



# HOW LONG BEFORE THE GATES GO UP ON CABBAGE BEACH? IS IT TIME TO BUY?

**TOURISTS** and Bahamians pictured enjoying the sunny weather at Cabbage Beach.

Photo: **Shawn Hanna/Tribune Staff**

**YOUR SAY**  
by **Diane Phillips**

In 2005, a jaw-dropping California court ruling sent shock waves through a crowd of Hollywood A-listers. No matter how much money they had, no matter how airtight they thought their rights to privacy were, they could not block the public from a stretch of Malibu Beach that ordinary people including, God forbid, those with surfboards had used for years.

The decision ended a bitter 22-year battle in a case involving billionaire David Geffen whose \$100m mansion sat on a piece of beach with sands so perfect they could have been the inspiration for the name of his production company, Dreamworks.

Geffen (net worth now estimated at \$8.2 billion) was the lead in a fight that included stars whose names and standards lit up marquees and whose work was exemplary. These were not the bad guys in a movie that ended in a blast of bullets and gunfire. They stood for the very best in their craft and in their principles. Tom Hanks, Bob Dylan, Dustin Hoffman, Barbra Streisand and Steven Spielberg were among the superstars and supporters trying to defend this Malibu piece of heaven on earth from strangers who wanted to take a swim, stroll or ride the waves.

It was a fight over private vs public rights, and it raged with an intensity that made it all the more interesting because both sides featured good guys with reasonable arguments.

In the end, the little guy won. Geffen lost the legal battle, was ordered to pay \$300,000 in legal fees and was going to be fined \$1,000 a day for every day he refused to turn over the keys or remove the gate which blocked public access from this stretch known as Carbon Beach on the famed Malibu coastline.

That case was not alone. A decade later in December 2016, in a similar case, two California property owners were fined a combined \$5.1m for blocking access to a public beach.

While courts in California – a state where fitness is just above godliness and beaches are an integral part of life – are getting tougher on the privacy rights of the rich and standing up for the little man who had original access, it is not likely that courts in The Bahamas would take the same route. Ours is a legal system seeped in private property rights and wary of changing the rules in the middle of the game. Rule changes frighten investors off and make everyone nervous.

There is also one other important difference. On Carbon Beach in Malibu, at the centre of the most famous cases, the public had the right to access before the rich and famous discovered this stretch of paradise and began building, then blocking the way to the water.

On Paradise Island, on

the other hand, deeds going back to the granting of the land show the property was always in private hands - even if the public had used it - as there was nothing built on the shore.

Although the ownership backgrounds vary, the dilemma the ordinary Bahamian faces who wants to use the beach is the same dilemma faced by millions of people all across coastal states and towns like those in California. In communities where the wealthy buy up the most prized land along the waterfront, fewer people have access to the beach.

So if the dilemma is the same, but the ownership issue is different, is there a solution to this problem locally? There just may be.

The owners of the stretch of beach known as Cabbage Beach acquired that parcel when they purchased the One&Only Ocean Club. Originally planning to build luxury beachfront condos, they altered those plans because of market conditions and applied under the last government for the rights to build a beach club, restaurant and entertainment complex instead.

The plans were appealing, very island-style, casual, but classy. The business that was proposed would have provided opportunities for Bahamian musicians, entrepreneurial opportunities for those selling authentic Bahamian-made goods. It would have provided jobs and it would have been organized with adequate, proper parking, security, welcoming Bahamians, a place to take the family or a date, beach by day, dining, dancing and outdoor club atmosphere by night. The plan was rejected.

The rejection was a shame. It would have been a great amenity and an opportunity for Bahamians and visitors to mingle naturally and comfortably as they do at many Family Island casual beach restaurants.

The rejection also meant the access issue that could have been resolved with the opening of a business on the hillside by the beach went unresolved. So the stalemate continued. Vendors sold wares, taxis dropped tourists off to a beach that someone else owned. Tourists complained of being hassled by vendors who were selling everything but property; vendors complained the owner, a company ironically named Access Industries, was trying to block them from selling wares, chairs, water and rides; Atlantis worried its guests were being disturbed. There was no clear path to a Cabbage Beach compromise. What can only be described as a peaceful standoff now exists.

But for how long? It doesn't take too much imagination to think of the day when you park up at the eastern end of Cabbage Beach and head for the narrow path down to the sands only to find it closed. Private or 'members

only' the only welcome. Isn't that already the case with the rest of the beach all the way to the west? Miles of sand accessed only by hotel guests who pay for the privilege. Like many other beaches around New Providence the only way to access the beach will be from the sea.

Over the years, Cabbage - arguably the very best beach on the island - has already fallen from favour for locals who now prefer the ease of Goodman's Bay rather than being perched on the very end of Cabbage.

We suggest the smartest immediate move this government can make to prove to the people of The Bahamas they care about regular folks is to buy Cabbage Beach. The land should be appraised and a fair price offered with fair market value taking into consideration that Cabbage Beach is the last available stretch of beach on Paradise Island, making it far more valuable than it might otherwise be. To try to pay less than full market value would send a chilling message to other potential investors.

Bahamians love the beach. Our love affair with the sand and the water and the clear blue sky above is so deep it is hard to find the words to describe it, but we feel it inside. Long after the headlines of corruption and who did what to whom fade, families will still have the beach they love if this government takes the courageous step of purchasing the most prized piece of

available property on Paradise Island and saying to

the people of The Bahamas - this beach is yours,

forever. Take good care of it.

# OPEN HOUSE

@ THE POMPEY MUSEUM OF SLAVERY & EMANCIPATION

**EXHIBITION** THE STRUGGLE FOR FREEDOM IN THE BAHAMAS FROM SLAVERY TO INDEPENDENCE

**SUNDAY NOVEMBER 12, 2017 10:00AM - 6:00PM**

FOR MORE INFO  
397-6800 / 356-2566  
326-1007 / 326-1085

SPONSORED BY:

THE POMPEY MUSEUM OF SLAVERY & EMANCIPATION  
THE NATIONAL MUSEUM OF THE BAHAMAS  
AMMCBAHAMAS.COM/POMPEY-MUSEUM  
@POMPEYMUSEUM

## NOTICE

The following Persons are asked to contact Mr Albert Saunders at Friendly Motors Ltd

Tel # 356-7100 within 14 days regarding the vehicles on our premises,

year	model	Lic Plate #	vin #	name on veh
2005	Ford Freestar	7677	1FMZK02185GA39274	MICHAEL TACLICH
2007	Explorer spoert trac	T31571	1FMEU33KX7UB62631	ARCHITECTURAL STUDIOS
2012	Taurus	261780	1FAHP2DW3CG109854	DEREK FARINGTON
2013	ESCAPE	265642	1FMCU0GX4DUA18712	SHARMAINE STURRUP
2003	EXPEDITION	286564	1FMRU17W73LA91410	CARLOS JORRIN
2000	Explorer	152404	1FFMDU63E3YVB58476	NEW PETER WALLER
2004	F-150	T22997	1FTRF12W84NA33477	JONATHAN MITCHELL
2003	EXPLORER	120892	1FMZU63E83ZA38240	THEO PIKRAMENOS
2002	EXPLORER	106298	1FMZU63E12ZB43409	LYNDEN OSCAR GREEN
2002	EXPLORER	99699	1FMZU62E42ZB49691	GODFREY PRO PINDER
2004	EXPLORER	134954	1FMZU63K14ZA75640	JULIET BRICE
2007	SPORT TRAC	T29187	1FMEU31K37UA05171	TYRONE ADDERLEY
2007	EVEREST	13907	MNCLS4D106W200389	LEON/CLEOLA PINDER
1997	MERCURY MISTIC	115289	IMELM653XVK600736	AUDLEY HANNA SR.
2002	EXPLORER	159252	1FMZU62E12ZB56288	KAFI CARTWRIGHT
2005	ECOSPORT	147549	9BFUT35E358623822	SHANNO MPIERRE
2002	EXPLORER	106297	1FMZU63E12ZB43412	HOWARD KING
2003	NAVIGATOR	149593	5LMFU27R03LJ05373	JONES DIXON ASSOCIATION
2007	ESCAPE	107825	1FMYU03B32KD03216	ARNALD FORBES

FAILURE TO DO SO WILL RESULT IN THE VEHICLE BEING SOLD TO COVER COST INCURRED

**Friendly Motors Ltd**