comment on such a statement? And while you are at it can share with this Committee the rationale for the discontinuation of the use of the certified tour guides?

Mrs. Dilraj-Batoosingh: Well, I can answer some parts of the questions, the other I would probably have to do some further investigations. Now with respect to the current relationship with the Tour Guides Association there have, in fact, been discussions. At least my information is that there have been discussions with the Tour Guides Association to revise what used to be the relationship. There is, of course, a cost that is associated every time we engage the Tour Guides Association to have tours done in the peninsula, so we do have to balance that with our very precarious financial situation right now.

What has, in fact, come before me and I can say truthfully within the last may be two months or so was a draft MOU between the Tour Guides Association and the CDA which I would have reviewed and I would have asked that we look at and probably have a meeting to discuss what, because it is a very old draft that was submitted, to probably look at taking it before our subcommittee of the board to have this relationship brought back in the CDA.

One of the reasons I am supposing, because I was not there at the time that the Tour Guides Association may not have been used and the structure had been changed where customer service representatives who we call the CSRs in the organization were then doing some of the tour guiding exercises, it was because we wanted to ensure that the persons at the CDA had the necessary knowledge and expertise to carry out the tours. Right?

Now, we do have certain individuals at the authority who are very well trained and are actual tour guide, we have one that is actually very good and he does internal training with our members, but we, of course, have to do external as well.

I hear your concern about whether they are trained and whether they do have national security certification, et cetera. That is something, of course, our CSRs do not necessarily have right now, but as I said we are trying to bridge the gap that was created, I mean, that is something would have met or this board or this administration would have met when we went into the CDA. So it is something we most definitely have been looking at.

I am happy to hear that the Tour Guides Association seems to be wanting a relationship with the authority because we really need to rely on every aspect of tourism in the country to really push our

peninsula to bring more people in. It is just that we are very, very much constrained because of our financial situation to be able to pay CSRs and to pay tour guides with the very limited funds that we do have.

Mrs. Baptiste-Primus: Okay. May I suggest that the authority carefully consider that situation, particularly the legal implementations with your uncertified CSR engaging in tour guides of members of the public in the event some mishap occurs. You need to pay attention to that because the CDA may be very well liable. So it is a situation, I do not know if the CDA contemplated in using the CSRs who are not certified. The CDA has a responsibility to ensure that whatever your activities are that they fall within the parameters of what is expected legally or otherwise.

Mrs. Dilraj-Batoosingh: Yes. Most definitely. That is something that we would have noted as a concern. As I said, we do have one certified tour guide who basically is the main tour guide for the organization who does most of the tours. He assists any CSR, if any, assist him. We are constrained in terms of retaining certified tour guides within the organization. We are, in fact, looking at bringing back the relationship with the Tour Guides Association, and that is something that will be rectified pretty soon.

Mrs. Baptiste-Primus: How expensive, when you are talking about the cost—

Mrs. Dilraj-Batoosingh: I was informed that it takes about—

Mrs. Baptiste-Primus: What are some of the cost factors that we are looking at here in terms of the employment of the services of the Tour Guides Association?

Mrs. Dilraj-Batoosingh: The authority does, in fact, have to pay each tour guide. I am told that the fees can range between \$60 to \$100 per hour for the tours.

Mrs. Baptiste-Primus: And these are free tours?

Mrs. Dilraj-Batoosingh: No. These are tours that are paid by patrons who are interested in coming to the peninsula, but again, the level of tours and it could be one of the reasons it has not been looked at probably prior in the last couple years. The number of tours have actually reduced, so we do not have that many tours to be able to generate that much revenue to facilitate having a relationship with the Tour Guides Association. For example, we would not have say one or two persons who are interested in coming to a tour and then we have to go to the Tour Guides Association to retain them, then we have to, for example, pay for the vessel if it is an offshore tour to go to the islands, we have the cost of vessel, they are normally accompanied by one of our employees. It really is quite a number of challenges in even getting a tour organized with the Tour Guides Association, given the numbers.

Madam Chairman: So let me interject here because I am trying to understand the scenario here. So you have a bunch of tourists who would communicate with the Tour Guides Association and they would pay the Tour Guides Association to come to the peninsula. No? How?

Mrs. Dilraj-Batoosingh: It does not work like that?

Madam Chairman: How does it work?

Mrs. Dilraj-Batoosingh: They do not pay the association, they would have to pay us. We would have

to pay the Tour Guides Association.

Madam Chairman: Oaky.

Mrs. Dilraj-Batoosingh: We pay their fees. There is a fee. It is not free.

Madam Chairman: Right.

Mrs. Dilraj-Batoosingh: The Tour Guides Association does not provide a free service to the CDA.

Madam Chairman: But do you generate any sort of revenue from this arrangement?

Mrs. Dilraj-Batoosingh: If it is we were to engage the Tour Guides Association, the revenue or profit generated would be very minimal. Right now we do try to, because we engage our own tour guide to do it we are able to then get the most in terms of revenue for the few tours that we do have.

Madam Chairman: And where does that revenue go to the CDA?

Mrs. Dilraj-Batoosingh: Yes. It goes to the CDA.

Madam Chairman: So can you give us an example of revenue generated from a tour?

Mrs. Dilraj-Batoosingh: From one tour in particular?

Madam Chairman: Yes.

Mrs. Dilraj-Batoosingh: What I have is an estimate in terms of our monthly, what our monthly tours might be.

Madam Chairman: Sure.

Mrs. Dilraj-Batoosingh: Okay. It can range between \$5,000 to \$7,000 per month. If it is the summer, which is normally an increase in terms of activities in the peninsula in tours, it can go maybe around \$9,000 per month.

Madam Chairman: So there is room for improvement, of course?

Mrs. Dilraj-Batoosingh: Most definitely and that is something we would recognized and, as I said, we are starting to look again, improving tours, improving our facilities, reaching out to stakeholders who are interested in coming to our tours, but at the same time merging our relationship with the Tour Guides Association, because, of course, we cannot expand in terms of numbers coming in and then just have one tour guide at our organization to do it. So that is where we are jointly trying to do both things simultaneously, so when the influx comes the relationship with the Tour Guides Association should be fixed at that point.

Madam Chairman: But how are you attracting that influx? Have you embarked upon a marketing strategy to expand that tour guide package?

Mrs. Dilraj-Batoosingh: We have with the limited resources that are available to us. We have, in fact, and bits of it are included in the further response that we have provided. We have started writing letters directly, for example, to most schools in the country especially as it relates to the Gasparee Caves which is a limestone cave. That is, of course, part of the geography syllabus for both the CXC and the A levels, so we are hoping that direct letters to the respective principals and geography departments will bring some

sort of level of school tours to the organizations.

We have also written the university, we have written UWI; we have written UTT; we have written pre-schools; primary schools. We are doing it in stages, so what we have accomplished thus far are the schools that we have covered in terms of inviting for tours. Of course, it includes the caves, the trails our golf course, et cetera. But of course as I said, we are doing it simultaneously, we are trying to improve in our tour guiding as well, because we cannot improve and invite without having the facilities to have the tours done, but at the same time also improving the facilities, because we cannot have someone going into the Gasparee Caves if it is not well maintained, if the rails are not fixed, et cetera. So it is a joint effort with all our departments, facilities, business development, but it is something that is coming on stream.

Mrs. Baptiste-Primus: We are entering the August vacation time, what kind of activities is the CDA contemplating to offer to the many, many school children who would be enjoying vacation leave during the August period, July/August period?

Mrs. Dilraj-Batoosingh: Okay. We would have the business development committee that is established, and we would have mentioned that at our last meeting. That is the committee who normally looks at prospective events in the peninsula for the August vacation. We would have already presented a paper on the committee. No firm decision as yet approved by the board, but we do have proposed for our golf course a clinic for juniors that is supposed to start in July, and that we are trying to expand not just to the golf course, but it includes when the children come over in terms of the summer, the students that they also embark on small tours in the vicinity of the golf course, because we do have a lot of beautiful trails in the Macqueripe area as well. So that is something that has, in fact, been approved by the business development committee already.

Miss Ameen: The mention was made of events. There are events in the Chaguaramas area all the time and I was curious as to the role the regional corporation would play or if it is, when you have events in terms of permission, in terms of monitoring and policing or is it completely under the purview of the CDA?

Mrs. Dilraj-Batoosingh: With respect to events in the peninsula and I am thinking you are talking more about the larger events like the fetes, et cetera, we do have to liaise with not just the Diego Martin Regional Corporation, but as well the EMA, for example, to ensure that the event promoter does, in fact, have the necessary approvals to have the event, so, we do follow up on that.

We also liaise with the corporation in terms of the municipal police giving assistance for policing on the day of the event who work together with the Carenage Police Station, as well as our estate, so that is under our superintendent of police. He normally spearheads that organization in terms of coordinating with the respective associations that deal with policing and providing necessary security and parking, et cetera. So, we do that for the major events. Yes.

Miss Ameen: So all the approvals that are required in other parts of the country apply in terms of EMA and so on.

Mrs. Dilraj-Batoosingh: Most definitely. Yes.

Miss Ameen: And your superintendent is the one who would ensure that the approvals are granted before they allow the event to take place?

Mrs. Dilraj-Batoosingh: Both our superintendent and the unit that is in charge of the coordinating of the event, so that is our business development unit.

Miss Ameen: And in terms of coordinating traffic arrangements not only parking, but restrictions and the additional traffic that comes in, who would be in charge of that?

Mrs. Dilraj-Batoosingh: That would be our superintendent of police. Yes.

Miss Ameen: In terms of his working relationship with the national police, because the land that falls under the CDA is accessed by roads that start way before the CDA's boundaries start and those roads would be affected by the heavy traffic. We have had instances of concern where heavy traffic, if you have an event let us say a medical emergency, medical vehicles cannot access the person being affected and other issues that have come up from time to time, there is an ongoing concern. What relationship do you have with the authorities responsible for responding in times of emergency if there is an untoward event in the CDA that the CDA has given approval for when you have such traffic conditions?

Mrs. Dilraj-Batoosingh: Okay. May I just pass you over to Mr. Cezair who has some more direct involvement as it relates to security?

Mr. Cezair: Good morning, again. The Superintendent of the CDA police is, in fact, a retired Assistant Commissioner of Police who has a very good working relationship with the divisional commander of the Western Division and the executive of the police service. He also coordinates and conducts meetings with the colonel in charge of operations of the Trinidad and Tobago Defence Force, so we also would get a buy-in from the defence force in terms of any untoward or any major event in the peninsula.

Miss Ameen: If you have a situation, is there a specific plan to react, to respond in terms of evacuation or treating, because you may not be able to evacuate based on the traffic, treating with injured persons, for example, within the vicinity until they can be taken to, let us say, the Port of Spain General Hospital?

Mr. Cezair: Again, that is currently, there are discussions being held with the defence force in particular because they would also have the necessary infrastructure to treat with injuries and so forth, so that is an ongoing discussion that will be formalized sometime in the near future.

Miss Ameen: So you are saying that as of now within, I mean, all these years you have had all these major events in the Chaguaramas area, you have never had an evacuation plan or an emergency response plan to deal with an event in the Chaguaramas peninsula?

Mr. Cezair: That is something that we will have to get back to you with, because I cannot confirm that at this point in time. I do not have that information, but we will certainly look into it and we will get back to you in writing.

Mrs. Baptiste-Primus: I just want to go back to Mr. Wendell Griffith. Mr. Griffith, in your response

you made a particular suggestions with regard to tourism as a product and you recommended that a separate entity must be established to deal with tourism. Could you care to expand on this idea?

Mr. Griffith: Well as the Acting CEO mentioned a while ago that the number of tours have decreased and that actually happened when the tour guide section of CDA was dismantled. After that was dismantled the amount of tours that were being booked down there actually decreased, and that is mainly because of communication with the CDA. They did not have anything, any structure in place after dismantling that they had nothing in place or to replace the tour guide section that had they running.

She is correct that they only have one certified guide there right now, the rest of their guides they have let them go, and so that is why they were—I mean, even before that they were using us, and we were still being used for a short period of time and then it seemed as though they had no money for paying the external tour guides.

Now, the fact is it had become very difficult, very, very difficult, almost impossible to call into CDA to book a tour. That became impossible for a couple of years not just months, but years. And tour operators and tour guides who actually booked tours down there for their guests eventually said, look forget it, you know. And that is when the amount of tours being booked were decreased, because everybody found that it was totally impossible to contact anyone down at the CDA there.

As a matter of fact, I remember there were times for me to book a tour down there, I had to call their one and only tour guide. I had to call him by his cell phone in order to book a tour down there. So it became virtually impossible to book a tour, and that went on for a very long time.

So this is why I am saying that they do not, it not does not seem, sorry, it does not seem as though that CDA has anyone down there who can really deal with a tourism product.

Mrs. Baptiste-Primus: And we get the point, Mr. Griffith, but what is your association suggesting? In the response you all are suggesting a separate entity, so I wanted you to expand on that idea in terms of CDA's apparent inability to deliver the tour guide services. What would your association suggest as an alternative?

Mr. Griffith: Well, it is either the CDA hire people who know about tourism. We have a lot of people coming out of the universities, coming out of, what is that place right next you?—TTHTI. So there are lot of people coming out of TTHTI trained, qualified to deal with tourism packages, to deal with tourism marketing and all of that. So my suggestion is, it is either they hire these people to deal with tourism, because right now it does not seem as though they have anyone that can actually market or deal with tourism; that is how it seems, and that is for years. Either that or get a separate entity altogether to deal with tourism in the western peninsula.

Madam Chairman: Mr. Griffith, can I ask, what is the role, if you would know, of the Ministry of Tourism in dealing with the issues that you are highlighting with respect to marketing tourism in the peninsula?

Mr. Griffith: None.

Madam Chairman: None?

Mr. Griffith: No. Two entities deal with the western peninsula, CDA and the National Trust of Trinidad and Tobago. The National Trust deals with Nelson Island and now they are booking people for tours going all the way down to Chacachacare. So those are the only two entities, government entities, that are dealing with tourism in the western peninsula, as far as I know. Ministry of Tourism, no.

Mrs. Baptiste-Primus: I would like to ask the acting General Manager of CDA, the Tour Guides Association shared the following information:

As CDA's tourism product Covigne Trail, Nutmeg Vale; Edith Falls; Gasparee Caves; Salt Lake Pond; Chacachacare; tour of Chaguaramas and tour of the western isles, we have found them to be lacking in the maintenance of these sites. Many of the sites have not been cleared, cleaned or properly secured as to guard against destruction and vandalism.

Would you care to comment on such a statement; on the accuracy of such a statement; and if it is accurate; you know, how has this situation occurred and what corrective action is planned?

Mrs. Dilraj-Batoosingh: So over the past couple of months we would have recognized that it is, in fact, true. Some of those facilities are a bit run down, there is no proper maintenance, et cetera, not properly secured. We have started, with the very limited finances that we do have, especially with the revenue generating facilities to make improvements. So, we have done this with the Gasparee Caves, for example, this would have been done many months ago, it would have been highlighted in the newspaper, on social media, et cetera. So that facility has now been brought to a certain more acceptable standard, of course, not the standard that I am sure for tourism, or even for us at the CDA, but it is what we can manage with in terms of our finances.

11.10 a.m.

The other areas—the Edith Falls, the Covigne Trail, et cetera, these are things that we are also looking at especially with the summer coming, we have asked the respective departments to start cutting—sorry—

Mrs. Baptiste-Primus: We do not have summer here, we have August vacation.

Mrs. Dilraj-Batoosingh: Yes, what is referred to as the July/August vacation. We hope to attract some vacationers, in terms of schoolchildren or families to some of these tours. So we are in fact trying to improve little by little, but it is a very serious challenge in terms of the finances that we are faced with, because I would have said at the last joint select most, if not all of our finances go to paying salaries, so then when you have to look at, equipment, diesel, strings for the whackers, et cetera, these are things that we do have to then fight every month to have available to be able to even go on the trials to do any sort of maintenance.

Mrs. Baptiste-Primus: So, do you have a maintenance unit at the CDA?

Mrs. Dilraj-Batoosingh: We do in fact have a facilities unit.

Mrs. Baptiste-Primus: Do you have employees in that unit?

Mrs. Dilraj-Batoosingh: We do have employees. It is our daily-paid staff.

Mrs. Baptiste-Primus: What do they do?

Mrs. Dilraj-Batoosingh: They have been working on the trails, for example, but as I said, they are challenged in terms of the equipment and material to have the trails cleaned to the standard that we do want it. I mean, we have been engaging—I do not know how recently Mr. Griffith would have been down to the peninsula, but we have been improving some of the trails,, especially the ones that we have noted there is interest in. So we have done the Gasparee Caves first, we have done the golf course, we are doing some of the trails itself where tourists have expressed an interest. Of course we are not in a position to go clearing all the trails in the peninsula and we do not know if people are going to come to those trails, because we do have to manage our finances very, very carefully.

Madam Chairman: At this point it would seem as though the CDA is trying to do everything by themselves and I would like to suggest and ask whether or not it is possible to collaborate and partner with the regional corporation; partner with TDC; partner with the Ministry of Tourism; partner with the Tour Guides Association and see how best you can get resources from these entities. What are your comments on this?

Mrs. Dilraj-Batoosingh: For some of the things that have occurred in the peninsula over the year or so we have been trying to get the assistance and the corporation, I believe the CEO would have said at the onset, they have been offering some assistance. This would of course not be in the general maintenance, but when we have untoward events, like a fallen tree or like a number of bamboos falling across the road and we do not have the equipment or the manpower to go to remove it. They do come in very speedily and volunteer to assist us. Even the defence force or the coast guard, we do reach out to get that done.

I hear what you say though, in terms of the general maintenance, it might be that we do need additional support to even have those areas managed. If it is the corporation, is there and they are willing to do it, I mean, it is something we of course welcome. I am not sure in terms of their purview and what falls under their jurisdiction, we will be really asking them to do something that is outside. They do maintain the Western Main Road, parts of it, but literally you are asking them to do something that is outside and they too I would imagine, have certain financial constraints.

Miss Ameen: No regional corporation is sufficiently funded to do all of the work that they are required. So if they are to undertake such a big responsibility in terms of the routine maintenance of the area controlled by the CDA, I am very doubtful, having served within a regional corporation, as a former chairman of a corporation, that the funding that they do have now will be able to stretch that far.

However, I appreciate your comments with regard to their response during untoward circumstances, emergencies and so on. And this brings me to my concern with regard to the present

boardwalk facility where you have the vendor booths, you have the paddle boats. In fact, that area is often overgrown with grass. It seems as though it is not being maintained and of course there is a negative effect on the vendor booths that are there.

How many of those booths are occupied at this time? And of course when you have no activities in terms of the paddle boats and so on, you have fewer people attending and therefore less sales and your vendors are likely to leave. So I want to ask you about that service there and you spoke about the business development committees having some plans to do some activities during the July-August vacation season. So can you simply indicate to the public? Because they pass by there regularly and see grass growing. Can you indicate if the Business Development Committee has any plans for this area?

Mrs. Dilraj-Batoosingh: This is on the boardwalk area specifically?

Miss Ameen: Yes. And to—the paddle boats and for the vendors and so on.

Mrs. Dilraj-Batoosingh: Okay. So I am pleased to say that we have in fact looked back at the boardwalk and through our Business Development Committee and Management overall, what can be done, I mean it is something that we would have noticed ourselves being right there in terms of the facilities and people not coming to the facilities and therefore not generating the kind of revenue we could be generating in light of our financial situation.

Now, just to be clear though, the facilities that we have there, it is not a matter of simply—we'll the grass of course is something that we can cut and we ought to be cutting and we have started doing that a little more often. We just had the gazebos all cleaned. You would have noticed—I do not know how recently you all would have looked at. But that would have been cleaned, all would have been cleaned within the last two weeks. The grasses are all cut. We would have had over the weekend a yoga event on the boardwalk. I am not sure if you all are familiar with that as well.

Now, the paddle boats, the pond that is there, the physical infrastructure that was put there is poor, right. It is something that we cannot just simply refill with water and then start back the paddle boat. We have now had to reassess the entire pond, what is wrong with the pond, how best can we fix the pond with funds and then what would be the best use of the pond, because—I mean it is out there, the caimans come into the pond and of course it is a paddle boat. We cannot have caimans in a pond with people doing paddle boats. So that is the challenge there, right. So we are now actually relooking at what can be done in that area.

Secondly, the vending booths, all the vending booths, the vendors would have come into the Authority with a number of complaints. For example, the electrical fittings in the booths are not outfitted so that they can then bring, for example, a freezer—a simple thing like a microwave cannot even be plugged on in the electrical. This is something that we would have met with the booths and we are trying to fix the booths before we can have people come out. So it not that people are not coming to the peninsula for the booths to operate, it is the vendors themselves have said that we cannot operate in this booth, the booth is

not properly outfitted if you want us to then sell a particular type of food, we cannot heat the food, we cannot have a refrigerator, we cannot have anything. So that is something we are now looking at in terms of improving, probably even changing some of what is sold on the peninsula, on the boardwalk, in particular, and trying to then improve. It is, again, if we had the finances we could have turned it around in a couple of months but we do not.

The Ministry has spent millions and millions of dollars on the boardwalk and they are very hesitant to give more money for the boardwalk where they would have expended that amount really. So the challenge really is for the Authority to fix this particular situation. We would have already reached out, coming out of—we would have tried, attempted small events. We did a bit of an Easter parade on the boardwalk which was not very, very successful, but it did bring a certain crowd.

We would have done the yoga. We partnered with the International Yoga Committee on the boardwalk. We have actually reached out to a San Fernando group that would have done a mango festival. We have invited them. They have not of course given a firm decision on it, but we have sent them pictures of the boardwalk. They are very interested in coming to the boardwalk.

We are aware that in the month of July, it is curry festival, worldwide curry festival. We are looking at having a curry festival on the boardwalk, including authentic Indian curry and even local cuisines. So the Business Development Committee and Management and even the board members are very, very, much involved in trying to revive the boardwalk, but we are faced with a situation of improving certain things on the boardwalk but we are working with what we can that does not necessarily need the booths fixed, but the fixing of the booths is something that we have been doing little by little, but they have not yet fixed completely to have the vendors come back on the boardwalk.

Miss Ameen: So how many booths do you have and how many are occupied at present?

Mrs. Dilraj-Batoosingh: We have in total, eight booths on Phase II of the boardwalk, none of them are occupied.

Miss Ameen: What about the toilet facilities, are they functional?

Mrs. Dilraj-Batoosingh: The toilet facilities are functional. We would have done over the last month a number of improvement in terms of replacing faucets, broken taps, fixing our pumps, et cetera. Within the last month we did a substantial amount of improvements in the toilets, yes. And of course we are working with, as we bring the crowd, of course, we then have to fix the toilet facilities, we have to fix the attractions that are there, fix the booths, figure out what to do the pond, et cetera. Those are things that are ongoing. It is not as if we are sitting and just looking at the place being dilapidated.

Miss Ameen: Of course. So is it that at present you do not have the resources required to do routine maintenance within the CDA area such as cutting grass? Then your facilities, such, your open spaces, the roadsides, as well as your facilities—

Mrs. Dilraj-Batoosingh: Not as adequately as we would want to do. We are doing some measure of

maintenance but not as adequately as we would like. For instance, especially it is the rainy season now, we would like to be able to cut the grass every three or four days. We are not in a position to do that because of our fuels, because of the whackers, because of all of those things. We may have to stretch it probably once for the week, for example.

Miss Ameen: Have you given consideration to public/private partnerships? For instance we have had in the past where Government Ministries, for instance, it was done on the highways, where they would engage a private, a corporate body to maintain an area and in return they are allowed to do certain types of advertising and it is a benefit to the organization but a benefit to the CDA as well. So that the cost of their advertising on the spot really is the cost of the maintenance. Have you considered any ventures like that?

Mrs. Dilraj-Batoosingh: It would have been raised before. It is something that though we would probably have to confirm with our line Ministry that it is permitted, because again we are a statutory authority and we do fall under our line Ministry. But there have been certain discussions and persons have expressed an interest in actually doing that because as you said, it is there, given the opportunity to advertise their product, at the same time offering to maintain certain parts of the peninsula. But there has been no firm decision. We are hoping though that we can reach out to a Ministry and get the necessary approvals before we venture into something like that.

Miss Ameen: But is it something that you have put together, any proposals for—you indicated you have to get—

Mrs. Dilraj-Batoosingh: Not formally. Yes, we have had certain discussions with persons who have expressed an interest, but we have not put together something to take to our Ministry, but it is our intention to do that, yes.

Miss Ameen: As you continue to plan events you mentioned that there are a number of events that you are considering in the upcoming months. I want to plead with the Authority to pay attention to an emergency response plan, an evacuation plan and if necessary you engage the stakeholder, such as, the defence force or the medical authorities to ensure that if we do have any event, considering the traffic going to that area and so on, that people will not have undue delay for medical attention.

Mrs. Dilraj-Batoosingh: Yes, I am guided and as Mr. Cezair would have indicated, I myself cannot say whether we have a definite evacuation plan but they are things that a prospective sponsor or a promoter—they do ask these questions and we do in fact, through our superintendent, have put things and measures in place. So it is not that we have an event without considering these things. That is actually part of the regulations in terms of fire, et cetera, that we do have to have an evacuation plan.

Miss Ameen: Yeah, all right.

Mrs. Baptiste-Primus: To the acting General Manager. Is there a problem in persons outside of the organization communicating with you all? What kind of communication system do you all have at CDA?

Mrs. Dilraj-Batoosingh: Right. Well I am hearing from Mr. Griffith from the Tour Guides Association

that they have been having difficulties in terms of contacting us. Now this is not the first time I have heard, in terms of our telephone system and the PBX, in terms of numbers. It is something that we would have raised with the manager in charge of the CSRs who are responsible for answering the phones, for example.

In this modern time though I would suggest, and maybe we need to put something more firm in place, that it is not necessarily via phone that you may contact. We do have facebook, we do have our Web page, et cetera. Sometimes those are things that are easier to get on to the organization because we do have personnel in respective departments who do check our facebook and our Web pages all the time. It is something that we probably need to implement and probably reach out to our stakeholders a let them know, this is an easier and more readily accessible way to find us if it is that you are not getting through on the telephones.

Mrs. Baptiste-Primus: So you are saying there is an assigned officer to monitor your organization's facebook page?

Mrs. Dilraj-Batoosingh: Correct.

Mrs. Baptiste-Primus: How often during the day?

Mrs. Dilraj-Batoosingh: Well, we have what we call a PR specialist, a Public Relations Specialist, a Cor Com Specialist and they do that regularly throughout the day. He is in charge of monitoring the media as well in terms of the CDA.

Mrs. Baptiste-Primus: Not everyone is techno savvy. What about the usual communication, the phone. What about your phone system.

Mrs. Dilraj-Batoosingh: Most definitely. As I said, it would not be that we are saying everyone has to get on the internet or everyone has to do that—[*Interruption*]

Mrs. Baptiste-Primus: No, but Mr. Griffith stated that it is almost impossible to get on to anyone at the CDA.

Mrs. Dilraj-Batoosingh: As I indicated, it is something that was raised before, not necessarily with their organization but with others trying to reach us and we have put things in place. I do not know how recent he tried to reach us but we would have put things in place to ensure that our CSRs do answer the telephones, unless our telephone lines are down for some reason, but we have put measures in place for that. So I do not know if he can indicate, how recently he would have tried to reach us and he was not able to get on to us.

Mrs. Baptiste-Primus: Mr. Griffith, I too, we too are interested in your response.

Mr. Griffith: I have not tried to contact CDA for a very long time because I had no interest in trying to get on to CDA to book any tours anymore because of the fact that we have not been able to do so easily, for years.

Mrs. Baptiste-Primus: Thank you, Mr. Griffith. Madam Acting General Manager, just to bring closure to the question regarding the Trinidad and Tobago Tour Guides Association, the Committee has been

informed that there is a certain sum outstanding for approximately two years, to payment with regard to tours provided to the CDA.

Mrs. Dilraj-Batoosingh: Okay, in preparation for the meeting today I would have asked, realizing that they were part of the stakeholders, whether we had owed any moneys to the organization. I, unfortunately, was told that we did not. If it is that we do, it is something that I would look into and try to do the needful in terms of settling.

Mrs. Baptiste-Primus: Well Mr. Griffith, what is the sum outstanding to the association?

Mr. Griffith: I do not know the exact sum right now, but I know there are—I know of one particular tour guide who has not been paid for years. We have stopped working for them for some years now and she has not been paid since. So, I do not know the exact figure.

Mrs. Baptiste-Primus: Well, I would suggest that you advise your member to communicate with the Acting General Manager and to provide the necessary documentation which CDA ought to have copies of. Thank you.

Mr. Griffith: I would do so.

Madam Chairman: To the Acting General Manager, would you have any plans or even consider increasing the rent to the leaseholders so that you can generate additional revenues for the CDA?

Mrs. Dilraj-Batoosingh: If we are to increase rent we would have to be guided by the lease agreements, because rents cannot be arbitrarily increased. If it is that there are rent reviews due on a particular lease, and leases are normally reviewed every five years in accordance with the leases, we do have rent reviews that would then increase the rents. In terms of leases that exist, we are constrained by the terms of the leases in terms of increasing the rents.

Miss Ameen: Madam Chair, if I may, as you mentioned the issue with review of leases there was a matter that came up in the last hearing and at the time the representatives indicated that they did not have all the information. I am interested in revisiting that matter.

When a tenant has a lease and the lease is—you have conditions. Where you have violations in terms of EMA issues, environmental issues, public health issues, are those grounds—those can be grounds to withhold on renewing the leases. And we raised the matter—you had places whose disposal of waste was not in compliant with EMA requirements. There was the issue of the approved land use from Town and Country. So, for example, you had an example with Pier 1 whose approval was for marina type activities but you had reports of industrial activities taking place there.

The EMA would be required to give some approvals and I understand there was a matter with Pier 1 where they produced a letter to the CDA indicating that the EMA had no objection to their activities. However, as it turned out, that letter was in fact a “fraudery”, because the EMA said they had no record of such a request. My question to you is, one, where you have these issues, can you withhold on renewing those leases? And two, the matter with the EMA and the approval for Pier 1, if in fact such a fraudulent

document was produced to the CDA, has there been any reports to the Fraud Squad and or any considerations for any such reports?

Mrs. Dilraj-Batoosingh: It is correct in accordance with the leases. If there are breaches on a lease, whether it is through approvals or even non-payment of rent, for example, there will be issues if the tenants want to renew his lease for another 30 years of 15 years, et cetera. So it is something that the Authority can then use to say that this is not a tenant who will be given the granting of the option to renew.

As it relates to the Pier 1 issue on the letter that was issued by the EMA, I would have to look into whether that letter was, in fact, suspected of being fraudulent. If it is that, it was in fact that, we do the needful in terms of the organization in reporting to the Fraud Squad and we would have very recently done that with other tenants where there was suspect of a letter and the Fraud Squad will then investigate the matter.

I do recall vaguely on the Pier 1, that the EMA would have come in and done certain investigations. I think it forms part of the document that we would have submitted, the EMA, the IMA. In terms of the EMA sending us a formal letter saying that they are distancing themselves from that particular request or letter that they have seen us present, I do not have on file. It is something I will have to look back on whether there was something formal coming from the EMA indicating. If there is a formal suggestion of that, most definitely that will be taken to the Fraud Squad, yes.

Madam Chairman: Any further questions?

Miss Ameen: Madam Chair, it is not a question but it is just a suggestion. I think it is very clear from both this hearing, and the previous one, that there are a lot of shortcomings of the Chaguaramas Development Authority. I know that there is a board that would direct policy, but what I have seen, I have not seen evidence of the board or the Authority really taking the initiative to become self-sustainable. I know that there were a number of plans proposed previously. We spoke on the last hearing about the upgraded plan and so on. The 1974 plan in my opinion is way too outdated and that restricts you in many regards. There is need for the Authority to work with the Ministry of Planning and Development to produce a more up-to-date plan for the development of the peninsula and for the Authority to be more creative with its initiatives to sustain itself. Because you do have a lot of potential.

Madam Chairman: Thank you, Member. Just one last question before we end. I understand, this is to the Acting General Manager. I understand that in recent time you had some retrenchment taking place at the CDA. Can you give us the grounds on which that retrenchment took place?

Mrs. Dilraj-Batoosingh: The grounds for the retrenchment—because of financial constraints at the Authority it is set out in one of the answers to the questions, number—

Madam Chairman: And how many persons were retrenched?

Mrs. Dilraj-Batoosingh: Number 18—question 18. Four persons were retrenched.

Madam Chairman: From what unit? What were their roles?

Mrs. Dilraj-Batoosingh: We would have had the manager of estates and operations, manager of finance, our urban planner and our assistant manager of facilities.

Madam Chairman: Were there any sort of severance package—

Mrs. Dilraj-Batoosingh: Yes, of course, in accordance with the severance Act, there is a retrenchment package for each employee that has been retrenched.

Madam Chairman: All right, so is it that you made these positions redundant or is it that you are now—have gone out to advertise to refill these positions.

Mrs. Dilraj-Batoosingh: No, we are in the middle of a manpower audit so there is no recruitment at this stage or no filling of the positions at this stage. It was really done purely on the financial need of the organization.

Madam Chairman: So would there be any future plans? Let us just say you are to find your feet in the future, would there be an arrangement to have these positions refilled?

Mrs. Dilraj-Batoosingh: It is something that we would probably consider, looking at the recommendations coming out of the manpower audit.

Madam Chairman: Just one last question very quickly. I understand that there is outstanding rent, WASA and TSTT. What is the total sum outstanding to the CDA by WASA and by TSTT?

Mrs. Dilraj-Batoosingh: Total outstanding, I do not have the total outstanding with me. What I know, we would have responded in your question 20, that we are in fact doing an audit with WASA as it relates to the amount that is actually outstanding, because we do have—it would seem instances where tenants should have been billed and be invoiced by WASA and instead it has been the Authority. So we have not yet accepted the amount that we are being told is outstanding from WASA.

As it relates to the Telecommunications Services of Trinidad and Tobago, I do know that there are different services that they provide to us. We do have a payment plan going forward in terms of payments to them. The sum here that is noted and it is a good recommendation coming from the Committee in terms of settling off and it is something that I have instructed our finance team to look into.

Madam Chairman: Okay, all right. Thank you. So again let me take this opportunity to thank the members from the CDA who are here, member Griffith from the Tour Guides Association and members from the Diego Martin Regional Corporation. I know in the public gallery we also had some other stakeholders and we want to thank them for being part of the second enquiry into the CDA. I would now call on key officials from each stakeholder group to give some closing remarks. Let us start with the CDA.

Mr. Cezair: Thank you very much, Madam Chairperson. Again the CDA would like to thank you very much for this opportunity to present ourselves before you, again, to further clarify some of the issues that we are currently faced with. As we would have said time and time again, we would have been faced with a very precarious financial position which we are really not looking at what we met. We are looking at the way forward and how best we could get the situation under control. So we are really trying to ensure that

the way forward is clear and determined and as such we will do everything within our ability to ensure that the peninsula is treated, is given the respect and treated in the way in which it ought to be and that whatever we do is of benefit to all the people of Trinidad and Tobago. Thank you.

Madam Chairman: Thank you. Can we have Mr. Griffith give some closing remarks?

Mr. Griffith: Madam Chair, I thank you so much for having us here that we can express, you know, what we have been going through and thoughts of what could happen. I just want to suggest to the CDA that their Summary Offences Act 1992 to 1994, you must have a magistrate's licence in order to conduct tours. Tour guides must be certified and must have a magistrate's licence to operate. So I want to let the CDA know that we are open and ready for conversation with them whenever they are ready. Thank you.

11.40 a.m.

Madam Chairman: Thank you very much. The CEO, Mrs. Haywood from the Diego Martin Regional Corporation.

Ms. Haywood: Okay. Thank you for the opportunity, but I will pass you on to my County Superintendent.

Mr. Lutchman: Okay, thank you. We want to strengthen the existing relationship and improve the communication so we can be of assistance. Our main concern is, we are first responders to natural disaster and accessing the peninsula poses a great challenge. We have a small unit and we want to work in that area because that is a weak area where you can have loss of lives and thing.

We have explored the evacuation by sea which is the only option or by air, because the road network is too small, and there are ongoing discussions with the Ministry of Works and Transport right now and the corporation to see how we can improve in that area. So yes we want to strengthen the relationship that exists and have the coordinating meeting as the medium to do so.

Madam Chairman: That is very good to hear. Again, let me just say the CDA has a huge task ahead. It is a lot of work so everyone needs to get on board to getting this particular board and agency in tune with what is happening in our country. When you look at the bigger picture, I think that the economy is somewhat dependent on the CDA in terms of diversifying the economy and looking at our tourism thrust. I want to say that I think from here—from this meeting and the first meeting—that those persons we invited, including stakeholders that they are very much on board in working with the CDA. I would like to advise the CDA to please take the assistance that has been rendered to you so that we can really look to make CDA a self-sustaining entity and to see that our tourism drive and thrust reach down to the benefit of the people of Trinidad and Tobago. Thank you. Again, thank you ladies and gentlemen and everyone. I would now declare this meeting adjourned. Thank you.

11.43 a.m.: *Meeting adjourned.*

APPENDIX IV

Officials who attended public hearings

Entity	Name of official	Position	Wednesday May, 24, 2017	Wednesday June 28, 2017
CDA	Mr. Robert Cezair	Board Member	✓	✓
	Ms. Mary Seepersad	Board Member	✓	x
	Mrs. Deowatee Dilraj-Bathoosingh	General Manager (Ag.)	✓	✓
	Mrs. Susan Russell-Edwards	Manager – Human Resources	✓	✓
	Ms. Tricia Dyer	Corporate Secretary	✓	x
	Mrs. Kelly Jackson-Baynes	Manager – Legal & Compliance Audit Services	✓	✓
	Mr. Sheldon Gibbs	Draughtsman / Estimator, Project Team	✓	✓
Ministry of Planning and Development	Ms. Marie Hinds	Deputy Permanent Secretary	✓	
	Ms. Wendy Williams	Project Specialist	✓	
	Ms. Andrea Julien	Senior State Counsel	✓	
	Dr. Ancil Kirk	Assistant Co-ordinator	✓	
	Mr. Earl Jardine	Development Control Specialist	✓	
	Ms. Jassodra Rampersad	Research Officer II	✓	
Diego Martin Regional Corporation	Mrs. Beverly Haywood	Chief Executive Officer		✓
	Mr. Albert James	Building Inspector		✓
	Mr. Lutchman Maraj	County Superintendent		✓
The Trinidad and Tobago Tour Guides Association	Mr. Wendell Griffith	President		✓

APPENDIX V

Schedule of Land Use Designations

APPENDIX I

CHAGUARAMAS DEVELOPMENT PLAN

SCHEDULE OF LAND USE DESIGNATIONS

1. The use of land and buildings shall be in accordance with the designations in the Development Plan and are summarised as follows:-

<u>LAND USE CLASSES</u>	<u>DESIGNATIONS</u>
1. Residential	RA
2. Resort Residential	Ro
3. Industry	In
4. Commercial Activity	BA
5. Agriculture	Ag.
6. Open Space	OS
7. Forest/Nature Reserve	F/NR
8. Marina Facilities	M/F

DEFINED SITES

9. Defence Force	D.F
10. Omega Station	OMEGA
11. Special Reserved Area	S.R.A.
12. Youth Camp	Y.C.
13. Recreational Centre Site	R/C

APPENDIX VI

Schedule of Land Uses and Development

APPENDIX II

CHAGUARAMAS DEVELOPMENT PLAN

SCHEDULE OF LAND USES AND DEVELOPMENT

II. Development in the respective zones shall be compatible with the uses detailed below. Special conditions associated with the different uses are also indicated.

1. RESIDENTIAL (RA)

1 i. The predominant use of land within this zone shall be for permanent residential purposes and purposes ancillary thereto.

ii. Other uses, which are compatible with residences, and which shall be permitted within this zone, include the following:-

- a. Guest Houses and Small Hotels.
- b. Educational, Recreational or Social Centre intended to serve the immediate neighbourhood.
- c. Church.
- d. Park.
- e. Library Reading Room, Art Museum.
- f. Police and Fire Stations.
- g. Old People's Home.

Layout, standards of development and density shall be determined by the Authority and specified in detailed planning schemes for each area.

Re (h) on condition that-

1. The location and size of site permit suitable protection of adjacent residences.
2. All buildings are designed, constructed and maintained so as to conform to the general characteristics of the area in which they are located.

Re (i)

1. No goods, materials or equipment are stored in the open.
2. No operations are carried on which cause dust, smoke or noise.

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- h. Telephone exchanges and electrical sub-stations
- i. Public Utility Distribution Installation.
- j. Class I, II, III (a) and III (c) Advertisement.

2. RESORT RESIDENTIAL (Ro)

Within this zone the predominant use of land shall be for the development of permanent and resort homes and facilities ancillary thereto. These will include:

- a. Permanent and Vacation homes.
- b. Guest Houses.
- c. Apartment hotels and condominiums
- d. Entertainment buildings, such as restaurants, nightclubs, etc.
- e. Commercial outlets for food and other essential goods.
- f. Local crafts manufacture, display and sales buildings.
- g. Class II, II, III (a) and III (c) advertisements.

3. INDUSTRY (In)

Within this zone the predominant use of land shall be for light industrial purposes and shall include:

- 3. All buildings are designed, constructed and maintained so as to conform to the general characteristics of the area in which they are located.

Re (j)

See section (12) Town and Country Planning (Control of Advertisements) Regulations, 1969.

Re (g)

Section (12) Town and Country Planning (Control of Advertisements) Regulations, 1969.

- a. Storage and warehousing.
- b. Marine oriented industry, such as boat manufacturing, sales, repair, etc.
- c. Light manufacturing of products where the performance standards (with respect to dust, smoke, noise, waste disposal) are acceptable.

4. COMMERCIAL ACTIVITY (BA)

Within this zone the predominant use of land shall be for purposes normally defined as local business and include the following:-

- a. Stores and shops for the conduct of retail business.
- b. Personal service establishments, such as boutiques, beauty salons barber shops, etc.
- c. Restaurants, nightclubs, bars, etc.
- d. Guest Houses and Hotels.
- e. Apartment Buildings.
- f. Theatre, Assembly Halls and other building for the performing arts.
- g. Travel agencies.
- h. Class I, II, III, IV Advertisements.

5. AGRICULTURE (Ag)

Within this zone the predominant use shall be for agricultural purposes, and for buildings connected with

Re (b)

On condition that these uses are integrally designed in a complex or as part of a building used as a hotel.

Re (h) See Town and Country Planning (Control of Advertisements) Regulations, 1969.

All buildings shall be subject to control

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agriculture such as:

- a. Buildings for storage of produce and supplies.
- b. Buildings for maintenance and servicing of equipment.
- c. Processing plants.
- d. Houses for agricultural workers.

6. OPEN SPACE (OS)

Land reserved for this purpose shall be developed and used for public recreation and shall be consistent with the nature of the area. Uses shall include:

- a. Playing fields and courts, golf courses and recreation grounds.
- b. Swimming pools and other recreation structures.
- c. Beach facilities for public use.
- d. Picnic Areas.
- e. Entertainment buildings.

7. MARINA FACILITIES (M/F)

Land reserved for this purpose shall be developed and used for purposes associated with the sea and shall include:

- a. Docking and mooring of boats.
- b. Boating and sailing.
- c. Bathing.
- d. Sport and commercial fishing including landing areas, boats and equipment areas and shops.

over location, siting and design.

Re (b)

Speed boating shall be rigidly zoned and controlled so as not to interfere with bathing and other quiet uses of the sea.

- e. Fish hatcheries and ponds.

Re (d) and (e)

All uses subject to controls over the location, siting and design of buildings and standards of operation.

8. FOREST/NATURE RESERVE (F/NR)

Within this zone the predominant use shall be for forestry and tree crop production and for buildings associated therewith:

- a. Preservation of natural forest.
- b. Planted forest.
- c. Forest and Tree Crop Nurseries.
- d. Tree Crop Plantation.
- e. Fruit Crop Orchards
- f. Buildings for storage of forest products and tree crops.
- g. Buildings for storage and servicing of equipment and vehicles.
- h. Game Wardens' Lodges.
- i. National Parks and nature reserves especially intended for protection of the environment, natural resources and wildlife.
- j. Picnic Areas.

All buildings shall be subject to control over location, siting and design.

APPENDIX VII

Physical Development Map of the Chaguaramas Region



APPENDIX VIII

Summary of the contributors to the CDA's Debt

The Sources of the CDA's debt:

Details	Amount
Litigation Matters	24,028,991.94
Certified Invoices	29,742,623.53
Uncertified Invoices	4,356,627.40
Salary Arrears	851,684.40
Past Service liability (Monthly paid & Estate Police) & Severance (Daily Paid)	44,845,118.57
VAT Payable	2,331,191.94
Pension Arrears to Retirees	11,550,565.19
Pension Plan Arrears	1,205,551.89
TOTAL	\$118,912,354.86

N.B. These figures are based on the CDA's records at this time

Source CDA dated May 16, 2017

APPENDIX IX

Breakdown of CDA's Staff Compliment

Breakdown of CDA's Staff Compliment

a. Contract Staff – 9 inclusive of:

- 1 Superintendent of Police
- 1 Superintendent of Golf Course
- 6 lifeguards
- 1 car park attendant

b. Permanent Monthly Paid staff – 129 inclusive of:

- 72 Estate Police

c. Daily Paid staff- 115 inclusive of:

- 14 temporary workers

APPENDIX X

Key Terms and Conditions included in a Deed of Lease

**SUMMARY OF KEY TERMS AND CONDITIONS OF THE PROPOSED DEED OF LEASE BETWEEN
CHAGUARAMAS DEVELOPMENT AUTHORITY ("CDA") OF THE ONE PART AND TENANT OF
THE OTHER PART**

1. **Premises:** A description of the parcel of land –
 - i. Where it is situated;
 - ii. How much it comprises of; and
 - iii. What is it bounded by.
2. **Term:** The time period for the Lease and the date it commences on.
3. **Tenant's Covenants:**
 - i. **Rent (to be determined upon receipt of valuation report)**

The Rent to be paid by the Tenant on the 1st day of each month, in every year and when it begins. The monthly rent figure stated here is exclusive of VAT and Service Charge.
 - ii. **Rent Review**

The rent is to be reviewed every five (5) years to the open rental value of the Premises but will not be less than the Rent for the preceding five (5) year period. The Revised Rent for any Review Period may be agreed at any time between the CDA and the Tenant or (in the absence of agreement) determined by an independent valuer (acting as an expert and not as an arbitrator) being a chartered valuation surveyor (or person with an equivalent qualification) such valuer to be nominated in the absence of agreement by or on behalf of the President for the time being of the Institute of Surveyors of Trinidad and Tobago (or its successor body) on the application of the CDA or the Tenant made not earlier than six (6) months before the relevant Review Date but not later than the end of the relevant Review Period and so that in the case of such valuation the Revised Rent to be determined by the valuer shall be such as he shall decide is the yearly rent at which the Demised Premises might reasonably be expected to be let at the relevant Review Date.
 - iii. **Deposit**

A deposit the Tenant pays as security for the performance of its obligations under the Lease, usually one month rent.
 - iv. **Permitted Use**

The use of the premises the Tenant is permitted to do.
 - v. **Building Covenants**

The Tenant must commence and carry out the Works and must comply in all respects with the terms of Schedule 6 (Provisions Relating to the Works) which are to have effect accordingly;
 - vi. **Repair**

The Tenant is required to repair and keep the premises in good condition and repair during the Term of the Lease, normal wear and tear excepted.
 - vii. **Additional Rent Schedule 4**

Building Leases shall contain provisions for discouraging the Tenant from leaving the premises idle, therefore the Tenant is required to construct a building within a certain period. As such Building Leases will contain provisions for the payment of additional rent where the Tenant fail to comply with obligations to construct buildings and where the Tenant has sublet the premises. Additional rent is payable in addition to the monthly rent.
 - viii. **Environmental Covenants**

Provision has been made for the Tenant to comply with extensive environmental covenants for the protection of the environment.

- ix. Service Charge
The Tenant must pay as a service charge, an annual sum equal to ten percent (10%) of the annual Rent for each calendar year for the services provided by the CDA in the maintenance of the Peninsula.
- x. Insurance
The Tenant must insure Buildings on the Premises in the joint names of the Tenant and the CDA and the Tenant's mortgagee, where applicable. If during the Term the Building is damaged all money received under any policy of insurance so effected shall be placed in an account in the joint names of the CDA and the Tenant and shall be utilised to rebuild the Building.
- xi. Covenant against assignment
The Tenant may be allowed to sublet the whole or any part of the premises and/or the Building with the prior consent of the CDA whose consent may not be unreasonably withheld.
- xii. Sub-Lease Rent
Where the Tenant has sub-let the Tenant shall pay to the CDA by way of additional rent Sub-Lease Rent being a sum equivalent to 10% of the gross annual rental income earned from the sub-letting.
- xiii. Termination
The Tenancy may come to an end by the following:
 - On expiration of the Term granted
 - By forfeiture and re-entry by the CDA if the Tenant commits a breach of covenant
 - The CDA may also terminate the Lease if the Tenant becomes insolvent

4. The Landlord's/CDA's Covenants

- i. Quiet enjoyment
The Authority must permit the Tenant peaceably and quietly to hold and enjoy the premises without any interruption or disturbance from or by the CDA or any person claiming under or in trust for it.
- ii. The Services
 - a) Provision of the Services
The CDA must provide the services as listed in Schedule 7 ("the Services") of the Lease.
 - b) Relief from liability
The CDA is not to be liable to the Tenant for any breach of its obligations under sub-clause 5.2.1 (Provision of the Services) where the breach was caused by something beyond its control.
 - c) Variation and withholding of the Services
The CDA may add to, withhold or vary the Services if it considers the addition, withholding or variation to be necessary or desirable or if it is required to do so by a competent authority.

5. Option to Renew

A Lease may contain an option to renew which provides that the CDA will grant a new lease where the Tenant -

- i. has on the expiry of the Term and at the time of giving notice observed and performed the covenants contained in the Lease and in particular has paid the Lease Rents on or before the times specified in the Lease;

- ii. has given the CDA notice of its desire to obtain a new lease of the Demised Premises for a further term of Thirty (30) years not more than One (1) year but not less than six (6) months before the end of the Term; and
- iii. agrees to pay the Authority's costs,

6. Miscellaneous

- i. The Premises shall be leased to the Tenant save and except the mines, minerals and underground substances lying under the Premises.
- ii. The Tenant and its agents must not remove any gravel, sand, pebbles, stone, clay etc. from the Premises (except as shall be necessary to build the Plant) without the consent of the CDA.

7. Schedule 6- Provisions relating to Works

Approvals means the planning permissions for the carrying out of the Works granted by the relevant planning authority and all other approvals consents permissions and licences of any competent authority which may from time to time be necessary to enable the Lessee lawfully to commence and to carry out the Works and each and every stage or phase of the Works and (if the same are destroyed or damaged) to reinstate the Works and "Approval" shall be construed accordingly.

Failure to commence or complete the Works

If for any reason the Tenant has not obtained the necessary Approval to commence the Works within ONE (1) YEAR of the date hereof or the Works have not been started within EIGHTEEN (18) MONTHS of the date hereof or if for any reason, and notwithstanding the provisions of paragraph 6-7 (Delaying Factors), the Certificate of Practical Completion has not been issued by the end of the [THIRD] YEAR of the Term, time being of the essence, the Authority shall be entitled to terminate this Lease upon giving to the Tenant three (3) months advance written notice of its intention to do so.