

## **References in the Minutes of Kingswear Parish Council concerning Lighthouse Beach or Cove**

1. 12 August 1897 – “...the Clerk write and inform Col. Daubeney that the Parish claim a right of way down the zig-zag path leading to Lighthouse Beach on the grounds that the path has been used by the public for a period of over forty years unopposed and without interruption”.
2. 31 August 1897 – owner of the land states that he has “I concede to the Parish that right. But it must clearly be understood that the existent path is strictly adhered to and I have no wish to debar the parishioners and others from the enjoyment of Lighthouse Cove.”
3. 11 November 1897 – decision to seek sketches and costs to repair the path.
4. 20 January 1898 – Mr John Short’s plan and estimate accepted. The Clerk to show the plan to Col. Daubeney.
5. 23 October 1901 – claim that the public had a right to bathe on the foreshore and the Council should place a small tent there for changing.
6. 23 July 1902 – police were asked to investigate reports that there was “bathing without bathing drawers on.”
7. 20 August 1902 – “men bathing was indecent and a great nuisance to females.” It was decided to erect a notice stating that men indecently exposing themselves will be prosecuted by the Parish Council. “... that the Clerk to get a copy of the Dartmouth Harbour Commission Byelaws as to the hours of bathing in the harbour”.
8. 27 April 1904 – “The Finance Committee to be a Committee to see what is to be done to the public path leading to the Lighthouse Beach and to get the notice board fixed”.
9. 25 May 1904 – “Mr Farmer reported that Keeley had cut the brambles back so as people could pass on the path and that Mr Short would paint the railings this week and put up the notice board”.
10. 9 June 1905 – “Complaints were being made that indecent exposure was made by some persons bathing at Lighthouse Beach, the Police Constable to be asked to see if he can see anyone so doing so that they may be prosecuted”.
11. 11 August 1905 – “... lower steps at Lighthouse Beach path see what is wrong and get it put alright”.
12. 10 August 1906 – “a piece of rock on the property of Mrs Popham which overhung the beach under the Lighthouse ..... as it is very dangerous”.
13. 14 September 1906 – “the steps at Lighthouse path to beach had been repaired but path was in a bad state...”.
14. 8 April 1909 – “A complaint was received from Mr Popham of the condition of his land joining Lighthouse steps and of the nuisance caused by children”.

15. 11 March 1910 – “the condition of the railing in the path leading to Lighthouse Beach”.
16. 12 July 1912 – “repairs were needed to the steps at the Lighthouse”.
17. 14 September 1917 – rail at the path to Lighthouse Beach to be repaired.
18. 11 February 1921 – “It was reported that the posts of the handrail leading to Lighthouse Beach was broken and the Clerk was instructed to write to the Divisional Engineer, Taunton G.W.R. and ask the price of old railway rails useful for posts”.
19. 12 September 1924 – dangerous state of the Lighthouse Steps was reported.
20. 14 August 1931 – “Mr R J Welsh wrote suggesting the provision of a life buoy at the Lighthouse Beach in view of the greatly increased bathing there. Mr Prowse spoke of the necessity and considered it was the duty of the Council to provide some such apparatus”. Agreed.
21. 11 September 1931 – “The Clerk reported that he had carried out the instructions of the past meeting regarding the purchase of a life buoy to be provided at Lighthouse Beach and a suitable site had been selected”.
22. 8 June 1934 – “a step at the public beach at the Lighthouse required attention.”
23. 30 January 1935 – “suggestions for improving the entrance to Lighthouse Beach.”
24. 6 March 1935 – discussion on improving Lighthouse path including cutting down trees, widening path, rail, steps, cost limit £50.
25. 10 May 1935 – “it was agreed to proceed with the work at the Lighthouse Public entrance to the Beach”.
26. 7 October 1935 – work above approved for £32/12/7.
27. 13 December 1935 – “In view of the serious land slide that has taken place at the Public Path leading to Light House Beach.....that a letter be written to Mrs Popham the owner ...to consider a deviation.”
28. 9 April 1936 – “The Chairman reported having with Mr Turner met Mrs Popham regarding the right of way to Light House Beach. Mrs Popham gave assurance that the Right of Way should be maintained and that the Surveyor had kindly promised to prepare a plan of the proposed route, she would sign it and the respective solicitors would draw up the agreement”.
29. 15? February 1936 – “[Mrs Popham] had assured the deputation that the Public Right of way to the Beach should, with her consent, be maintained”.
29. 10 December 1937 – Council to visit Light House Beach prior to consideration of restoring the path to the beach.
30. 11 February 1938 – “The question of providing ways and means to give access to the beach was considered.”

31. 25 February 1938 – discussions with Mrs Popham about routing of an entrance to the beach.
32. 8 April 1938 – work to be carried out by direct labour.
33. 9 June 1939 – provision of life buoy at Lighthouse Cove.
34. 8 September 1939 – provision of gate at Lighthouse public path.
35. 1 December 1939 – request for a refuse basket on the Lighthouse Beach.
36. 11 July 1941 – “Regarding a further letter from the Women’s Institute on providing life saving equipment at Light House Beach, it was pointed out that the Council had no jurisdiction over the beach only the right of way to it”. There was also concern about misconduct, trespass and damage to property. A notice, a notice in the local paper, a letter to the school and the offer of an award concerning the offences and even to closing of the beach was discussed.
37. 2 April 1943 – Mrs Popham has died. “Amongst the many acts of [her] kindness was the Lighthouse Beach path”.
38. 5 April 1943 – letter to solicitors to the late Mrs Popham requesting of “certain rights” claimed to have been given to the parish regarding the footpath to Lighthouse Beach.
39. 7 January 1944 – “Lighthouse Beach Notice Board. Mr Chapman moved that it be replaced in the most visible position in the first path leading to the beach”.
40. 1 September 1944 – “Mr Chapman spoke on the damage done to Lighthouse Beach approaches, including the gate, notice board, rails etc. being removed or broken”.
41. 6 October 1944 – repairs to the above have been carried out.
42. 13 June 1946 – supply of drinking water to Lighthouse Beach was discussed.
43. 7 March 1947 – unsatisfactory condition of Lighthouse Beach steps
44. 2 May 1947 – unsatisfactory state of the Lighthouse Beach approaches. Reference to the Minutes of 1934/5 and the Council’s right of way granted by Mrs Popham of “The Beacon”. Mr Bankhart, new owner of “The Beacon” to be approached to ensure to continuance of the Council’s right of way.
45. 6 June 1947 – the Totnes Authority to be approached regarding the parish right of way to the beach.
46. 4 July 1947 – “Mrs Melville stated that the right of way to Lighthouse Beach was entered in the records of the Totnes Rural District Council”.
47. 9 January 1948 – “Mr Fairweather asked for permission to place a public seat on Lighthouse Breach. This was granted”. “Mrs Melville stated that according to the knowledge of the Totnes Rural District Council the only right of way in the parish was the path to Lighthouse Beach”.
48. 3 June 1949 – Lighthouse Beach. “Mr Chapman requested that the lifebelt on the beach be moved to a position nearer the steps and the clerk stated that the Council was not empowered to incur expenditure in this matter, certain members of the Council

volunteered to do this work. Mr Chapman also spoke of the need to repair to the brackets supporting the lower flight of steps leading to the Beach and it was agreed that as this is a Registered Right of Way that the matter be referred to the Highways Authority”.

49. 4 July 1948 – Special Meeting held at Lighthouse Beach. “The Public Right of Way leading to the Beach was inspected ...”.
50. 20 January 1950 – Discussion of possible danger to people on Lighthouse Beach due to subsidence of land above. Notice to warn that the public use it at their own risk.
51. 3 February 1950 – The landowner, Mr C Fitch-Northern, is to erect warning notices on his land at both ends of the public right of way to the beach regarding the danger to the public.
52. 5 May 1950 – Lighthouse beach. “A letter was read from Miss E M Hayward, Head mistress of Kingswear Primary School stating that she was distressed at the prospect of this delightful beach being closed and requesting immediate steps to be taken to render it safe for the enjoyment of the public”.
53. 1 September 1950 – Lighthouse Path to the Beach to be recommended as a public right of way under the National Parks and Access to the Countryside Act 1949.
54. 2 October 1953 – “The Clerk reported that the appropriate letter having been written to Mr Fitch-Northern “ it was also resolved “That the sum of £10 be precepted for repairs to the right of way to Lighthouse Beach”.
55. ? ? 1954 – estimates requested for various items required on the steps and handrails.
56. 27 November 1956 – Lifebelt at Lighthouse Beach. “The Clerk reported that the Assistant District Auditor had ruled that the sum of £1-3/4d expended by this Council during the year ended 31st March 1956 for the painting of this apparatus was not lawful as this work should have been carried out at the expense of the RDC.
57. 27 August 1957 – Lighthouse Right of Way. “Attention was drawn to the broken handrail on the lower flight of steps leading to the beach”.
58. 25 March 1958 – Lighthouse Beach. Damage to lower section of right of way by landslip. Path to be closed until repairs can be affected.
59. 29 April 1958 – Lighthouse Beach. “... the County Council had promised to carry out temporary repairs to enable the right of way to be re-opened before the summer season.
60. 17 June 1958 – Lighthouse Beach. “... further landslip...”
61. 29 July 1958 – “... the County Council had now completed the erection of the new ladder leading to the foreshore”.
62. 23 February 1960 – Right of Way to Lighthouse Beach. Dispute between Kingswear Parish Council and DCC as to who should pay for notice board and repair to path.
63. 30 May 1961 – Lighthouse Beach. “A letter was read from Mr C H Fitch-Northern dated 4th May 1961 referring to the damage recently caused to the lifebelt and lifeline at the above property. RESOLVED That the Clerk make representations to the

District Council for the lifebelt and lifeline to be replaced as soon as possible in the interests of public safety”.

64. 26 June 1961 – Lifebelt and lifeline at Lighthouse Beach. “A reply dated 6th June 1961 was read from the Clerk to the Rural District Council stating that it had been ascertained that the present lifebelt is beyond repair. In consequence a new one had been ordered from The Bosun’s Locker, Dartmouth”.
65. 26 February 1963 – The Clerk read a letter from Mr Fitch-Northern asking that the Council should consider the possible damage to the amenities of Lighthouse Beach in the matter of the appearance of a new tower proposed for the support of the light on the small rock off shore at this point”.
66. 30 April 1963 – “Councillor Hearn referred to a letter written by Mr Southwick claiming ownership of the rock on which the new mast for the navigation light is to be erected, but explained that a Deed of Transfer of 1888 from Mr Luttrell was held”.
67. 30 July 1963 – Lighthouse Beach. Councillor Tucker reported on an examination of these precincts which he had made and detailed a number of very serious cases of damage... After considerable discussion in the course of which references were made to the fact that large sums of money had been spent on this spot to keep it as an amenity for residents, it was RESOLVED To write to Totnes RDC to ask for repairs to the lifeline and the board referring to the care and use of the lifebelt”.
68. 19 July 1969 – “Lifebelt and lifeline, Lighthouse Beach”. “Resolved. That the Clerk to the Council write to the Clerk to the Rural District Council expressing deep concern that this apparatus had not yet been reinstated, especially at this time of year when hundreds of holiday makers use this beach, that it should be left entirely without life saving facilities”.
69. 29 February 1972 – “... dangerous condition of the public steps leading to the foreshore, Beacon Road, Kingswear”. DCC asked to repair.
70. 28 March 1972 – “It was reported that the public footpath leading to Lighthouse Beach is in a dangerous condition”. Clerk to inform Divisional Surveyor.
71. 28 November 1972 – “A letter has also been received from the Dartmouth and Kingswear Society regarding the closure of Footpath No 8 and stating that this footpath had been included in a guide to walks around Dartmouth and Kingswear for the use of residents and visitors.”
72. 27 February 1973 – Councillor Mrs B O Weller reported that the wire basket near the entrance to Lighthouse Beach Steps was missing”. Matter reported to Totnes Rural District Council.
73. 19 June 1973 – Lighthouse Beach lower steps in a dangerous condition.
74. 26 March 1974 – “.. reported that the Lighthouse Beach footpath was in a very bad state of repair ..”
75. 28 June 1977 – County Council to spend £400 to improve the footpath to Beacon Cove with the Parish Council possibly contributing to a handrail and additional steps.
76. 1 January 1978 – Public Footpath to Beacon Cove. “... copy of letter from the solicitors acting on behalf of the landowner”. “.... County Solicitor is still

investigating the matter”. Resolved: “That if the public are excluded from using the beach consideration should be given to purchase the beach by a Compulsory Purchase Order”.

77. 28 February 1978 – Public Footpath to Beacon Cove. “The owner of the land has given permission for the repairs to be carried out subject to the reinstatement of the fencing to keep trespasser out of his land”. Letter to County Council “from the landowner’s solicitors which stated that their client had asked for it to be made quite clear that such Public Right of Way, as there might be, does not include the foreshore between High and Low Tides, and does not include landing from the sea or the storage of boats of any kind”.
78. 28 March 1978 – Public Footpath to Beacon Cove. “Mr Southwick has stated that he was not preventing the public, particularly the residents of Kingswear, from using the Beach, but had requested the County Council to make good the demarcation fence to keep trespassers out of his land, and to the re-erection of a sign requiring the public to stay on the path. Mr Southwick also stated that boats were being left moored at the beach for long periods.”
79. 25 April 1978 – Public Footpath to Beacon Cove. Resolved: “That an approach be made to Mr Southwick to consider the sale of the beach to the Council”.
80. 27 April 1982 – “It was reported that the Lighthouse Beach Steps were in a very poor state of repair and dangerous to users.
81. 31 May 1983 – “It was reported that the handrail leading from Beacon Road to Kingswear Beach required repairing or replacing”.
82. 28 April 1987 – “A letter received from Mr & Mrs Mitchlemore regarding the closure of Lighthouse Beach was read ..”.
83. 29 March 1988 – complaint about the “continued closure of public right of way to the beach at Beacon Steps”. Further note “that the gate seemed now to be open again”.
84. 26 April 1988 – “Public right of way to the beach at Beacon Steps still remain closed and barred to the public”. “The Clerk should write to Mr Southwick pointing out that the path was a public right of way and that it must be reopened.”
85. 31 May 1988 – “there should be an informal meeting between representatives of the Council and Mr D Southwick regarding the closure of the public right of way at Beacon Steps”.
86. 27 September 1988 – “... proposals for repairing Beacon steps by voluntary labour”. *Note: The Chairman of the Council, Dick Parkes, wrote to Mr Southwick on the 30th and this letter is part of Mr Southwick’s evidence. In this letter Mr Parkes referred to the repair of the path. He also referred to the use of Lighthouse Beach by virtue of permission by Mr Southwick. There is no mention in the minutes that the Council discussed or agreed to this latter matter.*
87. 13 April 1993 – “Following a discussion on the public footpath to Lighthouse Beach and the Beach itself, Councillor Folca made the following statement which he asked should be recorded in the minutes: “I have lived in Kingswear for 23 years and every year I have observed the public on Lighthouse Beach from the low water mark to above the high water mark”.

88. 27 April 1993 – “Reported by Councillor Parkes that the public right of way at Lighthouse Steps extended only to the foot of the steps and that there was from there only a right of way across the beach for the purpose of embarking on or landing from a boat.  
Councillor Folca disagreed, stating that it was his opinion that the public have a prescriptive right to use the beach, based on regular public use of the beach over many years.  
Councillor Parkes confirmed that the removal of the public footpath sign from the top of the path was illegal.”  
*Note: Councillor J M Southwick, brother of Mr D Southwick, was present at the meeting but there is no record of him dissenting from Councillor Folca’s statement*
89. 11 May 1993 – “The Clerk had received a letter from Mr David Southwick a letter refuting the statement made by Councillor Folca at the previous meeting of the Committee concerning a public right of way over Lighthouse Beach.  
Councillor Folca stated that he disagreed with Mr Southwick’s interpretation and that he was still of the opinion that a prescriptive right of way existed. He considered that the notice erected by Mr Southwick stating ‘authorised access only’ was misleading and should be removed, and that the public footpath sign, which had apparently been changed in direction, should be realigned to show the general direction of the path down to the beach.  
Councillor Bovey stated that Kingswear School had used the beach throughout World War II without permission from the owner ever being sought, and both he and Councillor Hearn confirmed that the beach had been used by the public over very many years.”
90. 25 May 1993 – “the County Council had advised that no further action should be taken regarding Lighthouse Beach pending further clarification of the situation by the County Council”. *Note: a record of this clarification has not been found if ever received.*
91. 2 September 1997 – “The footpath sign at Lighthouse Cove is still pointing in a misleading direction. The Clerk was asked to write to the Heritage Coast Officer asking that the sign be corrected particularly regarding the forthcoming public inquiry concerning development on a nearby site”.
92. 26 May 1998 – concern that the owner of the land may seek to have the path to Lighthouse Beach closed due to the dangerous state of the ground.
93. 16 June 1998 – path to Lighthouse Beach closed [by means of a gate fixed to the Council steps] and referred to County Council solicitor.
94. 26 October 1999 – path to Lighthouse Beach closed and matter referred to County Council solicitor.