

3.11 Deputy T.M. Pitman of the Minister for Economic Development regarding the control of outlying port management:

Would the Minister confirm whether the Harbours Department has effectively handed over control of outlying port management to groups of private individuals who use their vessels simply for pleasure - such as associations - resulting in the exclusion of others and, in certain instances, leaving members of the public who rely on fishing as their livelihood without access to fresh water to hose their boats and their gear?

[11:15]

Senator A.J.H. Maclean (The Minister for Economic Development):

Absolutely not, as the Deputy knows very well. Indeed, he invited himself to a recent mediation meeting and will, therefore, be well aware that the law makes no distinction between commercial and leisure activities with regard to the use of facilities and the provision of services at outlying harbours. In one outlying harbour, my department is working with all users, commercial and leisure, where a dispute has arisen to reach an amicable resolution that ensures that no one interest group will have a controlling interest over the other. This includes access to all facilities, including the supply of water. I would urge all parties to exercise common sense and work towards a quick and equitable resolution. This is a much more preferable outcome than the Harbours Department being forced to impose one.

3.11.1 Deputy T.M. Pitman:

I should just correct the Minister, I did not invite myself, I was invited by constituents, the fact they happened to live in St. Brelade and fish in Trinity is irrelevant, I help everyone. However, could the Minister say why it is some 2 months since Deputy Duhamel and I attended that meeting, 2 months in which his department by this association have not managed to obtain a simple key to allow fishermen, father and son, who have been victimised, to have water, to wash their boats? They have had their craft and their equipment vandalised and his department, effectively, do nothing, apart from put up a C.C.T.V. (closed-circuit television) camera that has already been vandalised.

Senator A.J.H. Maclean:

That is completely untrue. The department has been working extremely hard with both parties and it is not just 2 individuals. On the one hand there are 2 fishermen who feel aggrieved and on the other hand there are a group of leisure users of the particular facilities that the Deputy is referring to. What the department has been seeking to do is find a fair and reasonable mediation between the views of both parties that are fairly well entrenched. As I made clear in my opening remarks, I would urge both parties to ensure that they do move towards that rapidly, otherwise the Harbours Department will reluctantly, for obvious reasons, be forced into a position of trying to impose a solution. I hope that we have a very quick solution. I am told that one is almost imminent and I hope that is the case.

3.11.2 The Connétable of St. John :

Will the Minister ensure that by at least the end of this week all padlocks, bars and chains, which have been used at the Bouley Bay incident, are removed and, if need be, go down himself and ensure that calm is restored to the bay and all parties have an agreed way forward?

The Deputy Bailiff:

Will you bring calm to Bouley Bay, Minister?

Senator A.J.H. Maclean:

Sir, both with your wisdom and also the Connétable's I would be very much delighted to hear exactly how that could be achieved. I would suggest that by going down there and removing

padlocks will enrage one set of individuals, by putting them in place will enrage the other part and that seems to be the issue. There are very, very clearly entrenched views over this particular matter. If the Connétable, with his wisdom, has a solution I would be delighted to hear about it and so would the Harbours Department. But if we do not get one pretty soon we are going to have to impose one and that is not satisfactory, in my view.

3.11.3 Deputy T.M. Pitman:

[Aside]. The Minister said that his department are working hard. Let us be quite fair here, I could go down and get a key cut in the time it takes some Members to make a speech. The Minister has had 2 months. That would go a very long way to alleviating this problem. How difficult is that to achieve and can he give us a deadline basically when we will have some sort of solution to this problem?

Senator A.J.H. Maclean:

I think I have made the point abundantly clear that this matter is not straightforward, due to the feelings on both sides. The Connétable of St. John, whose Parish falls within Bouley Bay or Bouley Bay falls within the Parish. Oh, it is in Trinity, all right. I am mistaken. I understand that the Connétable is down there on a regular basis. I assumed it was in his Parish but obviously that is not the case. To try and put a date on the resolution is impossible but I would expect one to be reached very rapidly, as I have said, otherwise the department will be forced to impose one, which is not the ideal solution but that will happen within a very short timeframe if there is not a solution between the parties.

3.11.4 Deputy T.M. Pitman:

Sir, could I have a final supplementary? It is just that the water, which is at the root cause of a lot of this, does not belong to the Boat Association. It should be free to everyone to use sensibly. Why is that so difficult to achieve?

Senator A.J.H. Maclean:

That is one of the key issues, establishing the actual ownership of the water has been an issue that has taken some time to resolve. That accounts certainly for some of the delay in reaching an agreement as to what is going to happen here. We believe we are almost there, I am told by the Harbours Department and, as I say, I am very hopeful that there will be a resolution in this long-running and rather acrimonious and unpleasant event.