

ADDENDUM

At the Extraordinary Meeting of Tintagel Parish Council, held on Wednesday 27th September 2017, following in-depth discussion and having considered all of the relevant facts and evidence, it was agreed to issue the following Minutes as an addendum to the Minutes ratified on the 15th June 2017.

The decision (Minute Number) was predicated on the following observations: The Minutes passed on the 15th June 2017, were not deemed to accurately reflect the events of the meeting of the 7th June 2017; the Minutes of the 7th June 2017, ratified on 15th June 2017, had not been properly advertised on the Agenda of the 15th June and, therefore, should not have been discussed at that meeting; the Chairman had suspended Standing Orders to enable ratification of the Minutes of the 7th June 2017; the Minutes had been ratified against the advice of two previous Chairmen of the Parish Council and; Members, unable to attend the meeting of the 15th June (and to whom many of the statements contained in the ratified document applied) had not been afforded appropriate opportunity to consider and respond to the Minutes of the 7th June 2017.

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TINTAGEL PARISH COUNCIL



‘Tintagel’s Great Seal’

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9th June 2017

Minutes of the meeting of Tintagel Parish Council
Wednesday 7th June 2017

Present: Cllrs. Hodge (Chairman), Brooks, Dale, Goward, R. Flower, Hart, Wickett. Dyer

Clerk: Carolyn Y. May

It was noted that Mr David Flower, a local photographer was present at the Meeting. The Chairman advised Mr David Flower that he was not permitted to photograph Members of the Council during the Meeting. Mr David Flower responded by advising the Chairman that he would only photograph members of the public as they spoke.

The Chairman read out the following statement:

*his meeting has been advertised as a public meeting and, as such, could be filmed or recorded by broadcasters, the media or members of the public.
Please be aware that, whilst every effort is taken to ensure that members of the public are not filmed, we cannot guarantee this, especially if you are speaking or taking an active role.*

Apologies: Cllr. Jordan (Cornwall Council)

Members of the Public – thirty-nine

Declarations of Interest made: None

Public Presentation

It was noted by the Chairman that a large number of Members of the Public were in attendance at the meeting. He explained that this part of the Parish Council Meeting was generally allocated a 10-minute slot but that rule would be re-considered, depending on how the public matter proceeded.

One female person in the public seating area was asked by the Chairman why she was filming the proceedings on a (pink) mobile telephone. The woman responded that she 'didn't have a very good memory'.

The Chairman asked that anybody who wished to address the Council should stand up and state their name and place of residence, before beginning to outline their issue.

The first speaker was Cheryl Donald from Condolden, Tintagel.

Ms. Donald began to read from a prepared statement. She wished to express the anger and dismay of those present at the recent closure of the Trebarwith Strand public lavatories by Cornwall Council. She added that, in response to the same, she had established an on-line petition which, at the time of the meeting, had a total of 1,859 signatories. Signatories were from Tintagel; neighbouring parishes; from across Cornwall; across the country and from abroad.

Ms Donald advised the gathering that Trebarwith Strand hosts many visitors, including

surfers and walkers and provided a unique landscape. There are a number of local businesses at the site, including: a surf shop; a café; and a hotel, all of which are used by the visiting public.

At that juncture, the Chairman advised Ms. Donald that the Members knew all the things and that the points were 'not new'. He asked Ms. Donald to explain why she [and her supporters] was at the meeting and what it was that they expected the Parish Council to do about the situation at Trebarwith.

The Chairman explained that the local community was aware that the lavatories were closed by Cornwall Council in 2016. In April 2016, the Parish Council took over the facilities on a 'Tenancy at Will', in order to ensure that they were open for the summer season.

He added that the Parish Council had looked for support among the business owners at the location but had received none.

Lorien Jolly, owner of the Strand Café at Trebarwith entered the discussion at that point by stating that she was unaware of the previous café owner's perspective on the matter (having taken over the business during the first week of Easter) but that she had personally received many complaints about the condition of the lavatories.

The Chairman read out the report that had been compiled by the Parish Council's Public Toilet Committee at the end of the 2016 Summer season. Within the same, the problems of continuing with the arrangement between the Parish Council and Cornwall Council were outlined, along with the numerous difficulties encountered by the Parish Council (including vandalism, high maintenance costs and the practice of persons avoiding payments by wedging doors open). He also alluded to the erroneous content of articles in local papers, relating to the closure.

Mrs. Jolly continued by pointing out that, generally, those seeking lavatory facilities use the café as the 'first point of call'. She added that it was not possible for all of the visitors to use the café lavatory, due to its close proximity to the food preparation area. Mrs. Jolly had spoken with the Environmental Health Department (Cornwall Council) and that body had confirmed that it was not acceptable for numerous persons to use the café's facilities. She added that, although the café cannot allow use of its facilities on a grand scale, she was prepared to support any solution to the problem of lack of toilet facilities in the area.

The Chairman explained that there were a number of issues relating to leases on other parts of the building. He stated that South West Water has a lease, purchased for £1 from Cornwall Council, which does not expire until 2084. The Life Saving Club has a lease, which will not expire until 2032, and pays the sum of £100 p.a (plus VAT) for use of water at the site.

RNLI lifeguards, employed by Cornwall Council and stationed at the site during the Summer must have access to the toilets, showers and changing areas.

The arrangement, as it stood resulted in the Parish Council being required to police four organisations, whilst running and maintaining the lavatories.

When assessing the viability of purchasing the lavatories at Trebarwith, the Parish Council commissioned RTP Surveyors to undertake a survey of the building. According to RTP, the level of investment required, to bring the building up to an acceptable standard was £75,000. This information resulted in the Parish Council withdrawing from any purchase agreement.

The coin machines on the doors of the lavatories cost £6,000 to install. It was hoped that the income from these would defray much of the maintenance costs of the facilities. However, due to the negligent conduct of local people, much of the potential income from these boxes was not generated.

The Chairman pointed out that Cornwall Council owns the Pay & Display Car Park at Trebarwith. This facility generates an income of approximately £100,000 per annum for CC. It was, therefore, unreasonable for CC to expect the Parish Council to finance all of the expenses involved with running the public lavatories. The Parish Council did, at that juncture, ask CC to contribute from the Car Park income. However, CC declined, stating that the car park income was earmarked for highway issues. The Chairman asked CC what highway issues affected Trebarwith. There was no response to that question.

It was acknowledged by the Chairman that there are some areas in the county where CC does maintain lavatories. He added that Trebarwith is an area which fits the blueprint for such maintenance and, therefore, the lavatories should be financed and managed by that body. He added that the Parish Council did not have the expertise or skills to act as a landlord and that the expertise of CC was best suited to maintain the necessary relationships.

It was stressed that the Parish Council did not withdraw from the Tenancy at Will easily. The Chairman highlighted the fact that the Parish Council had arranged meetings to discuss the issue but that there had been no support from the public. The stress of managing the facilities had been such that the Parish Council lost its Clerk. He added that the running of public lavatories is not what the Parish Council was there to do.

One member of the public stated that, during a recent radio programme on Radio Cornwall, hosted by Laurence Reed, the CC representative had stated that there was no funding available for toilets and that the council would not back-track on their decision [to close the lavatories at Trebarwith]. She added that local businesses were prepared to take on the responsibility for the lavatories 'so as not to lose money and custom'. However, that would require a manager to run the toilets and would incur costs.

Mr Matthew Jolley (café owner) asked why the Parish Council had not maintained the Tenancy at Will. The Chairman responded by stating that the Parish Council had taken on a Tenancy at Will rather than a lease as it was viewed as an opportunity to 'test the waters and determine the viability (of the undertaking) for both sides. He stated that, in addition to meeting all of the running costs, the Parish Council was obliged to meet the cost of repairs to the building.

At that juncture, one member of the public asked what repairs had been carried out. The Clerk responded by stating that repairs to vandalized doors; to the collection boxes and to the sanitary ware had cost the Parish Council around £7,000 last year. This sum represented

repair for all three sets of lavatories maintained by the Parish Council.

Mr. Jolley demanded to know why the Parish Council could not lease only part of the building. The Chairman stated that all options had been explored by the Parish Council. When a public meeting had been arranged, only three people had turned up and none of the major businesses had responded to the Clerk's correspondence in relation to the same. He stated that CC had tried to let the lavatories in the hope that the building could be converted into a café with the lavatories attached, and managed, by the lease holder. Members of the Parish Council met with John James from Cornwall Council but no help was forthcoming.

Jo Slade from Treknow stated that she understood the Parish Council's frustration but added that it 'was time for the Parish Council to dip its toe in the water again'. She added that in 2016, people did not believe that CC would close the lavatories. Ms. Slade continued by stating that the Parish Council and the members of the public who were present were 'us', adding that they were offering 'whatever it takes'. She continued by stating that the opportunity to lease part of the building was 'the only way forward'.

Cllr. R. Flower advised the attending public that the best way forward was to 'gang up on CC'. That there was opposition in the room to make that work. He asked how many of those present had written individual letters to CC. Only around 10 had done so. Cllr. R. Flower said that everyone signing one petition was not as effective as writing individual letters.

Ms. Slade did not agree with the recommendation and stated that 'There is an opportunity in this room to make this work'. She stated that Cllr. R. Flower's response was patronizing.

Ms. Slade continued by stating that the Parish Council had a 'huge amount of history' in relation to the lavatories at Trebarwith adding that this would assist with the matter.

The Chairman reiterated Cllr R. Flower's comment. Cllr R. Flower added that all the Members of the Parish Council were volunteers, working for nothing. He added that the toilets belong to CC and that it was the decision of that body whether they remained open.

It was then suggested that the Parish Council should purchase the facilities.

It was pointed out that the effort required to open and maintain the lavatories did not merely amount to cleaning.

Mr Jamie Combo(?) alluded to the facilities at Crackington Haven. He stated that the sum of £20,000 had been quoted to keep them open but that this sum had been reduced to £7,500 now that they were being run by the community. He asked if there was any chance that the Parish Council could do something along those lines. The Chairman highlighted the fact that Trebarwith was different to Crackington Haven.

One member of the public stated that the 'community was asking for help', there is a 'need and will to do something and we need you to take over'.

The Chairman pointed out that there had been no provision for the Trebarwith Lavatories

in the current Precept.

One member of the public alluded to the raise in precept for the financial year 2016/17, specifically for lavatories.

The Chairman reiterated the point that, in the current financial year, no provision had been made for Trebarwith because the Parish Council had withdrawn from the Tenancy at Will. He added that the facilities are owned by CC, which appeared to have done very little since October 2016, adding that the situation was causing difficulty for the Parish Council also.

Julie Keenan from the Spar shop addressed the meeting by advising that the parish wanted the support of the Parish Council to try again (at running the lavatories and that it was time for the Parish Council should 'dip its toe in the water again'. She added that she was aware that running the facility was 'hard work' but that those present, would support the same.

The Chairman advised that the group should come up with a plan to acquire and manage the lavatories, then approach CC and the Parish Council with that plan. It would then be up to the Members of the Parish Council to consider the proposal and to determine whether the Parish Council could support that plan. The Parish Council would look at the proposals and provide assistance and advice. He added that the Parish Council had done what it could last year with only those sitting round the table.

The Chairman advised that the request should be passed on to Cllr Jordan (CC), who had openly stated that the issue of the public toilets was at the top of his agenda.

Cllr. Hart entered the discussion by stating to the public that he had been prevented from speaking prior to that point because the matter had been listed on the agenda (Committee Section) for consideration. He alluded to his calculations which showed that the Parish Council had expended only £4,000 of Parish funds on the public lavatories and that there was a great deal of monies available for Trebarwith. This earned a round of applause.

He stated that 'We (the Parish Council) should take on responsibility for the toilets, meeting the costs of the lease, cleaning, insurance and required services. He added that 'That lot (the public presento should take on monitoring. Working hand in hand, with the Parish Council being responsible for the financing'.

He later added, addressing the public, 'we have a plan' and 'we have to open these by the 8th July'. He then alluded to discussions held at a meeting, organized by himself, at Trebarwith, earlier that month.

Cllr Wickett rose and addressed the public stating, 'I have been a Parish Councillor for 15 years and we have never had a response like this. I sat on the Toilets Sub-Committee'. 'The toilets are the responsibility of CC and (the Parish Council) taking them over amounts to double precepting. I do think that there is a time to revisit this. I don't know how and when. There is a lot of work to be done and I will support a proposition to revisit'. The public applauded the statement.

Cllr Brooks alluded to the lavatories at Bude Beach, stating that these were run by CC and were free of charge.

The Chairman advised the meeting that it was not appropriate for the Parish Council to get bogged down with this matter and requested that the members of the public present should formulate a plan and bring it back to the Parish Council for consideration. He added that there were two Members of the Parish Council who had undertaken to assist the group with their task (Cllrs. Hart and Wickett).

The public discussion was closed at 19:50 hrs. (50 minutes duration).

Prior to the opening of the Meeting Proper, Cllr Wickett addressed the Members of the Parish Council and the remaining members of the public.

Cllr. Wickett stated that he was speaking as a member of the public, in open session. He alluded to the last meeting of the Parish Council, stating that it had been 'a little heated'. He added that the Chairman had accused him of telling his wife 'a pack of lies'.

Cllr Wickett had thereafter demanded an apology from the Chairman, which had been received via email. He was now demanding 'a retraction in an open forum' in his (Cllr Wickett's) presence. Cllr. Wickett added that he would have accepted the initial apology but that the accompanying email was deemed to be insulting to Cllr. Wickett's wife. Cllr Wickett added that if the man (the Chairman) apologized, then he would shake his hand and the matter would be at an end.

Cllr. Wickett referred to the content of the email (inter alia: the comment made in the heat of the moment; the discussion about book keeping). He stated that he was struggling with the objective of the same.

Allegedly, the Chairman had intimated that there had been no proper handover of the TVC accounts. Cllr Wickett produced two letters from Mr Nicholas Spurdens, in which the handover of accounts was addressed. He requested that the Clerk read them aloud.

The Clerk complied with that request.

The content of the said documents alluded to the positive manner in which the handover had been effected.

Cllr Wickett then asked the Clerk if there had been any problems with the TVC accounts when they were undertaken by Mrs. Wickett. The Clerk confirmed that there had been no issues.

Cllr Wickett advised those present that he has asked for a meeting with the Chairman, in order to discuss the matter, and that it had been agreed that this would take place on the Sunday of the Bank Holiday (28th May). However, the Chairman had been obliged to cancel the meeting but had not contacted Cllr Wickett since. Cllr Wickett added that he (the Chairman) 'had not stepped through the door (of the TVC) to apologise'.

The Chairman responded stating that, at the meeting in question, the conduct of the Members 'kicked off' because of the comments made by Cllr Wickett. That he (the Chairman) had apologized to Cllr Wickett and the Members of the Parish Council. It was

noted that Cllr Wickett had failed to read out the email from the Chairman, in its entirety.

The Chairman pointed out that Cllr Hart had also 'lost his rag' but had apologized.

Cllr Wickett then approached each Member, and the Parish Clerk, individually and asked if they had been offended by his conduct. There were no answers in the affirmative.

The Chairman stated that he did not believe that he needed to apologise again but, for the sake of 'good will he would. The Chairman then issued a second apology.

A member of the public asked the Chairman to 'man up'. The Clerk stated 'Excuse me, can you please not interrupt, it's not helping.'

It was evident by that point that the disruptions were likely to be on-going; by 2230, the meeting proper had not begun. The Chairman took the decision to suspend the meeting on the grounds of persistent disorder.