Arch Cot – Without Prejudice

By Richard Goddard

Who was responsible for the five deaths in the Arch Cot cave-in on 26 August, 2007? The Arch Cot Plantation on Brittons Hill, on top of the escarpment was owned by the Atwell family for many years at Brittons Cross Road. The area was near Bishop’s Court Hill on the north to Beckles Hill on the south. The surrounding lands were divided into middle and lower income housing, while the lands on the escarpment were sold for up-market housing.

In 1961 a Barbadian who had just qualified in medicine in the UK was looking for a place to purchase or rent a house in the Brittons Hill area, so that he could be close to his practice at the hospital. He noticed a field next to the Arch Cot Plantation house, which was also owned by the Atwell family for a number of years. When he enquired to purchase, and explained that he wished to build a dwelling house there, he was told that the land was heavily wooded, and that there was a covenant obstructing the ejection of any residential buildings, and that this was why it had remained empty and covered with bush and dune trees for many years. This was known to people in the area. The youths and adults alike would also climb onto the largest cave from the entrance below the cliff that runs roughly north-south in this area. (See photo 1).

In 1975, a Barbadian lawyer returned to the island from the USA and purchased the Arch Cot dwelling house and about 5 acres of land from the Atwells. The lawyer then sold the Arch Cot house with 1 acre of land to St. Cyprian’s School. For the remaining land he got permission for change of use from agriculture to housing from the authorities in 1982, and several houses were then built and sold. Some were sold as lots and houses were built. On some lots he obtained a contractor who built a number of houses, including house No. 15 and an apartment block with 5 apartments which would fall into the cave in 2007. Within a few months of occupying house no. 15, the walls began to crack badly, and there were about 4 years of a number of lawyers acting for this owner writing to the lawyer who had built the house, and as this matter was now heading for the law courts, this lawyer agreed to replace the defective house by giving the owner house no. 16. House No. 16 had already attracted a purchaser who had backed out, and the owner of No.15 was given No. 16 in replacement.

The apartment block was sold around 1994 to Peter Cox, a Barbadian living overseas, who purchased it as an investment. Peter Cox had no knowledge of the cave underneath until after the collapse. He himself had lived in the apartment for 2 weeks prior to the Codrington’s rental while he had repairs and maintenance carried out to improve the property.

An adjoining plot of land was owned by Percival Seymour Brooks which he had purchased between 1830 and 1940. This land straddled the edge of the cliff. At the foot of the cliff Brooks operated a lime quarry and kiln until about 1960. A portion of this land was under the hill with the main entrance/exit from Culloden Road, and with a trailing entrance set at the top of the hill on Brittons Cross Road. Into the rock face of the cliff near the bottom, Brooks had built a holding area for keeping dynamite, which is still visible today. The outline of this quarry can be seen on the attached map dated 1975.

In 1960 the Health Department got permission from Brooks to dump household garbage in the old quarry below the escarpment. This government-managed garbage dump was not properly compacted with soil in layers, and often caught fire and smoked out the area. This was used until the 1980s and when Cave Shepherd and Fogarty’s, two Bridgetown businesses burnt, most of the rubble from these fires was disposed of at this site. However, because original debris and garbage had not been compacted there was an ongoing underground fire.

About 1974 Brooks sold a portion of the land at the foot of the cliff to Ronald Gill, who built SERVICES, a refrigeration company, and a steel building next door. The floor of the steel building sank due to undermining from the burning, and had to be re-cut with supporting piles for the steel columns. This building is currently occupied by Caribbean American Trading with a laundry at the back close to the cave entrance. Ammonia water from the laundry was drained into the cave, and this would have hastened the erosion of the stone. Since the collapse of the cave, a new sackwell has been dug at the front of the building, near Culloden Road.

Brooks had attempted for some time to obtain permission for change of use on the top of the cliff from residential to commercial.
Engineer deemed site safe just 4 days before cave collapse

commercial. This was refused by the Town & Country Planning Department.

Brooks then sold the land for approx. $90 000 to a Barbados registered company, MRD, in 1999, and MRD was able to obtain permission for change of use to commercial within a short time. One of the shareholders of MRD is a lawyer, and a senior member of the BLP and was a minister in the Cabinet.

This land was then sold for $275 000 to two other investors. These investors sold to new owners, who were medical doctors, for the construction of a medical facility, for $600 000. They had paid down a percentage of the agreed purchase price with the agreement that the balance would be paid when the foundations had been completed. The doctors employed a local company of chartered civil engineers to supervise this work, and a firm of architects was also engaged to prepare building plans and seek the necessary permissions through the Town Planning Department. A local construction company with over 35 years experience was engaged to prepare the construction site, and brought in many pieces of heavy equipment. Work commenced in 2007 beginning with excavation of rock of between 8 and 10 feet of stone, from the top of the large cave, right underneath. This work caused vibrations throughout the neighbourhood which bothered many residents, some of whom complained to the construction company. In early August of 2007 one person spotted a hole in the ground which had opened up right next to the corner of the ill-fated apartments. It was about 2.5m in diameter with no cover in sight. This was the large cave that would swallow the Codrington family later on. He reported the hole to the workers at the construction site, but no action was taken in response. During further excavations a pneumatic drill broke through the ceiling of the cave in a second location. This disappeared into the cave, and happened in mid-August 2007. At that time work was halted for about 1 week. An engineer visited the site and after inspection said it was safe, and gave the go ahead about 4 days before the cave would collapse.

One resident reported that about 4 days prior to the collapse he had occasion to visit the mouth of the cave and saw that a large boulder had recently fallen from the roof. This boulder would have weighed several hundred pounds. The cave collapsed on Sunday, 28th August, 2007 at 4:20 a.m. Residents reported a loud crash sound, and shaking of the ground. Some felt it was an earthquake. This was 4 days after the construction work resumed, and it is highly likely that the vibrations from the equipment on the construction site had triggered the collapse. A few days after the cave-in the Attorney General was quoted in the newspapers as saying that "no one was to blame," and suggested that the tragedy was an act of God. This is not true. There are at least two guilty parties, or more:

1. The person or persons who obtained the permission that was granted for the change of use of the land to build the ill-fated house (either the Town & Country Planning or MRD, or both), and
2. the engineer or engineers and contractors who excavated, who ignored or did not recognize the imminent collapse of the cave.

A short time afterwards, a meeting was called for the residents of Arch Cot St Paul’s Junior School across the road, just east of the St Cyprian’s School. The meeting was called with some persons getting only 25 minutes’ notice, and so were unable to attend due to prior engagements.

A 6 fence of wire and metal poles was then erected around the site without the knowledge or consent of the people on whose land it was placed. Locals were put in the doors of the houses to prevent entry and exit. Many of these houses, from which the residents had been forcibly evicted, and no security provided, have been vandalized.

Today, some 18 months later, no action has been taken to compensate for this loss. There has been some recent talk about bringing this matter to closure, and 3 government reports have been furnished by expert panels. An initial report in December 2007, an intermediate report in July/August 2008 and a final one in February 2009. None of these reports have been made available to the public.

It appears that from the day of the cave collapse there is a thread of an attempt to keep the facts that led to this tragedy from the public.

1. Who in Town & Country Planning granted change of use permission from residential to commercial, after Brooks was denied a change of use, and on what grounds?
2. Was the Covenant restricting building on the Arch Cot lands removed, or just brushed aside?
3. What was the role of the M in MRD which obtained the change of use permission from residential to commercial, to permit the construction of the medical facility?
4. Was there a conflict of interest in obtaining a permit that was to their own advantage?
5. When permission is sought for change from residential to commercial, does a representative from the Town Planning department visit the site in question and ask the land and make inquiries from persons in the area whether they would be any objections, and if so, on what grounds?

There must be a judicial inquiry into this matter presided over by a judge from outside the jurisdiction, and a coroner’s enquiry without delay.