



Camelford Association of Residents

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Published by Eddie McCormick

HAPPY NEW YEAR TO ALL

Lies, damn lies and pictures
(with apologies to B. Disraeli)

It has been said that the camera never lies - but in this digital age it has become possible for even the cheapest of cameras, along with appropriate software, to produce images that are almost impossible to tell from reality. Many of the benefits associated with digital photography have allowed users to enhance images to almost professional quality or, for example, to place my head on the body of a bronzed Adonis (a leap of imagination is needed for that to convince anyone) - sadly however digital imagery may not always be as reliable as it purports to be.

Case at Bodmin County Court

At Bodmin County Court Judge Thomas dismissed a case against Julian Harman, proprietor of A1Fruiterers, in which **Camelford Town Council** alleged he had parked illegally in the town's Churchfield car park. The Council's case relied on digital photographs taken by Town Clerk Barry Jordan - these showed the date and time of the alleged offence. A copy of the disputed parking ticket was also produced as part of the Council's evidence, the date and time on this copy concurred with the details shown by Mr Jordan's camera.

Witness

In his defence Mr Harman produced an eye-witness and documentation proving that his vehicle could not possibly have been in the car park at the time displayed in the photographs taken by the Clerk. Camelford Town Mayor Jenny Finch was given the opportunity to question the witness but she declined.

Balance of evidence

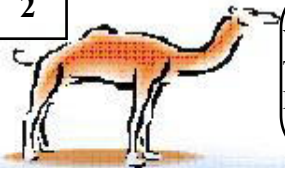
After he questioned the witness and compared the evidence before him Judge Thomas remarked that, on the balance of probabilities, Mr Harman's vehicle could not have been where the Council's evidence showed. Mr Jordan was not in Court to explain how this discrepancy could have occurred, and at the time of writing, no investigation has been carried out by the Council which could shed any light on this.

Is Camelford alone ?

Is there anyone else out there who has experienced similar inconsistencies ? If so, then please get in touch via the contact details on Page 2.

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You can get in touch by phone, post or e-mail as follows:-

Tel: (01840) 213527 (to Secretary Clare Ireland)

Post: CAR Secretary, Timberlines, Dark Lane, Camelford, PL32 9UQ

E-mail: clare@camres.org.uk

Truro County Court

District Judge Mitchell, sitting at Truro County Court, recently heard a case brought by Mr Julian Harman against **Camelford Town Council** in respect of allegations of assault made by the Town Clerk, Barry Jordan. In this case Mr Harman was seeking repayment of costs (under £300) incurred by him as he sought to clear himself of the assault allegation.

Confidence

Mr Harman was confident he would win his case because of the amount of evidence he had accumulated. The Town Council was confident of victory because the Town Clerk had told them that he wasn't acting in his official capacity when making the allegation of assault, therefore there was no case against the Council.

Solicitor

The Town Council decided not to hear the evidence Mr Harman and some Councillors were willing to provide and which might have brought a speedy solution to the matter, instead they relied upon the version of events supplied by the Town Clerk and sought the services of an out-of-town solicitor, Mr Campbell Dye of Winchester, whose fees are **£195 per hour**. (At the time of writing the bill for Mr Dye's company, Beachcroft, is around £10,000).

Evidence

Mr Harman's evidence showed that Mr Jordan, having told the Council that he was acting in a private capacity, had in fact told the Police that he was acting officially as Town Clerk. Mr Harman had also provided the Court with a CCTV recording in which the Clerk admitted that no assault had taken place, that the report to the Police was made "to wind you [Julian] up" and, to resolve the issue, the Clerk would make a public apology. When that apology wasn't forthcoming Mr Harman sought redress through the Court using 'malicious falsehood' as his cause of action.

Judgement

Mr Dye, on behalf of the Council, argued that Mr Harman's case could not succeed because, for malicious falsehood to be proven, 3 criteria must be met, a) The allegation must be false, also b) it must be made maliciously i.e. without just cause or excuse, and finally, c) It must be calculated to cause actual economic damage to the claimant.

On these points Judge Mitchell accepted Mr Harman's claim that a) the allegation was false, b) the allegation was made maliciously, but finally, that it could not be proven that the Clerk or Council had 'calculated' to cause a loss to Mr Harman, therefore judgement must be awarded to the Council along with costs which are subject to a detailed assessment. In making his decision the Judge also accepted that Mr Jordan was acting in his official capacity when making his allegation and that the Council had won on a technicality. Judge Mitchell requested that common-sense should prevail when the Council discuss the matter of costs with Mr Harman.

Will there be a whitewash ??

At the Town Council meeting held on 4th January the Council decided the Bodmin Court case (see Page 1) would be discussed 'in private' by the car park sub-committee i.e. no Press or public present. The Truro case (above) has not been (officially) discussed by Council yet.

Local Businesses

CAR will happily advertise your business within the pages of our Newsletter (subject to space) without charge, please contact our secretary. You can also advertise on our website for free - who said there's no such thing as a 'free lunch' !! Our intention is to promote our community as much as we can - we'd still accept any donations that you would like to make, (hopefully these will be tax-deductible for you) but please remember that CAR is not a charity when filing your tax returns.

ONLY ELEVEN
MONTHS UNTIL
CHRISTMAS !!

S.S.A.F.A.

SSAFA Forces Help is an organisation which aims to relieve need, suffering and distress amongst its beneficiaries. These include members and former members of the Royal Navy, Army, Royal Air Force, Territorials and Home Guard, their wives, former wives, husbands, former husbands, widows, widowers and dependants.

If you would like to help or if you would like to know more about what SSAFA Forces Help can do, please ring (01840) 213794

(this information was generously provided by Pat Reid)

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Public Meeting

C.A.R. will be holding its next General Meeting on **Thursday 18th January** at 7.30p.m. in **Camelford Hall**, Please car park.

All adult residents (with a PL32 postcode) are welcome to attend and join in the discussions.

Let us know

What would **you** like to see in the future issues of this Newsletter?

Hopefully we will be able to include letters and comments from readers/residents on issues that our community needs to know about or would like discussed but please remember that we are restricted by space.

Our contact details are given on the top of Page 2.



Don't say you weren't warned !!

Camelford Town Council has taken over the policing of the parking (and disabled bays) either side of the Town Hall and outside the Liberal Club/ Nat West Bank on behalf of the Town Trust. The Council's only income from this venture is from penalties so hefty fines await those who park and exceed the half-hour (1 Hour for disabled) limit.

Footway and Street Lights, Delavue Terrace to Valley Truckle

Months of discussion have so far not brought any progress or resolved the safety concerns raised by the lack of a footway or street-lighting between the new estates and Delavue Terrace. Children making their way to school, mums with buggies and infants, the elderly and the disabled continue to face potential danger from traffic, especially during the winter months, despite the efforts of the Town Council to raise the profile of this problem with the County Council who have said, via their surveyor, that the scheme, although important, is too expensive. Now the Mayor wants to up the 'ante' by getting North Cornwall M.P. Dan Rogerson involved and onside whilst also urgently contacting both our District and County Councillors yet again --- let us all hope that the Town Council can force this project forward as quickly as possible !!

If something isn't done soon then the County Council's proposed Newspaper to residents (did I really see that they are planning to allocate £300,000 for another 'free' newspaper) may have to include statistics for accidents or worse in their reports.

This matter will also be on the agenda for the C.A.R. public meeting on the 18th January, so, particularly if you are affected and concerned, come to Camelford Hall and join in.

Proposed New Medical Centre

Somebody needs to explain, and in the fullest terms, why the new Medical Centre can't be built on the site of the old Chicken factory in Dark Lane. The only comment I've heard is that this site 'isn't central' but I, and I'm sure many other residents would like to know how seriously the site was considered.

Facilities

The site in Dark Lane is roughly three and a half acres and fairly flat. With this amount of space available to be developed then parking would certainly not be a problem and, unlike the current Medical Centre which forces patients (especially the disabled) to negotiate the upward slope before reaching the door, this would allow reasonable access across flat land for wheel-chairs or those who are a little unsteady on their feet.

For patients who don't own or use a vehicle, there already exists a bus-stop which is only some 300 yards away. To reach the Centre would only entail a short walk which would again be on relatively flat pavement.

Speculation

With all this space available there would surely be adequate room for those rare but necessary pick-ups by the Air Ambulance from the surgery. I and others could go on raising valid reasons why this site should be considered. If the people of Camelford are not provided with a reasonable and honest response then we will continue to speculate about the motives behind the exclusion of Dark Lane from the proposals.