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## Council divisions hit Baker's Bay approvals

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**D**ivisions that have split the seven-strong Hope Town District Council down the middle "have slowed down" the processing of permit and approval applications for the \$175 million Baker's Bay Golf & Ocean Club, The Tribune was told yesterday.

Three councillors want written central government confirmation that they can still deal with the developers' submissions amid the threat of litigation - and possible liability - by the Save Guana Cay Reef Association and its attorney, Callenders & Co partner Fred Smith, who have named the Hope Town District Council as the eighth defendant in the second judicial review action launched in the Supreme Court in a bid to halt the project.

There are some 14 permit applications by Baker's Bay pending for the next Hope Town District Council meeting on November 29, 2007, and there remains a possibility that the split council could serve to delay their approval.

Jeremy Sweeting, the Hope Town District Council's chief councillor, said he and three other council members had taken the position that unless they were

told otherwise by central government, or received a court order telling them to stop, the council should continue to review permit applications submitted by Baker's Bay, which is being developed by Arizona-based Discovery Land Company.

Until either of those events happened, Mr Sweeting said he and those three councillors believed they should uphold the responsibilities and obligations they took on when appointed as councillors, and continue to deal with Baker's Bay's permit applications as mandated by the Local Government Act.

Provided there were no "major discrepancies" with any of the applications, and they had been vetted and passed previously by central government agencies such as the Department of Environmental Health Services and Ministry of Works, Mr Sweeting said he saw no problem in approving them, although the Hope Town District Council was not acting as a mere 'rubber stamp'.

However, he added that the three



Fred Smith

remaining councillors - Fred Sweeting and Rory Russell from Man-O-War Cay, and Fred Laing from Great Guana Cay - had taken the position that until they received written confirmation from central government that Baker's Bay had full clearance to proceed, and there was no risk of liability to them or the council from the Save Guana Cay Reef Association's litigation, they did not want to deal with the developers' applications.

Jeremy Sweeting yesterday charged that some of the trio were "playing politics" with the Baker's Bay project, and were unhappy that the previous PLP administration had approved it.

He added: "At a time when the economy is showing signs of slowing, it is unfortunate that three councillors are playing games with the development. People have to do the right thing."

"There are 200 persons employed by this development, so it affects a lot of citizens - 200 families. The economy of late has shown signs of slowing and recession. I hope that's not the case, and I hope we don't delay any progress as far as this development is concerned, as we want to keep it moving in the right direction."

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Jeremy Sweeting said that as chief councillor he could have

input into meetings, but could not vote, unless the other six councillors were evenly split. His casting vote had frequently been required in

recent months to push through approved permit applications by Baker's Bay, but he pointed out that in August - with one council member away - he could not use his vote.

As a result, the three councillors opposed to dealing with the Baker's Bay applications until they received the go-ahead from the central government had been in the majority, and the developers' applications were "delayed for a month".

Jeremy Sweeting said the Baker's Bay project had made "a great impact" on the Abaco

economy, adding that the developers were concerned to "do things the right way".

Roy Russell, one of the three councillors reluctant to deal with the Baker's Bay applications, told The Tribune that politics had nothing to do with his position, it being more to do with avoiding court action and being sued by the Save Guana Cay Reef Association.

"Some of the members want to get something in writing from the Ministry [of Local Government] saying they are not going to be liable if they

sign off on these plans," Mr Russell said, referring to the litigation and a letter sent by the Association threatening to sue them if they approved permit applications.

"I'm one that wouldn't sign. There's three of us. We've asked the administration to get us a letter from the Ministry saying that everything the developers have has been approved, and we're free to decide on the plans presented to us," Mr Russell added. "Let us know we can proceed without fear, accept our responsibilities and then we will deal with the plans. Get the focus off us and put it where it belongs."

"We want to make sure everything is on the up and up. Whether we agree with the project is not the issue. I want to do my job without fear of being sued and within the law. "I would just take a letter from someone in authority saying we're free to act, the developers have gone through all

the channels, it's all approved, and you can deal with the plans before you."

Mr Russell and the other two councillors, he added, were seeking written guarantees that the Baker's Bay project had been fully approved.

Dr Livingstone Marshall, Baker's Bay's vice-president of environmental and community affairs, told The Tribune that the developers did not believe the situation at the Hope Town District Council would unduly impact the project or approval of the required permits.

However, the situation had been raised with the Prime Minister and relevant government ministries.

"There is no court order or anything preventing Baker's Bay from moving ahead under our Heads of Agreement and what we plan to do," Dr Marshall said.

"We want to see the council carry out their responsibilities as mandated by law."