

**VERBATIM NOTES OF THE JOINT SELECT COMMITTEE
APPOINTED TO INQUIRE INTO AND REPORT ON LOCAL
AUTHORITIES, SERVICE COMMISSIONS, STATUTORY
AUTHORITIES (INCLUDING THE THA), 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**

CHAGUARAMAS DEVELOPMENT AUTHORITY

Mr. Robert Cezair	Board Member
Ms. Mary Seepersad	Board Member
Mrs. Deowattee 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 May17th, 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 does it differ; 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.*