

CHRISTOPHER D. JOHNSON

Dear Premier, Honourable Ministers and Members of Parliament

Private Member's Motion No. 3 of 2024

I refer to the above motion to be brought by the Honourable Mr. McKeeva Bush and Dwayne Seymour to acquire land known as Red Spot Beach, otherwise known as Dora's Beach, that my family and I have owned for many years. I firstly outline the history of the property which will be unknown to many, and to assist the members, I attach a map showing the property in question as well as numerous documents and photographs.

History

OPY 5 which was acquired by myself and the late Kenneth Spraggon in 1973. At that time, we acquired the property from the Bird family who lived on Hospital Road, and I recall the closing took place in the offices of the late Miss Annie Hulda Bodden MBE who acted on behalf of the Bird family. There was also a lease on the property which had been granted to Mrs. Dora Bush, that Mr. Spraggon and I also acquired. At this time, I had commenced work in the centre of George Town and passed the location at least five days a week. Consequently, I was aware as to what took place at the beach. There were numerous local families using the beach to swim and relax. Many people from Rock Hole, Mary Street and surrounding areas used the beach. Amongst the families to be found there were the Cayasso family, the Ronald Ebanks family, Mr. Ebanks being a fisherman and the Roddy Watler family of whom Joan ("Wilson") is an expert on the history of North Church Street and much of the local history. There were also two davits on the adjoining ironshore for the purpose of storing boats but eventually the davits were destroyed by weather and storms, sometime after my arrival. Part of the adjoining ironshore where a restaurant is now located was utilized for selling fish where a scale was kept for weighing the fish. However, there was not a fish market per se which can be confirmed by many people in Cayman, and the use of satellite imagery.

Over the years adjoining properties were developed such as what is now known as Cabana Restaurant to the north and more recently the building erected by Kel Thompson, which is now closed, by the Balboa Beach. What I was unaware of is that sometime circa 2006 certain individuals had illegally poured concrete on the sandy beach in order to erect tents and trade as fishmongers. No fish of any consequence are caught in the sea there. In 2004, Mr. Spraggon passed away, leaving his share of the property to myself.

At this time many watersports businesses improperly used the property but as I wanted it solely to be enjoyed as a swimming and recreational area, I asked all of them to leave, which they subsequently did. I should add that I was also being asked to rent the land, which I declined to do.

In about 2012, an opportunity came along for my family and I to acquire the adjoining parcel OPY 7 and another parcel OPY 8, which I readily took.

Building of sidewalk

In 2014 I met with my son, Robert Johnson who is a qualified architect to discuss the land and my concerns about the safety of the pedestrians on the road from the port along North Church Street. Robert subsequently met with Minister Tibbetts and the planning department as well as all adjoining landowners from the dock up to Reflections. Subsequently he made an application and the sidewalk was approved. Only 5 landowners of the 16 made any effort to build the sidewalk and paid for it themselves. My role only related to the Red Spot Beach where I replaced the small retaining wall with a sidewalk.

Beautification Improvements

In around 2021 I met Robert again to discuss the beautification of the property and finally we submitted an application to the CPA in 2023 which included rectifying concrete damage on the beach and designs for a beach park. There were no objections from either the fishmongers or the public at large, and the design received a number of complimentary comments from the public.

Fishmongers

Personally, speaking I have had no qualms with the two fishmongers that currently occupy the land, although one did threaten my land surveyor with a machete. In fact, on occasion one fishmonger, Mr. Charles Wood, asked me to do a tenancy agreement for the purpose of his business license which I willingly granted. I have asked for no rent and tried to relocate them, given that the site is too small for them, nor is there parking or toilet facilities. I am aware that the government, about two years ago, offered to relocate them at the Smatts land on North Church Street.

It is believed by some that they have been at that location for 50 years continuously, but that is contested by a substantial amount of evidence to the contrary.

Approached by the Cayman Islands Government

On November 20, 2020, my son and I met with the Honourable Premier Alden McLaughlin and Joey Hew at the Administration Building who were interested in acquiring the property for Government. We carefully explained that it was the intention of the family to place the property into a trust to be known as the Red Spot Trust with the land being held in perpetuity for the people of the Cayman Islands. Provisions in the trust would not allow the land to be sold or leased for commercial purposes. We also discussed leasing the property to the government so that they could maintain the property. Subsequently at the time Premier Wayne Panton was at the helm I advised him of my proposals which he found favorable.

Arising out of this I did wish to help the fishmongers to relocate and suggested to the Honourable Joey Hew that they could use a parcel of land that we owned, being parcel OPY8. It was ideal for them because it would enable them to tender a fishing boat from Central America in order to unload their fish. Mr. Hew went out of his way to assist us on this proposal and contacted the fishmongers on November 30, 2020, at which time they readily accepted our proposal. Unfortunately, they soon after withdrew their agreement.

Following a change in government the Honourable Jay Ebanks came to my office to enquire whether the land was for sale at which time I said I would think about it. In a short period of time, I advised him not as our family still wanted to place it in a trust. No other member of government has ever contacted me since and I have never received an offer of money from this government.

Compass Articles

On October 4 of last week, I was shocked to learn that the government intended to acquire my land by compulsory acquisition and later was surprised to read the Compass article which was wildly misleading as well as being intellectually dishonest. I quote from what the Honourable Mr. Bush had to say.

“Government has made every effort to be reasonable, all to no avail, and so to protect these fishermen and vendors and what we feel is a local cultural experience, we are asking government to take it over”

The facts here are that the government indeed has approached me and were quite happy as far as I knew until this last week. The fact is that previous governments were perfectly happy with my offer. This government has not reached out to me nor my family recently and moreover the government has no plans as to what to do with the site. This is similar to the case of the Smatts land that the Government acquired four years ago. Nothing has happened apart from knocking down three cottages without planning permission and building an illegal high fence so people cannot enjoy their access to government property, this is paradoxical to the Honourable Bush’s very own argument.

I would further add that the Honourable Bush fails to note that only two fishmongers occupy OPY5 and that there are no vendors. My family and I have always taken the view that vendors should not occupy any space. Several years ago, one such vendor was so rude to local residents and visitors alike that I had to ask him to leave the premises. I have to say in the light of the current problems being experienced at the public beach it would be very unwise for the property, which does not really have space to accommodate them to attract similar problems to those experienced at the public beach

The Minister goes on further to say.

“He acknowledges there is a legal process for the acquisition of the property, which the government will have to observe. Bush said, “We have to settle this matter and give the locals who have been using the property for generations protection”.

The facts are that the “locals” need no protection as the law gives them full access. I should comment at this juncture that by far the majority of users are tourists on cruise ship days. I see no reason why such persons should not enjoy the same facilities. There is one problem however with access, the fishmongers themselves both of them have placed their tents on the northside of OPY5 impeding access. As noted in my planning application the whole of the property will have no fence and the additional step that is proposed will give people an opportunity to sit with their belongings. So, in fact there will be much better access and there will also be wheelchair access. The Honourable Bush’s remarks are very questionable and are of little sense.

Neither the Honourable Bush, The Honourable Seymour nor the Compass have made any effort to determine ownership of Red Spot Beach. OPR 5 is owned by myself, OPY 7 is owned by Shireoak Ltd., a company where the shares are held in trust for my family and OPY 189 is owned by Waterfront Centre Ltd, a company believed to be owned by Kel Thompson and his family. A question which needs to be raised here is why does the motion to acquire the property not include OPY 189, as it is obviously part of Red Spot Beach.

Conclusion

In the opinion of my family and I and numerous persons I have met to discuss the matter, all believe that this motion is a dangerous precedent and will raise concerns with existing investors and have a detrimental effect on potential investors in the Cayman Islands.

Yours sincerely

Christopher D. Johnson