

PORT GRIMAUD INFO

ISSUE 7

Questions and answers • August 2024

A Word from the Mayor

Grimaudoises, Grimaudois,
Ladies and Gentlemen,

After the court-approved terminations, I called for dialogue for Port Grimaud. I was not heard and the lawsuits continue. However, I would like to thank the PG3 management team, with whom constructive dialogue is possible. My commitment remains to serve all the people of Grimaud, including you.

YES, there is an alternative to the courts and the exorbitant costs of lawyers.

YES, I want to preserve Port Grimaud as it is, with its boat in front of every house.

NO, I never wanted a restaurant at the harbor master's office, and I still don't. At the pre-consultation meeting, the moderator simply said, «Now's the time to tell us what you want, a restaurant, a yacht club, or other infrastructure.» I never supported the idea of a restaurant, having validated the GIRAGLIA hotel project with its restaurant just across the street. The permit is blocked by the will of the President of PG1 and some of his advisors. The permit has been signed and the Architecte des Bâtiments de France has given his approval. Contrary to what has been said, there is no increase in the height of the building.

NO, I will not sell the port to a pension fund or a large group. We have chosen municipal management for the long term. Those who talk of speculation, dividend payments and the monetization of port facilities show their total ignorance of public management.

NO, I have no pharaonic plans, no Disneyland or massive expansion of the entrance pass. Although no plans have been presented, our detractors - mainly political opponents - claim that gigantic projects are underway. This is not true.

YES, the spirit of Port Grimaud and François SPOERRY will be respected. It's certainly not those who attacked and ruined François SPOERRY who can now claim to be defending him.

For a serene and respectful Port Grimaud, don't let yourselves be manipulated by those who want to run their election campaign on your fears and your homes.

Alain BENEDETTO
Mayor of Grimaud



The Town Hall is going to sell Port Grimaud?

FALSE

- > The municipal council has decided to take over the management of the port.
- > This mode of management has been carefully thought out to be sustainable and to manage the Port for the entire duration of the future guarantee of use (at least 35 years).
- > No other status is desired by the elected representatives apart from the port authority model.

Non-resident boats have increased in size since the takeover to make more money?

FALSE

- > When it was managed by PG1, the following boats were on the Quai de l'Eglise: the 36.20 m «MALUK», the 35.00 m «M OCEAN», the 34 m «KIDI ONE» and the 32.20 m «SALT». None of these vessels is still present at the Quai d'Honneur. The largest unit is the 31.00 m vessel «ECLAT», which arrived in Port Grimaud in 2020.
- > The Port Authority endeavors to accept boats that are compatible with Port Grimaud's infrastructure.

The guarantee of use is the only contract that is favorable to Port Grimaud owners?

TRUE

- > Under French law, there are only two ways of titling owners: an annual contract or a right-of-use contract.
- > The annual contract is considerably more expensive and offers less security for your boat space.
- > The guarantee of use contract gives title for 35 years in exchange for participation in the Port's works. The amount of the guarantee is added to
- > The guarantee of use takes into account the specific nature of Port Grimaud and its private quays. This is why the amounts invoiced (right of use and 20€/m²) are much lower than the prices charged in the Mediterranean. Only a local authority had the capacity to recognize this specificity and impact on prices.

The town council wants to preserve the spirit of Port Grimaud «my boat in front of my house»?

TRUE

- > More than just a wish, the commune has already adopted the regulatory provisions to guarantee that the owner can use the space in front of his house.
- > While this was previously customary, for the first time in the life of Port Grimaud, this provision has been written down and made contractual.

Photo december 2014



- > These provisions are to be found in the Port regulations and in the operating regulations.
- > For reasons unknown to the Commune, the former concessionaires attacked these provisions, going against the obvious interests of the owners and the spirit of Port Grimaud.

FALSE

The Town Hall denatures the spirit of François SPOERRY?

- > The town council partnered with the ASL to have Port Grimaud recognized and classified as a twentieth-century heritage site.
- > The town council has always supported François SPOERRY in his desire to make Port Grimaud an architectural work of art linked to its territory.
- > The spirit of François SPOERRY, is better defended by the community than by those who ruined him with a succession of lawsuits, and continued until his death.

FALSE

If I sign a contract I lose ownership of the dock?

- > Port Grimaud is made up of public and private quays.
- > Quays that were private at the end of the concessions are still private today.
- > They are part of the owners' heritage.
- > The return to public service only entailed the return of public water, not the private assets of individuals.

FALSE

Without the cancellation, I would have paid nothing until 2025?

- > Each year, the owners included the cost of maintaining the port in their charges.
- > They also paid a 440,000 euro fee for occupying the lake.
- > The rate of 20 euros/m² is based on the partial accounts sent to the commune by the former communities.
- > Despite years of record inflation, the commune has not increased its rates since the takeover.

There are too many people working at the harbour master's office?

FALSE

- > Most of the harbour master's office staff are the result of the transfer of personnel linked to the takeover of concessions. The staff is therefore made up of former PG1 and SNPG agents. PG2 agents did not wish to work for the management company.
- > Before the takeover, some of our agents were working part-time for the port. We had to replace these part-timers from the 3 former concessionaires.
- > The port authority wanted to ensure 24-hour surveillance, so night watchmen were recruited.

TRUE

The Commune won the termination case against the ASLs?

- > Eight rulings were handed down by the Toulon Administrative Court on May 30, 2024, in favor of the Commune,
- > The Court ruled that the Commune's decisions to terminate the port concessions and to opt for self-management were in order, and ordered the applicants to pay the Commune a sum of €1,500 each.

FALSE

The Commune wants to build a panoramic restaurant at the harbour master's office?

- > At the launch of the pre-consultation phase, the consultancy indicated that this was the time for users to ask for whatever they wanted: restaurant, yacht club, etc.
- > The mayor has made it clear that he is in favour of maintaining the harbour master's business alone.
- > The mayor does not want to create competition for existing socio-professionals or for the future Giraglia restaurant opposite.

FALSE

The Commune is opposed to the reopening of the Giraglia?

- > The town council supports the opening of the Giraglia hotel.

- > The closure of the hotel is justified by the fact that the PG1 ASL has appealed against the permit, as it does not want the work planned by the owner.
- > The closure of this mythical establishment is the consequence of the sole decision of the President of PG1 and some of his advisors.
- > Contrary to reports, the project does not involve raising the height of the building.

TRUE

The municipality does not gain by taking over the port?

- > Despite the fact that the accounts have been in profit since the first year of the takeover, the municipality has not cashed in the surplus on its budget.
- > It's a subsidiary budget created by elected municipal officials, so all the port's money stays in the port.
- > Contrary to what has been said and written, the town council is not after «Port Grimaudois' money». In view of their careful management of the municipal budget, Grimaud's elected representatives have refused to introduce the surcharge on the council tax on second homes that many neighboring towns have introduced.

FALSE

At PG1, owners lose money due to termination?

- > This is normally false, since PG1 has been declaring a loss-making port for many, many years:
 - 2017 account : - 308 792 €
 - 2018 account : - 165 361 €
 - 2019 account : - 439 605 €
 - Account 2020 : - 893 914 €
- > The end of the concession is intended to reduce PG1's budget by the amount of its annual losses.
- > In other words, since 2022, charges should have fallen by at least the amount of the port's charges or the deficit recorded in the previous year.

- > Of course, the decision to terminate was taken on the basis of these declared deficits. It would be difficult to blame the mayor's office for having taken a decision on the basis of potentially false data.

TRUE

Is the current situation more favorable to homeowners?

- > The uncertainty of 2025 no longer exists today.
- > The proposed guarantee of use contract is considered as a real property right that can be assigned.
- > It guarantees 35 years' use of the lake.

FALSE

Since the management buyout, airbnb has been possible on the boat?

- > Port regulations prohibit all seasonal rentals (night, week, month, etc.) throughout the port.

TRUE

The future guarantee of use is transferable?

- > As this is an administrative authorization, the right is transferable.
- > Transferable in the event of inheritance.
- > Transferable in the event of sale, thanks to the rescript procedure included in the Port's operating regulations.
- > The holder of a guarantee of use can therefore recover the sums invested over the unused period in the event of sale.

