



Dart statement on rights of way court hearing

Grand Cayman, 22 October 2021: Camana Bay’s masterplan included underpasses at West Bay Road and the Esterley Tibbetts Highway to facilitate sea to sound connectivity, with pedestrians crossing safely over the road and vehicular traffic flowing freely underneath.

When Dart applied for planning permission for the West Bay Road underpass, the Central Planning Authority approved an application to relocate and consolidate the two existing public accesses impacted by the new underpass, for the creation of a new consolidated 12-foot public right of way to the beach along the southern boundary of the Royal Palms property. Dart also expanded this consolidated right of way with an additional six feet to align with planning requirements and enabling access for emergency services.

Following the process for modifying easements and/or dedications, in 2019 Dart applied to the Grand Court to relocate the two existing 6-foot public rights of way so the Land Register could be updated.

On Friday, 22 October 2021, the application was heard in open court, with the Public Lands Commission and Registrar of Lands represented by the Attorney General’s office. During the hearing, the judge heard the concerns raised by private citizens (initially the Concerned Citizens Group) and explained that the concerns of the public could be represented by the Attorney General. The judge ordered the originating summons be amended to add the Attorney General as a respondent and recommended the parties to reach a consent agreement.

Dart President Real Estate Asset Management Justin Howe said, “The consolidated and enhanced public right of way is wider than most, providing an 18-foot access and facilitates emergency vehicle access, as was required last year when a boat was beached on the shore. Access to the beach by the community is important and we are confident that we can reach consent on achieving meaningful beach access.”

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