



HAYLE TOWN COUNCIL

FULL COUNCIL MEETING

THURSDAY 9 JUNE 2022

Minutes of the Full Council Meeting held at Hayle Day Care Centre on Thursday 9 June 2022 commencing at 7.15pm with a Public Participation Session.

PRESENT

Councillors B Capper, V Dinham, J. Lawrenson-Reid, J. Martin, J. Nannes, J. Pollard, AM. Rance (Mayor) and D. Raymer

Cornwall Councillors P. Channon

Town Clerk E. Giggall-Hollis
Senior Support Officer M. Costello

7.15PM PUBLIC PARTICIPATION SESSION

Karin Howey explained that she had hoped the developer of North Quay, Simon Wright would have been present so that she could publicly ask him why he has still not produced the evidence that Tekoa Hayle Ltd is or was a legal entity. She said that John Buchanan had questioned a copy of the lease when shown it by the Harbour Office, his lease has no Tekoa Red Seal or Director's signatures, is on scrappy paper and the signature does not resemble his distinctive style. Karin said that she wanted to know why Mr Wright will not respond with the company registration number and prove Tekoa was a legitimate company.

She explained that the court date of 1 July is fast approaching, and she is facing eviction and that chalets on Harveys Towans are at risk because of an apparently fraudulent document, adding that the stress of carrying out John's wishes and fighting for Riverside is taking its toll.

Karin also told members that other chalet owners are under threat as apparently, they do not comply with the Tekoa Agreement in one way or another. She feared that gradually the all the chalets will be gone forever, losing this cherished corner of Hayle which is steeped in history. She reminded those present that she has a letter from Mr Wright's solicitor stating that he wants Riverside removed and the land cleared.

Further, she wanted to ask firstly, where the beautiful golden sand is going, having been told it would not be removed from site. Secondly, what is happening about enforcement action over the Kite School trading from a residential chalet. Thirdly, is there any planning permission for the new build chalets and static buildings up by the chimney.

Karin ended her speech asking for Cornwall Council (CC) to act now to stop this and rewind the rot that has set in.

Members discussed their dismay that Simon Wright has not recently attended or provided an update on the development and the wider issues around sand removal.

Richard Barber, Chairman of Hayle in Bloom explained that he wanted to thank the community and town council for their support. He said that the group was in a good place this year having achieved 3 projects side by side, plus another one underway at Bodriggy Health Centre comprising of a Sensory Garden and a Vegetable Garden.

He explained that the main reason for his attendance was to present a plaque to Hayle Town Council (HTC) in recognition of its continued support, which he presented to the Mayor.

The Clerk asked members for suggestions for its location, and everyone congratulated Richard for his continued efforts.

7.30PM MEETING COMMENCED

10 CHAIRMAN'S ANNOUNCEMENTS (For Information Only)

The Mayor began by holding a minute's silence in remembrance of David Gallie, former Finance Officer for HTC, who had sadly passed away.

The Clerk provided details of his funeral arrangements and extended the invite to attend.

Next, the Mayor explained that the Outdoor Swimming Pool's opening this season would be delayed by a further 6 days, to allow the Facilities and Contracts Manager to return from Annual Leave and for staff training and running the filters.

Finally, she told members that with the support of the Chairman of the Amenities Committee, the proposed meeting of the 23 June, had been deferred until the 14 July.

11 TO RECEIVE APOLOGIES

Apologies were received from Councillors Anton, Benney, Brown, Gordon and Johnson and also from Cornwall Councillor Lionel Pascoe

12 TO RECEIVE DECLARATIONS OF INTEREST AND REQUESTS FOR DISPENSATIONS

There were none.

13 TO APPROVE THE MINUTES OF THE ANNUAL COUNCIL 12 MAY 2022 AND FULL COUNCIL MEETING 19 MAY 2022

The Clerk explained that the minutes of the Annual Council Meeting had been updated accordingly, as there had been an error in the location and date.

It was resolved that the minutes of the Annual Council 12 May 2022 as amended and Full Council meeting 19 May 2022 be taken as a true and accurate record with the Mayor signing each page before placing them in the record book.

14 TO DISCUSS MATTERS WHICH WERE RAISED DURING PUBLIC PARTICIPATION 19 MAY 2022 - none

There were none.

15 REPORTS FROM OTHER BODIES/WORKING PARTIES/EVENTS

- a) To receive an update from the Projects and Events Officer on the Town Team

The Projects and Events Officer, Julie Baldwin, explained that the Town Team had recently met with diminished numbers having only 2 members of the public present. She said that unfortunately both of the speakers arranged had also sent last minute apologies, but that following conversations with the Clerk, the Community Link Officer, Maxine Hardy and Councillor Pollard, those present had agreed to use money from the Vitality Fund for Visioning work. Julie said that she has prepared a brief which should be ready to go out to tender and that meetings had now been postponed until tenders could be invited to give their presentations.

Finally, she said that an email had been circulated to those concerned with Hayle Market, to canvas stallholders on how they see it's going and consider the future direction of the market.

- b) To receive the report from the Amenities Committee Meeting 26 May 2022

The Clerk explained that this report would usually be considered under a different agenda item for its approval and could be added to the next Full Council meeting if members preferred.

The Chairman of the Committee said that the minutes were complete and accurate and that he was happy to commend them at this meeting.

It was resolved to receive the report from the Amenities Committee meeting 26 May 2022 so that actions could be carried out.

16 TO APPROVE AND ADOPT THE DRAFT HEALTH AND SAFETY POLICY AND HEALTH AND SAFETY HANDBOOK 2022 DOCUMENTS RECOMMENDED BY WORKNEST (FORMERLY ELLIS WHITTAM)

The Clerk told members that this agenda item had been deferred until July, due to the amount of work required to tailor the documents to HTC. She explained that the Facilities and Contracts Manager had highlighted several issues with the document since his return to work this Monday. She said that he is trained in Health and Safety and had raised lots of queries relating to the council's commitment to staff, councillors and the public and they would need to go back to Worknest/Ellis Whittam, who are now this council's competent Health and Safety person.

Members agreed that the documents were rather generic, particularly with regard to staff, that the delegations were incorrect and overall could be more succinct.

17 STANDING AGENDA ITEMS

- a) Hayle Harbour Update
 - (i) To receive and note the report, if any

There were no representatives present or reports received.

It was resolved that a letter should be sent to the developer, Simon Wright expressing the council's dismay at the lack of attendance or report as they could not answer the public's questions regarding the development if no information was provided as had been previously agreed.

It was further resolved to write to CC, copying in CC Councillors, the Leader and the Chief Executive of CC regarding the enforcement of s106's, asking for an Enforcement Officer to

attend a meeting to answer questions due to:

- a) Public concern
- b) Permanent damage to the area
- c) No indication that the Harbour Authority will take remedial action

b) Cornwall Council Update

- (i) To receive reports from Cornwall Councillors Channon and Pascoe

CC Councillor Channon's report was displayed on the projector – *see attached Appendix A*

In which, he said that:

There has been a further brief on the Hayle Growth Area Plan (HGA) which followed an earlier one to one discussion with Matt Brown who is the Principle Officer on this plan. The senior planners were in attendance, plus the Cabinet member for transport. It was accepted that the original 'plan' was now in question, but some local need affordable scheme could be looked at with much reduced numbers, and that would have to provide suitable facilities to reduce the need to travel. The cab member also suggested that Hayle should have an in-depth transport study for future needs.

The Clerk reminded members that there is £90,000 available through the Vitality Fund awarded to the Town Team, which would be used to produce a feasibility study looking at connectivity and timetabling of public transport to encourage less vehicular movements through the town reducing gridlock and to enable a healthier dynamic population.

Members agreed that Highways must be informed that there should only be one plan.

The discussion moved to the Loggan's Moor Roundabout improvements which have now been paused. Members agreed that the roundabout would not have solved the traffic issue and new developments were still needed. They discussed the council's support of the HGA with the proviso that infrastructure is put in place before any development, and the fact that following CC's approval of 85 houses at Viaduct Hill which HTC had objected to and are currently seeking legal advice. (*agenda item 12, minute 21 refers*) However, a planning application for 95 houses opposite this location was refused after our objection.

CC Councillor Channon's report also included the Loggans Mill building, as follows:

After the meeting a local discussion was held re the L Mill situation. There is still a local need scheme proposed, but recent events regarding both the scaffolding and structure could mean the building would need to be 'rebuilt' rather than just adapted. It was accepted that this would be a better long term arrangement rather than just demolition, and funds would have to be found to complete this. This situation dates back to Penwith and highlights how expensive it gets as time marches on.

Members considered and agreed that the following issues should be added to the next agenda:

- a) To consider writing to George Eustice (MP), asking him in turn to petition Grant Shapps, Secretary of State for Transport and Michael Gove, Secretary of State for Housing, advising them of the position Hayle finds itself in and requesting their help, regarding the transportation links required to the A30 to unlock additional building in the town.
- b) To consider inviting the officers who formulated the Hayle Growth Area Plan to provide

- an update on the status of the plan
- c) To consider inviting Mark Broomhead and Louise Wood to provide a general overview of the planning process, staff commitment and the plan for Hayle
- d) To discuss the Loggans Mill building and consider actions to support saving the Grade II Listed building

Finally, CC Councillor Channon reported that there had been an improved Police response, following a targeted arson attack on a fishing boat in the Harbour.

18 ACCOUNTS AND FINANCIAL MATTERS

- a) To approve the Income and Expenditure of the Council for April 2022 as listed on Appendix B

It was resolved to approve the Income and Expenditure of the Council for April 2022 as listed on Appendix B

- b) To approve the Governance Statements 2021/22 (Section 1 AGAR)

It was resolved to approve the Governance Statements 2021/22 (Section 1 AGAR).

- c) To approve the Annual Accounting Statements and sign the Annual Return 2021/2022 (Section 2 AGAR)

It was resolved to approve the Annual Accounting Statements and sign the Annual Return 2021/2022 (Section 2 AGAR).

- d) To note the content of the Internal Auditor's End of Year Report for 2021/22 and to determine actions, if any

The Clerk explained that the report had highlighted a minor minuting issue. The Budget has to be approved which establishes the Precept.

It was resolved to note and accept the content of the Internal Auditor's Report, with congratulations to staff involved.

19 CLERK'S REPORT/CORRESPONDENCE/MEETINGS/INCIDENTALS

- a) To consider the correspondence from Lanteglos by Fowey Parish Council regarding joining forces to approach the local government ombudsman to elicit change from Cornwall Council in respect of allocation of social housing.

Members agreed that this council could not support Lanteglos by Fowey Parish Council unless the same issue was happening in Hayle.

- b) Meetings

The list of Meetings was displayed on the projector, and it was agreed to circulate this by email the following day.

Meetings and Events Schedule June 2022

10/06/22	10am – 1pm	Hayle Market & Repair Hub	Phillack Church Hall
16/06/22	11.30 am	CALC – larger councils briefing re Mark James new CEO of CORMAC re operations	Teams
16/06/22	7.15pm	Full Council Meeting	Hayle Day Care Centre
17/06/22	10am – 1pm	Hayle Market & Repair Hub	Phillack Church Hall
20/06/22	1.00pm	Town App Meeting DSCVR Hayle (Welcome Back Fund)	Teams
23/06/22	11.30 am	CALC – larger councils briefing re Protect Duty Implications, Event Safety and Emergency Management	Teams
23/06/22	7.30pm	Amenities Committee Meeting POSTPONED UNTIL 14 JULY 2022	Hayle Day Care Centre
24/06/22	10am – 1pm	Hayle Market & Repair Hub	Phillack Church Hall
30/06/22	11.30am	CALC – larger councils briefing re: County Deal	Teams
01/07/22	TBC	Swimming Pool Opening	Hayle Outdoor Pool
		Town Team To be Confirmed	Via Zoom
07/07/22	7.15pm	Full Council Meeting	Hayle Day Care Centre

c) Incidentals

The list of Incidentals was displayed on the projector, and it was agreed to circulate this by email the following day.

- 20 TO RESOLVE TO EXCLUDE MEMBERS OF THE PRESS AND PUBLIC FOR THE FOLLOWING ITEM, AS PUBLICITY WOULD PREJUDICE THE PUBLIC INTEREST BY REASON OF THE CONFIDENTIAL NATURE OF THE BUSINESS TO BE TRANSACTED (IF NECESSARY)**
(PUBLIC BODIES [ADMISSION TO MEETINGS] ACT 1960)

It was resolved to exclude the press and public for the following item, in accordance with Standing Order 1c, due to the confidential nature of the business. **(PUBLIC BODIES [ADMISSION TO MEETINGS] ACT 1960)**

21 TO CONSIDER THE FINDINGS OF THE COUNCIL'S BARRISTER REGARDING THE CASE FOR A JUDICIAL REVIEW IN RELATION TO PA20/11368 AND TO CONSIDER NEXT STEPS AND ASSOCIATED EXPENDITURE, IF ANY

A detailed, confidential minute is available separately.

22 TO RESOLVE TO RE-ADMIT THE PRESS AND PUBLIC

It was resolved to re-admit the press and public.

The meeting closed at 9.08pm

Approved by the council as a true record, at its meeting 16 June 2022.

Town Mayor

Date