

Guana Cay residents continue to fight for right to be heard

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The Save Guana Cay Reef Association (SGCRA) opposed six permit applications before the Hope Town District Council yesterday, requesting that consideration for approval of them be put on hold until it can properly be challenged.

Noted attorney, Fred Smith, counsel to the association, has written to the Hope Town District Council asking them to give the people of Guana Cay their right to be heard.

In a statement to *The Freeport News*, Smith said the six permit applications were posted on February 17, on the post office board in Hope Town and not at Great Guana Cay. The notice, he said, indicated that there are a number of projects — ranging from \$600,000 to \$1.6 million — for which applications are due to be heard by the District Council today (Thursday, February 22).



FRED SMITH

rational and constructive comments.

"As a general point, we are opposed to the scale, scope and extent of the proposed development," Smith said.

"May we ask that in the spirit of transparency, accountability and in the interest of natural justice, and having regard to our clients' rights to be heard, that we be provided with copies of their various

requested that the council adjourn their consideration of the applications until such time that the association has been provided with the information sought.

He said the Hope Town District Council was also put on notice that if the association was not treated fairly, and if the applications are considered or approved without the association being given the proper opportunity to make representations, the group will bring proceedings to enforce their rights in due course.

SGCRA is currently in litigation against the Bakers Bay/Passerine Group of Companies, the firm proposing to develop the northwest portion of Great Guana Cay and the one submitting the applications. The Prime Minister and various other government agencies are also defendants in the litigation.

The association has challenged the legalities of the Heads of Agreement. They have also vigorously complained that throughout the

participation as stakeholders in the decision-making process of any central or Local Government person or agency having responsibility for consideration of applications.

Central to SGCRA's complaint, Smith said, is the fact that Local Government, specifically the District Council, has the duty and responsibility under the Local Government Act to consider the many different applications.

"Apparently, many applications have somehow been made directly to central government agencies in Nassau thus bypassing the local District Council," he said.

"Despite our many requests to central government, to the Attorney General and to the administrator, no one has seen fit to provide the citizens of Great Guana Cay with copies of either the applications or the permits issued.

"The reason for this is that our clients were not given an opportunity to be heard on

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any such applications and the persons to whom we have written are anxious and fearful that if we are provided with copies of the applications and/or the permits, we would then seek to challenge them in court.

"We are able to confirm that this is indeed the case. Once our clients do find out what permits have been issued, they will take appropriate action to seek to quash those decisions."

Smith said Local

Government is all about local rights and taking into account the views and allowing those who are most closely affected by the proposed developments to be consulted and to have their views properly considered.

The Counsel said that he understands the council has also been provided with copies of the BEST Commission reports and the current Environmental Impact studies. He added that they have been repeatedly promised to the Association. "Again, despite the fact that

the group are the ones most affected, they have not received copies of it," he said.