



KENTON
on Sea

Ratepayers Association
www.kentonratepayers.co.za

BY EMAIL:

TO: KSDNA

E-MAIL: robert.rose@promasidor.com

CC: t.avis@cesnet.co.za;
amclarty@prdw.com
stephen@onyx.co.im
m.mackenzie@mweb.co.za
stuartbarbs@igen.co.za;
Siyabonga.Gqalangile@dedea.gov.za

DATE: 06 July 2021

Dear Mr Rose

KENTON SAND DUNE

1. I refer to your email dated 1 July 2021.
2. You are free to publish whatever you seek on your KSDNA website, regardless of whether it is accurate or not.

Executive Committee

Kevin van Huyssteen (Chair) Vivienne Holmes (Treasurer) Colleen Bedford (Secretary) Robbie Avis (News and Marketing) Simon Avis (Ward Liaison and Water) Steve Barwick (Recycling and Waste) Pollos Purdon (Town Planning) Weston Wheelwright (Town Planning) Adrian Purdon (CPF And Community Forum And Camera Fund, Water And Sanitation, Security) Stuart Clarkson (Estuary Care) Mariana Ferreira (Merryhill and Membership) Doug Swanson (Chamber of Business Liaison)

3. At this stage it is necessary to place the following facts and sequence of events on record:
- 3.1 On 14 May 2021 a meeting was held online attended by Stuart Clarkson, Ted Avis, Andy McClarty and I. The meeting was a fruitful session during which constructive solutions for the sand dune were explored.
- 3.2 On 17 May 2021 you sent out an email alleging falsely, *inter alia*, that an agreement had been reached on aspects that you described.
- 3.3 On 18 May 2021 I responded placing on record that no such agreement had been reached, requesting a transcript of the meeting which was recorded and requesting you to advise what communication had been sent to Ndlambe Municipality.
- 3.4 On 21 May 2021 I sent a reminder, following up on the email of 18 May 2021.
- 3.5 On 22 May 2021 Messrs Rushmere Noach addressed a letter to DEDEAT referring to the online meeting of 14 May 2021 and again alleging and purporting to confirm, falsely, that an agreement had been concluded on 14 May 2021.
- 3.6 On or about 21 May 2021 the recording of the meeting on the 14th May 2021 was provided. This was not immediately accessible, but the technological challenge in this regard was overcome.
- 3.7 On 1 June 2021 a copy of the transcript of the meeting was forwarded to Messrs Avis and McClarty, copied to you under cover of an email issuing a challenge to demonstrate in what respects the transcript evidenced the conclusion of an agreement on 14 May 2021, demanding a retraction by you of the allegation that an agreement had been concluded and again requesting disclosure of what communications had been relayed to Ndlambe Municipality.

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- 3.8 On 3 June 2021 Siyabonga Gqalangile sent an email to Rushmere Noach requesting them to provide a signed transcript of the meeting.
- 3.9 On 11 June 2021 Mr Avis responded to my email of 1 June 2021 in a fairly vague and inconclusive manner, without your providing the retraction of the allegation of the existence of an agreement as had been demanded in the email dated 1 June 2021 and as had been misleadingly conveyed to DEDEAT by your attorneys on 22 May 2021.
- 3.10 On 13 June 2021 I responded and again insisted that there must be an unequivocal retraction of the allegation of the existence of an agreement.
- 3.11 On 15 June 2021 you forwarded a letter addressed to Stuart Clarkson and I giving a vague appearance of willingness to “co-operate” but concluding that “this will be progressed as soon as DEDEAT dismiss the EC August 2020 Appeal or you assist in withdrawing your Appeal.” It thus is obvious that the apparent overture entirely was conditional.
- 3.12 On the same day 15 June 2021, Rushmere Noach under the hand of Mr Gough responded to the email of Siyabonga Gqalangile dated 3 June 2021 advising that there was no signed minute of the meeting of 14 May 2021 and, significantly, recording that the transcript of the online meeting held on 14 May 2021 has been accepted as correct.
- 3.13 Neither the communication from Mr Gough dated 15 June nor your letter dated 15 June 2021 contained the necessary retraction of the allegation of the existence of an agreement.
- 3.14 In the attachment to your email dated 1 July 2021 which you advise will be posted on the KSDNA website you make the statement that: “Our community expects

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complete honesty and integrity and expect professionally supported action and solutions.”

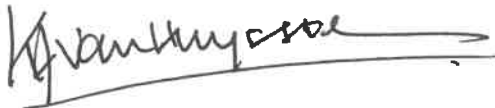
4. It is precisely because of the complete absence of honesty and integrity on your part that I find myself, on behalf of KOSRA, entirely unable to enter into any further negotiations or discussions with you, with your consultants, or any professed member or representative of the KSDNA unless the simple requirement of a retraction of the false claim of an agreement, is provided.
5. Even after having had the opportunity to read the transcript and listen to the recording, you have still failed to provide the necessary retraction. You are perpetuating a falsehood, especially to the authorities, which you and your attorneys well know is insupportable. The stance that you and your attorneys adopt is therefore totally devoid of the required honesty and integrity that you disingenuously espouse.
6. KOSRA will not participate in negotiations or discussions with an individual such as yourself or your organisation, KSDNA, where it is patently obvious that you have not only alleged a false and deceiving set of facts regarding what transpired during the online meeting of 14 May 2021, but, further, you have mandated your attorneys to perpetuate the falsehood in their communications with the relevant decision-making authorities in relation to the Estuary Care Appeal.
7. With the sanctity of the Estuary and the long-term interests of Kenton-on-Sea at heart, the Kenton-on-Sea Ratepayers Association finds it impossible to continue any form of discussions or interaction with you in regard to this issue unless and until there is a simple, complete and unequivocal retraction of the allegation that an agreement was reached on 14 May 2021.

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8. As has been pointed out previously, this is not the first time that you, Mr Rose, have wrongly made an allegation that an agreement has been reached when there is no such agreement.
9. It is simply unacceptable to KOSRA to engage in discussions with a person such as yourself who is so consistently and repeatedly inclined to rely on falsehoods to further the position of the KSDNA. My own internal sense of morality makes this proposition abhorrent.
10. KOSRA, as a community organisation, has to conduct itself not only transparently, but must do so honestly and according to the standard of integrity that one would expect of a public body. Even you would, in theory, acknowledge this.
11. Accordingly, all discussions and communications with yourselves shall cease pending compliance with the demand for the retraction.

Yours faithfully



KEVIN VAN HUYSSTEEN
CHAIRMAN

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