

SAUNDERSFOOT COMMUNITY COUNCIL

Minutes of the Special Meeting held in the Regency Hall, Saundersfoot on Tuesday 26th August 2014 to discuss the Regeneration of the Harbour Area

PRESENT

Councillors: H Morris (Chairman), M Allsop, S Boughton Thomas, R Brabon, W Cleevely, R Hayes MBE, D McDermott, T Pearson and D Poole.

IN ATTENDANCE

John Griffiths and 35 members of the public.

Chairman Morris welcomed everyone to the meeting and informed members that he, along with Councillor McDermott should declare a personal interest in the following debate and following advice from Pembrokeshire County Council's Monitoring Officer, Councillor Baker should declare a prejudicial interest and should not attend this meeting as he was appointed as Harbour Commissioner by Pembrokeshire County Council.

Chairman Morris then welcomed Mr Michael Davies, Chief Executive Officer, Saundersfoot Harbour, to the meeting who was in attendance to address members and the public present on the proposed Regeneration of the Harbour Area.

Mr Davies said he would like to begin by thanking Saundersfoot Community Council for giving the Harbour an opportunity to address some of the misconceptions that have arisen in the village relating to Pembrokeshire County Council Coal Office site and the Community Council's Sensory Garden.

For clarity he would like to run through a number of points with the Community Council members to ensure that there is no misunderstanding of the Harbours aspirations, and would welcome feedback from the Community Council as he runs through each of them.

- 1) He was sure that all Community Council members are aware it was Pembrokeshire County Council, and not the Harbour who commissioned Powell Dobson to review the progress of the previous 2008 Saundersfoot strategy, and to look at proposals for future improvements for the village. Powell Dobson staged a number of stakeholder workshops, concluding with the July meeting, which was unfortunately and incorrectly reported as a public meeting.

There were no questions from members.

A member of the public asked why the community was not made aware of the Powell Dobson meeting.

Mr Davies said that Powell Dobson had convened this meeting and stakeholder groups were invited and was never a public meeting. Mr Davies stressed that there was no hidden agenda in organising this meeting and Powell Dobson were of the opinion that at this stage the community should not be involved.

- 2) The Harbour has widely discussed its Phase 1 & 2 Marine Centre of Excellence plans with all of its stakeholders, and has received wide support, however it is important to clarify that it was Powell Dobson remit not the Harbours to review the Coal Office site as it belongs to Pembrokeshire County Council, with he is sure good intentions of proposing

a suitable reuse of the building or site that would be of benefit to the village.

Unfortunately concerns regarding Powell Dobson's conceptual plans for the Sensory Gardens and harbour frontage has incorrectly been targeted at the Harbour which is disappointing as the Commissioners are resolute that if the site was offered to the Harbour by Pembrokeshire County Council they would ensure that the Sensory Gardens remained, as recorded in the Harbour Commissioners minutes on the 11th June, 2014, with an additional request of setting a joint working group with the Community Council to see if further enhancement could be achieved within the garden with funded assistance from the Harbour.

Councillor Brabon asked why should Pembrokeshire County Council come up with these plans?

Mr Davies emphasised again that it was Pembrokeshire County Council who had commissioned Powell Dobson to look at proposals for improvements to the village and not the Harbour Commission.

Councillor Poole said that it has been reported that Pembrokeshire County Council is looking for budget savings at the moment and when the Coal Office goes on the market, anyone could come along to purchase it and we could do nothing to prevent this from happening.

Mr Davies said the Coal Office is not for sale at the moment, but added that the Harbour Commission would be interested in putting in a bid to purchase it.

Chairman Morris reminded those present that Pembrokeshire County Council own the Coal Office, the lawned area and the Sensory Gardens is leased to Saundersfoot Community Council on a 99 year peppercorn rent.

- 3) The Harbour has been transparent with its view that if the Coal Office became surplus to requirements by Pembrokeshire County Council that the Harbour would welcome the opportunity to develop a new and iconic building on the current site with value to both the local community and the visitors, sacrificing additional harbour car parking to achieve this goal. However only when Pembrokeshire County Council have clarified their intentions, will the Harbour begin the process of fund architectural plans, aimed at engaging the community to consider all points of view for a suitable building.

The Harbour aspirations for this site would be:-

- a) Historic Interpretation and Information Centre.
- b) Support facilities for the Marine Centre of Excellence.
- c) Facilitating the current retail units.
- d) Additional and complementary retail facilities:- the best of local Pembrokeshire craft and culture.
- e) Wet weather canopy and central open plaza space.
- f) Cycling hub and welcome centre for trekkers on the Pembrokeshire and all Wales Coastal Path.

The Harbour has discussed these aspirations with Pembrokeshire County Council and submitted a formal letter of interest to them. However it is important to clarify that Pembrokeshire County Council has not responded as it is understood that if the Coal Office site is deemed surplus that Pembrokeshire County Council would seek expressions of interest from the open market which he is sure will receive significant interest from the commercial sector.

A member of the public expressed his concern at an iconic building being developed on the site and he would prefer to keep the Coal Office as it is, and possibly be developed into a heritage centre.

Councillor Boughton Thomas said that the Heritage Trust Group was set up and applied for several grants to buy the Coal Office but these bids were not successful, the Trust is trying to raise money, but it has become more difficult now that Pembrokeshire County Council is making cuts to their budget.

Mr Davies again stressed to those present that only when Pembrokeshire County Council decide to put the Coal Office on the market can progress be made.

Councillor Allsop said that the Community Council tried to purchase the Coal Office some six years ago without success, and suggested that everyone in the village makes a contribution so that the building be kept in the community.

Chairman Morris informed the meeting that at that time the Coal Office was valued at £250,000.

4) Pembrokeshire Coast National Park Authority

Both the Harbour and Powell Dobson were given an opportunity each to present to the PCNPA on the 30th July, 2014. The Harbour presented Phase 1 – 2 Marine Centre Excellence, with additional comment at the end of the presentation of its interest in the Coal Office if disposed of by the Pembrokeshire County Council. Powell Dobson presented its review as shown to the Saundersfoot working group.

5) The Harbour has now submitted a planning application for Phase 1 to PCNPA which has no connection to the Coal Office site neither does Phase 2 with its likely submission in early 2015.

Councillor Boughton Thomas said that at the Stakeholder meeting on 30th July 2014, all tables commented that there was no Plan B in place and asked if there was a Plan B.

Mr Davies said that there is a Plan B and Powell Dobson will submit these plans in due course.

Councillor McDermott added that the aim of Phases 1 and 2 were to enhance the village of Saundersfoot and no financial gain was achieved whatsoever.

A member of the public asked, if Pembrokeshire County Council was so cash strapped, where did they find the money to pay Powell Dobson to commission this report.

A member of the public asked what had happened to the money allocated for Affordable Housing following the development of the Rhodewood Hotel, and asked if the Community could have that back, to enhance the village. Chairman Morris said that the Community Council would make enquiries as to where this money is.

A member of the public asked how did Pembrokeshire County Council acquire the building as Lord Merthyr offered it to the then Parish Council many years ago, but they refused, and Pembrokeshire County Council inherited it for next to nothing

Another questioner from the floor expressed his concern at the closing of the harbour toilets at 8.00pm and there is a lack of toilets in the village.

Mr Davies agreed at the lack of toilets in Saundersfoot, but said that most people were happy with the condition of the harbour toilets and they shut at the end of the working day, and £35,000 is spent each year by the Harbour to maintain these toilets.

It was stated that the toilets in the Hean and Captains Table were open to the public and they are paid by Pembrokeshire County Council for this facility.

Mr Davies concluded by saying that the Harbour is fully aware of the range of community feeling regarding the Coal Office, and if the harbour was offered this area by Pembrokeshire County Council would aim to develop plans that had community involvement to ensure that their views were reflected.

Mr Davies thanked the Community Council again for this opportunity and hoped that the Harbour and the Community Council can work in partnership to ensure that the ownership of this site remains for the long term benefit of the village.

Chairman Morris thanked Mr Davies for attending the meeting and presenting such a frank insight into the plans for the harbour area.

The meeting proper then commenced.

It was proposed by Councillor Brabon and seconded by Councillor Hayes that Councillor Cleevely chairs the remainder of the meeting and all members were in favour.

Chairman Morris then explained to members as to why he would not be chairing the rest of the meeting.

“Just over a year ago I was voted in by Saundersfoot Community Council as their representative on the Harbour Commissioners. The attempt by the Harbour Commissioners to inform Saundersfoot Community Council as to who their representative should be was not accepted, as it would have reduced the potential number of local councillors on the Harbour Commissioners by one. My welcome onto the Harbour Commissioners was not as warm as I would have liked it to be, but it did not prevent me from doing my job diligently.

Owing to the reporting restrictions placed on me, the reports I relayed back to Saundersfoot Community Council were rather minimal and were always a few ‘bones’ short of a ‘skeleton’ account. In contrast, the reports I made, to Saundersfoot Community Council, on the meetings I attended, that were organised by Powell Dobson (The Urbanists), were far more expansive, as there were no reporting restrictions. In the most recent of their meetings, I and other Councillors who sat at the same table, were concerned that the general public should know of the Phase 2 plan, as it would potentially turn the whole area covered by the Sensory Gardens, Coal Office and BBQ Lawn into a car park. On everyone’s behalf, I asked the Pembrokeshire County Council representative present if we could have The Urbanists’ Plan explained and illustrated by them in a Public Meeting before the plan became a ‘fait accompli’. I was told that the earliest this could happen was by October. We did not find this acceptable.

More recently, a group of local Councillors decided that we should place a short account in the Saundersfoot News, within the Tenby Observer, to explain our stance on the Urbanists’ Plan, prior to calling a public meeting. We ensured that the date of the Special Council

Meeting, called to discuss this, appeared on our website. We made no reference to the Harbour Commissioners in our press release.

On the date before the most recent Harbour Commissioners meeting, I was called to attend a private meeting (in which there were no witnesses) with the Chairman. The meeting had scarcely started before the Chairman called upon me to resign from my post on the Harbour Commissioners, as he suggested that my stance on representing the people of Saundersfoot, as Chairman of Saundersfoot Community Council was rather passionate and, as he said, was causing a conflict with my position on the Harbour Commission – which is actually to represent Saundersfoot Community Council and the people of Saundersfoot who voted to put me into that position! I resisted at all stages of ‘persuasion’ to resign from the Harbour Commissioners. I was instructed by the Chairman, finally, that the meeting we had just had, ‘had not taken place’.

I then received the following letter from the Harbour Commissioners, telling me that I had been disqualified from the Harbour Commission in a vote that was unanimous, indicating that no ‘interests’ were declared by the two fellow Councillors on the Commission, no abstentions from voting were made and the vote had taken place without me being given a chance to defend myself against whatever charges were made against me. It seems from this ‘lesson’ that, if you belong to two bodies that have recently fallen into conflict with each other and you show a particular passion for one of them, you can no longer continue with the other.”

1. APOLOGIES

Councillors Baker, Cavell and John.

2. COUNCIL REPRESENTATIVE ON HARBOUR COMMISSION

Chairman Morris read out the letter received from the Harbour Commission.

“Further to our lengthy discussion last week prior to our monthly Board meeting, I confirm the conclusions I outlined at the time.

I reported accurately to my colleagues our discussion and there was a general concern that your perception of the role of Harbour Commissioner was contradictory to the spirit of the Act of Empowerment and the Guide to Good Governance for Trust Ports.

Our priority is avoid conflicts of interest and, as your heart is obviously set in your role as Chairman of the Community Council, we feel that there is clear evidence of current conflict and we are committed to avoid future issues that will put us in contravention of our Corporate Governance responsibilities.

Therefore, it is with regret that I have to inform you that a resolution was unanimously passed that you be disqualified from post under condition 13.1(d) of the New Harbour Order 2011. It will not be necessary for you to attend any interim meetings before the official end of your term in October.

I have informed the Clerk of Saundersfoot Community Council of this decision but obviously have not involved him in any great detail.

It just leaves me to thank you for your brief service and stress that I personally look forward to working with you in the future in your role as Chair of the Community Council.”

The Clerk then read out the letter to the Council from the Harbour Commissioners.

“I write with reference to your nominated Member of Saundersfoot Harbour Commissioners.

I would wish to advise you that upon the conclusion of his term in October this year, Mr Huw Morris will not be invited to serve a further term of appointment.

The Harbour benefits greatly from the involvement of its nominated Members as it generates a genuine partnership scenario with our nominee sponsors. In this instance it was felt that Mr Morris’ perception of his role as a Commissioner created a conflict of interest on our Board. I have had a lengthy discussion with Mr Morris and he feels that, as he sees himself as the representative of the people of Saundersfoot, he must take that stance and not an independent one with regard to business matters on the Trust Port of Saundersfoot.

The Wales Government Act that controls our operational procedures is very clear about the Nolan Guidelines regarding independent representation and this creates a clear conflict of interest with Mr Morris’ perception.

Consequently I would invite you to nominate another Commissioner to join our Board.

May I suggest that, as we are now a vastly different organisation to the one that previously controlled the Harbour interests, we introduce your Council to a representative of the British Ports Association of which we are a member. The BPA is well positioned to professionally guide Sponsor Organisations as to the legal and practical requirements of their nominee who does not need to be a Community Councillor but rather a skill set selected appropriate person. As you know, we do have Mr David McDermott on our Board and he is hugely valued in his role as Commissioner for Financial Reporting. As he has this insight and a total understanding of his role, it is suggested by the Board that he acts as your nominated member especially considering the time restraints.

As always, I am very happy to personally discuss any element of this appointment with you as our ongoing relationship is paramount to the success of both organisations.”

Councillor Brabon said that he was disappointed that Chairman Morris had received this letter, we, as a Council, nominated him as our representative and hoped that the Harbour Commissioners and Saundersfoot Community Council would have worked together, and it is wrong that Chairman Morris has to face this ordeal.

Councillor Cleevely agreed and said that in his 40 years as a Councillor he has never known as much friction between the two parties. He said the Community Council used to have two representatives on the Commission, but that has reduced to one and we should decide who our representative should be.

Councillor McDermott then informed members that the Council representative need not necessarily be a Community Councillor, but could be appointed from outside the Council.

Councillor Hayes said that she had been a Harbour Commissioner for 30 years and was saddened by what has happened and also that the decision to terminate Chairman Morris’s position was unanimous.

The Clerk then read out the four reasons why a Commissioner could be disqualified as follows:-

- a. absent from meetings for a period of three months
- b. become bankrupt
- c. is incapacitated by physical or mental illness
- d. is otherwise unable, unwilling, or unfit to discharge the functions of a Commissioner

and it was obvious, that in Chairman Morris's case the one reason could be point 'd'.

Councillor McDermott said that he knew nothing about the meeting between Mr Philip Evans and Chairman Morris on the 12th August 2014 and at the Harbour Commissioners meeting the following day the Chairman Philip Evans asked the Administration Assistant and Michael Davies, Chief Executive Officer to leave the room whilst he informed members of the meeting the previous day, which was similar to the content of the letter to Chairman Morris. It was then unanimously passed that Chairman Morris be disqualified as a Commissioner. Councillor McDermott added that he was proud to be a Community Councillor and a Commissioner and unfortunately difficult decisions have to be made at times and felt it was sad that it has come to this.

Councillor Brabon thought that there should have been more Commissioners present at the meeting between Mr P Evans and Chairman Morris.

At this point, Councillor McDermott left the meeting.

Chairman Morris then asked members if he should fight this decision and Councillor Hayes proposed that he should appeal and Councillor Allsop seconded this proposal and all members agreed with Chairman Morris abstaining.

Councillor Cleevely said that a replacement does not have to be appointed until October 2014 and this could be advertised in the press.

3) PUBLIC MEETING ON HARBOUR DEVELOPMENT PLANS

Councillor Pearson informed members that a Forum meeting is due to be held on 23rd September 2014 and perhaps a public meeting should be held after this date.

Councillor Boughton Thomas said that all are invited to this meeting.

Councillor Allsop suggested at this meeting the Crowd Funding idea could be discussed where contributions are made by the Community.

Members decided to hold a public meeting after the 23rd September 2014 on a date to be announced.

The meeting closed at 8.45pm.