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DATED: April 25th, 2022

SUBJECT

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CLERK OF THE ASSEMBLY

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Announcement

TOBAGO HOUSE OF ASSEMBLY

Thursday, March 24th, 2022

The House met at 1.45 p.m.

PRAYERS

[MADAM PRESIDING OFFICER *in the Chair*]

ANNOUNCEMENTS

WELCOME

MADAM PRESIDING OFFICER: Members, I would like to recognize the first Chief Secretary of the Tobago House of Assembly, Mr. Hochoy Charles, as he joins us today for the Fourth (4th) Sitting of the Tobago House of Assembly. [*Desk thumping*]

Welcome, Mr. Charles! [*Desk thumping*]

LEAVE OF ABSENCE

Members, leave request to be absent from today's Sitting was submitted by Assemblyman Watson Duke.

The leave is granted.

ORAL ANSWERS TO QUESTIONS

MADAM PRESIDING OFFICER: *Minority Councillor.*

Deferred question from February 24th, 2022

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Oral Answers to Questions (Cont'd)
COUNCILLOR P. DANIEL-BENOIT (Cont'd)

RESUMPTION OF INTERNATIONAL FLIGHTS TO TOBAGO

2. **Mrs. Petal Daniel-Benoit:** Thank you, Madam Presiding Officer.

The Minority Councillor asked the Secretary of Tourism, Culture, Antiquities and Transportation the following question:

With the resumption of international flights to Tobago and the return of British Airways flights from London Gatwick to Tobago on January 10th, 2022, will the Secretary please indicate the following:

- (a) When did negotiations begin and bookings reopened for the resumption of British Airways flights from London Gatwick to Tobago?
- (b) Identify all other international flights that are expected to arrive in Tobago in 2022; the date of arrival; the name of the airline, the country of departure and the date of commencement of negotiations of all international flights listed.

MADAM PRESIDING OFFICER: *Councillor Tashia Burris.*

SECRETARY OF TOURISM, CULTURE, ANTIQUITIES AND TRANSPORTATION (Hon. Tashia Burris): Thank you, Madam Presiding Officer.

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Oral Answers to Questions (Cont'd)
HON. T. BURRIS (Cont'd)

In response to the question posed by the Councillor, I will like to state that negotiations with British Airways commenced in October 2021.

The Contract was signed on November 27th, 2021 and bookings resumed soon thereafter.

The international flights expected to arrive in Tobago are as follows:

- British Airways commenced on January 10th 2022, departing from London Gatwick and negotiations started in October 2021.
- Virgin Atlantic commenced on January 29th, 2022, departing from London Heathrow and negotiations commenced in October 2021.
- Condor plans to return in the winter of 2022 with no specific date confirmed as yet. That flight is expected to depart from Frankfurt Germany and negotiations commenced in October 2021 and are ongoing.
- Caribbean Airlines is expected to return to Tobago, departing from New York, JFK. The actual date of resumption of service is unknown at this time and negotiations are ongoing.

Thank you.

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

Let me also indicate that at the Division of Finance, Trade and the Economy, I am yet to hire, in accordance to Executive Council (EC) Minutes 60 of February 2016, personal staff which means that I am yet to have a Personal Secretary; I am yet to have a Personal Advisor and the staff associated with Executive Council Minute (EC) 60 of 2016.

In the **DIVISION OF TOURISM, CULTURE, ANTIQUITIES AND TRANSPORTATION**, we have:

- Curtis Joseph, Personal Assistant to the Secretary. Certificate in Arts and Science at the University of the West Indies (UWI) - standard eight thousand, four hundred dollars (\$8,400.00). Allowance - one thousand, eight hundred dollars (\$1,800.00). Contract; candidate engaged in accordance with Chief Personnel Officer (CPO) Circular PD10143, Volume 4 dated May 23rd, 2013.
- Marvin Phillips, Personal Secretary to the Secretary - CXC O'levels - six thousand, three hundred dollars (\$6,300.00) - contract standard as per the same Circular.
- Personal Assistant to the Assistant Secretary, Renatta Murray - Associate Degree and certificate level education – eight thousand,

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

four hundred dollars (\$8,400.00). Allowance - one thousand, eight hundred dollars (\$1,800.00) as per the same Circular.

- Maxine Jack, Personal Assistant to the Assistant Secretary, Bachelor of Education, Early Childhood Care and Education - six thousand, three hundred dollars (\$6,300.00) – contract - as per the same Circular.
- Corise Archer Quashie-Nancis, Advisor to the Secretary – Master's in International Development, Bachelor of Science Degree in Media and Communication - nineteen thousand, four hundred dollars (\$19,400.00) - allowance – two thousand, seven hundred dollars (\$2,700.00) as per the same Circular.

**FOOD SECURITY, NATURAL RESOURCES, THE ENVIRONMENT
AND SUSTAINABLE DEVELOPMENT:**

- Keedel Kerr, Advisor to the Secretary. Bachelor of Sciences in Environmental and Natural Resource Management and Tropical Landscaping – nineteen thousand, four hundred dollars (\$19,400.00) – allowance - two thousand, seven hundred dollars (\$2,700.00) – contract - as per the same Circular.

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Oral Answers to Questions (Cont'd)

HON. CHIEF SECRETARY (Cont'd)

- Abigail Warner, Personal Assistant to the Secretary. Bachelor of Arts in Business Management. Salary - eight thousand, four hundred dollars (\$8,400.00) - allowance – one thousand, eight hundred dollars (\$1,800.00). Contract - as per the same Circular.
- Personal Secretary to the Secretary, Erlicia James - Bachelor of Science in Biology. Salary – six thousand, three hundred dollars (\$6,300.00). Contract - as per the same Circular.
- Nicoya Douglas, Personal Assistant to the Assistant Secretary. Diploma in Project Management. Salary – eight thousand, four hundred dollars (\$8,400.00) - allowance – one thousand, eight hundred dollars (\$1,800.00d) as per the same Circular.
- Giselle Benjamin - Personal Assistant to the Assistant Secretary. Doctor of Veterinary Medicine and a Diploma in Animal Health Production and Veterinary Public Health. Salary is six thousand, three hundred dollars (\$6,300.00). Contract, as per the Circular.
- Also in that Division Kern Duncan, Carpenter Grade 2, Group C at two hundred and eight-eight dollars (\$288.00) per day - daily rated worker.

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- Dondray Demas, Motor vehicle Operator - two hundred and fifty-two dollars (\$252.00) per day - daily rated worker.
- Anroy Des Vignes, Handyman - two hundred and forty-four dollars (\$244.00) per day - daily rated worker.
- Kaylon Edwards, Handyman - two hundred and forty-four dollars (\$244.00) per day - daily rated worker
- Kylan Quashie, Handyman - two hundred and forty-four dollars (\$244.00) per day - daily rated worker
- Ossy Williams, Handyman - two hundred and forty-four dollars (\$244.00) per day - daily rated worker.
- Shaquille Jerry, Tree Climber - two hundred and forty-four dollars (\$244.00) per day - daily rated worker.
- Dwayne Joseph, semi-skilled Labourer - two hundred and forty-four dollars (\$244.00) per day - daily rated worker.
- Monique Cooper, Sanitation man - two hundred and thirty-five dollars (\$235.00) per day - daily rated worker.

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- Jason Stanley, Male Labourer - two hundred and thirty-five dollars (\$235.00) per day - daily rated worker.
- Nylon Thomas, Male Labourer - two hundred and thirty-five dollars (\$235.00) per day - daily rated worker.
- Orell Cooper, Male Labourer - two hundred and thirty-five dollars (\$235.00) per day - daily rated worker.
- Byron Clarke, Male Labourer - two hundred and thirty-five dollars (\$235.00) per day - daily rated worker.
- Taishorn Broomes, Male Labourer - two hundred and thirty-five dollars (\$235.00) per day - daily rated worker.
- Rayan Adams, Female Labourer - two hundred and thirty-five dollars (\$235.00) per day - daily rated worker.
- Rodney Shanghai, Break Shift Watchman - two hundred and forty-four dollars (\$244.00) per day – daily-rated worker.

MADAM PRESIDING OFFICER: *Member for Darrel Spring/Whim.*

MINORITY LEADER (Mr. Kelvon Morris): Madam Presiding Officer, in the interest of time, could we have the rest of the answer in writing?

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Oral Answers to Questions (Cont'd)

MADAM PRESIDING OFFICER: Chief Secretary, Member for Parlatuvier/L'Anse Fourmi/Speyside, you have approximately fourteen (14) more minutes to your time and we have additional questions.

HON. CHIEF SECRETARY: I will continue to read therefore. It was asked for oral response and I will give oral response. [*Desk thumping*]

MADAM PRESIDING OFFICER: Continue.

HON. CHIEF SECRETARY: You do not get to pick and choose when you are misguided.

- Devon Bailey, Break shift watchman - two hundred and forty-four dollars (\$244.00) per day - daily rated worker.

Let me say thanks for this question. Because of this question the Line Secretaries now know that people were employed in their Division as the ...

MADAM PRESIDING OFFICER: Member for Darrel Spring/Whim, please allow the Member for Parlatuvier/L'Anse Fourmi/Speyside to finish his contribution.

Thank you.

Continue.

Oral Answers to Questions (Cont'd)

HON. CHIEF SECRETARY: Thank you, and as per the Standing Orders, you also do not get to dictate the answers you get. [*Desk thumping*]

DIVISION OF EDUCATION, RESEARCH AND TECHNOLOGY:

- Ann Natasha Second, Advisor to the Secretary. Master's in Business Administration; MSC in Education; Diploma in Education as well - nineteen thousand, four hundred dollars (\$19,400.00); allowance - two thousand, seven hundred dollars (\$2,700.00) – contract - as per the Circular for personnel staff.
- Kathy Charles-John, Personal Assistant to the Secretary - Certificate in Supervisory Management; Certificate in Sales and Marketing - salary eight thousand, four hundred dollars (\$8,400.00); allowance - one thousand, eight hundred dollars (\$1,800.00) – contract.
- Jameeka Thom, Personal Secretary to the Secretary. Certificate in Childhood Education. Salary - six thousand, three hundred dollars (\$6,300.00) – contract - as per the same Circular.
- Jabari Carrington, Personal Chauffeur to the Secretary. Ten (10) years experience as a Light Vehicle Driver. Salary - four thousand,

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Oral Answers to Questions (Cont'd)

HON. CHIEF SECRETARY (Cont'd)

seven hundred dollars (\$4,700.00). Allowance - two thousand, seven hundred and eighty-five dollars (\$2,785.00) as per the Circular.

- Christon Cunningham, Personal Assistant to the Assistant Secretary - Associate Degree. Salary - eight thousand, four hundred dollars (\$8,400.00). Allowance - one thousand, eight hundred dollars (\$1,800.00) - contract - as per the same Circular.
- Zakariah Haynes, Personal Secretary to the Assistant Secretary. Salary - six thousand, three hundred dollars (\$6,300.00) – contract - as per the same Circular.

In the Division of **HEALTH, WELLNESS AND SOCIAL**

PROTECTION:

- Jason Nancis, Advisor to the Secretary. Bachelor of Science (BSc) in Business Administration. Salary - nineteen thousand, four hundred dollars (\$19,400.00). Allowance - two thousand, seven hundred dollars (\$2,700.00) – contract - as per the Circular for Personal Staff.

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- Kershell Elliot, Personal Assistant to the Assistant Secretary. Certificate in Practical Accounting and CXC O'levels. Salary - eight thousand, four hundred dollars (\$8,400.00). Allowance - one thousand, eight hundred dollars (\$1,800.00) - contract as per the same Circular.
- Adonis Edwards, Personal Assistant to the Secretary. Bachelor of Science (BSc) Degree in Behavioural Science. Salary - eight thousand, four hundred dollars (\$8,400.00). Allowance - one thousand, eight hundred dollars (\$1,800.00) – contract - as per the same Circular.
- Karen Moore-Nicholson, Liaison Officer, Registered Nurse. Twelve thousand, eight hundred and eighty-two dollars (\$12,882.00). Allowance - two thousand dollars (\$2,000.00) – contract - as per the Circular.
- Renison Rogers, Personal Chauffeur. Salary - four thousand, seven hundred dollars (\$4,700.00). Allowance - two thousand, seven hundred and eighty-five dollars (\$2,785.00).
- Ayanana Phillips, Communication Assistant. AB Diploma. Salary - eight thousand, one hundred and ninety-seven dollars

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

(\$8,197.00). Allowance - two thousand dollars (\$2,000.00) - short term employment.

- Andel Adams, Contact Tracer and enrolled Nursing Assistant. Salary - three thousand dollars (\$3,000.00).
- Aurora Bissoon, Contact Tracer, enrolled Nursing Assistant. Salary - three thousand dollars (\$3,000.00).
- Michelle Burris-Welch, Contact Tracer, enrolled Nursing Assistant. Salary – three thousand dollars (\$3,000.00) dollars.
- Jannel Cox - Contact Tracer, enrolled Nursing Assistant. Salary - three thousand dollars (\$3,000.00).
- Nadine Denoon-Knot - Contact Tracer, enrolled Nursing Assistant - three thousand dollars (\$3000.00).
- Shenquatte Densley, Contact Tracer, enrolled Nursing Assistant – salary - three thousand dollars (\$3,000.00).
- Ayanna Edwards, Contact Tracer, enrolled Nursing Assistant. Salary - three thousand dollars (\$3,000.00).

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- Seth Elias, Contact Tracer, enrolled Nursing Assistant. Salary - three thousand dollars (\$3,000.00).
- Avion Jack-Balfour, Contact Tracer, enrolled Nursing Assistant. Salary - three thousand dollars (\$3,000.00)
- Denel Jarrot, Contact Tracer, enrolled Nursing Assistant. Salary - three Thousand dollars (\$3,000.00).
- Camille Nanhoo, Contact Tracer, enrolled Nursing Assistant. Salary - three thousand dollars (\$3,000.00).
- Kerryann Nelson, Contact Tracer, enrolled Nursing Assistant. Salary - three thousand dollars (\$3,000.00).
- Denicia Ramsey, Contact Tracer, enrolled Nursing Assistant. Salary, Three Thousand dollars (\$3,000.00).
- Tashianna Singh, Contact Tracer, enrolled Nursing Assistant. Salary - three thousand dollars (\$3,000.00).
- Courtney Gibson, Contract Tracer, enrolled Nursing Assistant. Salary – three thousand dollars (\$3,000.00).

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- Camaria Gray, Contract Tracer, enrolled Nursing Assistant. Salary – three thousand dollars (\$3,000.00).
- Carissa Slater, Contact Tracer, enrolled Nursing Assistant. Salary - three thousand dollars (\$3,000.00).
- Shirine Smart, Contact Tracer, enrolled Nursing Assistant. Salary – three thousand dollars (\$3,000.00).
- Regine Sawyer, Contact Tracer, enrolled Nursing Assistant. Salary – three thousand dollars (\$3,000.00).
- Kadisha Stanley, Contact Tracer, enrolled Nursing Assistant. Salary – three thousand dollars (\$3,000.00).
- Atella Job-Trotman, Contact Tracer, enrolled Nursing Assistant. Salary – three thousand dollars (\$3,000.00).

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Oral Answers to Questions (Cont'd)

MADAM PRESIDING OFFICER: *Minority Leader.*

MINORITY LEADER (Mr. Kelvon Morris): Thank you very much, Madam Presiding Officer.

OVERSEAS TRAVEL OF PUBLIC OFFICIALS

3. The Minority Leader asked the Chief Secretary and Secretary of Finance, Trade and the Economy the following question:

As it relates to new employment across the Divisions of the Tobago House of Assembly post December 6th, 2021, will the Chief Secretary please provide the following:

- (a) A detailed listing by divisions of the names, positions, qualifications, remuneration and categories of employment of each officer engaged (short term, contract, permanent, daily paid, relief, temporary).
- (b) What was the process of engagement for each employee hired?
- (c) What is the total monthly cost to the Assembly for the engagement of these officers?

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Oral Answers to Questions (Cont'd)

MADAM PRESIDING OFFICER: *Hon. Chief Secretary and Secretary of Finance, Trade and the Economy.*

HON. CHIEF SECRETARY AND SECRETARY OF FINANCE, TRADE AND THE ECONOMY (Hon. Farley Chavez Augustine): Thank you very much, Madam Presiding Officer.

As I respond to this question, let me ask your good self and your office to also adopt a practice being held by the Cabinet at the moment, whereby whenever questions are filed, they are automatically sent through the system to (in the Cabinet case) the Permanent Secretaries; in your case it would be Administrators, that the public servants are able to supply the responses in a timely manner, that it would not result in officers being up at midnight, attempting to collate the information from across all the Divisions.

Having said that, I wish to at this time, read to the entire House, the full list of persons employed within the Tobago House of Assembly between December 06, 2021 and present.

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

Let me start by saying, that I am happy to announce that between December 06, 2021 and present, we have employed significantly less people than we did in the two (2) months leading up to the elections [*Desk thumping*]. The list is as follows:

Starting with **COMMUNITY DEVELOPMENT** (no particular order) Youth Development and Sport. In that Division employed were:

- Marlon Crease, Occupational Safety Officer, has a BSc in Occupational Safety and Health. Salary – nine thousand, two hundred and five dollars (\$9,205.00. Allowance - one thousand five hundred dollars (\$1,500.00) - that is on contract. The position was advertised and candidates were interviewed.
- Kalisha Baird, also Occupational and Safety Officer, has a BSc in Environmental Science and Sustainable Technology. Salary same as before - nine thousand, two hundred and five dollars (\$9,205.00); allowance - one thousand, five hundred dollars (\$1,500.00); that is on contract. The position was advertised and candidate was successful after interview.

Community Development, Youth and Sport staying with that Division:

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- Mr. Gladstone Solomon, Advisor to the Secretary. He has a Master's in Agriculture and Rural Development. The salary for an Advisor to the Secretary, is nineteen thousand, four hundred dollars (\$19,400.00); two thousand, seven hundred dollars (\$2,700.00) in allowances. That is a contract position and the candidate was engaged as per Executive Council Minute No. 60 of February 2016.

Same Division:

- Alloy Westfield, Personal Assistant; qualification - CXC O levels. Salary eight thousand, four hundred dollars (\$8,400.00); one thousand eight hundred dollars (\$1,800.00) allowance; contract. Again, this person was engaged in accordance with Executive Council Minute No. 60 of February 2016;

And for those who are looking and not sure of what that means, it means that in 2016, the Tobago House of Assembly took a decision that there would be some level of personal staff attached to every Line Secretary and the salaries are standard, and were determined since 2016 in accordance with Executive Council Minute No. 60 of 2016.

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HON. CHIEF SECRETARY (Cont'd)

- Natalie Joseph-Douglas – same Division. She is the Personal Secretary. That salary is six thousand, three hundred dollars (\$6,300.00), contract. The candidate was engaged in accordance with Executive Council Minute No. 60 of February 2016;
- Ancil Joefield, Personal Chauffeur - valid drivers permit is the requirement based on law – contract - based on Executive Council Minute No. 60 of February 2016;
- Auson Thom, Personal Assistant to the Assistant Secretary. Mr. Thom has a Master's in Business Administration. Salary, eight thousand, four hundred dollars (\$8,400.00). Again, standard one thousand, eight hundred dollars (\$1,800.00) allowance; contract engaged in accordance with Executive Council Minute No.60 of February 2016;
- Keleisha Parks, Personal Secretary to the Assistant Secretary, has CXC O' Levels and Certificate in Legal Studies. Salary - six thousand, three hundred dollars (\$6,300.00). Again, standard as per engagement in accordance with Executive Council Minute 60 of February, 2016.

In the Office of the **CHIEF SECRETARY**, we have:

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- Tafara Smith, Information and Communication Officer based with Tobago Emergency Management Authority (TEMA) - Personal Certificate Course and Diploma. Salary - eight thousand, five hundred dollars (\$8,500.00); allowance is one thousand, two hundred dollars (\$1,200.00). This position was advertised and candidate interviewed and was successful.

Also, in the Office of the Chief Secretary,

- Isiah Jackson, Network Specialist BSc. in Computing and Certificate Courses – Salary - thirteen thousand, four hundred dollars (\$13,400.00); allowance - one thousand, two hundred dollars (\$1,200.00), contract. Position was advertised and candidate interviewed.

Office of the Chief Secretary;

- Elisa Clarke, BOA1, Procurement Control Office, Associate Degree in Culinary Arts. Salary - five thousand, one hundred and fifty dollars (\$1,150.00). That is short-term employment. Candidate applied, was interviewed and selected.

Office of the Chief Secretary,

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- Esther Balfour, Clerk Typist I, Human Resource Department, Diploma and Certificate level courses. Salary - five thousand, one hundred and eighty-eight dollars (\$5,188.00), short term. Candidate applied and was interviewed and selected.

If you did not hear any personal staff for the Chief Secretary in the Office of the Chief Secretary, it is because I am yet to hire personal staff in accordance with Executive Council Minute No. 60 of February, 2016 in the Office of the Chief Secretary.

In the Division of **FINANCE, TRADE AND THE ECONOMY**, we have:

- Dwayne Nurse, Personal Assistant, Bachelor of Science Degree in Environmental Natural Resources Management. Salary - eight thousand, four hundred dollars (\$8,400.00), allowance - one thousand, eight hundred dollars (\$1,800.00) contract. This candidate was engaged in accordance with Chief Personnel Officer Circular, PD10143 Vol. 4 dated May 23, 2013.

Also in that Division - I want to pause here for a little bit,

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- Anselm Richards, Chief Technical Advisor to the Division of Finance, Trade and the Economy, both a Master's and a Bachelor of Science Degree in Economics. Salary - thirty-five thousand dollars (\$35,000.00), allowance - seven thousand, five hundred dollars (\$7,500.00) - contract.

He was hired in the same manner that the Minority Leader was, not so long ago, in the Division of Health, and the Minority Councillor was, when she was Management Accountant, determined by way of experience and education.

And additionally, this became much needed in the division, because we had an issue with the division with getting timely and accurate information from some members of staff whose allegiance lie elsewhere.

In fact, at this present moment, thanks to efforts of the Administrator, we even had to treat with issues of Financial Statements and Reports of the Division not being left in the Division when a certain worker in the Division who was hired in the same manner as Mr. Richards left, deleted all of the

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HON. CHIEF SECRETARY (Cont'd)

government's files from the government's computer and until a decision was made to go to lawyers and to seek legal redress, another contracted officer was called offsite and given a flash drive clandestinely, and because of that kind of attitude, we needed somebody like Anselm Richards to be able to organize data coming through the Division to ensure that they are accurate [*Desk thumping*].

By the way, let me add, Madam Presiding Officer, that right now we are still exploring legal options including against the former Secretary for the Division, who still has the government's laptop and iPad in his possession and has refused to return them to the Division and documents belonging to the Division are presumably gone with such. We will be putting a stop to that kind of madness.

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- Kadisha Wallace - Contact Tracer, enrolled Nursing Assistant – three thousand dollars (\$3,000.00);
- Gabriel Yearwood - Contact Tracer, enrolled Nursing Assistant – three thousand dollars (\$3,000.00);
- Latoya Henry - Contact Tracer, enrolled Nursing Assistant - three thousand dollars (\$3,000.00);

Sorry Contact Tracers, that your measly salary and names are in the public. The Minority Leader needed to know orally, so I presented as required by law.

Settlements, **URBAN RENEWAL AND PUBLIC UTILITIES:**

- Anson Mc Donald, the Advisor to the Secretary, Teaching Diploma, Diploma in Labour Studies, Diploma in Technical Studies and Education – nineteen thousand, seven hundred dollars (\$19,700.00); plus two thousand, seven hundred dollars (\$2,700.00), contract, as per the Circular for personal staff for Secretaries.

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- Giselle Small, Personal Assistant to the Secretary, Master's in Business Administration, BA in Political Science and Economics – eight thousand, four hundred dollars (\$8,400.00) Salary - one thousand eight hundred dollars (\$1,800.00) allowance - contract, as per this same Circular;
- Lorraine Forbes, Personal Secretary to the Assistant Secretary - CXC O' levels - six thousand, three hundred dollars (\$6,300.00), contract as per the same Circular;
- Joanna Stanley, Office Support Assistant, Advanced and Ordinary levels; Salary - five thousand, one hundred dollars (\$5,100.00) contract. Candidate applied was interviewed and selected.

In SPORT AND YOUTH AFFAIRS:

- Shanique Melville, BOA1, BSc in Behavioural Science – five thousand, one hundred and fifty dollars (\$5,150.00), short term employment;

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- Assistant Accounts Officer, Certified Accounting Technician eight thousand one hundred and fourteen dollars (\$8,114.00), short term employment;
- Project Assistant Junior Builder Course Engineering Technician Course, six thousand, three hundred and forty-nine dollars (\$6,349.00), short term employment;
- Gloria Martin - Project Assistant, Associate Degree - six thousand, four hundred and forty-nine dollars (\$6,449.00), short term employment;
- Renecia Guy, BOA1 CXC Levels - five thousand, one hundred and fifty dollars (\$5,150.00) dollars;

**INFRASTRUCTURE, QUARRIES AND URBAN
DEVELOPMENT**

- Phillip Herrilal, Director of Project Management - twenty-four thousand dollars (\$24,000.00); two thousand, five hundred dollars (\$2,500.00) allowance, short term employment;

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- Mark Cunningham, Quantity Surveyor - sixteen thousand dollars (\$16,000.00), two thousand dollars (\$2,000.00) allowance, short term employment;
- Maurinkay Adekale, Master Scheduler, sixteen thousand dollars (\$16,000.00); allowance - two thousand dollars (\$2,000.00) short term employment;
- Shiva Alexander, Procurement Manager - fifteen thousand, nine hundred dollars (\$15,900.00); two thousand, five hundred dollars (\$2,500.00) short term employment;
- Donnell Franklyn - Project Manager, eighteen thousand dollars (\$18,000.00), salary; two thousand dollars (\$2,000.00) allowance, short term employment. (And 'short term' here, is three (3) months in the first instance);
- Rachel Trotman; Project Manager - eighteen thousand dollars (\$18,000.00); two thousand dollars (\$2,000.00) allowance, short term employment;

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- Maliaka Peters, Project Control Officer - eleven thousand dollars (\$11,000.00) salary; one thousand, five hundred dollars (\$1,500.00) allowance;
- Rondel George, Equipment...

MADAM PRESIDING OFFICER: Member for Parlatuvier/L'Anse Fourmi/Speyside, as per Standing Order 27, you had twenty (20) minutes in which to answer your question; you have five (5) minutes remaining from that twenty (20) minutes.

HON. CHIEF SECRETARY: Sure, not a problem. I will finish in time.

- Kelon James Elliott - Personal Secretary, six thousand three hundred dollars (\$6,300.00) contract as per the Circular for personal staff to the Secretary;
- Astrine Thomas-James - Personal Assistant to the Secretary, eight thousand, four hundred dollars (\$8,400.00) salary; one thousand eight hundred dollars (\$1,800.00) allowance, contract, as per the same Circular.

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- Aleah Holder, Personal Secretary to the Assistant Secretary - six thousand, three hundred dollars (\$6,300.00) contract, as per the Circular for staffing for persons for Secretaries.
- Collis Browne, Advisor to the Secretary, nineteen thousand, four hundred dollars (\$19,400.00) salary; allowance, two thousand, seven hundred dollars (\$2,700.00) contract, as per the same circular.
- Dr. Ellis Burris - Technical Advisor to the Division, twenty-five thousand dollars (\$25,000.00), contract, for a period of just one year.

The total monthly cost of the new employment for the detailed area listed, is nine hundred and twenty-two thousand, five hundred and seventy-eight dollars (\$922,578.00).

Thank you, Madam Presiding Officer. If there is time for other questions - if not, I will be happy to answer the other questions publicly.

MADAM PRESIDING OFFICER: *Minority Leader.*

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Oral Answers to Questions (Cont'd)

MINORITY LEADER: I want to thank the Chief Secretary for confirming my suspicion, that the Administration to which he leads is in fact, in breach of the law when it comes to the equal opportunity of all Tobagonians to access employment on contract. Because the process is, contract employment is to be...

MADAM PRESIDING OFFICER: Minority Leader, is this a supplemental question?

MINORITY LEADER: Yes, Madam Presiding Officer.

MADAM PRESIDING OFFICER: Can you ask the question, please?

SUPPLEMENTAL

MINORITY LEADER: Why is this current Administration engaging in a process that does not allow every Tobagonian with the requisite skills, to apply for the position?

MADAM PRESIDING OFFICER: Chief Secretary.

HON. CHIEF SECRETARY: Madam Presiding Officer, allow me to answer that question, with a question.

MADAM PRESIDING OFFICER: You have two (2) minutes

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Oral Answers to Questions (Cont'd)

HON. CHIEF SECRETARY: When the Minority Leader is hired by the former Secretary of Health, Mrs. Davidson-Celestine without being interviewed and on contract, why the rest of Tobago was not allowed this equal opportunity, and when the Minority Councillor was hired in the Division of Finance as a Management Accountant without a single interview, just handpicked and hired, why the rest of Tobago was not given a similar opportunity? [*Desk thumping*]

Madam Presiding Officer, I will manage this government in keeping with the law. Personal staff does not require interviews based on the law. And secondly, you can hire people on short term, which is three (3) months to stop a gap on contract, without prior interview. And the Minority Leader is well aware of that. [*Desk thumping*]

MADAM PRESIDING OFFICER: Minority Leader, we have one more minute before we wrap up.

MINORITY LEADER: Madam Presiding Officer, on a point of clarification, I, Kelvon Morris was never hired on contract without an interview.

Oral Answers to Questions (Cont'd)

MADAM PRESIDING OFFICER: Is this a question to the Chief Secretary? Please ask a question.

MINORITY LEADER: Madam Presiding Officer, the Chief Secretary in his presentation confirmed to us, that persons were engaged on contract without advertisement, and I need him to explain that.

MADAM PRESIDING OFFICER: Chief Secretary, can you do that in the next thirty (30) seconds?

HON. CHIEF SECRETARY: I will not allow Tobago to suffer through that foolishness. Tobagonians are well aware, that the procedure that we use is not strange and was used before.

Additionally, the one hundred (100) people on Community-Based Environmental Protection and Enhancement (CEPEP), the hundreds hired to win an election were done so last year without interview, without putting it to the public in hopes of winning an election. We will hire competent Tobagonians to fill the gaps in order to ensure delivery of the mandate to which we were given. [*Desk thumping*]

MADAM PRESIDING OFFICER: Thank you.

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Oral Answers to Questions (Cont'd)
MADAM PRESIDING OFFICER (Cont'd)

Before we proceed, according to Standing Order No.27, the Chief Secretary's question had a time limit of twenty (20) minutes which we have since exhausted. I know that we had additional questions posed by the Minority Leader to the Chief Secretary, this could be deferred to the next Chief Secretary's Sitting which is in the next four (4) months.

HON. CHIEF SECRETARY: Madam Presiding Officer, I beg to move that we waive that Standing Order to allow the response to all of the questions that are on the Order Paper today, please?

Question put and agreed to.

MADAM PRESIDING OFFICER: *Minority Leader, you can continue.*

**COST OF RETREATS INCURRED, RENTAL OF VENUES
AND PROCUREMENT PROCESS IN SELECTION OF SAME**

4. The Minority Leader asked the Chief Secretary and Secretary of Finance, Trade and the Economy the following question:

As it relates to Retreats held across the Divisions of the Tobago House of Assembly post December 6th, 2021, will the Chief Secretary please provide the following:

Oral Answers to Questions (Cont'd)
MR. K. MORRIS (Cont'd)

- (a) Which Divisions and Agencies of the Tobago House of Assembly have held retreats post December 6th, 2021?
- (b) What is the breakdown of the cost incurred to the Assembly to host these retreats, including the rental cost of the venue?
- (c) What was the procurement process engaged in the selection of the venue to host these various retreats?

MADAM PRESIDING OFFICER: *Chief Secretary.*

CHIEF SECRETARY AND SECRETARY OF FINANCE, TRADE AND THE ECONOMY (Hon. Farley Augustine): Thank you, Madam Presiding Officer.

Upon coming into office in December 9th 2021, two (2) Divisions held retreats. The Office of the Chief Secretary held a retreat which catered for all of the new Members of the House on the majority side, and that is all fourteen (14) of us in addition to the three (3) Councillors. That retreat was held at Rovanel's Resort.

We had three (3) hotels providing us with quotations – three (3) entities. They were:

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- Magdalena Grand Hotel at a cost of two hundred and twenty-six thousand, eight hundred and sixty-eight dollars and eight cents (\$226,868.08);
- Mt. Irvine Bay Hotel – two hundred and ninety-one thousand, thirty four hundred dollars and sixty-two cents (\$291,034.62); and
- Rovanel's Resort – one hundred and thirty-seven thousand, eight hundred and fifty dollars (\$137,850.00).

Naturally, we went with the cheapest which was Rovanel's - one hundred and thirty-seven thousand, eight hundred and fifty dollars (\$137,850.00).

The total cost of that retreat came up to two hundred and twenty-three thousand, eight hundred and ninety-four dollars and eighty-eight cents (\$223,894.88) was expended for the retreat and that is inclusive of accommodation, meals and decour.

- We had supplemental band with capacity from B-mobile at two thousand, two hundred and forty-eight dollars and eighty-eight cents (\$2,248.88).

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Oral Answers to Questions (Cont'd)

HON. CHIEF SECRETARY (Cont'd)

- Rental of screens, multi-media, microphones, public address (PA) system twenty-nine thousand, seven hundred dollars (\$29,700.00).
- Sip and paint evening - six thousand dollars (\$6,000.00).
- For the facilitators, we had broken down by facilitators Odessa Consult Ink Limited - six thousand, seven hundred dollars (\$6,700.00).
- Bindley Benjamin – twenty thousand dollars (\$20,000.00).
- Dr. Lena Williams – one thousand dollars (\$1,000.00).
- Lenore Dorset – three thousand, seven hundred dollars (\$3,700.00); and we also had to pay Caribbean Airlines for return flights of three (3) facilitators - nine hundred dollars (\$900.00) in total.

For the other Division of Food Security, Natural Resources, the Environment and Sustainable Development, they had a two (2) day retreat. This was not a sleep-in retreat, but a day retreat and the retreat was aimed at breaking down the policy mandate for the Division with the Division's Heads.

They sent out requests to four (4) enterprises:

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- They got no response from Tropicist Beach Hotel Resort.
- Rovanel's gave them a cost of thirty-six thousand, three hundred dollars (\$36,300.00).
- Mt. Irvine Bay Hotel gave a cost of forty-nine thousand, four hundred and ninety-three dollars and twenty-five cents (\$49,493.25).
- Magdalena Grand Beach and Gold Resort gave them a quotation of fifty-one thousand, nine hundred and ninety-nine dollars and three cents (\$51,999.03).

They went with Rovanel's Resort at thirty-six thousand, three hundred dollars (\$36,300.00).

MADAM PRESIDING OFFICER: *Minority Leader.*

**TOTAL COST OF RENOVATION WORKS DONE AT
THE OFFICIAL RESIDENCE OF THE CHIEF SECRETARY**

5. The Minority Leader asked the Chief Secretary and Secretary of Finance, Trade and the Economy the following question:

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Oral Answers to Questions (Cont'd)
MR. K. MORRIS (Cont'd)

As it relates to the renovation of the official residence of the Chief Secretary, located at Lowlands, Tobago, will the Chief Secretary please provide the following:

- (a) What is the detailed scope of works approved by the Executive Council?
- (b) What is the breakdown of the total cost as per the scope of works outlined?
- (c) What is the cost to purchase and install a very fancy jacuzzi at the residence?
- (d) What is the cost to repave the driveway?

MADAM PRESIDING OFFICER: *Chief Secretary.*

CHIEF SECRETARY AND SECRETARY OF FINANCE, TRADE AND THE ECONOMY (Hon. Farley Augustine): Yes, Madam Presiding Officer. I am elated to answer this question because I know the Minority Leader has been getting his information from his fake news agents *online*. So I have seen figures floating around that I do not know anything about, but

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

I note that I asked for permission to show photos in the House as per required by the Standing Orders.

I am happy that we are also going live and I will ask for these photos to be queued accordingly on the monitors so that you can see the photos of what we inherited at the Chief Secretary's residence and what we did and the cost of what we did.

So first up, the photos you see [photo display on monitor] are of the driveway. For some reason it was not properly done and it resulted in every time a vehicle or an individual passed in the area, tar was getting into the garage area and into the residence itself, which meant that the staff at Property Management had to keep paying to refinish the wooden floors, paying to clean tar off the tiles inside and so a request was made to the Division of Works that is responsible for Government Quarters No25 - this is Government Quarters No25 - to repair the driveway. I will give the cost shortly.

The next photo I will show, are the awnings around the house and it will show that all the brackets holding up the awnings and parts of the

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

awnings is severely rusted. You can show the photo please? [photo display on monitor] The awning is severely rusted out. That is yet to be fixed. So I pray God that it does not drop on anybody's head, especially my wife's head while we are there, because the State will have to compensate me for this. [*Desk thumping*]

The next set of photos I would like to show will be of some of the air-conditioning units at the residence. [photo display on monitor] We have air-condition units that were all rusted out. We have about two different photos of air-condition units rusted out, and so air-conditions had to be replaced, in particular the air-conditions attached to the maid's quarters. I cannot be in cold breeze and those who come to work for less salary than mine, be uncomfortable. There must be equality across the board. [*Desk Thumping*]

Next photo I wish to show the House will be of the rusted out burglar proof gate at the home office, which is adjoining to the master bedroom where my wife and I sleep. This I am told was rusted out like this through several Chief Secretaries, so this burglar proof had to be replaced. In fact, it

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

was taken down and replaced with an electronic key card system. (I will share the cost in a short while) that will allow for security without putting up a burglar proofing that would naturally succumb to the elements of the Atlantic in that area.

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

Next photo [photo display on monitor] will be of the office there at the residence, and at the office in that photo, you will see where the legs of the table all went out; the drawers could not close properly; there was a patch in the arm of the chair and other breakage within the furniture. The chairs were reupholstered as opposed to the new ones that have been purchased and a new table was procured. I will give the cost in a short while.

Next up, [photo display on monitor] we have photos of the infamous tub, that comes and *Facebook* said that we spent a one hundred thousand dollars (\$100,000.00) on; and the master bedroom - the top fixtures were broken and efforts were made to return to the supplier to get the fixtures and could not get same, so a replacement tub had to be purchased.

Additionally, in that photo, you will also see where at some point we had to patch in a different type of tile in the background to treat with a plumbing fix. It must be known that when this tub was moved out, some more tiles had to be replaced, because we could not get back the exact size of the tub as was there previously.

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

Next photo [photo display on monitor] we will show will be of the flag poles. One of the flag poles prior to arrival was already down, so in contravention of all protocols, the flags were being hoisted in a manner that contravenes the protocols because one of the flag poles fell down. If you look at the base of the flagpoles in one of the photos, you will see where the bolts were rusted out from the existing flagpoles, so we needed to replace the bolts and replace the flagpoles.

Next up, [photo display on monitor] the more infamous pool that comes and *Facebook* said that we spent five million dollars (\$5m) on, and I will give the real cost. The pool - we had to make a decision between the cleaning of the pool and having to change the tiles or leaving the pool as is. We cleaned the pool and we procured the exact blue mosaic tiles and replaced only the tiles that fell out due to the cleaning, because this is a significant backup of calcium and limestone and so on. We also procured extra blue tiles, so in the future all that needs to happen is just to replace the tiles that drop out in the process of cleaning.

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

Additionally, the next photo [photo display on monitor] I want to show is some of the furniture around the residence - the pool furniture you could see they were all bent out of shape, washed out and faded.

Next, [photo display on monitor] I will show the gate at the entrance - some lattice work that were all busted up and one of the internal showers where the wall was busted up; the shower head was falling off. I will let you know, Madam Presiding Officer, that the gate is still not fixed up to yesterday. Up to last night upon arrival, the security had to come out to push the gate, so I could be there late at night and it will mean that a gunman or anybody could hold up us at the gate, because the automatic system is not working and the base of the gate is rusting out. The shower and the lattice work were repaired. I will give the cost of that.

Then I have two (2) other sets of photos of some of the furnishings in the residence. We have the living room chair (Can we show it please)? [photo display on monitor] all tattered up, ripped up and burst up, and so we had to replace it. An upholsterer came and fixed the dining room chairs, but we could not save the living room chairs.

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

Next slide [photo display on monitor] we show some other furniture. I do not know who was residing here and what they were doing with the furniture, but this is the state of the furniture that we met there, all busted up; the sponge coming out of the chair and pee stains on them.

I do not know about you, Madam Presiding Officer, but where I live in Speyside, my father does upholstery, and none of our furniture as poor as we may be, do not look like this. So I prefer to live in Speyside with my proper furniture, than live in this. But as the case is, this is government quarters No. 25. It does not belong to Farley Chavez Augustine, it belongs to the people of Tobago. And sadly, like the other government quarters, they were not properly maintained.

I will let you know as per your question - the Executive Council does not have to approve a scope of work for any government quarters. Government quarters are to be maintained under Budget Line Item 21 - Repairs and Maintenance of Buildings. And for this fiscal year under 'Repairs and Maintenance of Buildings', the fiscal allocation is three point

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

two million dollars (\$3.2m). Simply put, the cost was serviced under what was estimated for and budgeted and approved by the Parliament of Trinidad and Tobago. The total cost - and allow me to give you a breakdown - cost by cost of the work, to show that we are transparent and we are very, very clear in what they are.

- The stone façade - exterior restoration, that came in at a cost of nine thousand, four hundred and six dollars and ninety-four cents (\$9,406.94);
- To fix planks on balcony step, that was five hundred and forty-seven dollars (\$547.00);
- The flagpole restoration and the installation of a new one totalled eighty thousand, four hundred and thirty-four dollars and thirteen cents (\$80,434.13);
- The walkway from the security booth to the main house - paint, three hundred dollars (\$300.00);
- Pool cleaning and mosaic tile replacement, a total of seventeen thousand, one hundred and sixty dollars (\$17,160.00).

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

Get the cost correct - there was no five million dollars (\$5m) there;

- Replacement of non-functioning pool lights - five hundred and twenty-five dollars (\$525.00);
- Replacement of damaged lattice work - forty-four thousand, three hundred and fifty-seven dollars and fifty cents (\$44,357.50);
- Cleaning tiles at the portico - five hundred dollars (\$500.00);
- Cleaning fixtures and fittings smudged with paint - one hundred and twenty dollars (\$120.00);
- The re-sheeting of the driveway, I will give you the cost one time - that is seventy-eight thousand, one hundred and twenty-five and sixty-seven cents (\$78,125.67);

and that was done in house by the Division,

- Replacement of all the weathered hinges around the sun room, all were rusted out. The total cost - two thousand, eight hundred and seventy-five dollars and twenty cents (2,875.20);

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- Replacement of all the weathered door handles. They were all rusted out and the locks were not working. The total cost was also two thousand, eight hundred and seventy-five dollars and twenty cents (\$2,875.20);
- Air condition repairs and installation, ten thousand, three hundred and twenty-seven dollars and fifty cents (\$10,327.50);
- Keypad security door for the study or the home office - six thousand, five hundred and forty-six dollars (\$6,546.00);
- The office desk, the new one is four thousand, five hundred and twenty-five dollars (\$4,525.00);
- The glazing work, mirrors, bathroom enclosures in all the bathrooms; all the plumbing fixtures that were changed out totalled eighty-three thousand, two hundred and sixteen dollars and twenty-five cents (\$83, 216.25);
- Installation of new shower mixer in the master bath, that is the dial that you turn for the shower on top or the pipe below - that is three thousand, eight hundred and six dollars, and eighty-eight cents (\$3,806.88);

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

(Let me pause here, so that people will know it is not any one hundred thousand dollars (\$100,000.00), as the Minority Leader's friends are telling him).

- The master bath tub replacement and installation totalled twelve thousand, three hundred and seventy dollars and fifty-two cents (\$12, 370.52);
- Replacement of the tiles in the master bathroom -

Eventually, we have to replace all the surrounding wall tiles, but we left the floor tiles and we tried to patch in a similar floor tile in the area where some were missing, but:

- The replacement of tiles totalled twelve thousand, five hundred and eighty dollars and twenty-seven cents (\$12,580.27).

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- Built in Cabinetry for microwave and mini fridge in the master bedroom - that is three thousand, two hundred and eighty-five dollars (\$3,285.00). Unemployment Relief Programme (URP) did that, by the way.
- Shelving in the master walk-in closet for towels and sheets - that was also done by Unemployment Relief Programme (URP) at a cost of five hundred dollars (\$500.00).
- Transport from Trinidad to site for Trinidad purchases, six thousand, sixty-two dollars and fifty cents (\$6,062.50).
- The refinishing of the living room floor - that is the wooden floor to be sanded, patched where it needs to be patched and re-stained - that is twenty-one thousand, eight hundred and seventy dollars and forty cents (\$21,870.40).
- Repainting of external side to the main entrance door - four hundred and twenty-seven dollars and fifty cents (\$427.50).
- Repair chips to bed frame and door. We repaired the beds in the other rooms, but we changed out the bed in the master bedroom because I am not sleeping on the same bed that the former Chief Secretary slept on. [*Desk thumping*] Those repairs totalled fifty

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

dollars (\$50.00) for the other beds and I would tell you that to date, the Division of Infrastructure and Urban Development spent two hundred and twelve thousand, three hundred and nineteen dollars and thirty-nine cents (\$212,319.39) on the repairs, well below a quarter of what is in the budget to treat with repairs and maintenance of buildings with regards to government quarters.

I will let this House also know that there are several other things to be done - I mentioned the awning - not yet done.

There was also a need to do an attachment between the main house and the maid quarters, so one does not have to go through rain to get to where the laundry is - not yet done.

The wash sinks inside of the washroom that have all decayed - those concrete sinks - not yet done.

The back fencing around the perimeter that the security services have advised is way too low and that some neighbours' cows butt in - not yet repaired or replaced. We have even considered a secondary exit.

I will also let you know that none of the camera systems at the residence is working, not one of them at all working and so just like any other

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

government quarters, the Division of Works will take its dead time to do whatever it does and it may get done this year; it may get done twenty (20) years from now, but that is in true Works fashion. It is government quarters number 25 and it will be treated with just like any other government quarters, I guess. [*Desk thumping*]

MADAM PRESIDING OFFICER: *Minority Leader.*

MR. KELVON MORRIS (Minority Leader): Chief Secretary notwithstanding your very skilful ability to deflect from the questions asked, I am still yet to hear whether any works, any of the scope of work was outsourced and what was the procurement process to treat with that.

MADAM PRESIDING OFFICER: *Chief Secretary.*

HON. CHIEF SECRETARY: Madam Presiding Officer, none of the questions asked by the Minority Leader on the Order Paper, asked me to differentiate between what was outsourced and what was done internally. The last time I checked, I could read. I went to the Bishop's High School and I am certain that the Minority Leader was in a class somewhere next to me, perhaps not in my class, but he was in a class somewhere next to me and none

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

of the questions he asked on the Order Paper, asked for that. But let me attempt to help him in terms of what was done internally and what was outsourced.

- So, the stone facade exterior restoration - outsourced.
- Fixing of the planks on the balcony done internally by the Division of Works.
- Flag poles done internally by the Division of Works.
- The walkway from the security booths to the main house done internally by the Division of Works.
- The pool cleaning and mosaic tile replacement - outsourced.
- The lights in the pool done by the Division of Works.
- The replacement of the lattice work done by the Division of Works.
- The cleaning of the tiles in the portico - that was done by the same folks that did the pool.
- The cleaning of fixtures (much by paint) done by the Division of Works.

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- Driveway done by the Division of Works.
- All the weather hinges and door handles - those were outsourced.
- The air-condition (AC) repairs were done by the Division of Works;
- The security keypad – outsourced;
- The office desk was by a local supplier;
- The glazing work in the bathrooms; the changing of the mirrors; the bathroom enclosures; the fixtures - those were all outsourced;
- The shower mixer that was installed by the Division of Works;
- The infamous tub was installed by the Division of Works;
- The replacement of tiles in the bathroom was done by the Division of Works;
- The built in cabinetry for the microwave and the mini refrigerator - that was done by the Division of Works;
- Shelving in the master closet - that was done by the Division of Works;
- The transportation between the islands to bring stock procuring Trinidad - was outsourced;

Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- The refinishing of the living room floor, that is, the wooden floors - that was outsourced;
- The repainting of the external side of the main entrance door - that was done by the Division of Works;
- The dining room table - I did not mention it before because no cost was attached to that in the actual scope sent across this morning by Engineer Mr. Martin, but I will let you know that the goodly folks at URP - it is not coffins alone that they can build - they built a fantastic and sturdy dining room table, well polished at no cost;
[*Desk thumping*]
- The repair chips to bed frame and doors - that was done by the Division of Works;
- The reconstruction of shelving [*Interruption*]

MADAM PRESIDING OFFICER: Member for Darrel Spring/Whim you are interrupting. Now I understand your enthusiasm, however, you asked the question so allow the Chief Secretary to answer please.

Thank you.

Oral Answers to Questions (Cont'd)

HON. CHIEF SECRETARY: Thank you.

- And the repairing chips to the bed frame and the door, that too was done by the Division of Works.

So you can see the majority was done by the Division of Works. And because that was not an original question on the Order Paper, I did not ask the Engineer at the Division of Works who did the work, Mr. Martin, to provide that information in terms of the procurement process. But what I did was to simply send the question as is, down to the Division of Works and they supplied the responses that I shared today. [*Desk thumping*]

MADAM PRESIDING OFFICER: *Minority Councillor.*

OVERSEAS TRAVEL OF PUBLIC OFFICIALS

6. The **Minority Councillor** (Mrs. Petal Daniel-Benoit) asked the Chief Secretary and Secretary of Finance, Trade and the Economy the following question:

As it relates to the overseas travel of Public Officials of the Tobago House of Assembly, will the Chief Secretary please provide the following:

- (a) What is the nature, cost and date of overseas travel per Division?

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Oral Answers to Questions (Cont'd)
HON. CHIEF SECRETARY (Cont'd)

- (b) Who are the Officers who travelled and a breakdown of the cost to fund each Officer, outlining the cost of airfare, per diem and any other payment incurred:

MADAM PRESIDING OFFICER: *Chief Secretary.*

HON. CHIEF SECRETARY: Thank you very much, Madam Presiding Officer.

To date, there were only two international travel engagements for this Executive Council. I will start with the trip to Dubai, because that was made famous with a lot of misinformation.

Upon entering Office, we met a request to participate in the Dubai Global or International Exposition and that was an Expo that lasted in excess of one hundred and fifty (150) days.

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Upon entering office, we met a request for a team of seven (7) officers to go to Dubai and that would have included the then Secretary of Community Development and the Chief Secretary. The Chief Secretary should have been paid for totally by the government of Dubai and the head of Business Development Unit (BDU) - she would pay part of her per diem up - to part of the per diem paid by the government of Dubai and Mr. Louis Lewis, the third person we sent (because we downsized the team and only sent three) - we were to cover his accommodation and his movement to Dubai.

I have already made it public, that the Tobago House of Assembly (THA) supplied the Ministry of Trade and the Ministry of Foreign Affairs with the information pertaining to the three (3) individuals who were expected to represent Tobago at this Exposition. And that is three (3) out of a contingent of sixteen (16) on that VIP list. We indicated to them very early, the time period in which we wanted to travel and be in Dubai and to

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be part of the presentation on March, 10th, 2021 and our 'Country Day' on the March 11th, 2021. We indicated that our team needed to travel between March 04th to March 14th, and on March 04th no tickets nor visas was forthcoming. On March 5th, we got the visa for Mrs. Baptiste, but no ticket. On March 06th, the Deputy Chief Secretary who I delegated to attend in my place, got his visa. The Executive Council took a decision and notwithstanding the original mandate that the Government of Dubai would pay for the cost, we would purchase their tickets to get across to Dubai and the Government of Dubai would take care of the rest while they are there on the ground.

I can tell you for the Deputy Chief Secretary, the cost was ninety-six thousand, two hundred and twelve dollars and sixty-three cents (\$96,212.63) and that is for the ticket, three (3) hours before the departure of the flight. So I do not need to explain to Tobagonians how those last-minute ticket costs will be. Per diem totalled thirty-one thousand, four hundred and nine dollars and sixty-three cents (\$31,409.63) and that is in accordance with the per diem requirements of the law.

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With Mrs. Baptiste - the airfare, fifteen thousand, five hundred and ninety-four dollars and sixty-three cents (\$15,594.63).

For Mr. Louis Lewis for whom we had to pay everything, except for part of the accommodation, his per diem was thirty-one thousand, six hundred and sixty dollars and ninety-one cents (\$31,660.91) and the ticket was thirty-five thousand, two hundred and fifty-six dollars (\$35,256.00).

Second engagement happened between February 22nd to 27th to the Annual Food Network and Cooking South Beach Wine and Food Festival out of Miami Florida. On this trip the team held negotiations with GlobalX Airline. I am surprised that the Secretary did not talk about GlobalX. We met a prior request from GlobalX and we have been able to successfully re-negotiate that agreement which will, when it materializes, result in Tobago not having to pay for any empty seats on that flight to Tobago.

Additionally, they started speaking to some other small independent airlines for flights out of Germany and the Scandinavian region while there.

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Also from this trip, there is a preliminary agreement for there to be a twinning of the Florida International University (F.I.U) and the Tobago Hospitality Tourism Institute (that is performance if you ask me) [*Desk thumping*] to allow for some of FIU courses to be taught locally in the Tobago space.

And already a second meeting was held three (3) weeks ago and that meeting three (3) weeks ago, was held virtually with the organizers and the sponsors of the Annual Food Network and Cooking South Beach Wine and Food Festival. To do what? Guess what? To bring a similar version of that festival to Tobago next year, given that Trinidad Tobago is the most southerly located Caribbean island territory in the region.

The cost for that trip we had:

- The Deputy Chief Secretary attending and his per diem was twenty-nine thousand, three hundred and ninety-five dollars and fifty cents (\$29,395.50); airfare ten thousand, four hundred and ninety-two dollars (\$10,492.00);

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- The Secretary of Tourism, Culture, Antiquities and Transportation, per diem - nineteen thousand, eight hundred and ten; airfare eight thousand, seven hundred dollars (\$19,810.00);
- The Advisor to the Secretary, Mrs. Nancis' per diem - fifteen thousand, two hundred and sixty dollars (\$15,260.00); airfare - three thousand one hundred dollars (\$3,100.00).
- The Chief Executive Officer of THTI, Dr. Sheppard - fifteen thousand, two hundred and sixty dollars (\$15,260.00); airfare - three thousand one hundred dollars (\$3,100.00).
- The Chief Executive Officer of the Tobago Festivals Commission Limited - per diem fifteen thousand, two hundred and sixty (\$15,260.00); airfare three thousand, one hundred dollars (\$3,100.00).

and that constituted the two (2) trips that this Executive has made to date.

MADAM PRESIDING OFFICER: *Minority Councillor.*

MINORITY COUNCILLOR: Follow up, Madam Presiding Officer, just to confirm. The Chief Secretary indicated that the Tobago delegation would

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have left or they would have been advised that they would want to leave between the 4th and the 14th.

SUPPLEMENTAL

What was the reason for the THA delegation travelling ahead of the national delegation, especially [*Desk thumping*] in light that this trip was sponsored for three (3) nights? Is there any specific reason why the THA's delegation needed to travel between the periods that he would have indicated?

MADAM PRESIDING OFFICER: *Chief Secretary.*

HON. CHIEF SECRETARY: Oh yes, thank you.

Madam Presiding Officer, this was a national trip and for a national trip to an exposition that lasted well over one hundred and fifty (150) days, being led by the Trinidad and Tobago High Commissioner to London, there was no Tobagonian or no Tobago participation prior to Deputy Chief Secretary Duke and the team leaving. So there were Trininis that went before and returned (keep going and coming) and there are Tininis that remained there after this delegation. And the Executive Council felt that it could not

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be reasonable for there to be a national delegation, a national cultural delegation as well - no Tobagonian, no Tobago House of Assembly (THA) interest in the national cultural delegation, no THA or Tobago reps prior to going, that we needed to give them at least one week so that they can have engagements with other players in the space, so that they do more than go and display Tobago goods; so that they can go and seek out other businesses including, but not limited to possible foreign direct investments for Tobago. And that was the reason why we added some additional days to the national VIP delegation. Because we were not just sending a VIP delegation - what we were sending was a delegation to actually represent Tobago and to seek Tobago's interests in a short period of time, while Trinidad was seeking their own interests for hundreds of days. [*Desk thumping*]

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MADAM PRESIDING OFFICER: *Minority Councillor.*

OFFICE OF THE DEPUTY CHIEF SECRETARY

7. **MINORITY COUNCILLOR** (Mrs. Petal Daniel-Benoit) ask the Chief Secretary and Secretary of Finance, Trade and the Economy:

As it relates to the establishment of the Office of the Deputy Chief Secretary, will the Chief Secretary please indicate the following:

- (a) What are the approved positions of the establishment of this new stand-alone Office of the Deputy Chief Secretary?
- (b) What are the positions filled thus far, the names of the individuals, their qualifications, the remuneration and status of employment (short term, contract, permanent and daily paid).
- (c) What is the recruitment process used to engage each officer?

MADAM PRESIDING OFFICER: *Chief Secretary.*

HON. CHIEF SECRETARY: Thank you very much, Madam Presiding Officer.

The office of the Deputy Chief Secretary is not new. There has always been an office of the Deputy Chief Secretary as per the law, that says that an Executive Council consists of the Chief Secretary, (one office) the Deputy

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Chief Secretary, (two offices) and not more than seven (7) others. So it is not new at all.

What is new is that it is a stand alone Division and Management Services Unit (MSU) - they sat down and worked out the organizational structure for this stand alone Division of the Deputy Chief Secretary and in addition, to the usual accounting officers that will be placed in that Division the Management Services Unit (MSU) recommended and the Executive Council approved the following six (6) positions:

1. A Director of Legal Services.
2. A Director for Diaspora Relations.
3. A Director for Foreign Direct Investments.
4. A Director for Monitoring and Evaluation
5. A Director for Energy and Sustainable Resources; and
6. A Business Operations Coordinator.

To date, Madam Presiding Officer, none of these positions have been filled. To date, what we are working on right now, is aligning the other Divisions which will see the workers related specifically with youth and sport join their colleagues in Community Development and the public servants that

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were there under the stand alone Division of Youth and Sport will then be joined by Deputy Chief Secretary Duke and his team - the six (6) officers as I stated. When that office space arrangement is worked out, then Deputy Chief Secretary Duke will be allowed to hire his staff accordingly.

EXECUTIVE COUNCIL BUSINESS

MOTION

**REQUEST FOR THE EXECUTIVE COUNCIL TO TAKE
STEPS TO ESTABLISH AN INSTITUTIONAL STRUCTURE
FOR THE IMPLEMENTATION OF THE TOWN AND
COUNTRY PLANNING FUNCTIONS IN ACCORDANCE WITH THE
T.H.A. ACT 1996**

MADAM PRESIDING OFFICER: Chief Secretary, please be reminded that you have forty (40) minutes of speaking time to move the Motion and thirty (30) minutes of speaking time to wrap up at the end of the debate.

To the other Members presenting, you are given thirty (30) minutes speaking time to present and an additional ten (10) minutes if requested, by another Member on your behalf.

Chief Secretary, you may begin.

**CHIEF SECRETARY AND SECRETARY OF FINANCE, TRADE AND
THE ECONOMY (Hon. Farley Augustine):** Thank you very much, Madam

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HON. CHIEF SECRETARY (Cont'd)

Presiding Officer. Just allow me a few seconds before getting started to
consume some water, please.

I think this is one of the most important Motions brought to this House
perhaps over the last decade or so. This Motion is so important, Madam
Presiding Officer, that former Chief Secretary Mr. Charles could not help
himself but break his own rule and return to this Honourable House. [*Desk
thumping*]

In fact, you may be unaware of the fact that Mr. Charles has not been
in this august Chamber for quite a while. From 2007, Mr. Charles has not
returned to this House until this very day in March of 2022, and that is
noteworthy, Madam Presiding Officer. [*Desk thumping*]

Madam Presiding Officer, the Motion I wish to present reads as
follows:

“**WHEREAS**, Section 25 (1) of the Tobago House of Assembly Act
1996 provides as follows: “without prejudice to section 75 (1) of the

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Constitution, the Assembly shall, in relation to Tobago, be responsible for the formulation and implementation of policy in respect of the matters set out in the Fifth Schedule;

AND WHEREAS Section 25 (2) of the said Act empowers the Assembly to do all such acts and take all such steps as may be necessary for or incidental to the exercise of its powers or for the discharge of its duties;

AND WHEREAS Town and Country Planning is one of the matters set out in the Fifth Schedule as item number 15;

AND WHEREAS the institutional structure has not been put in place to implement this function;

BE IT RESOLVED that this House authorize the Executive Council to take immediate steps to establish the institutional structure for the implementation of the Town and Country Planning function by the Assembly in accordance with the Tobago House of Assembly Act, 1996.”

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HON. CHIEF SECRETARY (Cont'd)

Madam Presiding Officer, one of the things that we campaigned on and we gave as a mandate pledge to the people of Tobago, is that we will bring Town and Country Planning function to the Assembly and to the people of Tobago. [*Desk thumping*]

So, I am happy today. I am happy today that I have this opportunity to do just that - to signal to the people of Tobago and by extension the people of Trinidad and of course, the Government of Trinidad (I know that they will be listening keenly) that the Tobago House of Assembly (THA) is ready to put on its big boy's clothes, its big man's clothes and take up the function as delegated to it in the law. [*Desk thumping*]

It is regrettable, Madam Presiding Officer, that Act 40 of 1996 gave us this authority, this Executive authority and between 1996 and 2001, some efforts were started to allow for the full functioning of Town and Country Planning within the local space, in the Tobago space.

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In 2001, a wind of change came and sometimes when new political parties take office they are guilty of not continuing the good things and just throwing away everything and so, in their zeal and perhaps, hatred for the former Chief Secretary, they threw away everything, with all the work done with Town and Country Planning at the time, and proceeded to allow Trinidad to rule over us with regards to Town and Country Planning.

To me, Madam Presiding Officer, this is an indictment; this is a sad reality. We cannot on one hand, be making noise for greater autonomy and on the other hand, refuse to take up our functions as per the law and this Tobago House of Assembly (THA) is signaling clearly that while we fight for greater autonomy, those Fifth Schedule matters belong to the people of Tobago and we will carry out those functions with respect to the law. [*Desk thumping*]

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And let me signal one time that those seven (7) Schedule matters that mandate that several public offices actually have offices in Tobago and deliver their function in Tobago and they have not been doing so, I want to signal to all of you who stick up down in Trinidad and not bringing the offices up here as per law, that I will be writing you and instructing you as per the law, to bring those offices to Tobago or I will go to Court and force them to come to Tobago. [*Desk thumping*]

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HON. CHIEF SECRETARY (Cont'd)

The Tobago House of Assembly (THA) must be respected. One of the reasons why we spent a lot of time this morning talking about tub and tiles and lights and a driveway, and whether or not the residence should look this way or not; or whether we should use our government quarters or not; or whether we should live with an awning hanging on by mossy threads or not, is because a group of people in Tobago has caused Tobagonians to not even respect the Institution of the Tobago House of Assembly (THA). This is not County Council. This is not the Tobago House of Assembly (THA) of 1980, when not even the position of Secretaries were legislated for, and when the Clerk of the House was the top public servant on the island. This is a Tobago House of Assembly Act (THA) that got significantly devolved functions as per Act 40 of 1996.

As flawed as that Act might be, we have to be grateful to former President; former Prime Minister and former Chairman of the THA, Mr.

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HON. CHIEF SECRETARY (Cont'd)

A.N.R Robinson, for bringing it to the House and ensuring that we got some updates.

In fact, most of you public servants who might be listening and watching; most of you teachers; most of you working in the system would not have enjoyed what you have today, if the Tobago House of assembly (THA) did not get significantly more devolved responsibilities. So you must be grateful for that.

The matter of Town and Country Planning, is an urgent one, Madam Presiding Officer. It is urgent because it is twenty-one (21) going on twenty-two (22) years late. It is urgent, Madam Presiding Officer, because Tobago's development, especially its infrastructural development, is still in the hands of strangers.

I was inspired to place this in the Progressive Democratic Patriots (PDP) mandate - and that is why we call it a mandate and not a manifesto -

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is because the things contained therein, were things given to us by the people of Tobago as we engaged with them.

I engaged with a well-known Tobagonian, a well-known businessman and he said to me, "Farley, when I was building this house, it was originally denied by Town and Country Planning. In order to query it, I had to send the files to Trinidad; jump on a plane and go down to Trinidad to convince Trinidadians who does not know anything about our space, that I could build this house where I want to build this house."

And what is even more egregious than that, is that we have a Town and Country Planning Unit being headed by someone on contract, who should have been retired 'donkey years now', gone past the working age long time, from Trinidad, heading our unit, telling us what to do; how to do it and what we cannot do, as determined by people down in Trinidad. Now,

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the law is clear, that the Tobago House of Assembly should have as a function, Town and Country Planning. And I want to start by going into the Constitution of Trinidad Tobago, so you will understand first and foremost, why this function is rightfully the Tobago House of Assembly's function and nobody could legally stop us from taking it.

If you go to Section 74 of the Constitution of the Republic of Trinidad and Tobago says:

“The Executive Authority of Trinidad Tobago shall be vested in the President and subject to this Constitution, may be exercised by him either directly or through officers subordinate to him.”

74 (2) says:

“Without prejudice to the generality of subsection (1), the supreme command of the armed forces of Trinidad and Tobago shall be vested in the President and the exercise of this power shall be regulated by law.”

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(which I just read)

Then it goes to subsection 3, which is the most important part. Section 74, subsection 3 says:

“Nothing in this section shall prevent Parliament from conferring functions on persons or authorities other than the President.”

Let me read that again, Madam Presiding Officer. The Constitution of Trinidad Tobago says:

“Nothing in this section (in section 74) shall or can prevent the Parliament from conferring functions as (in governing function/ government functions) on persons or authorities other than the President.”

And so Act 40 of 1996, was really an Act of Parliament that sought to confer on the people of Tobago, a function that ordinarily we will not have. Act 40 of 1996 was the Parliament saying, “Look, these set of functions as

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identified by the Fifth Schedule, thirty-three (33) initially and about three (3) others were scheduled later on, we are going to take them away from the Parliament; we are going to take them away from the President and we are going to delegate them to the people of Tobago through an Institution called the Tobago House of Assembly.” And so, in essence, while the National Parliament retains its function for making policy and policy is really lawmaking - I mean, we claim to be making policy in the THA, but without lawmaking ability, are we really making policy, or are we just making demands? But policy is really through the Act of making laws.

And so through the law that is Act 40 of 1996, we were delegated functions. The Parliament is still the only law-making body in the country. So how does the interplay between the THA and the Central Government - how is that supposed to work? Well, it means that for everything you see in the Fifth Schedule, where there is an accompanying Act that says ‘Minister’

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it is not a Minister or a Ministry in Trinidad that is supposed to do it. It should be an equivalent Line Secretary or the Tobago House of Assembly that is supposed to do it. Because we are charged here with the responsibility based on Section 74 (3) of the Constitution, backed up by Act 40 of 1996, to carry out these functions. And so one of those functions, really and truly, is the function for Town and Country Planning.

Now, the matter for consideration was already carried to the Executive Council and the Executive Council authorized moving this Motion so that we can then move to the place of building out our Town and Country Planning function.

Let me say early up, that this does not mean that we will set up our Town and Country Planning function and just send home everybody that is working in the current Town and Country Planning Office in Tobago. What

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we will do, is that we will subsume them into the functions as being delegated to the Tobago House of Assembly.

The Assembly's authority is enshrined in the Constitution of Trinidad Tobago by way of Chapter 11 (a) section 141(a) where it states inter alia that-

“There shall be an Assembly for Tobago to be called the Tobago House of Assembly; in this Chapter referred to as the Assembly; and

Also, 141 (b) that says:

“Subject to this Constitution, the Assembly shall have such powers and functions in relation to Tobago as may be prescribed.”

Those functions were prescribed in the Fifth Schedule. It amazes me that for this length of time, that nobody thought it necessary to take up this function and it might just be a case of share laziness. The powers and functions of

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the Assembly mentioned in the Constitution are prescribed in the THA Act of 1996, Section 25 (1) of the Act says:

“Without prejudice to section 75 (1) of the Constitution, the Assembly in relation to Tobago, be responsible for the formulation and implementation of policy in respect of the matters set out in the Fifth Schedule.”

And as I stated before, Town and Country Planning is item No.15 on that Schedule.

It further states in Section 25 (2) of the THA Act:

“For better performance of its functions, the Assembly is hereby empowered to do all such acts and take all such steps as may be necessary for or incidental to the exercise of its power or the discharge of its duties.”

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Town and Country Planning is one of those duties highlighted for us and we are taking it up, one by one.

Two (2) principal elements of land use planning are Development Planning and Development Control. Development Planning entails the framing of a spacial development strategy and land use plan which aims to provide a uniform, effective and comprehensive system of land use management and incorporates the use of spacial data which is geographic information systems or GIS.

The second component of planning function is development control. This element of the function deals with the control of land use and the regulation of the detailed aspects of physical development and is an essential part of planning as it is the pre-requisite for orderly implementation of development plans of the citizenry, private and commercial entities alike. In

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the current dispensation, this is where the Tobago House of Assembly (THA)
must become active primarily through its Public Health and Infrastructure
Department.

The Planning Department however, oversees the process and sign off
on the final approval and while I am at it, let me point out how crazy it was
for Tobago to wake up a day and decide because somebody said, Germans
were buying out all the lands in Tobago that we will take the authority for
foreign direct investment on our land and send it back to Trinidad and tell a
Minister in Trinidad tek yuh time based on how you feel, you decide who
foreigner could buy land in Tobago. The Tobagonians who decide that were
not real Tobagonians. They were pappyshow Tobagonians, pseudo-
Tobagonians because real Tobagonians understood in that moment and still
understand that:

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- (1) The majority of the outsiders who are buying lands in Tobago are not foreigners they are Trinis. And guess what, they did not need no licence, they need no approval from anybody, they could come and buy without you; and
- (2) Real Tobagonians also understood then and understand now that if we are to have a land licencing regime and I think there must be some kind of regime so that there will be some controls don't get me wrong.

I do not believe in a carte blanche arrangement for anybody to walk in from anywhere and buy but that regime should and must be organized by the THA, not Central Government - not Central Government.

In fact, that is a dereliction of duty based on the law and should not have happened. It was ill-advised but it has happen. And as I said, one by one the THA will be taking up all of its functions that we have not taken up before.

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Currently, Madam Presiding Officer, the enforcement component of development control is shared between the Town and Country Planning Division and of the Ministry of Planning, not even the Tobago House of Assembly (THA) the Ministry of Planning and the Tobago House of Assembly agencies.

Notably, the Public Health Department and the Infrastructure Department, this Executive Council noted that and as one pass a week ago noted that the legal instrument established for carrying out the functions of Town and Country Planning is the Town and Country Planning Act 35:01 but by THA Act of 1996, the Parliament has conferred on the people of Tobago through the THA, the functions of Town and Country Planning in Tobago. It should not be any Ministry doing that in Tobago. It should be the THA by law, the Ministry doing that in Tobago is out of place and out of order legally and we have to put a stop to that.

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The Executive Council also noted that in the past decade and a half, successive Central Government Administrations have attempted to reform and enhanced the legislation governing Town and Country Planning, resulted in the enactment of the Planning and Facilitation of development (PAFD) Act.

In 2014, the PAFD takes cognizance of the statutory role and authority of the Tobago House of Assembly (THA). The Planning and Facilitation of Development Act stipulates that the National Planning Authority which is the principal organ of the PAFD Act must consult with the THA in the performance of its functions.

So the latest Act that was done in 2014 recognizes the authority of the Tobago House of Assembly (THA) but the THA up until now did not recognize its own authority. The Act recognizes that the authority of the Assembly as stipulated in Section 16 that:

- The MPA shall not prepare development plans for Tobago;

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- Shall not determine applications for Tobago; and
- Shall not discharge development controls in Tobago.

So the 2014 Act, all of which is yet to be proclaimed recognizes the authority of the Tobago House of Assembly (THA). The Tobago House of Assembly (THA) apparently, did not recognize its own authority.

The full activation of this Act remains outstanding eight (8) years after its enactment. And there is no known time line for its implementation and notwithstanding that fact, certain sections of the Act were proclaimed in 2015. The sections proclaimed deal particularly with the establishment of the MPA which is the administrative arm of the Act.

The transition phase to full proclamation of the PAFD Act involves a readiness assessment by the municipal corporations but these activities are currently being undertaken by the Assembly.

In fact, on my first day in office on the 13th of December when I visited that PRDI building, I was shown an empty space and I was told this

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is where the function of Town and Country Planning will come. Just an empty space but nothing else, no computers, no desk nothing else to carry out the function and further to recognizing the Tobago House of Assembly (THA) has the authority for Planning in Tobago.

The PAFD Act restricts the Minister of Planning from authorizing the National Planning Authority to:

- (1) Determine applications to Tobago to;
- (2) Discharging development control function in Tobago.

It should be noted that this section of the PAFD Act has not been proclaimed. They know why they did not proclaim it yet but we do not need it to be proclaimed because the law is clear. Town and country Planning as a function belongs to the Tobago House of Assembly (THA) whether they proclaimed this entire Act or not.

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Accordingly, the Assembly in its quest to give to the full implementation of Section 25 and the Fifth Schedule of the Tobago House of Assembly Act 1996, as it relates to the town and Country Planning function also relies on Section 74 (3) of the Constitution that I read at the start of my presentation.

To complete institutional structure provisions for appeals from decisions of a regulatory authority is normally incorporated. It is a critical feature of any legislation that impacts citizens' rights to the use of property. And I gave an antidote of one Tobagonian who had to travel to Trinidad to make that query and I tell you this today Tobagonians, when this Motion is passed we will be moving posthaste to setting up Town and Country Planning in Tobago. You would no longer have to interact whatsoever with Trinidad to get your approvals or to make your queries. [*Desk thumping*]

Accordingly, as a prerequisite for full implementation to Town and Country Planning function and a number of actions outlined are required.

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- (1) There has to be a physical Planning Unit within the Department of Planning and an organizational structure was already done and advised by those with institutional knowledge.
- (2) The transfer of archival and current information relative to all land use matters pertaining to Tobago from the Ministry of Planning to the Planning Department of the Tobago House of Assembly (THA).

And I do not suspect that we will get any resistance from the Ministry of Planning to transfer those archived documents. If we do, I have court house clothes and will be heading there.

- (3) The establishment of a specifically appointed team to clear the backlog of unprocessed applications.

And in a while I will tell you why that is so and how some of the agencies have hundreds of applications languishing on their desk for the consultation,

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revision, completion and publication relative to the Tobago station
development strategy and land use plan.

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- (5) The automation of the application and the approval process for land use customized for Tobago;

because we are going digital. We are not going with all this as a paper thing; we are trying to make it digital and make it simpler while we are also doing this.

- (6) We have to have preparation of process for public review of complex types of application for land use.

In other words, what we are saying, is that once it is a complex sort of land use arrangement, the public must have a say. The public must be able to weigh in; the public must be able to go on our *Website* and see this hotel that is being built. Right!

As I am on that point, Madam Presiding Officer, I learnt not surprisingly so, after my first meeting last week with the entity that is to build the Marriott Hotel in Tobago, that the whole plan; the whole proposal

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for Marriott; the whole decision for Marriott was made and the principals in that business have not had a single conversation with the Tobago House of Assembly (THA) before it was announced and before it was assigned to them. I do not know what Tobago House of Assembly (THA) was running. Clearly, it was a pappy-show in this House, and Mr. Charles had a right not to return since 2007, because we were not doing the functions assigned to us. How can a major hotel development be procured for Tobago down in Trinidad and nobody talked to the THA formally, before it was awarded? That is not happening under my watch. That I can assure you, Madam Presiding Officer. [*Desk thumping*]

- (7) There must be the establishment of a community planning forum for rotational planning visits to communities to understand and promote community initiatives and inputs and to provide appropriate advice to communities on planning matters.

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- (8) A proposal for a sustained communications process on planning matters; and
- (9) A Motion such as this, must be passed in this House in order to give it teeth and to give it the right to be actioned.

Accordingly, Madam Presiding Officer, as the Chief Secretary, I am also the Secretary of Planning. And that is why this Motion seeks in essence, to recommend an Urban and Regional Planning Unit be established in the Department of Planning for the implementation of Town and Country Planning function in accordance with Section 25 and the Fifth Schedule of the Tobago House of Assembly Act 1996. And again, I will have published the flow chart for that organizational structure.

Secondly, there must be appropriate steps taken to ensure the transference to the Department of Planning, all records, information and

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other resources relative to the performance of the Town and Country Planning function in Tobago from the Ministry of Planning.

Madam Presiding Officer, should this Motion pass today and I have no reason to believe it will not, as of tomorrow morning, I am dispatching to the Ministry of Planning, with some alacrity, a letter requesting that we meet and that preparations be made for transferring all of our information and documents to the Tobago House of Assembly.

Let me pause there for a moment. I am very concerned. The whole Caribbean is talking about reparation now. Now know that the slave owners and the descendants of rapists are passing through the Caribbean, taking photos up and down the place, the whole Caribbean is talking about reparation, but Tobago has a set of its historical records down in Trinidad and nobody seem to care about taking them back to Tobago. I am giving

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signal - and not just to the Ministry of Planning, but those of our documents that reside in the national archives, all of our artifacts that belong to Tobago and is in Trinidad - we are coming for all of them. They belong to us. [*Desk thumping*]

MADAM PRESIDING OFFICER: *Member for Parlatuvier/L'Anse Fourmi/Speyside, you have ten (10) more minutes.*

HON. CHIEF SECRETARY: Sure! The Tobago spacial development strategy will have to be ratified, so I will bring that to the House and ratify that at a later point once that strategy is built up and agreed upon by the Executive.

- Approval for the continued work on and the completion of the spacial development plan be granted;
- Preparation for the automation of the application and approval process be commenced;

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and this is something that we want to get on sooner rather than later. We cannot be fumbling around with documents.

The benefit of this, Madam Presiding Officer, is that when you go to our units like Land Registry and so on and Inland Revenue, every single time an officer has to take up a piece of document and handle it to photocopy it, that document can depreciate based on the age of the document. If we digitize our documents, a request comes for a cadastral sheet or something, you just print it out, whilst safeguarding the original document because some of these records will be extremely old, some would have predated us as an independent country and so we have digitization works also in that benefit.

- Preparation for public review of complex types of applications be commenced as well.

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I am very clear about that - any major construction in Tobago, they would have to do like Secretary James has been doing, (he and his team), going out to the public and asking, what do you think? So people could say, "I do not like this," "I do not like that." "Assemblyman James, do not fight up with this sea thing; start on land. Do this first, do that second." So you have a chance to say what you like and do not like for any complex planning facility.

- A Communication Plan for continued interface with the communities throughout Tobago be done,
- An advisory Town Planning Panel to the Secretary of Planning, similar to the advisory panel to the Minister of Planning they established to consider appeals.

As soon as we get this structure set up, that will be one of the first things that we will do, so your appeals will not be to any panel down in Trinidad.

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Your appeals will happen right here in Tobago by Tobagonians who understand your own land use and understand the nuances in Tobago.

I want to end this first part of my contribution by speaking to some of the benefits and the speakers who will come after me will speak to some of the other benefits of doing this.

(1) Devolution of authority; (that is one of the benefits).

It means that there is decision making closer to the locality where the development is to take place that affords better policy alignment and sensitivity to the realities at local level which can be lost when a national scale is taken into account. And we all know of areas in Tobago still deemed as farmlands, but when you drive there, it is all kinds of big supermarkets and commercial activity and all sorts of big houses built there. But again, only devolution of power and authority in this case, and function

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in this case will allow the function of Town and Country Planning to be closer to the locality and allow it to be better aligned to our needs.

Recently, I learned that right in Sargeant Cain, it is considered as farmlands. What part of Sargeant Cain looks like farmlands? Right in town! But guess what? At the moment, somebody in Trinidad deciding that for you. Not you! The initiation of updated land use plans - the THA can have a greater direction over the consultation and development of Tobago's spacial development strategy and land use plans.

Currently that responsibility is lodged with the Minister in Section 5 of Chapter 35 (1) and this Tobago spacial development strategy will provide internal, regional guidance on what are the broad development imperatives for districts in Tobago from which the land use plan will provide detailed land use zones to rationalize the sustainable utilization of land and in particular, allow for the preservation of agricultural land for agricultural

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purposes and the conservation of environmentally sensitive areas especially in the hilly and often vulnerable North Eastern side of Tobago which now has a designation of man and the biosphere.

A third benefit, is better administration of applications.

Currently the average age of an application reaching the final point of approval, is five (5) months. So on average, it takes you five (5) months for approval. Clearly, nobody is considering the ease of doing business in Tobago and that is contrary to the standard actually set by Chapter 35 (1), which mandates that nationally, it should be two (2) months maximum. This is due to backlogs within the system at Town and Country Planning and also our Public Health Department. This is complicated further, by applications requiring approvals from Fire Services and the Water and Sewerage Authority (WASA). Currently, there are over three hundred (300) plans

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with defects between these two (2) agencies in Trinidad covering the period 2015 to present. So we have over three hundred (300) plans down in Trinidad. I do not understand why the Water and Sewerage Authority (WASA) has that to take our plans down in Trinidad; why the Fire Services have to take our plans down to Trinidad.

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Is there not a Department in Tobago? Why not hire the relative staff in
Tobago and do it locally?

What we hope to do, is to be able to bring all the players in one room,
around one table; look at all the applications so that things are not being passed
from this desk to a desk over yonder; and a desk back in a next place and a
desk over so and go back across so. We are not doing the 'Shadow' type
direction of 'go round so,' 'come back so;' 'go round so.' We will be bringing
everything into one space to allow for greater efficiency and speed with
treating with these applications.

Fourthly, it allows for better economic performance. These three
hundred (300) plus unsigned applications are deferred dreams of residents or
nationals intended to develop the island. Think about that for a moment, think
about how many construction companies; how many of those youth men in
the village could have gotten a work building somebody's house, building out

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somebody's business. That is deferred because our things are only good to pack up in Trinidad and Tobago does not deserve any kind of development as per the attitude of the Central Government and it is not just this Central Government, eh! The previous one and all of the others past, it has been the same thing. Because all of them were there and did not see to fix this issue.

The ease of doing business (and I spoke about that) - it cannot take five (5) months on average just to get a plan approved, it cannot. Your circumstances could change in five (5) months. No investor waiting that long to know whether or not they could invest or not invest - they would move on! And I could tell you that we have foreign direct investments as per information sent to me by InvesTT, a function and a company under the Ministry of Trade, where foreigners apply for the Land Licence for all kinds of FDIs - wait three (3) and four (4) years and no answer. No 'yes,' no 'no,' no 'Wait a minute,' Nothing, no answer; just no answer. Meanwhile the THA sit here having the

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power in law to carry out the function and not doing it. If we do not mind our
business, they would not mind it for us. Because in their mind Tobago's
business is not a priority and if we do not prioritize Tobago's business, no one
else will do it for us. This Administration is about prioritizing the business of
the people of Tobago. [*Desk thumping*]

Finally, as a final benefit, it would allow for enhanced labour force
profile. The adoption of the function of Town and Country Planning will
require the recruitment of skilled technical staff in areas like GIS; computer
programming; networking and land use planning.

Currently, the Town and Country Planning development staff
complement is just about eleven (11) and the adoption of functions will
require at least eight (8) new technical positions for it to run smoothly.

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Other areas likely to benefit will include surveillance, reporting and curtailing of illegal development, squatting and the control of billboards and roadside advertisements, among others.

Madam Presiding Officer, this is an important Motion. This is a clear signal that Tobago means business about its autonomy. I will say it again - we cannot walk around this place making noise for greater autonomy and the powers we do have, we are not utilizing them. We have to use the powers we actually have and that will facilitate Tobago's growth and development.

So, I say to those in the business sector; those trying to do development; those private developers on the island; those Tobagonians in the construction sector; those waiting to get approval for their homes; those being told that your building cannot be taller than a coconut tree because somebody in Trinidad thinks that the furthest height that we could reach is that of a coconut tree. I say to you, your wait is almost to an end because this new Administration is bringing home the function for Town and Country Planning

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which will result in greater development for the people of Tobago and will
position Tobago in that place where we are well on our way to making Tobago
the greatest little island on the planet.

Thank you, Madam Presiding Officer. [*Desk thumping*]

Question proposed.

MADAM PRESIDING OFFICER: *Assemblyman Nathisha Charles-Pantin,*
you may join the debate. [Desk thumping]

**SECRETARY OF FOOD SECURITY, NATURAL RESOURCES, THE
ENVIRONMENT & SUSTAINABLE DEVELOPMENT** (Hon. Nathisha
Charles-Pantin): Madam Presiding Officer, I want to begin by thanking my
constituents of Bagatelle/Bacolet for allowing me to represent their views and
by extension, the views of the people of Tobago.

As a woman from a rural community, a woman from Cocowati Trace,
Mason Hall, I feel extremely proud to stand here and speak as the Secretary

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of the Division of Food Security, Natural Resources, the Environment and
Sustainable Development and to have as the Secretary of Finance, Trade and
the Economy, the Chief Secretary and the Head of the Executive Council of
the Tobago House of Assembly – the Honourable Mr. Farley Chavez
Augustine. [*Desk thumping*]

Madam Presiding Officer, I have a crucial mandate today, that is, to
present and lay in the Chamber the justification for the establishment of the
institutional structure for the implementation of the Town and Country
Planning function by the Assembly, in accordance with the Tobago House of
Assembly Act 40 of 1996.

Madam Presiding Officer, under the Tobago House of Assembly
(THA) Act 40 of 1996, the THA was assigned responsibility for the Town and
Country Planning. At the time of passage, according to the Town and Country
Planning Act of 1960, this meant responsibility to make and implement policy

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in Tobago for the orderly and progressive development of land in both urban and rural areas and to preserve and improve the amenities thereof, for the grant of permission to develop land and for other powers of control over the use of land; to confer additional powers in respect of the acquisition and development of land for planning and for purposes connected with the matters aforesaid.

Madam Presiding Officer, this was extended to cover marine spaces for aquaculture by the Planning and Facilitation of Development Act of 2014.

Further, of relevance to the Tobago House of Assembly, this Act:

- (a) created a national planning agency with responsibility to, among other matters, address key elements of the planning function;

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- (b) Advise the Minister in accordance with part (a) of the Second Schedule with respect to the framing of development policies referred to in Section 5 (2) and to ensure consistency and continuity in the implementation of policies adopted by the Minister in accordance with parts 4, 5, 6 and 7.
- (c) Prepare and keep under review a Spacial Development Strategy for Trinidad and Tobago, hereinafter referred to as the National Spacial Development Strategy for the purpose of Section 18 (1).
- (d) Develop regulations, standards and practices for building, engineering operations and land development and submit them for the approval of the Minister.

Madam Presiding Officer, as written, this law does not contemplate removal of the Tobago House of Assembly responsibility for Town and Country Planning from the Fifth Schedule of the THA Act. And under Section 7 (2) of this 2014 Act, the National Planning Agency is required to

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consult with the Tobago House of Assembly when performing the functions listed as b, c and d above. Taken together, all of the above laws admit the crucial role that the Tobago House of Assembly must play in the Town and Country Planning to support the development of the Tobago economy.

Further, Madam Presiding Officer, Tobago is a small island jurisdiction - its spacial resources are accordingly limited and must be used in an informed way to facilitate orderly development across the island. In light of the Fifth Schedule of Act 40 of 1996, development of the Tobago economy is the responsibility of the Tobago House of Assembly.

Implementation of a meaningful development agenda, gives rise to an enormous variety of projects, as well as population growth which in turn requires considerable forward thinking to ensure that Tobago evolves as an efficiently used and inviting space for visitors, residents and businesses alike.

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Madam Presiding Officer, the use of spacial resources must be segregated and regulated and the growing population accommodated to ensure optimal outcomes, including those related to preservation of the environment for future generations. Therefore, as contemplated by Act 40 of 1996, all segregation and regulation of use of Tobago's spacial resources should be properly done by the Tobago House of Assembly, to enable adequate reflection of the local facts, the local development agenda, as well as the wishes of its stakeholders and their views about what is to be done with Tobago's assets.

The responsibility of the Tobago House of Assembly, Madam Presiding Officer - attention should be drawn to the reading of Section 25 (1) of the Act as allowing the Tobago House of Assembly (THA) to make and implement policy on spacial resource use without prejudice to Section 75 (1) of the Constitution. The THA Act contains specific mechanisms for the

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Cabinet to ascertain that the Tobago House of Assembly (THA) actions on Town and Country Planning do not prejudice its responsibilities. And it also allows the THA to institute inclusive policy-making mechanisms to capture the will of the people of Tobago.

Continuation of the somewhat recent practice of uninformed external decisions about the use of Tobago's spacial resources, risks significant consequential vulnerability to the damaging effects of climate change, fire hazards and flooding.

Madam Presiding Officer, the evidence of the last twenty (20) years, is that there is also the risk of inadequately located infrastructure and even housing settlements on precious, scarce, fertile agricultural land in an environment in which food security is emerging as a matter of priority.

Madam Presiding Officer, the associated lack of sustainability, then poses a serious threat to successful implementation of Tobago's

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development agenda, especially hindering the growth of its population and economy, as well as that of the nation.

Embrace of the active responsibility for all elements of Town and Country Planning by the Tobago House of Assembly as envisaged under Act 40 of 1996, allows locally informed and futuristic management of Tobago's ecological diversity, its cultural and historical heritage and natural resources, ensuring that these will be around for future residents and visitors to appreciate and enjoy.

Division's responsibility: Madam Presiding Officer, the segregation and regulation of use of Tobago's spacial resources must be done by a Division of the Tobago House of Assembly that has a panoramic view of modern issues, such as:

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- Increased population growth;
- Climate change; and
- Unsustainable development

and can develop and deploy public policy as an instrument that enables adequate equity and balance in the use of spacial resources and infrastructure for development while conserving Tobago's attractive environment for use by future generations.

The Division must deploy this panoramic perspective, to analyze use of Tobago's spacial resources included in rural areas as a dynamic process and then formulate plans for the optimal utilization of those spacial resources in the development process consistent with environmental requirements and socio-economic trends.

Given the configuration of its current responsibilities, the ideal Division to manage this function of Town and Country Planning, seems to be the Division of Food Security, Natural Resources, the Environment and

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Sustainable Development.

By design, Madam Presiding Officer, the Division must deploy effective scientific methods to monitor and optimize the spacial use of land and other natural resources by Tobago's agricultural systems and ensure environmental sustainability while achieving food security. The synergies with Town and Country Planning are immediately clear.

Modern spacial use analysis involves professional application of scientific methods, with large data sets that document the dynamic effects of public policy interventions. These methods identify resulting patterns related to demographic, geographic and economic data. For example, the effects of policy on the following would normally be considered such as:

- Population size;
- Spacial distribution of settlements;

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- Spacial spaces such as:
community parks; playgrounds; and other public infrastructure;
- Water sources and supplies;
- Transportation patterns;
- Land and soil quality and related food security needs and production patterns;
- Premium carbon reducing energy supply potential;
- Health care and Social Services;
- Tourism applications; and
- The changing impact of land use.

These are the same patterns that are already being monitored by the Division of Food Security, Natural Resources, the Environment and

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Sustainable Development as it seeks to manage its current functions effectively.

Madam Presiding Officer, important among the modern scientific methods used to predict the evolution of use of spacial resources, is the Geographical Information System (GIS) with built-in predictive analytics that the Division of Food Security, Natural Resources, the Environment and Sustainable Development is already moving to use in its current functions.

The GIS will allow the Division to model and monitor short-term issues such as the movement of people in the geographical space and long-term issues, such as agricultural and commercial applications of land and their effects on the development of the society, economy and the environment. A key synergy will be achieved through this Division's needed data collection efforts.

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As the Division conducts appropriate censuses of agriculture, other enterprises can also be covered and the GIS can be populated with data that allows the Tobago House of Assembly (THA) to predict the changing demographics and growth of Tobago's population as it implements its development agenda. In turn, appropriate spacial planning will allow the Tobago House of Assembly (THA) to prepare for the predicted changes by ensuring access to high quality and yet affordable housing.

Location of the responsibility in the Division of Food Security, Natural Resources, the Environment and Sustainable Development, is clearly a win-win proposition for the people of Tobago.

Put summarily, because of the wide range of scientific applications that are needed and well aligned to its current responsibilities, the ideal Division to manage this function of the Town and Country Planning in

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Tobago seems to be the Division of Food Security, Natural Resources the Environment and Sustainable Development.

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Fundamental Questions and their Answers:

Madam Presiding Officer, as Tobago pursues its development agenda, fundamental questions will arise about our approach to the optimal use of our geographical space. Among these are the following:

- How should residential property values across Tobago's communities be optimized and preserved?
- What are the incompatible activities and what limit should be placed on them - same building size, height, breadth, depth and where can they take place?
- What spacial and technological rules about housing, industrialized tourism and retaining activities are needed to protect Tobago from excessive despoilment and enable achievement of the sustainability goals?

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- How should residential construction be related to traffic circulation, bulk and density levels, congestion and crime, given the growing need for efficient transportation of goods, resources and people?
- How should the basic needs of water, energy and economic growth be balanced against the need for environmental conservation and the active reduction in carbon dioxide and methane remissions?
- How should the existing historical and cultural heritage be preserved as the built environment changes to enable successful economic development in Tobago?
- In short, what are the spacial and environmental requirements of Tobago's development plan and what should be the accompanying zoning codes and regulations that will achieve the desired outcomes?

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Madam Presiding Officer, the optimal approach of the Division of Food Security, Natural Resources, the Environment and Sustainable Development traditionally, left under the control of the Ministry based in Trinidad, these questions were answered using a “top-down” approach, as experts determined the best use of spacial resources, considering efficiency, sanitation, protection and use of the environment and the effects of specific used patterns on the social and economic activities of society. However, under the Tobago House of Assembly and the Division of Food Security, Natural Resources, the Environment and Sustainable Development, priority emphasis would be placed on the interests, health and well-being of residents, businesses and communities while achieving environmental sustainability in line with the sustainable development goals.

Here, Madam Presiding Officer, it is critical to observe that consistent with its responsibilities, spacial planning under the Division of Food

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Security, Natural Resources, the Environment and Sustainable Development would seek to ensure ecological sustainability by prohibiting actions that will destroy the habitats of wild life, even as Tobago moves to raise the productivity of agriculture to increase food security.

Crucially, the Division is already adopting an approach to environmental sustainability that involves switching to energy systems that minimize carbon and methane emissions and switching to reliable energy efficient and widely available public transportation systems. Environmentally sustainable use of spacial resources will also be water sensitive and involve technological upgrades designed to minimize water waste in agricultural and other uses.

Madam Presiding Officer, Tobago and its village communities have their own objectives when it comes to spacial resource use and appropriately so.

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Madam Presiding Officer, the most urgent concerns of our village communities are sustainability, water reliability and sensitivity; community survival and renewal; climate change; cultural and historical heritage and conservation. The ecologies, populations, community economies and historical heritage of Tobago's village communities are all very unique. Thus, it is critical that the Tobago House of Assembly exercise its responsibility to collaborate with Tobago's village communities to ensure that their various spacial resource use, desires and requirements are met.

Madam Presiding Officer, from my extensive interactions with them as a former Tobago House of Assembly (THA) Scientist and in my brief stint as Secretary so far, I can tell you that the Tobago's village communities are likely to argue stoutly for the preservation of their historical heritage sites which in turn represents a case for preservation and even creation of inviting public spaces and trails and for the promotion of social cohesion.

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These issues now also make it clearer that the spacial used questions must be answered and spacial use patterns determined, guided by a single model achievement of desirable outcomes; one that also involves residents who are most likely to be affected by change in the rate of development in Tobago.

The concept of participatory spacial planning is also important here, since it reflects the degree of democracy Tobagonians can enjoy in their own communities.

Madam Presiding Officer, spacial planning in Tobago should not be autocratic and “top down” within a participatory framework, the role of the Town and Country planner changes from that of solely an expert to also that of a collaborator and mediator between different groups of stakeholders in each village community.

To close, Madam Presiding Officer, the Tobago House of Assembly and the Division of Food Security, Natural Resources, the Environment and

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Sustainable development are fully committed to this approach and the
Division is already moving to deploy it, to improve its delivery of its
mandated services to the people of Tobago within the framework of the
development strategy that is currently being specified.

Madam Presiding Officer, thank you for the opportunity to present
this case on behalf of my constituents of Bagatelle/Bacolet and by extension,
the people of Tobago. [*Desk thumping*]

MADAM PRESIDING OFFICER: *Assemblyman Kelvon Morris, you
may join the debate.*

MINORITY LEADER (Mr. Kelvon Morris): Madam Presiding Officer, I
thank you for the opportunity to contribute to the debate of this Motion
which *inter alia*, seeks to create a Town and Country Authority and the
institution managed by the Tobago House of Assembly in keeping with the
spirit of the Tobago House of Assembly Act 40 of 1996.

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Madam Presiding Officer, for all that was said before, I know that the majority side would have indicated the benefits and as a proud Tobagonian, I do not need to be convinced as to the importance of such a Motion, and the need for us in Tobago to have that authority to control the management of the Town and Country function here in Tobago.

As a Member of the People's National Movement (PNM) and admitted by the Chief Secretary, steps were indeed taken before now to ensure that we have the institutional framework that can follow once the Planning, Facilitation and Development Act is fully proclaimed.

As a matter of public record, Madam Presiding Officer, it is important to note as mentioned, that similar matters of this nature relating to the effective management of the Town and Country Planning function in Tobago have been pursued by previous Administrations of this Assembly as a means to ensure greater efficiency in the processing of planning matters of Tobago.

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MR. K. MORRIS (Cont'd)

Madam Presiding Officer, I must admit, that today's debate is indeed a bit bittersweet for me as a young Tobagonian. It is bittersweet because you see, while we seek to salvage the dessert today, just a couple of months ago, the Progressive Democratic Patriots (PDP) caused Tobago to lose the entire three-course meal.

The irony of today's debate is that, had the Progressive Democratic Patriots (PDP) supported the Tobago Constitutional Amendment Bill as laid, then the Town and Country function that we now seek to claim, would have automatically lay in the full premise of the Tobago House of Assembly. Because you see, we would have had control of those areas to which the Tobago Island Government would have had unfettered control.

In addition to the fact that the Bill empowered not only the institutional framework for the Town and Country function, but the Tobago Constitutional Amendment Bill also provided us here in this very august

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House, with the ability to legislate over those matters to which we want to control.

Because you see, Madam Presiding Officer, one of the fundamental issues and challenges with implementing the Town and Country function, is not so much the responsibility, but it has to do moreso with the legislative authority. And because we in this House, all we can do is come and debate Motions and cannot necessarily pass laws; we do not have the legislative teeth to put into motion, all the things with very noble intentions, but we just do not have the legislative authority or we just cannot just take the legislative authority from the Parliament of Trinidad and Tobago. That legislative authority needs fundamental adjustment to the relationship between Trinidad and the relationship between Trinidad and Tobago. I will give you an example.

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Because you see, what is interplaying here, Madam Presiding Officer, is not simply an issue of Town and Country in silos, but we all know that Tobago - there is a long-standing issue when it comes to Land Titles. And if you talk to the persons in Town and Country, they will tell you that those same three hundred (300) files that the Chief Secretary cited as languishing somewhere waiting for approvals, the majority of them are really embedded with issues relating to land title and ownership. So until we have the legislative teeth to fix those issues right here in Tobago, we are really wasting time. Because all the things that we want to have fixed by having the full control of the function, cannot be fixed unless we treat with the attending legislations. We are talking about Land Title issues.

Madam Presiding Officer, suffice it to be so, we on the minority side welcome the opportunity to salvage whatever is left, because we understand that there is still a great need to have the Town and Country Planning

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arrangement that is more sensitive to the intricate needs of Tobagonians and our very delicate land title challenges. We support the move to address this, to fix this.

It is quite ironic and quite relevant that we have former Chief Secretary, Mr. Charles in the Chamber today, because I am moved to quote one of his famous terms which goes like this: “A good Administration cannot fix a bad policy.”

Therefore, it is my respectful view, that while we hasten to implement this most noble and well-intentioned policy, we at the same time should seek to ensure that we dot our i's, cross our t's; we follow due process and we ensure that at the end of the day what is done, is done right and what we achieve, is in fact good Administration in harmony with good policy.

Madam Presiding Officer, it is in this context that I posit to this Honourable House, that we all, notwithstanding our political differences,

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have a sacred and solemn responsibility to ensure that the policies that we approve in the Assembly Legislative of the Tobago House of Assembly, are in fact in harmony with the Constitution of the Republic of Trinidad and Tobago, it can be effectively implemented and ultimately, it can achieve its intended outcomes.

I know that you are a new Administration. I understand the excitement and the enthusiasm to get things done. The Chief Secretary would have indicated your mandate and we hear the cries; we all hear the cries of Tobagonians and we want to treat with the cries of Tobagonians, but at the same time, we must appreciate that the THA Act in its current incarnation, is somewhat imperfect and in fact, it may be very well inadequate and irrelevant to the current needs of the modern Tobago.

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It is for this reason, that I wish to caution this Honourable House, because we talked a lot about Section 25 (1) and what it says and what it means and by now I am sure that most of the persons listening to this debate, have a full appreciation for the letter, that specific section in the THA Act. But we must also consider, that we have, I call it, 'the sleeping demon' in the House, because until we treat with 75 (1) and the current Cabinet domination when it comes to the affairs and the management of the Tobago House of Assembly, we will be in fact, confined to a judgment that I would want to read for the attention of this House.

I am surprised (you know I will give the Chief Secretary a pass. I know he was eager to score political points and come to tell us what the People's National Movement (PNM) did not do. I understand that it is his duty, but I was surprised that the Secretary (I will call it 'Agriculture' just for short, because it is so long), with the responsibility for Agriculture, failed

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to mention this very significant judgment that treats with the relationship of this very 25 (1), the matters that we are responsible for in the Fifth Schedule including Forestry, and the Town and Country Planning. This matter is in the name of the Tobago House of Assembly versus the Attorney General of Trinidad and Tobago CV 201300153 dated June 10th, 2015.

Basically, the case summary is this, and I will read it into the records very quickly because I have some other points that I would like to make.

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“The Tobago House of Assembly is a Statutory Body created under the THA Act 1980. In its infancy the THA did not have autonomy. However, a 1996 amendment to the THA Act was designed to remove the limitations which prevented the THA from implementing policies in relation to Tobago and particularly, matters set out in the Fifth Schedule of the Act.”

The THA has alleged that the government has bypassed it and failed to collaborate with the THA on issues arising from matters falling within the Fifth Schedule of the Tobago House of Assembly (THA) Act.

So here it is - we are dealing with a very similar matter:

The basis of the Tobago House of Assembly's (THA's) claim was that the government has failed to consult with and include the Tobago House of Assembly (THA) in much of the decision-making process as it relates to matters falling within the Fifth Schedule. This Tobago House of Assembly (THA) contends that it is in contravention of the

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provisions of Section 25 (1). So, this very section that we would have indicated that gives us all the power, and all the responsibility and all the authority is under the spotlight in this judgment.

A Memorandum of Understanding (MOU) was drawn up in relation to this plan whereby the parties agreed to hold joint meetings to exchange and disseminate relevant information. Upon the expiration of the Memorandum of Understanding (MOU), there has been no discussion or report forthcoming from the government with respect to the plan.

As a result of the lack of information, the Tobago House of Assembly (THA) engaged its own project developers to prepare a project plan which was known as the “Tobago Re-afforestation Programme.” Further to this and under the National Re-afforestation and Watershed Programme, there was the implementation of community groups. These groups acted as contractors and persons from within the community were hired to work on the programme. This thereby generated an income for persons in the community.

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The Claimant – the THA - has alleged that sometime in August 2012, the government unlawfully terminated the engagement of these community groups in the National Re-afforestation and Watershed Programme contrary to the Tobago House of Assembly (THA) Act.

The Ministry later informed the workers that new contractors had been contracted and sought, and there was a commitment in place for these workers with the new contractors. The claimant asserted that on proper construction of Section 25 (1) of the Act, it is entitled to implement plans and policies in relation to all matters falling under the Fifth schedule. Forestation is one such matter.

Moreover, the claimant contended that it was necessary that it seek leave or approval from the Cabinet or the Government in so doing, nor is the government entitled so to do without consulting the Tobago House of Assembly (THA).

And the Court, upon examination of the Tobago House of Assembly (THA) Act, contended that - and this is the Court's ruling now:

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“The language of Section 25 (1) - the basis upon which our
new institutional arrangement will be built upon - the language
of Section 25 (1) of the THA Act is plain and unambiguous.”

This Court also noted that the Fifth Schedule responsibilities have a
national impact. And what is instructive about this, is that the Court used as
an example, Town and Country Planning. So the very thing that we are trying
to deal with here today, the Court in this judgment would have indicated ...

[Interruption]

MADAM PRESIDING OFFICER: Member for Darrel Spring/Whim,
unfortunately, we would have to suspend the House until 5.00 p.m. We are
now going to take the tea break. We will resume at 5.00 p.m. with you.

MINORITY LEADER: Okay.

MADAM PRESIDING OFFICER: *Assemblyman Farley Augustine.*

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HON. CHIEF SECRETARY: Madam Presiding Officer, I beg to move that we postpone the time for the tea break to allow the Minority Leader to complete his presentation subsequent to which we take the tea break and then resume the rest of the Sitting after.

MADAM PRESIDING OFFICER: Members, the Motion is that the time be extended to allow the Minority Leader to conclude his presentation.

Question put and agreed to.

MADAM PRESIDING OFFICER: *Minority Leader, please continue.*

MINORITY LEADER (Mr. Kelvon Morris): Thank you, thank you Honourable House.

So we were at the point where the Court noted that the Fifth Schedule's responsibilities have national impact - and of course, the Court sited some of the Fifth Schedule's matters to which the THA has responsibility for, such as Town and Country Planning - the matter that we are discussing here today; Infrastructure; including Air and Sea Transport; Wharves; the Airport; Public

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Utilities; Telecommunication as well as Health Services - and I will touch on
the health services a little later down, to show you the difference in how you
are able to actualize and harmonize policy and law.

Therefore, the Court contended that if Tobago was allowed to have
autonomy where these responsibilities are concerned, it would lead to
confusion and potential disaster in the management and direction of national
affairs.

And I just want to summarize the Order itself, because it goes into more
detail, because it talked that the Court found that the plain reading of Section
21 of the THA Act, there are no powers given to the THA under the THA Act
1996 to the exclusion of the general powers given to Cabinet and remember,
I mentioned this creature which is 75 (1), and until we as Tobagonians can
come together and treat with that very issue of 75 (1) having domination over

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Trinidad and Tobago, my brothers and sisters, fellow Colleagues, we really
are not saying anything.

The Order is as follows:

Thus the order by the Court in the matter of the construction of Section
25 (1) of the Tobago House of Assembly Act Chapter 25 (3), together with
the Fifth Schedule thereto in relation to Section 75 (1) of the Constitution of
the Republic of Trinidad and Tobago was that:

- (a) (1) Section 25 (1) in its plain and ordinary meaning
means that any responsibility given to the Tobago
House of Assembly pursuant to Section 25 (1) of the
Act, must be subject to the overriding and overarching
national policy directives of the Cabinet, of the
Government of Trinidad and Tobago.
- (b) Section 25 (1) gives the THA responsibility to
implement policies that are consistent with that of the
government in the instances where the government

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already has policy in place, and of course when
we look at this current arrangement with Town
and Country Planning, there is a clear policy in place
with respect to how we treat with Town and Country;
and finally:

(which is very instructive)

- (c) Section 25 (1) of the Act does not give the THA, the
Tobago House of Assembly responsibility to formulate
and or implement policy in respect of matters set out in
the Fifth Schedule of the Act which may frustrate or
hamper the implementation of Government policy.”

And with that I rest this matter for the attention of the Chief Secretary
and his Cabinet in going forward in formulating a policy, so that we can ensure
that this most important issue is done properly.

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Madam Presiding Officer, fortunately for us in this Chamber - and I just read the legal judgment and the issues thereto, so therefore, the question that we all have got to ask ourselves, is whether what we are doing here today is in keeping with this judgment and the law, and whether we are not in fact, attempting to repeat the same thing, however expecting a different result.

Madam Presiding Officer, even if we contend that the Court judgment was wrong in its interpretation and we as the Tobago House of Assembly (THA) do have the right to create our own statutory authority to fill the functions of Town and Country here in Tobago, how then do we treat with the current Town and Country Planning Act which in itself is very clear, that all Town and Country functions as it currently exists, is subjected to the Town and Country Planning Act, Chapter 35 (1) Act 25 of 1960 and

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devolves the responsibility for the Administration of Town and Country Planning, to the Minister of Planning and Development?

The Act is clear. It states:

“The Minister shall secure consistency and continuity in the framing and execution of a comprehensive policy, with respect to the use and development of all land in Trinidad and Tobago, in accordance with a Development Plan prepared in accordance with the provisions of part 2.

Just before I go further, I just want to clarify a statement that the Chief Secretary made, because he was on record saying that wherever you see ‘Minister’ it automatically is substituted by ‘Secretary.’ That is not how the law works. In fact, if it is not spelt out in the law, then it does not apply and in this instance, ‘the Minister’ means ‘the Minister.’ So yes, there is nothing (and it is clear) stopping us from establishing the institutional structure; nothing! However, we may end up no different from the very issues that we

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are trying to solve when it comes to Land Title and Town and Country - man with a piece of land with no legal title and the very problems we are trying to solve remains, because while section 25 (1) of the THA Act grants us sole responsibility, the Town and Country Planning Act as it currently exists, limits the THA's involvement and authority to implement the policy.

Madam Presiding Officer, I am the consummate optimist; I am a Tobago patriot. I do believe that there is a way that we can satisfy both the spirit of this Motion in harmony with the law. Thankfully, just as there is appropriate case study where the law and the policy were in conflict and there were issues, there is also a perfect template where the policy and the law were also harmonized. This example can be found in the establishment of the institutional structure for the implementation of the health function of the Tobago Regional Health Authority in accordance with the THA Act of 1996 and the Regional Health Authority Act. So, outside of us having the

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autonomy to come in here and have the law making powers, if we really want to have the...

MADAM PRESIDING OFFICER: Member, you have five (5) minutes.

MINORITY LEADER: Does that include the one or two minute breaks that we had before the Motion was moved to extend my time?

MADAM PRESIDING OFFICER: Yes, it was.

MINORITY LEADER: Okay! But I am wrapping up. [*Laughter*]. Thank you, Madam Presiding Officer. So notwithstanding, we do not have the authority here to change what we are trying to do, then the next best alternative is to utilize this opportunity that we have with the Planning and Facilitation and Development Act, which is not yet fully proclaimed and thus presents us with a perfect opportunity to ensure that the same way that the Regional Health Authority Act was implemented and in the same way that it gave Tobago and the Tobago Regional Health Authority its autonomy,

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we can now use this template to ensure that we have harmony with policy and harmony with law.

You know, as I am winding up, I would not put it, but perhaps if we want to make this Motion effective and get the kind of outcome that we seek, then perhaps we may further amend this Resolution to also include and perhaps read a further amendment which is:

“BE IT RESOLVED to have this House authorize the Executive Council to take immediate legislative steps to harmonize the institutional structure with the applicable Town and Country Planning Law.”

I thank you. [*Desk thumping*]

MADAM PRESIDING OFFICER: Thank you, Member for Darrel Spring/Whim.

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MADAM PRESIDING OFFICER (Cont'd)

As agreed before, we would now suspend the House for half an hour, for the tea break.

4.42 p.m.: *House suspended.*

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5.20 p.m.: *Sitting resumed.*

[**MADAM PRESIDING OFFICER** *in the Chair.*]

MADAM PRESIDING OFFICER: *Assemblyman Trevor James you can now join the debate.*

SECRETARY OF INFRASTRUCTURE, QUARRIES & URBAN DEVELOPMENT (Hon. Trevor James): Madam Presiding Officer, it is with great pleasure that I stand before the House to support the Motion which is critical for the development of Tobago and the movement of Tobago, to a place where we control our own destiny.

As I sat and listened to the Minority Leader, I could not help but think that the majority of his presentation came from a place and from a mind that was still suffering the effects of colonialism. [*Desk thumping*]

Colonialism is still defined as ‘*control by one power over a dependent area or people.*’ It still represents one nation subjugating another nation, conquering in this case, the minds of the population and exploiting them. And even today, while we sit here, it is still sometimes pursued in a subtle and

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insidious way and at other times, in a flagrant and blatant disrespectful manner using economic, political and legal pressures or sociocultural and other pressures. Whatever the motive, colonialism is still intended to achieve the same purpose just as it did two hundred and fifty (250) years ago - a purpose of economic exploitation of a colony's natural resources, creation of new markets for the colonizers and worst of all, the imposition and or extension of the colonizers' authority over life beyond their own borders. That is what I got from the presentation by the Minority Leader because the judgement he quoted that seems to be the basis for his presentation, is not at all related to what we are attempting to do and what we will do today.

The judgement he quoted, is a judgement based on a case that the THA then went to Court to attempt to question the policy-making authority of what we call the Central Government. This Motion does not seek to do that.

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So I rise and I stand exaltedly in support of this Motion that seeks substantively to end the colonizer's authority over life and livelihood in Tobago in the critical area of development planning and control.

Madam Presiding Officer, the existing post-colonial planning structure is slowly, slow-poisoning our development systems, hence this institutional structure needs to be excised not in a slow and incremental manner, but by emergency surgery. Therefore, retrieving the authority over Town and Country Planning into the sphere of control of the government of Tobago, is a necessary and timely step in support of our march towards inevitable self-determination and no ill-conceived judgement will change that.

Madam Presiding Officer, if we are to understand the slowness, the stymying and the blocking of approvals that have been masqueraded as Town and Country Planning for so many years with impunity, we need to understand how the legal and institutional structure came to be, but more than that, we

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need to understand the intent behind the structure in the first place. That intent was clearly demonstrated today by the Minority Leader. So it is within this historical context that I wish to place my presentation.

Madam Presiding Officer, it is my intention to demonstrate that our current challenges regarding planning and development in Tobago find their origin in the government/governance arrangement that has been adversative to the social, cultural and economic development of the people of Tobago.

We need to appreciate that land is the basis of all social organization and therefore the development of and the control over its use, remain one of the most fundamental responsibilities of any government. However, it will be irresponsible of me if I did not present in this House for the public record, a brief history of the emergence of planning in Tobago from colonial government to the current Town and Country Planning Legislation.

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I think this is important, Madam Presiding Officer, because as policy makers, if we do not understand the historical context and the history of our condition and the role that government plays in the solution, we are likely, like the Minority Leader, to resist policies that are intended to contribute to our progress as a people.

In 1814, Tobago was confirmed as a British Colony by the Parish Treaty. Tobago remained a separate Colony until 1888 after which it was annexed to Trinidad in 1889. Planning then was greatly influenced by the dominant British Planning Policies of this era. These policies were aimed similarly as they do now between Tobago and Trinidad, primarily securing British economy from overseas and the livelihood of its citizens in the colonies.

Madam Presiding Officer, in 1938 the Trinidad and Tobago Town and Country Regional Planning Ordinance was the first of many Town Planning

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Ordinances to be introduced in the British colonies.

In 1938 the Ordinance was based on the English Town and Country Planning Act of 1932. We know that the 1938 Ordinance was in fact, a Trinidad Ordinance and it became applicable to Tobago because on October 20th 1898 by order in Council, Tobago was made a Ward of Trinidad and Tobago and according to Section 3 of that Order:

“The laws of Trinidad enforced on the date of the coming into force of this Order shall be enforced in Tobago and the laws thereto for enforced in Tobago shall, as far as differ from the law enforced in Trinidad, shall thereupon cease to be enforced.”

This quotation continues to be played today by those who run the Parliament in Trinidad. What we are seeking to do, is to take back one thing that is rightfully ours.

Madam Presiding Officer, in 1945 the County Council Act was enacted in the colonial Trinidad Parliament, again Tobago's ideals were subsumed ...

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MADAM PRESIDING OFFICER: Members, you are required to have your
cellphones either on silence or turned off.

Thank you.

HON. T. JAMES: Madam Presiding Officer, in 1945, the County Council
Act was enacted in the colonial Trinidad Parliament and once again, Tobago's
ideals were subsumed within the focal Government structure and it seems
even today, that it matters not that Tobago kept its first election a hundred and
eighty (180) years before Trinidad, but having exchanged imperial
colonialism for Trinidad colonialism, Allah, the father of Trinidad, the ethos
for urban and regional planning have been invested elsewhere for too long and
not in our favour.

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Since the 1960s, Madam Presiding Officer, the development of land in Tobago has been governed within the legislative framework provided by the Town and Country Planning Act, Chapter 35: 01 of the Laws of Trinidad and Tobago and its subsidiary regulations. Our current system of Town and Country Planning, that is to say the practice of partitioning and regulating land for development has its origins in the 1947 British Legislation. It is this legislation that has created the basis for modern Town and Country Planning as is currently practised in Trinidad Tobago and indeed the entire Commonwealth Caribbean.

Just four (4) years before the passage of the THA Act of 1996, the United Kingdom (UK) Parliament passed the Town and Country Planning Act of 1990, with significant devolution making Councils of Counties and districts in Scotland and Wales and later on, the Governments of Scotland and Wales, the approving authorities for planning approval. This 1990 Act,

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the British Act of the UK Parliament, however, probably exerted similar influence on our own Town and Country Planning Regulations with respect to the Tobago House of Assembly Act of 1996.

Whatever the intent, it is our view, Madam Presiding Officer, that the THA Act 40 of 1996 presents for us in this Chamber, a unique opportunity in law to manage and control Town and Country Planning responsibility in Tobago, and I speak specifically of the Fifth Schedule of the THA Act and the attendance sections that give effect to the authority and responsibility to the Tobago House of Assembly.

There has been much apprehension and consternation in Trinidad and indeed sometimes regrettably, as we heard today in Tobago, around the interpretation of Sections 25 (1) of the THA Act.

I wish to state categorically in this Chamber today, Madam Presiding Officer, that we on this side have no such apprehension. On the contrary, we

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are fully convinced that the Executive Council of the Tobago House of Assembly (THA) has the authority to take control of Town and Country Planning and that is what we intend to do. [*Desk thumping*]

I wish to point out that fundamental features of the THA Act are established under Chapter 11 (a) of the Constitutional Amendment Act of the Republic of Trinidad and Tobago. This Act gives specific powers and functions to the Tobago House of Assembly (THA) and its Executive Council on matters incidental thereto.

The provisions of the THA Act 40 of 1996 are limited by Section 4 of the Constitution of Trinidad and Tobago in three (3) fundamental ways. To make it short, I will just focus on one (1):

“Laws made by the Tobago House of Assembly have effect only in Tobago and in any part of the territorial sea of Trinidad and Tobago which is within six (6) nautical miles of Tobago.”

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Let me read that again:

“Laws made by the Tobago House of Assembly (THA) have effect only in Tobago and in any part of the territorial sea of Trinidad and Tobago which is within six (6) nautical miles of Tobago.”

While the limitation of the six (6) nautical miles remain a matter for further discussion, we believe that the Act gives us the right certainly, to make policy direction as it relates to Tobago. My interpretation of this Clause suggests that notwithstanding the provisions of 75 (1) of the Constitution, the Legislature of the THA has the authority to make laws for all matters outlined in the Fifth Schedule of the THA Act for the area defined as Tobago.

The corollary of this law-making authority, Madam Presiding Officer, is that the Executive Council of the Tobago House of Assembly (THA) has

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the authority to formulate and implement policies related to those laws, for the area defined as Tobago.

This authority to formulate and implement policies for Tobago, is outlined in Section 25 (1) the famous section of the THA Act of 1996. It is also important for me to point out the distinction between the language of Section 21 (1) of Act 37 of 1980 and Section 25 (1) of Act 40 of 1996. The point I am trying to make clear here, is the distinction between the two (2) Clauses.

Madam Presiding Officer, according to Section 21 (1) of the THA Act 37 of 1980, the Tobago House of Assembly (THA) has the responsibility to formulate and implement policy on matters 'referred to it by the Minister.' From 1980 to 1996, the THA could only implement policy on matters referred to it by the Minister or the relevant Minister in any area of Government.

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Unlike the THA Act 37 of 1980, the current Act at Section 25 gave the THA authority for the formulation and implementation of policy for all matters outlined in the Fifth Schedule. Again, unlike Act 37 of 1980, there is no recourse for the authority of a Minister and therefore the regulation requiring recommendations of the Appeal Panel of the Town and Country Appeal Panel to be signed off by the Minister, does not apply and allows us in Tobago to set up our own appeal process.

Madam Presiding Officer, further to the responsibilities outlined in the Fifth Schedule, the Act goes on to state in Section 27:

“Where services fall within the responsibility of the Assembly pursuant to Section 25 (1) or where the Assembly acts as agent of the Government, Statutory Authority or State Enterprise pursuant to Section 26 (2), these services shall be administered by the Assembly.”

“These services,” I repeat, “**shall be administered by the Assembly.**”

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Madam Presiding Officer, the Member for Darrel/Whim ought to know, as do other Members in this Chamber, that the term 'shall' in Section 27, is an obligatory term and not a discretionary one.

Madam Presiding Officer, there are those who would argue, that even Section 26 (2), provides another avenue through which we can take control of Town and Country Planning. Just to juxtaposition the Sections 25 (1), Sections 25 (2) and (27), make it pellucidly clear that there is no need for the Tobago House of Assembly (THA) to enter into a Memorandum of Understanding (MOU) to take control of Town and Country Planning. Therefore, this House on our side, intends to adopt this Resolution as proposed without variation; without amendment.

Madam Presiding Officer, as I end my presentation, I wish to remind the Members of this Chamber, that land plays an important role in the economic development of countries.

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There are many theories that connect land inequality with different dimensions of economic development. Efficacious land use, development planning and land distribution are critical in facilitating societies to transition out of poverty into human capital-based developed economies. Property rights and political economy of urban and regional planning, the zoning of land and the types of approvals attached to land are seminal to socioeconomic development. These remain critical for the THA as we go forward. The effective management of land management system is dependent on the strength of our legislative planning framework and the effective government arrangements related thereto.

Additionally, planning approvals for construction, sub-divisions and land consolidations, change of use or any or all of the intricacies under the general zoning; layouts; sight development and engineering standards which can affect the granting of approvals have significant impact to the socioeconomic development of Tobago. The implication that land use has in capital development; capital investment;

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industrial development; business and enterprise development; employment; wealth creation; wealth distribution etcetera, can all be tied to planning approval. Therefore, all of the foregoing can constructively be seen as controlled in large part by whoever controls the granting of planning approvals.

The point I am making is, that if we do not control the planning approval process and the final planning approval and we leave it in the hands of someone else, we are constructively giving up the economy of Tobago to somebody else.

This is why, Madam Presiding Officer, the Motion before this House is so important and critical and this is why we should all support it. Those on the Minority side must by this point in their development, understand that construction is one of the largest economic drivers in Tobago. It has the greatest co-efficient with respect to the multiplier effect that produces the trickle down effect with a positive impact on medium and small businesses and the common man.

I have been in the construction business for most of my adult life - I know of at least three (3) multi-million dollar projects; several housing projects; immunerable

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change of use applications that could not gain approval over the last twenty (20) years. Imagine how the GDP generation has been lost to the Tobago economy over those years.

This is why the Motion before this House is so important and critical and why we should all support it.

The Chief Secretary spoke about what happened with that property at Rocky Point and the intent to build the Mariotte - and we in Tobago, we need all the development that we could have, but my understanding is, the last THA not only sat back and did nothing - they were complicit in how they went about their duties.

My information is, Madam Presiding Officer, is that the title of those lands at Rocky Point, vested in the THA were transferred to the Central Government and the Central Government so-called, then transferred it to E-Teck and then E-Teck then leased it to one of 'you know who.' That is kind of an example of how business is done and was done in the past and how important it is for us to wrest back this

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responsibility that has been given to us since 1996 and to stop this ability for these kinds of deals to be made between those who control government in Trinidad.

Do not talk about the airport - clearly our responsibility is being executed from Trinidad. Just now we would see in Tobago where PURE and the Ministry of Works will come to Tobago and build roads for the airport project, because unless we take responsibility for all the areas we have, somebody in government in Port of Spain, some misguided Tobagonians who support government from Port-of-Spain are going to contrive a way to take back all the responsibilities that we have and this is why the Motion before this House is so important and critical and why we should all support it.

So as I close my presentation, Madam Presiding Officer, I wish to ask very soberly, all of Tobago to, in colloquial terms 'cork your ears' from all the old talk that is around these days and support your Tobago Government. Support us as we attempt to reengineer this land that is ours.

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Finally, allow me to take this opportunity to thank my constituents and the good people of Tobago for giving me the opportunity to serve in this august Chamber. I want to assure them through you, Madam Presiding Officer, that I will do all within my power to deliver on the commitments I made during the election campaign and I can only do this and be thankful for those who supported me.

I thank you. [*Desk thumping*]

MADAM PRESIDING OFFICER: Thank you, Member.

Minority Councillor, Mrs. Petal Daniel-Benoit, you may now join the debate.

MINORITY COUNCILLOR (Mrs. Petal Daniel-Benoit): Madam Presiding Officer, thank you for the opportunity to join the debate to give the Executive Council authority to take immediate steps to establish the institutional structure for the implementation of the Town and Country Planning function by the Assembly, in accordance with the Tobago House of Assembly Act No.40 of 1996.

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COUNCILLOR P. DANIEL-BENOIT (Cont'd)

Madam Presiding Officer, in my contribution to this debate, I will spend some time looking at the Planning and Facilitation of Development Act 2014, as well as the current Town and Country Planning approval process and then I will conclude.

I wish to place on the record that in principle, the Minority supports the spirit of this Motion, and all efforts to give the Tobago House of Assembly greater autonomy over the functions of not only the Town and Country Planning but all other functions set out in the Fifth Schedule of Act 40 of 1996.

Madam Presiding Officer, as we consider the Motion, the following questions came to mind:

- What are the objectives of this Motion?
- What is the Executive Council seeking to achieve?
- Can this be done under the current legal and regulatory framework?
- What are the steps that should be taken before moving in the direction that the Motion intends?

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COUNCILLOR P. DANIEL-BENOIT (Cont'd)

And finally, what is the most appropriate or the proper way to getting what the Executive Council wants done?

Madam Presiding Officer, in principle I reiterate, that Members on this side, Members of the minority do support the Motion. However, notwithstanding all the name calling, we are uncertain that what the Executive Council hopes to achieve can be done under the current legal framework. And, Madam Presiding Officer, this was demonstrated clearly, as the Minority Leader read into the records, the judgment in relation to the Reafforestation and Watershed Programme in the matter between the Tobago House of Assembly and the Attorney General of Trinidad and Tobago. I repeat, **notwithstanding all the names that he is being called**, the matter of the fact is, that the Court ruled on this matter. And the judgment is, that notwithstanding Section 25, the Tobago House of Assembly, cannot enter into such arrangements, Madam Presiding Officer.

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Madam Presiding Officer, with that said and notwithstanding the limitations of this current legal framework, both in relation to Section 35 of the Constitution, Section 37 of the Tobago House of Assembly Act, as well as the current Town and Country Planning Act Chapter 35, I would humbly advise the Executive Council to consider (and the Chief Secretary in his piloting of the Motion would have mentioned it in passing) the Planning and Facilitation of Development Act (PAFD) 2014 and the provisions therein.

Madam Presiding Officer, I want to take a little time to highlight some of the provisions of the Planning and Facilitation of Development Act 2014. The Chief Secretary would have highlighted some benefits and advantages that the Motion currently before us presents.

But I also want to say, that based on a 2021 Joint Select Committee Report on the Finance and Legal Affairs, it is stated that the Planning and

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Facilitation of Development Act 2014 will also bring the benefits that the Chief Secretary would have outlined as the Act seeks to, *inter alia*, (1) decentralize the Administration of planning; devolution of development planning and control functions of the Tobago House of Assembly,

The Act also seeks to simplify the certification and adoption process in the preparation and development of plans and it also seeks to enhance the enforcement and provisions of stricter penalties through an increase in fines, immediate compliance orders and development repair orders for contravention of Land Use Regulations.

So, Madam Presiding Officer, I think what this Motion seeks to do - the PAFD Act 2024 can assist in doing such things. And it must be noted that this Act of which I speak, intends to repeal and replace the Town and Country Planning Act Chapter 35 (1), and upon full proclamation, will

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dissolve the Town and Country Planning Division and establish a National Planning Authority. This therefore, will give greater devolution of authority, to process applications for simple developments in the Tobago House of Assembly. And, Madam Presiding Officer, this is clearly set out in the Act and it is enshrined in this Act. And under Section 3 (1) the Tobago House of Assembly (THA) is established as a Planning Authority. And Section 3 (1) states that the Planning Authority means - and first on the list:

- (a) The Tobago House of Assembly;
- (b) A Municipal Planning Authority;
- (c) A Special Planning Authority or a Joint Planning Authority

appointed under Section 16 of the Act.

Madam Presiding Officer, as we seek to improve the effectiveness of the development planning process, I think two (2) main aspects of this

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exercise can be identified. (1) It looks to national and regional development strategies and plans and of course, in this area, we will look at national and local area plans; identify where the development is taking place; identify and analyze the trends and in the Tobago context, prepare a Physical Development Plan.

Madam Presiding Officer, the Planning and Facilitation of Development Act provides under Section 19, for the Tobago House of Assembly (THA) to prepare physical development plans for Tobago, subject to the National Spatial Development Strategy.

Section 19 states:

“The Tobago House of Assembly and a Municipal Planning Authority shall, on its own Motion in accordance with directions in writing from or in accordance with directions in writing from the National Planning Authority, prepare and thereafter review as often as necessary and in any event, at least once every five (5) years, such

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regional, local and other development plans for which regions and areas within their respective jurisdictions and on such subjects as would assist in the efficient and equitable planning and management of land.”

Madam Presiding Officer, every speaker on the majority side basically outlined that this is what the Motion seeks to do. And based on the PAFD Act, the Tobago House of Assembly can do such.

Madam Presiding Officer, the other aspect of the development planning process deals with development approvals. This of course, is where applications are received and approvals are granted for the development of lands.

Madam Presiding Officer, the Act also provides for the Tobago House of Assembly (THA) to grant or refuse planning permission, subject to certain conditions set out in Section 48 and with a right of appeal to a

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National Planning Authority and the Environmental Commission for Final Appeal. Madam Presiding Officer, again, Section 37 (1) states clearly:

“The National Planning Authority or a Planning Authority as defined in Section 31 which includes the Tobago House of Assembly may, after taking into account all material considerations

- (a) Grant permission to develop land unconditionally;
- (b) Grant permission to develop land subject to conditions; or
- (c) Refuse permission to develop lands.”

Therefore, Madam Presiding Officer, this Planning and Facilitation of Development Act provides in my view, for the spirit of what is intended in Section 15 of the Fifth Schedule of the Tobago House of Assembly Act 40 of 1996.

As the Minority Leader pointed out and also the Chief Secretary would have indicated, that a lot of work has been done or has started in

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putting the Tobago House of Assembly's (THA's) in order, in preparation for full proclamation of the Act. It is my humble advice to the Executive Council to continue and build on the work already started and entrained.

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Madam Presiding Officer, there is no secret that there have been delays in the full proclamation of the Legislation and in accordance with the Joint Select Committee Report on Finance and Legal Affairs:

- The completion of institutional arrangements;
- The completion of subsidiary legal legislation and other independent legislation such as the miscellaneous provisions - Local Government Reform Bill which is currently before the Parliament. (The debate started yesterday.)
- The Land Subdivision Code;
- The Built and Natural Heritage Order; and
- The Tree Preservation Order; and
- Control of Advertisement Regulations.

Madam Presiding Officer, these are some of the reasons for the delays in the full proclamation of the legislation. And I am aware that based on the

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report of the Joint Select Committee, that steps are intrain and work has started
in the preparation for the full proclamation of the Bill.

Madam Presiding Officer, notwithstanding the work to ensure full
proclamation of the Act, it is my view that the Executive Council can in the
interim, seek to improve the efficiency of the current processes.

It is my information that currently the process for approval includes not
only the Town and Country Department, but also Divisions and Departments
of the Tobago House of Assembly. So before the Town and Country
Department grants approvals, the building plans must be stamped at the
Division of Settlements or at the Land Management Unit under the Office of
the Chief Secretary.

After the Town and Country Planning Department grants the planning
permission - which it should be reiterated, that these planning permissions are
approved in Tobago, the application goes to the Public Health Department.

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At this point, it may be sent to the Division of Food Production, or the Division of Infrastructure. And this is based on the condition or the category of development. And after the necessary approvals are obtained from these Divisions, it goes to the office of the County Medical Officer of Health (CMOH), then to the Planning Department in the Office of the Chief Secretary where the building permit is issued. This process I am told, is repeated when the applicant applies for a completion certificate.

Madam Presiding Officer, based on the process outlined, there are several Divisions and Departments of the Tobago House of Assembly included in the approval process and because there are so many included, there maybe some delays from moving between Divisions and Departments.

Further, Madam Presiding Officer, it is the understanding of the Minority that even with the full proclamation of Act 2014, these said Divisions and Departments may still be included or may still be required for

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the approval process and it may therefore be necessary as well as prudent, to review the approval process within the Divisions which the Executive Council now has control with a view to improve the efficiency of the approval process in these Divisions. [*Desk thumping*]

Madam Presiding Officer, as I conclude my presentation, I am reminded of the words of a former Chief Secretary. And he said: “If you diagnose incorrectly, you will prescribe incorrectly.” [*Desk thumping*] And therefore, the Executive Council should ask a very fundamental question - can this Motion be achieved and does the Tobago House of Assembly (THA) have the authority to implement a Town and Country Planning function, given the current legal framework? Madam Presiding Officer, this question should be answered.

Finally, the Executive Council should consider how it will overcome or even circumvent the current challenges faced and identified.

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As I indicated in my introduction, in principle, the Minority supports the Motion. However, we are uncertain if the Executive Council is able to efficiently achieve its intention given the current legal parameters.

Madam Presiding Officer, the Minority Leader would have alluded to it in the Re-afforestation Order between the Tobago House of Assembly and the Attorney General of Trinidad and Tobago.

Madam Presiding Officer, I want to thank you for the opportunity to participate in this debate. [*Desk thumping*]

MADAM PRESIDING OFFICER: Thank you, Minority Councillor.

Assemblyman Farley Augustine, you may now wrap up this debate. Please remember that you have 30 minutes in which to do so.

CHIEF SECRETARY AND SECRETARY OF FINANCE, TRADE AND THE ECONOMY (Hon. Farley Augustine): Thank you very much, Madam Presiding Officer.

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Madam Presiding Officer, in wrapping up this debate, I wish to address perhaps a few misunderstandings about the law and misunderstandings about the interpretation of one particular legal matter that the Tobago House of Assembly lost.

In fact, if you should go through public records, you would hear the former Chief Secretary, Mr. Charles, telling the then Tobago House of Assembly (THA) that they would have lost that matter because they made the wrong pleadings or the wrong case. And so I want to start by saying that this Motion does not seek to create a new law; this Motion does not seek to create a new policy; this motion does not ask for this House and the Executive to do anything outside of national policy as it already exists.

What this Motion allows for, is that the THA will take up the **function**. We did not ask to create new policy; we did not ask to create new laws, but to take up the **function** and to show you, to illustrate how the interpretation of the judgement by the Minority Leader was incorrect.

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In that matter, notwithstanding losing the court case, the Tobago House of Assembly proceeded to set up its own Re-afforestation Programme. The Central Government had its re-afforestation Programme that the Tobago House of Assembly (THA) could not stop and the then PNM-THA proceeded to set up its own re-afforestation Programme. So if it was that the Tobago House of Assembly (THA) could not carry out the **function** - not create a new policy; not create a new law - but if the Tobago House of Assembly (THA) could not carry out the **function** as per the ruling in that case, then the Tobago House of Assembly (THA) could not set up its own Re-afforestation Programme that created a parallel system.

In fact, once upon a time on the island, there were two sets of Re-afforestation Programmes going on. One held by the THA which until about five (5) or so years ago, was abandoned by the Central Government, and a second run by the Tobago House of Assembly (THA) parallel at the same time. [*Interruption*]

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MADAM PRESIDING OFFICER: *Member for Darrel Spring/Whim.*

MINORITY LEADER: On a point of correction. The issue why the THA was allowed to have a parallel Re-afforestation Programme ongoing, is because the matter was appealed and because you had a stay in the judgement, it allowed and afforded for, but it was not authorized in terms of law. The judgement is clear.

HON. CHIEF SECRETARY: Madam Presiding Officer, even if the matter was appealed and the THA was allowed to continue or to have its own parallel system, one would not think that if the matter was as clear and pointing in the direction the Minority Leader is pointing to, but upon the final determination, the Tobago House of Assembly (THA) would have had to abandoned its parallel programme?

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We have not abandoned it, because up to recently, we had to organize to pay the people in the Reafforestation Programme who have not been paid since October last year. So clearly it is happening.

I also wish to point this out, that the Town and Country Planning Act to which we still rely heavily on, that that Act is from 1960. This modern Tobago House of Assembly (THA) did not exist then and so there were no opportunities to include a Tobago House of Assembly (THA) in that Act - since 1960. But let me draw another reference point.

Who/what authorizes the Division of Works to close off a road in Tobago? The only law that authorizes closing off of roadways in the country says, "Minister of Works." None of them talked about any Secretary of Works anywhere. But the Division of Works can and has in the past, closed off roads to do road repairs or to do other things that are

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necessary. What is the authority that allows that? Because based on Section 74 (3) of the Constitution, such function (not law-making, not policy-making) was delegated to the Tobago House of Assembly (THA). So the THA through the Division of Infrastructure, through its Line Secretary can close off a road. The law says nothing about a Secretary; the law speaks about a Minister. That is the point I am making.

This Motion does not seek to create a new law; this Motion does not seek to change a policy as per the laws that already exist on the books. This Motion simply says that the Tobago House of Assembly (THA) should be carrying out the function in accordance with the laws and policies as they already exist. So we are not contending with anybody about law-making or about policy-making function. We are not arguing with anybody about that. We are not seeking that at all.

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The case the Tobago House of Assembly (THA) made against the Central Government with Reafforestation, in that case the THA's pleadings were that the Central Government has no authority to make policy and to implement policy with regards to the Fifth Schedule in Tobago. That is untrue! They do have the authority. It is the only law making Body in the country, but what the law provides for, is that where it is a matter under the Fifth Schedule, the function should be carried out by the Tobago House of Assembly (THA). It is why former Chief Secretary Hochoy Charles could have stopped Mr. Panday and the others from paving roads in Tobago back in 2001. Why do you think they could have stopped them? It is because the function was delegated to the THA. Mr. Charles was smart - he understood not to make a case against policy-making, but against implementation and the function. [*Desk thumping*] That is why he was able to do that.

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Let me add something else that the Minority Leader is unaware of. Is the Minority Leader aware that leading up to 2001, that the final arbiter for queries with regards to land development in Tobago, was the then Secretary of Planning who was the Chief Secretary, Mr. Hochoy Charles? Is the Minority Leader aware, that John Humphrey and all of those guys wanted to do a development in King's Bay and it was Mr. Hochoy Charles as Chief Secretary who denied that on behalf of the people of Tobago by taking up the same Town and Country Planning function, that they are saying that we should not take up today and that now we need to be concerned about the legalities of doing so?

Are you also aware, that the former Chief Secretary went as far as to organize for a Town Planner and all of that to come to Tobago to be part of the build out, (we should have done this a long time ago you know should) of our own Units for Town and Country Planning? Guess what? The

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Government changed and they just abandoned that completely and just left the function with Trinidad and it is the functioning of Town and Country Planning that the Tobago House of Assembly (THA) will be taking up in this case.

The reference was made to the Tobago Regional Health Authority (TRHA). Why doesn't the Minister in Trinidad come and appoint the TRHA Board in Tobago? He cannot; and the law recognizes that. He cannot. So the Motion does not seek to change the law; the Motion does not seek to change policy; the Motion does not contend with existing laws on the books. We are saying that the existing laws on the books, those are what we will honour, but that function will be carried out by the THA. [*Desk thumping*]

I also need to note that the issue with files languishing is not just with the THA and Tobago House of Assembly THA Departments. I will give you an example.

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Last week, I had a meeting with the Chief Executive Officer (CEO) and a team from Angostura, so plenty big things are happening in the space. I do not drink rum, but I met with the team of Angostura, because they are interested in doing some partnerships with the THA and tourism next year. And Angostura applied and received from us a space down at Cove - waiting on approvals to be able to do their work and to build up at Cove - waiting inordinately long. So I called the Head of that Department in Health to see where it was in our system, only to be told that the file, after such a long time, only just arrived at Health from the Trinidad and Tobago Police Service (TTPS) that very morning. And so the languishing of files in the system is not necessarily with the THA.

I pointed out that the Water and Sewerage Authority (WASA) and Fires Services in Trinidad, have over three hundred (300) files anguishing. And I do not understand this argument about Land Titles because in the first

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Place, you cannot engage Town and Country Planning if you have no title for the land. How have you reached there in the first place? In fact, to begin the application, you have to show some measure of ownership for the land on which you are going to build. Town Country Planning is not going to engage you if you cannot show any measure of title for the land? That is one of the first things you have to get. So once it reaches the Water and Sewerage Authority (WASA) stage; the Fire Services stage and at the Health stage, it can be assumed that you have building land title arrangements already organized and it is a matter of these agencies doing their work efficiently.

I said that this Motion, will authorize us to do in fact what former Secretary Hochoy Charles started, which is to bring all the players into one room at the same time. In fact, former Secretary Hochoy Charles at one time used to have a multi-sectoral meeting monthly, where you bring all

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these heads in one space and review all of these applications in one space.

And I mentioned that before and that is one of the benefits of this Motion.

We would not have to necessarily send things all over the place - we could

bring them in one space - all the Tobago House of Assembly (THA)

Departments that are concerned – in one space; do one reviewing and at the

same time on the same time, be able to approve, deny or put on hold.

I also spoke to the fact that this will allow us to ramp up the digitization of the Unit. What that will also do, is that several different officers can look at the same document at the same time. That is what digitization allows for. So you are across in Health; you are down in Works; you are in Electrical Inspectorate, you are across in Fires; you are in Water and Sewerage Authority (WASA); you are in the Trinidad and Tobago Electricity Commission (T&TEC); you wherever, could all look at the same

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document at the same time and grant approvals, denials, put questions, whatever may be the case, and the law allows for that.

There was quite a bit of talk from the Councillor about the PAFD Act and I raised it. I raised the fact, that there are some elements of this Act from 2014 to now, still to be properly proclaimed and enacted and those portions are interestingly, some of the portions about the authority of THA to do what the THA needs to do. So if it is not enacted, then I do not know how that really dictates how we move. We could only go on law that is already enacted by Parliament, as it is properly proclaimed and all of that.

I would also hasten to add this fact. As it stands now, the Tobago House of Assembly (THA) really and truly does not need a new THA Act to be able to take up the function of Town and Country Planning. It does not! Because the law allows for that as it is. I quoted the Constitution first and I noticed that the Minority ignored that completely.

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The fact that Parliament has authority to take away Executive function from the President and to delegate it to any person or institution in the country - and that Act 40 of 1996 in essence, was the Parliament saying that they are taking away these Executive functions and delegating it to the people of Tobago through the Tobago House of Assembly (THA). That is what happened.

In fact, that is one of the reasons why the Tobago House of Assembly (THA) Act did not seek to amend prior or previous Acts of Parliament. It did not, or else we would have had to spend time going through every single piece of legislation in the country - amending this one; amending that one; amending the other, in order to allow the Tobago House of Assembly (THA) to function. We actually have been doing it in several spheres already. We already have been acting on legislation that is passed in Trinidad that says, "Minister" and does not say, "Secretary," and we have been using that as authority to do some of our work in some of our Divisions.

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I mentioned Health; I mentioned the Division of Infrastructure as another one; Youth and Sport; Education - we have been. In fact, if the Tobago House of Assembly (THA) wants, the Tobago House of Assembly (THA) could sit down now and start to make some additions to the curriculum and so on. And I could tell you the benefit of standing up on the law.

With the whole reopening of school - notice that the Ministry in Trinidad changed their minds about sending the children home for a period between just before the exam - not having school. Do you know why that is so? Because when they came to the Tobago House of Assembly (THA), the Line Secretaries informed them that upon consultation with the people of Tobago, the teachers in Tobago, they did not plan for another shutdown prior to the exam, and the teachers organized their scheme of work right up to the exams and that we were not going to follow what Trinidad was doing in that regard. [*Desk thumping*] Guess what happened? The Minister in Trinidad and the Ministry ended up pivoting away from their original plan. That is

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what happens when you stand up; that is what happens when you say, “Okay,
we are ready under the law, to do what the law allows us to do.”

So this Motion is not asking for us to create a new law; this Motion is
not asking for us to abandon the Town and Country Planning Act of 1960 or
the elements of the PAFD Act of 2014 that were enacted. This Motion simply
is saying to the public of Tobago and by extension Trinidad, here are these
two (2) pieces of legislation - the laws says the THA is supposed to carry out
the function. There is precedence that a former Chief Secretary and a former
Executive - that they were in fact, carrying out the function before; we stopped
for a while and we are returning to carrying out the function as the law allows
for. [*Desk thumping*] We are not amending anything; we are not changing
any policy anywhere - all we are doing is carrying out the function.

And yes, I admitted early up that there were some plans in place - the
space is there at the PRDI building to house the Town and Country Planning

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Unit and to have this kind of build out. What we are going to do, is that we are going to ensure they get the equipment; we are going to ensure that they get the staffing; we are going to ensure we digitize our records; we are going to ensure that we bring our records that are down in Trinidad up to Tobago, to be part of the process, and we are going to also be doing simultaneously our spacial development plan, because the Tobago House of Assembly (THA) has the authority for spacial development and we can do our spacial development here in Tobago. We are going to do that plan in accordance to what we need in Tobago.

I do not know how we could be talking about national spacial development plan. Who consulted Tobago? I am waiting to see the consultation with Tobagonians about a spacial plan about Tobago. There is somebody else somewhere who is doing that for us. Where was the

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consultation locally, where you telling me about a National Spatial
Development Plan?

Again, somebody else deciding for us how our lands should be used
and that should not be so. It is either we want to be big boys and jam in the
big league, or we will forever remain a colony of somebody else. We have
to make that decision today. And we cannot be timid Tobago about taking
these bold steps. People respect you when you take bold steps.

And I could tell you this - if the beaches were not opened, one of the
first Motions that would have come here, would have been a Motion to open
the beaches in Tobago. I was prepared to go that far in challenging the Public
Health Ordinance because the Public Health Ordinance as it is with a decree
from the Minister of Health, is subsidiary to the THA Act. So I was going to
challenge them on that and I know I would have won that as well. I know
that. [*Desk thumping*]

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And so we must claim the powers that we do have. There are many powers we wish we had, that we do not have, but there are a few that we do have and we need to use those first while demanding more. We need to.

It surprises me that so many issues surrounding land and land title still require going to Trinidad for a stamp - some special stamp that takes however long to dry and all sorts of stories still. We have the seventh (7th) Schedule of the Act that demands that they actually bring the service to Tobago, but nobody got up any time to say, "The law says bring the services to Tobago." Nobody did.

I am saying that to whom much is given, much is expected. Be good stewards; be faithful stewards of whatever little you have first and that will give you the moral authority to demand more. Be like those guys in the scripture with the talents. They did not bury them. We have buried the legislative talents we had for twenty-one (21) years. *[Interruption]*

MADAM PRESIDING OFFICER: *Member, you have five (5) minutes.*

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HON. CHIEF SECRETARY: Thank you.

Time to unearth those buried legislative talents and reinvest them in a way that can seek gains for the people of Tobago.

I am happy that you agree in principle that this should be done in Tobago. I am happy Minority, that you agree in principle, notwithstanding a disagreement with me on the interpretation of the law that it cannot continue as is and that we need a system whereby Town and Country Planning function is a function of the THA to allow for efficiency. This is going to be a bold move; this is going to be a bold step.

I did make several attempts, in fact, through our Department of Protocol, to meet with the former Minister of Planning. The last thing we were told is to do another letter and send it, because she was not available at the initial times that we were available. And then as we were processing that, we recognized that the Prime Minister woke up one morning, played bad and did a reshuffling of his Cabinet as he is entitled to in law. There is a new Minister in place there. I had officers reach out to her already, indicating

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that we need to have a conversation about the matter. So my first approach is not adversarial, but I am also saying that I am not afraid or timid of becoming an adversary, because I would rather be an adversary on behalf of the people of Tobago, than be cowering in a corner and allowing somebody else to ride over our legislative powers, the little that we do have. [*Desk thumping*] And so, I will respectfully engage in conversation at the soonest opportunity, but we will be moving ahead with bringing the Town and Country Planning function in Tobago. If that results in a parallel Town and Country Planning Unit, then so be it.

We have precedence by virtue of the Re-afforestation Programme, but we will be having the Town and Country Planning function in Tobago that will ease up what is happening with the banks; the mortgages; the long term loans - it will boost the construction sector - it will allow for job creation; it

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will allow for the development of the island and it will allow for Tobagonians to move somewhere and to some place quickly.

So, I thank you, Madam Presiding Officer, for allowing this Motion and this debate. Let me also signal that there will be several other similar Motions like this one, coming to this House and let me signal in advance, that the next one that I will be bringing will be concerning the Financial Regulations of the Tobago House of Assembly (THA) because the Act speaks to that and what ought to happen in the absence of the Parliament accepting our Financial Regulations. The Tobago House of Assembly (THA) tried on two occasions to have the Parliament do that and they have not done so, but the Act speaks to what should happen when that does not happen.

Let me signal finally, that in the coming months, that this House will meet more than once in the month, because I am not waiting on the 4th

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Thursday in April to bring that next Motion - I will be bringing it earlier.

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So be prepared Colleagues, to come into this Chamber more than once per month for debates. If that means that we will have to hire more staff to do the hansard and to get those clerical functions done efficiently, then we will have to do so. But be prepared for the work ahead and it starts with Tobago taking a bold step in accepting the functions like Town Country Planning that we do have now.

Thank you, Madam Presiding Officer. [*Desk thumping*]

MADAM PRESIDING OFFICER: Thank you, Member.

Question put and agreed to.

MADAM PRESIDING OFFICEER: The Motion is therefore carried.

Leader of Assembly Business

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ADJOURNMENT

Motion made: That this House do now adjourn to a date to be fixed.

(Hon. Z. Hackett)

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.32 p.m.