

STATEMENT BY THE MAYOR IN RESPECT OF ACCUSATIONS

BY THE HARBOUR SUPPORT GROUP AND COMMENTS BY MR OWEN PHILP

Mr. Owen Philp addressed the council on the 1st July and admonished council members who had opposed the harbour development saying they 'should be ashamed'. He is a member of the Harbour Support Group which claims to know and represent the views of the citizens of Hayle who "have in the past made their views clear that they want the harbour regeneration".

Mr. Jim Wright presented a letter on behalf of Mr. Don McGeorge regarding a letter I wrote to the Cornishman in my role as Chair of the Friends of Hayle Harbour. It contained two points, neither of which challenge the substance of my rather detailed letter.

The first point is that, as mayor, I should be supporting the "view of the people of Hayle who have in the past made their views clear that they want the harbour regeneration". Letters and emails from my constituents are almost entirely against one or more aspects of the development and my goal has been to try hard to improve the areas where I think they will be detrimental to the people of Hayle. More importantly perhaps, my letter did not oppose the harbour development, I did after all vote for it when sitting on the planning committee at Penwith District Council. My letter opposed signing the Section 106 agreement because of failures to address some serious issues mostly connected with traffic and potential gridlock in Hayle.

The second point implies that, as mayor, I may not express any opinions of my own or a group to which I belong. I refer to the Standards for England guidance:

It is not a problem for councillors to be predisposed to a particular view. That predisposition can be strong and can be publicly voiced. They may even have been elected specifically because of their views on this particular issue. It might be in favour of or against a particular point of view, for example an application for planning permission.

However, the councillor must be open to the possibility that, however unlikely, they will hear arguments during the debate about the issue that will change their mind about how they intend to vote. As long as they are willing to keep an open mind about the issue they are entitled to take part in any vote on it.

This implies that I may be predisposed to a position but this does not preclude me from taking part in council debates and voting. More importantly, I did not sign my letter as either the mayor or a councillor and therefore did not purport to be presenting the council's view. There is nothing in Hayle Town Council standing orders that precludes this activity. I therefore find this accusation baseless.

Finally, I would like to point out that a project as complex as the harbour development requires a nuanced approach. This town council voted in March 2009 to support the Outline Planning Application but subject to a number of conditions (not all of which were met). In October 2009 the council was invited to consider the Development Area Framework Travel Plan which covered issues such as promoting alternatives to single car occupancy, reducing the volume of traffic from developments and enables a range of developers to work towards the same goals with a view to achieving consistency over a large site. The minutes report:

During the discussion that followed Members made it clear that: -

- the Plan is of limited value;
- it makes broad statements many of which are based on information that is 8 to 9 years old;
- it is not adequately set within the context of Hayle and
- it relies on 'demand management' as a means of addressing the traffic problems of the town which will clearly not be sufficient.

It was resolved to inform Cornwall Council that the Travel Plan Framework does not provide realistic solutions or guidance.

This document is still referenced in the final S106 agreement and there is a provision that, when the traffic from the development exceeds 500 vehicles per hour there will be 'improvements to Foundry Junction'. I doubt if that will meet with the approval of the Harbour Support Group and the Forum after the effort spent to undertake the current Streetscape improvements!

More recently, on 17 June 2010, the council was presented with the almost completed S106 agreements. No vote was taken as we were not an official consultee but I have extracted the following from the minutes:

- it was noted that there are large sums of money targeted at improvements at a) the St Erth Park and Ride facility which will do very little to ease congestion in Hayle and b) the provision of a 'hoppa' bus service. In both cases it was felt that these funds could be used to address directly transportation issues in the town such as improvements to the station. However, it was noted that any funds not taken up in relation to these projects will be returned to ING;
- there needs to be an explanation of how Hayle will benefit from improvements to the St Erth Park and Ride facility;
- in terms of transportation, measures for 'demand management' are being pursued because it is accepted that, inevitably, there will be traffic problems associated with the development;
- the 'hoppa' bus routes will be planned to meet need;
- if it has not proved possible to find an appropriate end user for the Business Centre after 1 year there is a provision to release it for other uses but Cornwall Council would need to be satisfied that it had correctly and adequately marketed.

Going back to the 21st of January, this council considered an application from ING for a supermarket on South Quay. The minutes noted:

It was resolved to forward the following comments to Cornwall Council: -

It is the Council's view that this site should not be seen as just another brownfield redevelopment location that is subject to the 'one fits all' approach of national policy guidance. South Quay represents a valuable opportunity to achieve a development that will make a very real contribution to the future economic and cultural well-being of the town and as such it should not be sacrificed to the expedient of just another supermarket that could equally be developed elsewhere. The Council therefore objects most strongly to this application on the following grounds: -

- a) South Quay is a prominent and important site in the Foundry area that has been identified as being appropriate for a mixed use development in the outline application for the ING landholding and within this context the current application: -
 - (i) fails to provide sufficient information and details to enable a full understanding of the proposal or to determine if it is appropriate for this important and prominent site in terms of its design and impact in the wider landscape/townscape of this part of the town;
 - (ii) does not acknowledge fully the historic significance of the site and pays scant regard to the archaeological and Listed structures that exist within the site, particularly those that have been lost over the years to infilling and
 - (iii) fails to respect the site's location within the Conservation Area and World Heritage Site;
- b) the traffic implications of the proposal have not been fully assessed and it is considered that the number of predicted vehicle movements will cause significant congestion and conflict on the western approach to the town and result in gridlock at peak periods;
- c) the proposed scheme lacks integration with the existing shopping area in Foundry as the pedestrian links are not attractive or sufficiently direct and these must be improved and supplemented by a bridge across Penpol Creek as indicated in the earlier, outline proposals;

- d) the lack of integration identified in c) above will discourage multi-purpose shopping trips and will not improve the vitality and viability of the Foundry centre but will instead have a negative impact on the existing commercial premises along Penpol Terrace and
- e) the scheme as proposed will result in the permanent loss of an important element of the ability to sluice from Carnsew Pool which will, in turn, adversely affect the operation of the harbour and place increased reliance on mechanical dredging with the consequent environmental impacts.

Since my letter addressed some of these issues, it is hard to conclude that I was significantly out of sync with the council. I recall that the Harbour Support Group was quoted in the Cornishman as supporting the ING supermarket – diametrically opposite to the town council’s position. Perhaps we should all be ashamed?

Additionally, there was a complaint that the letter, addressed to three media outlets and published in the Cornishman and West Briton, should not have been published on the Friends of Hayle Harbour web site. This is a matter that should be raised with the FOHH.

To conclude, it is expected by the Standards for England that councillors will have views - and since my first election to Hayle Town Council I have stood for ‘Thoughtful Development of Hayle Harbour’.

Also, I have not purported to represent the views of the council and have not violated in any way our standing orders which state:

The authority of the Chairman, as such, is limited to matters of procedure and neither increases nor decreases his right (in comparison with other members) to discuss the merits of a particular case.

Finally, I refute that the Harbour Support Group has a mandate to speak for the citizens of Hayle and that councillors have any reason to be ashamed for thoughtful and well-debated conclusions.