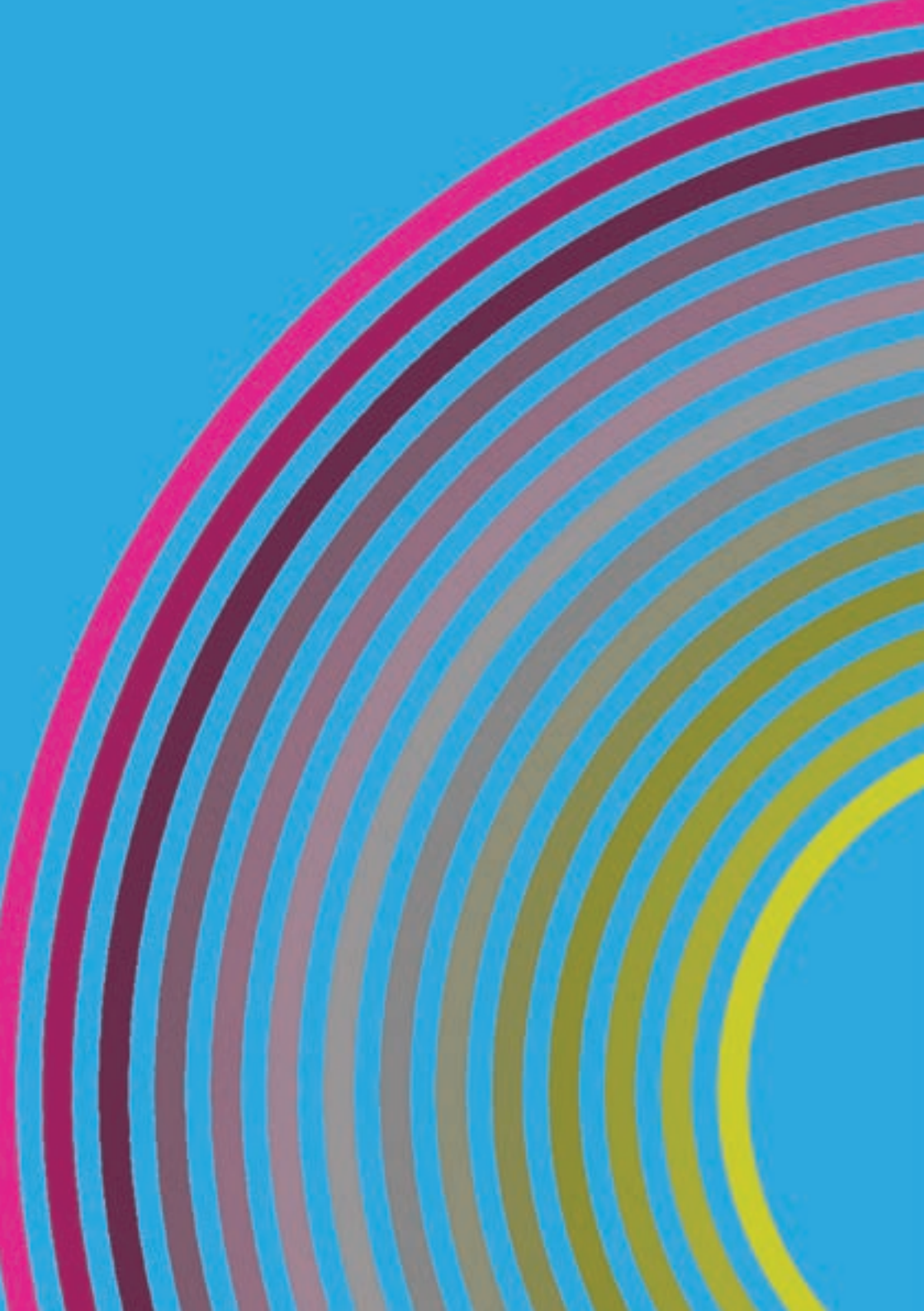




St Ives Community Charter

To establish the Cultural Heritage
of St Ives, Carbis Bay, Lelant and
Halsetown, and to declare our
Rights and Responsibilities for its
improvement and protection



A Community Charter

To establish the Cultural Heritage of St Ives, Carbis Bay, Lelant and Halsetown, and to declare our Rights and Responsibilities for its improvement and protection.

Declaration

We the Community and Peoples of St Ives, Carbis Bay, Lelant and Halsetown have produced this Charter to set out our “Cultural Heritage” for the purposes of assessment under the EIA directive, and to declare our basic rights and responsibilities for improving and safeguarding it into the future. We welcome other Community, Councils and residents of St Ives parish who may share our Assets to join us in the adoption of this document.

We declare our Cultural Heritage to be the sum total of the local tangible and intangible assets we have collectively agreed to be fundamental to the health and well-being of our present and future generations. These constitute a social and ecological fabric that sustains life and which provides us with the solid foundations for building and celebrating our homes, families, community and legacy within a healthy, diverse, beautiful and safe natural environment. This is the basis of a true economy, one which returns to its root meaning (oikos – home, nomia – management).

This Charter pertains to any development within St Ives parish which impacts on our Cultural Heritage and, as this Charter is a direct expression from the people, it must be a material consideration in the planning process and decision making; is a factor for impact assessment under environmental legislation; and must be given equal weight to other factors in the evaluation of Sustainable Development.

The Charter has been drawn up to complement St Ives Area Neighbourhood Development Plan and should be used alongside the Plan as a stronger assertion of the Cultural Heritage of the communities of St Ives, Carbis Bay, Lelant and Halsetown.

Collectively, we have agreed that our Assets are:



Our health and well-being



Our vibrancy and strength of community



Our strength of family and kinship



Our aspiration of an affordable and prosperous future for younger generations



Our strong small and micro business sector



The spectacular, un-spoilt natural environment in which our settlements of St Ives, Carbis Bay, Lelant and Halsetown are set



Our public spaces, given or bequeathed to us, the community



Our strong cultural traditions, artistic and industrial heritage upheld by local communities



Our maritime culture



Our ancient landscape and settlements



The distinctive character of our built environment



Our variety of local facilities available to the local community



Our good and accessible transport connections



Our global reputation and stature, far exceeding our relative size

If Cultural Heritage is harmed, life is diminished. Thus, we make a commitment to truly sustainable development, which we define as those activities that represent an overall long term benefit or zero harm to our Assets. We acknowledge that individual opinions may differ on such matters but believe that, through a dialogue in which all stakeholders are given equal voice, a wise collective assessment can be reached. In turn, this necessitates a process for Participatory Planning in relation to developments relevant to this Charter, the principles for which we propose below under Article 3 of our Basic Rights and Responsibilities.

If a threat to our Cultural Heritage is perceived then we have a fundamental right and responsibility to play an integral role in related decision making and, should activities proceed without our social license, to peaceful and civil representation to prevent harm to the Assets upon which our community depends.

Below we detail our Assets, our Definitions of important terms; our Basic Rights and Responsibilities in relation to our Assets; and the wider framework and context for the Charter.



OUR ASSETS

We the Community and Peoples of St Ives, Carbis Bay, Lelant and Halsetown have come together and agreed that the following tangible and intangible Assets constitute our Cultural Heritage and underpin the qualities fundamental to the health, well-being, cohesion and identity of our communities and our natural environment. As custodians of the future of our area, we deem any definition of Cultural Heritage that does not encompass all of these to be a betrayal of our basic rights and responsibilities.



Our health and well-being – many of us choose this as a place to live because of the quality of life it offers, in close connection with land and sea and with strong community spirit. The well-being of current and future generations in both these regards should be considered paramount in decisions on the future direction of development in the area.



Our vibrancy and strength of community - filled with passion for our local area and a history of organising to achieve great things, for example - St Ives Leisure Centre, the Edward Hain hospital, St Ives library and the Stennack Surgery. These communities are characterised by neighbourliness, offering safe and friendly places for people to live, and especially to bring up children.



Our strength of family and kinship - spanning generations of both those 'born and bred' in St Ives, Carbis Bay, Lelant and Halsetown and those who have chosen to make this their home, respectful of roots and strongly connected to place.



Our aspiration of an affordable and prosperous future for younger generations - including secure employment, enterprise and educational opportunity for those who desire it. This future should be based around local production and retail, entrepreneurship and good management of land and resources. Truly affordable living is vital, particularly with regard to home ownership and/or rental. Houses in St Ives area should be seen first and foremost as homes rather than investments.





Our strong small and micro business sector - which rests on local innovation and entrepreneurship and is the bedrock of local economic resilience. Provision should be made to support and promote the diversity of small businesses, potentially threatened by the insatiable spread of tourism, into the future in order to provide sustainable and right livelihoods for future generations¹.



The spectacular, un-spoilt natural environment in which our settlements of St Ives, Carbis Bay, Lelant and Halsetown are set - the open spaces, footpaths and beaches that are easily accessible for recreation and walking by local people and visitors alike. The clean air and sea, peace and tranquility, trees and variety of wildlife in these spaces contribute to quality of life and health and well-being².



Our public spaces, given or bequeathed to us, the community - most notably the Island, but also areas like Carnstabba, Palemon Best and St Ives Community Orchard, Porthminster Gardens, Trewyn Gardens, Ayr Field and the Memorial Gardens – which are places where people of all ages can meet, enjoy and contribute to the maintenance of community spirit by maintaining the beauty and public use of these spaces.



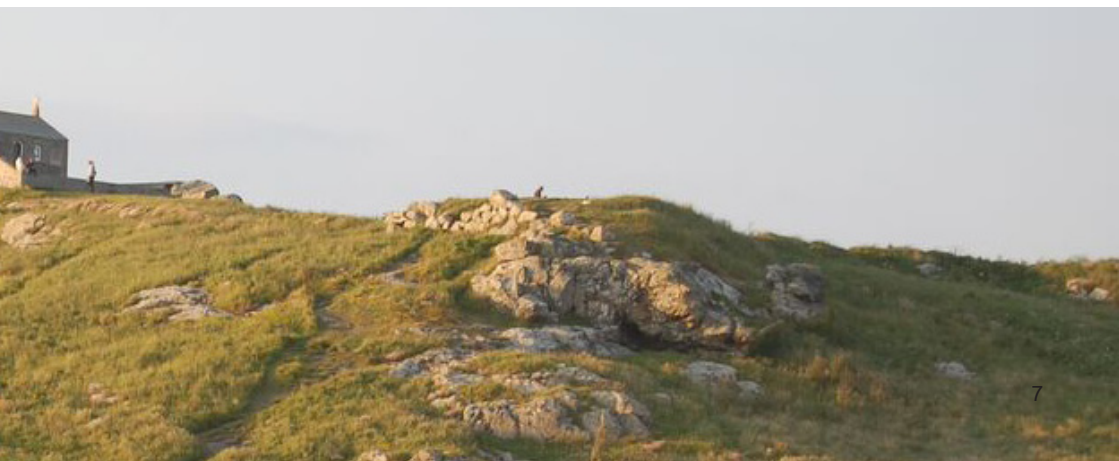
Our strong cultural traditions, industrial and artistic heritage upheld by local communities – festivals, feasts and annual traditions; the ancient fishing, mining and farming cultures; and the artistic heritage brought in during the late 19th and 20th centuries. All these traditions and historical industries make up the cultural heritage of the St Ives area today, steeped in history and the basis for a strong future.



Our maritime culture - the close and unbreakable connection with the sea is a vital part of the identity and cultural heritage of St Ives area. This includes most prominently the lifeboat and the centrality of its operation over generations, including local tragedies; the Coastwatch established on the Island and the families of fishermen who still operate out of St Ives harbour.

1. See St Ives Local Economy Strategy

2. See Appendix 1 for Open Spaces Audit including all these spaces that contribute to well-being





Our ancient landscape and settlements - with which our current and future communities have a deep bond. For example the ancient field networks surrounding the settlements, such as those at Carninney Lane (where old barns still stand), Carnstabba and the Steeple and its woodlands.



The distinctive character of our built environment – the cobbled streets, roof scapes and local materials used. Also, the public buildings that were built for our community and still remain in the towns, open for use by the community and steeped in architectural and cultural history.



Our variety of local facilities available to the local community - allowing social, faith based and sporting groups to flourish. These include; chapels, St Ives farmers market, museum, Archive Heritage Centre, St Ives Theatre (housing Kidz R Us), choirs and singing groups, Rugby Clubs, football grounds, rowing and sailing clubs, band rooms and many more³. And the aspiration in Carbis Bay and Lelant for more of these facilities.



Our good and accessible transport connections - namely the scenic and well-operated St Ives branch line, linking in with the national rail network; and the regular and comprehensive local bus services. These are a lifeline to many who live locally without a car, and should be encouraged as alternatives to travelling by car given the dangerous and highly polluting levels of traffic on the road in peak seasons.



Our global reputation and stature, far exceeding our relative size - hundreds of thousands of annual visitors are drawn here by the iconic views, the harbour, the distinctive light, ancient landscape and artistic and literary heritage. In order for St Ives to maintain this global stature, these other elements of the area's cultural heritage need to be protected.

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See Appendix 2 for a full list of community organisations in the Charter area

These assets were collectively agreed over a series of public meetings. In their descriptions, care has been taken to remain faithful to how they were perceived and expressed by the people, both in their finer detail and in the inclusion of some features which lie beyond the geographical boundaries of our area but which are still deemed to contribute to our shared local Cultural Heritage.



MEMORIAL
BY A DRY
WIRE FILLING

POLVER

Basic Rights & Responsibilities

We the Community and Peoples of St Ives, Carbis Bay, Lelant and Halsetown declare the following basic rights and responsibilities as fundamental to safeguarding the integrity, stability and beauty of our Cultural Heritage through the improvement and protection of its constituent Assets named above.

Article 1: Basic Right to Self-Agency

This Charter declares a basic right for the people of our community to have agency over those Assets agreed to be integral to human and environmental well-being, for both present and future generations.

In exercising our basic right to self-agency, we have a right to promote our Cultural Heritage and a right to Sustainable Development.



Article 2: Basic Responsibility

The people of our community also have a basic responsibility to safeguard and improve our Cultural Heritage insofar as our rights under article 1 are not infringed.

Article 3: Principles for Participatory Planning

In fulfilling our responsibility under article 2 in relation to any application for development made within our territory, we:

- (a) declare the Precautionary Principle as the basic test for evaluating the effect of nay proposed activity;
- (b) have a right to Participatory Planning which upholds and does not infringe our rights under article 1;
- (c) have a right, as an outcome of Participatory Planning, to an integral role in stewarding planning agreements and conditions to safeguard our rights under article 1.

In exercising our right to Sustainable Development under article 1, we have a shared responsibility with other stakeholders to:

- (a) ensure all stakeholders, including our councils, developers, wildlife including protected species, and other relevant third parties, are represented and are equally engaged and heard;
- (b) acknowledge a right to life for all species and beings known or reasonably suspected to reside within our territory on the basis of their intrinsic value and contribution to the integrity, stability and beauty of our Assets, upon which the well-being of our present and future generations depend;
- (c) remain mindful of the limitations of human culture, knowledge and perception in decision-making, and the systemic and wider consequences of actions within our territory.

As a direct expression from the people, we declare a right for any decisions emerging from the process under this article to be a material consideration in related decision-making processes on the basis that our people and natural environment bear the burden of any risk.

Article 4: Right to Peaceful and Civil Preventative Representation

In fulfilling our rights and responsibilities under articles 1,2 and 3, we have a right under the principles of lawful necessity and lawful excuse to peaceful and preventative representation if such rights and responsibilities are ignored or abused.

Framework & Context

We the Community and Peoples of St Ives, Carbis Bay, Lelant and Halsetown have produced this Charter:

1. Conscious that the Aarhus Convention⁴ recognises the responsibility on each person to protect and improve the environment for the benefit of present and future generations, with a right to participate in decision-making as well as a right to access the information needed to do so effectively. Conscious also of the recognition in the Convention that every person has the right to live in an environment adequate to his or her health and well-being. Noting also the ecosystems approach in the Convention on Biological Diversity which recognises that people with their varied cultural and social needs are an integral part of ecosystems⁵;
2. Noting the requirement in the EIA Directive⁶ for applicable projects on which to assess impacts on cultural heritage; the recognition given in guidance that such intangible assets as community cohesion and identity, and cultural identity and association, and individuals' sense of personal security⁷ can be affected by projects falling within the ambit of the said Directive; the recognition given in the proposal for a revised EIA Directive⁸ to building on definitions and principles relating to cultural heritage in the Council of Europe Framework Convention on the Value of Cultural Heritage for Society; and said Convention defining Cultural Heritage as a reflection and expression of constantly evolving values, beliefs, knowledge and traditions, which includes all aspects of the environment resulting from the interaction between people and places through time; and an obligation on signatory States to promote cultural heritage protection as a central factor in the mutually supporting objectives of, amongst others, sustainable development;
3. Noting that at the heart of the National Planning Policy Framework (NPPF) is the presumption in favour of Sustainable Development⁹. The NPPFs recognition that for Sustainable Development to be achieved involves - seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life; supporting strong, vibrant and healthy communities; helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy. As well as the NPPFs statement that planning not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives. This Charter has been prepared particularly in the context of Promoting Healthy Communities (section 8), but also Building a Strong, Competitive Economy (section 1), Ensuring the Vitality of Town Centres (section 2), Supporting a Prosperous Rural Economy (section 3), Promoting Sustainable Transport (section 4), Delivering a Wide Choice of High Quality Homes (section 6), Conserving and Enhancing the Natural Environment (section 11) and Conserving and Enhancing the Historic Environment (section 12);

4. United Nations Economic Commission for Europe: Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (1998)

5. <http://www.cbd.int/ecosystem/>

6. 85/337/EEC as amended and codified into Directive 2011/92/EU

7. <http://ec.europa.eu/environment/eia/eia-guidelines/g-scoping-full-text.pdf>

8. COM(2012) 628 final (26 October 2012)

9. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

4. Noting the absence of recognition given to a wider appreciation of cultural heritage in applicable policy, but aware of historic declarations that culture is the highest social and historical expression of our spiritual development and that it is our duty to preserve, practice and foster culture by every means within our power¹⁰;
5. Conscious, therefore, of the intention in planning policy to seek a balance between economic, social and environmental considerations, but aware that such policy has placed emphasis on the built environment and tangible facilities and services of a community, with a lack of recognition to Cultural Heritage and the values and intangible assets through which the peoples of a community live; thereby such planning policy proving inadequate to protect basic rights for community identity and cohesion and quality of life including the protection of the ecosystem of which the community forms part;
6. Committed to the Precautionary Principle which enables rapid response in the face of a possible danger to human, animal or plant health, or to protect the environment. In particular, where scientific data do not permit a complete evaluation of the risk, recourse to this principle may, for example, be used to stop distribution or order withdrawal from the market of products likely to be hazardous;
7. Concerned therefore to ensure that the democratic participatory procedures embedded in town and country planning law act to safeguard our Assets and Cultural Heritage, and convinced that effective participation in such processes enhances principles for sustainability and well-being;
8. Conscious of the Land Ethic principle by Aldo Leopold which states “that a thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community, and that it is wrong when it tends otherwise”¹¹, and extending this basic principle to encompass the entire community, human and natural;
9. Aware of and affirming the emerging consensus for an international crime of Ecocide as an amendment to the Rome Statute of the International Criminal Court¹²; an emerging paradigm that declares that the protection of the environment depends on the recognition of rights for Natural Communities and Ecosystems, including in the constitution of Ecuador in 2008, the constitution of Bolivia in 2011 and local ordinances made in multiple municipalities in the USA¹³; and the movement towards community self governance through such local ordinances.

10. American Declaration of the Rights and Duties of Man (1948)

11. Leopold, A. “The Land Ethic”, A Sand County Almanac: And Sketches Here and There (1949) pp224-225

12. eradicategecocide.com

13. see “ordinances” at <http://www.celdf.org>

Definitions

Assets means those matters, qualities and assets (both tangible and intangible) listed above under “Our Assets”, which our communities have agreed to be the factors that we value as fundamental to maintaining the integrity, stability and beauty of our Cultural Heritage for present and future generations.

Cultural Heritage means a group of resources inherited from the past which are identified, independently of ownership, as a reflection and expression of a community’s constantly evolving values, beliefs, knowledge, practices and traditions. It includes all experiences of the cultural, social and ecological environment resulting from the interaction between people, places and ecosystems through time; and includes but is not limited to the Assets within that community’s territory.

Participatory Planning means collaborative decision-making processes, operating within existing planning law, which are ongoing and dynamic and centred on direct, effective and engaged participation by residents of our communities, in a manner which is fair, non-hierarchical and transparent and which is facilitated by an independent and impartial third party. Principles for these processes are set out at article 3.

Precautionary Principle means that, when an action raises threats of harm to human health or the environment then, in the absence of scientific consensus that it is harmful, those proposing the act must bear the burden of proof in proving that it is not.

Sustainable Development means any development within our territory which, following the process for Participatory Planning, is found to represent an overall long term benefit or zero harm to our Assets; thus recognising and giving equal weight to Cultural Heritage with other social, economic and environmental factors and ensuring we bequeath it to our future generations in a better state than we inherited it, to help meet the 5 guiding principles in the UK Shared Framework for Sustainable Development (2005).

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