
National Roads Authority
Minutes of the Two Hundred & Thirty-First (E.O) Meeting
of the Board of Directors
held in
NRA Conference Room,
370 North Sound Road, George Town, Grand Cayman
Wednesday 13th September, 2017 at 9:58 a.m.

In attendance were:

Donovan Ebanks	Chairman
David Arch	Director
Stanley Panton	Director
Dane Walton	Director
Kenross Connolly	Director
Paul Bodden Jr (Andy)	Director
Tristan Hydes	Director Designate of Chief Officer, Ministry PLAH&I
Charles Brown	Observer - Ministry PLAH&I
Paul Parchment	Managing Director – NRA
Edward Howard	Dep. Managing Director - NRA
Priscilla Jackson	Administrative & Operations Assistant – NRA

Absent :

Gary Clarke	Deputy Chairman
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1. Call to Order

The Chairman called the meeting to order at 9:58am.

2. Review of Public Authorities Law 2017

The Chairman took the Board through a brief overview of what he had identified as some key sections of the Public Authorities Law, viz:

- The law is superior to the NRA law where inconsistencies arise (s.3) but is not intended to affect the principle functions of the authority s.4.(2);
- The law prescribes that a principal objective of the authority is to deliver the outcomes specified by the Cabinet [s.7.(1)(a)]; he suggested that the NRA needed to have a look at what it would wish those outcomes to be;
- ss. 15 and 16 give the Board broad responsibility for the performance of the authority including a new responsibility to 'regularly assess the board's own performance and effectiveness as a whole, and that of individual members' [(s.16.(k)); and

- While s.39.(2) of the law recognises the concept of ninety days cash reserves and affords protection of these reserves from being transferred to core government, the NRA needs to seek to ensure that funds for depreciation and post-retirement healthcare benefits are also protected from handover to core government.

3. Proposed Review of the Roads Law (205 Rev) & NRA Law (2016 Rev)

i. Issues Affecting the Roads Law & NRA Law, 8th Aug 2017

The DMD took the Board through a document which had been previously circulated summarising the need for the legislative review.

Issues discussed were as follows:

- Constitution and responsibilities of the Board and the Authority
- Management Structure and Personnel of the Authority
- Financial Provisions
- Road Encroachments
- Roadway Standards
- Statutory Undertaker requirements / restrictions
- Roadway lighting
- Stormwater management
- Transfer of Private roads to public

4. General Discussion

There was also discussion on what issues should be addressed in which of the two laws, the NRA law vs. the Roads law. One approach mentioned was having the NRA law cater to all provisions and authorisations that the NRA needs to fulfil its mandate and letting the Roads law cater to those provisions which would remain the ambit of the LA and Cabinet.

The Chair suggested that it had been his experience in dealing with legislative draftspersons that they only wished the client to set out in clear terms what it was they **want to achieve or be able to do** and the draftsperson would be guided by this in developing the legislation to allow them to achieve it or do it. He felt that the further advantage of this is approach is that it allows the client to readily cross check what the draftsperson proposes to see if it fulfils what the client wants. The Board was receptive to taking such an approach.

In turn, the Chair invited the MD and DMD to revise the document which had been produced along these lines setting out against each issue:


- what it was that the management felt was the problem; and
- what were the things that management felt needed to be authorised so that the NRA could do what it felt needed to be done or enforce others doing it.


He further suggested that the issue of where provisions should be made (NRA law vs. Roads law) should take a back seat for now.

5. Date of next meeting

The next meeting is scheduled for 9:30am for the 20th September 2017

The meeting adjourned at 12:33pm.

Signature 
Chairman of the Board
Confirmation of minutes: 20 Sept. '17
Date:

Signature 
Administrative & Operations Assistant
Seconded: Confirmation of minutes
Date: 20 Sept 2017

