

**Minutes of a Meeting of the Town Council held at the Town Hall, Rye, on Monday 17 October 2011**

- PRESENT**                      Councillors    Granville Bantick, John Breeds (**Mayor**), Mike Eve, Bernardine Fiddimore, Heidi Foster, Sonia Holmes, Nigel Jennings, Jo Kirkham, Ian Potter, Shaun Rogers (**Deputy Mayor**), Adam Smith, Sam Souster
- IN ATTENDANCE**        Richard Farhall - Town Clerk; Kevin Barry – Town Sergeant; County Councillor Keith Glazier; 6 members of the public
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*The meeting commenced at 6.30pm*

**72 PRAYERS**

In the absence of his Chaplain, prayers were said by the Mayor.

**73 APOLOGIES**

Apologies for absence – and the reasons logged with the Clerk – were accepted from Cllrs Lord Amphill, Gemma Blumire, Jonathan Breeds and Mary Smith.

**74 DISCLOSURES OF INTEREST**

Jo Kirkham                      *personal*                      **item 79**                      Rye Museum Association  
Chairman

**75 MAYORAL ANNOUNCEMENTS**

The Mayor, Mayoress and Clerk had attended Speaker’s Day in Hastings on 15 October. Unlike the visiting Mayors from the other Member Towns, the Mayor and Mayoress remained for the Town Crier National Championship.

The Mayor was working on piece about his recent civic engagements for the *Rye Observer*.

*The Mayor adjourned the meeting for the Reports of the County and District Councillors and Public Question Time. (See Appendix A.)*

*7.16 The meeting reconvened.*

**76 COUNCIL MINUTES**

**RESOLVED 1** To amend the Draft Minutes of the meeting held on 26 September 2011 (C9) as follows:

*Page 2, Disclosures of interest, last para To delete ‘area committees . . . subject.’ and insert ‘she asked for more information about the operation of area committees because she had not been party to the previous discussions on them.’*

**RESOLVED 2** To adopt the Minutes of the Council meeting held on 26 September 2011 (C9), as amended.

77 COMMITTEE MINUTES

- a) **Planning & Townscape**  
**RESOLVED Adoption of the Minutes of the meetings held on 19 September 2011 (PT08) and 3 October 2011 (PT09).**
- b) **Policy, Resources & GP**  
**RESOLVED Adoption of the Minutes of the meeting held on 3 October 2011 (PR03).**

78 STATUS OF RYE

*PROPOSAL FOR RESOLUTION*

*That an urgent meeting be convened between Rye Town Council and senior representatives of Rother District Council as soon as possible to discuss the devolution of services, changes in planning procedure and the overall status of Rye.*

*Proposer: Cllr Eve      Seconder: Cllr Holmes*

Cllr Eve thanked Members past and present who had, for some time, sought changes intended to benefit Rye. The Localism Bill and other proposed legislative changes, the financial squeeze and desire to have more control over local issues – all suggested that the time was right for a change in the relationship between Rye and Rother District Council (RDC). RDC appeared to have recognised this by recently establishing a working group to consider all aspects of devolved services (including the merits of introducing area committees and parishing Bexhill – or wards within Bexhill).

He noted that the mechanics of separating out potential services for devolvement from organisational and accounting structures were complex. He suggested that a comprehensive approach was required and that RTC should respond positively to RDC's initiative – perhaps be re/establishing its own working group.

The Clerk observed that there needed to be agreement on what RTC was seeking to achieve before meeting with RDC.

Cllr Fiddimore advised that the work of RTC's Devolved Services Working Group had stalled because of a number of stumbling blocks. She agreed that it was a good time to look at the issue again but doubted that the public was interested in who actually provided public services.

Cllr Souster suggested that changing RDC's planning procedures should be a top priority.

Cllr Holmes observed that RTC would have no direct insight into the work of RDC's Devolved Services WG and that RDC's motivation was financial.

**RESOLVED 1 That:**

- (a) A Working Group be set up to consider devolution of services, Rother District Council's planning procedures and the overall status of Rye;**
- (b) Thereafter, a meeting be convened between RTC and senior representatives of RDC to discuss the aforementioned;**
- (c) An urgent letter be sent to RDC's CEO raising RTC's concerns about recent planning procedure (of the apparent lack of it).**

Clerk

**RESOLVED 2 That the Members following be appointed to the Devolved Services Working Group: John Breeds, Bantick, Eve, Foster, Holmes and Potter.**

Clerk

Cllrs Adam Smith and Souster offered to assist the working group, if required.

*Cllr Kirkham re-stated her personal interest in the item following.*

**79 LDF CORE STRATEGY: PROPOSED SUBMISSION CONSULTATION**

Members were invited to consider the LDF Working Group's proposed amendments to its draft response (*considered originally by Council on 26 September*).

Cllr Jennings advised that, as requested, the Working Group had reduced the references to the Fletcher Theatre and added in other cultural activities. Council would also need to decide if it wished to appear at the Public Examination. Cllr Adam Smith added that the WG had tried to be even-handed and not to favour any particular establishment.

Cllr Kirkham suggested that 'culture' was not just about the arts and festivals and should properly include museum services. As it stood currently there were no references to Rye Museum in either the Proposed Submission Core Strategy or RTC's amended draft response. Cllr Fiddimore agreed that Rye Museum was as important as Rye Art Gallery (cited in RTC's draft response).

Cllr Kirkham proposed a number of amendments which resulted in the Council resolving to make the amendments set out below:

**RESOLVED 1** *Part B, Paras 10.1-10.6, proposed additional paragraph*  
After 'old and new.' Insert '**Rye Castle Museum is recognised nationally and is open to serve both visitors and locals daily.**'

**RESOLVED 2** *Part B, Para 10.9, proposed amendment*  
Delete 'and . . . intentions' Insert '**, a nationally-recognised museum, and there are intentions'**

**RESOLVED 3** **To participate at the oral examination.** (If he had no work commitment Cllr Potter would represent RTC; otherwise - on the same basis - Cllr Jennings would act as a substitute.)

**80 RYE ARTS FESTIVAL GRANT**

**RESOLVED** **To agree to the Rye Arts Festival's request that RTC's £500 grant towards the running costs of the 2011 Festival be used, instead, to purchase a wooden lectern.**  
Clerk

**81 URGENT ITEMS**

There were no urgent items to consider.

*The meeting ended at 7.58.*

Date ..... Chairman .....

## REPORT OF THE COUNTY COUNCILLOR

*Cobbled streets repairs* Cllr Glazier advised that ESCC was continuing to work through the implications of a local resident being authorised to undertake repairs on the highway – the principal issue appeared to be the matter of insurance. The Highways Authority would be contacting RTC with a view to arranging a site meeting to identify cobbled areas requiring urgent repairs.

*Lower School site – supermarket planning applications* Cllr Glazier was dismayed still to see suggestions in the *Rye Observer* that ESCC was responsible for the delay between the site being vacated and re-developed.

*Rye Partnership* Cllr Glazier hoped that RTC's representatives would attend the Members' Meeting arranged for 27 October. Ian Bowden would be attending to outline his plans for a jazz festival next year.

## REPORT OF THE ROTHER DISTRICT COUNCILLORS

### Cllr Lord Ampthill

Cllr Ampthill was not present and there was no report.

### Cllr Sam Souster

*See Appendix B.*

## PUBLIC QUESTION TIME

**John Howlett** reported that he had attended the last RDC Planning Committee meeting which had considered (again) the Tesco and Sainsbury's Lower School site planning applications. He had been appalled to see how badly Cllr Souster (and, by extension, the town) had been treated – resulting in him effectively being denied a vote on the Sainsbury's application. RTC's P&T Committee Chairman had been denied permission to speak and Planning Committee Members had failed to even acknowledge a letter sent to each of them. *Is RTC intending to make a complaint?*

**Cllr Souster** The Tesco application was the first to be considered and was debated at considerable length. Unlike the (subsequently considered) Sainsbury's application it was refused consent. In his view refusal of both applications could have been defended by RDC on the grounds of: (i) loss of affordable housing (the *Rother Local Plan* provides for 30 dwellings on the site) and (ii) access and safety in relation to the level crossing – although both Network Rail and Southern Railway had not objected to the applications, one had said that RDC will need to satisfy itself that the safety of the crossing would be adequate.

Cllr Souster outlined the circumstances leading up to him accepting advice that he should not participate in the debate on the Sainsbury's application: during a coffee break Cllr Souster had a brief discussion with a Rye Town Councillor and Rye resident – but not about the supermarket planning applications. A Sainsbury's agent had observed the discussion and complained about him and one other Member. Cllr Souster was subsequently advised by RDC's solicitor not to participate in the consideration of the Sainsbury's application – so he did not return to the meeting. When the draft Minutes were published he had been surprised to see that they gave the impression that that Sainsbury's application had been considered prior to the Tesco application. The Minutes state also that he was advised not to take part in the discussions on both applications. This is untrue. Neither do the Minutes reflect that he actually voted during consideration of the Tesco application. Although he had not been present it was clear from the Minutes that the discussion and voting on the Sainsbury's application had been shambolic.

**John Howlett** reported that had been told that when the Planning Committee Chairman went to the vote on the Sainsbury's application he raised his hand immediately – creating the impression that he was seeking to influence the outcome. *What would Cllr Lord Amphill say about that?*

**Keith Taylor** advised that he had observed the Planning Committee meeting and formed the impression that it had been a complete shambles. The draft Minutes do not reflect the proceedings and he was aware that at least two District Councillors would be challenging their accuracy. It was regrettable that members of the public are still not allowed to address the Planning Committee.

**Alan Bolden** was also at the meeting and, the following day, he wrote to RDC's CEO complaining about the way it had been conducted. The reply (from RDC's Complaints Manager) had failed to address his concerns – which necessitated a follow up letter of complaint. This resulted in her ringing him to apologise for gaining the wrong impression from RDC officers.

Cllr Souster advised that it was likely that at the next Planning Committee meeting there would be a revised layout within the Chamber in order to try and keep Members and the public apart.

Cllr Jennings advised that it had been mentioned that the Sainsbury's (and Tesco's – if reversed at the next Planning Committee meeting) consent could be referred to the Secretary of State for consideration under his 'call-in' powers. The Clerk added that such a proposal might necessitate an additional Council meeting being arranged.

Addressing Cllr Glazier, **Cllr Jennings** observed that ESCC allowed volunteers to work at its Country Parks. He suggested that appropriate insurance would be in place which could, perhaps, cover the work of a volunteer in Rye undertaking cobble repairs. Cllr Glazier understood that the problem was that the volunteer would need to be closely supervised and ESCC did not have the available resources.

Responding to a question put by Cllr Jennings, Cllr Glazier was uncertain whether ESCC was running a Local Transport Plan consultation.

REPORT TO RYE TOWN COUNCIL  
17<sup>TH</sup> OCTOBER 2011

### Services Overview and Scrutiny Committee

You may remember when I reported last I was concerned about what I perceived as lack of scrutiny and that the minutes were not a correct record of the proceedings because not only was an amendment to a proposal not mentioned, worse the minutes read that there was no opposition either.

I am pleased to report that in future amendments to proposals will be recorded and the last meeting of the Services OSC (26<sup>th</sup> September 2011) was much more objective, and better received by those who had expressed concerns. By the way, the Cabinet threw out the Services OSC recommendation to terminate the Rye Sports Centre Management Committee. The next three items were debated by the committee.

### Car Parks

RDC operates and maintains 29 car parks across the District, providing 1831 spaces and 2130 seasonal spaces. Of these, 3961 spaces, 714 are provided free of charges. Guess where they are? There are a further 15 car parks that are incidental to recreational facilities, such as parks and leisure centres, these are all free with the exception of Rye Sports Centre.

There were twenty recommendations to Cabinet which would aim to increase income through the car park operation by £60k. These were considered one by one, some were agreed, but many of the controversial ones have been referred to a working group for reference back to committee for determination. The free Christmas parking is safe for this year.

The Director of Services, in his report, acknowledges the need to provide off-street parking for the purpose of reducing on-street congestion. Residents of both Rye and Battle are aware of severe on-street congestion now, some of which is by people avoiding car parking charges, any increase in the car parking charges can only make the situation intolerable. The problem is exacerbated by some shop keepers parking on street for most of the day, I have been told, and the restriction to one hour does not appear to be enforced.

I shall be looking for:-

- Increased parking charges should not be imposed without considering the effects it will have on the on-street parking.
- The increased extra income must be considered against the additional requirements that have been identified, such as the cost of extra staff, new ticket machines, cash collection/accounting, maintenance (resurfacing/line marking) and the necessary legal and admin. requirements.

## New Joint Waste Collection/Recycling Scheme

This new joint scheme involves Eastbourne Borough, Hastings Borough, Wealden District and Rother District Councils. A specification for the procurement of a contract and cost sharing agreement, together with inter-authority agreements have been produced in draft form for consideration. A Joint Waste Committee (JWC) is preparing the scheme, consisting of 2 councillors from each authority involved plus 1 from ESCC. RDC was nominated as the administering authority. I suggested that the sooner the community are made aware of these changes the better, because the present system, considering the scale of operation is good, and the replacement is unlikely to be better.

## Devolvement of Services

A working group has been set up to produce terms of reference, and consider the benefits of devolving some aspects of the authority's decision making powers. The scope is considerable, two important issues for consideration again is a Town Council for Bexhill (considered last in 2004) and Area Committees. The timescale is lengthy with the Working Group reporting back to Services OSC on Phase 1, no later than 31<sup>st</sup> March 2012 and on Phase 2 no later than 31<sup>st</sup> July 2012. Battle Town Council has written a letter of complaint "registering deep concern at what appears to be yet further delay". It cannot have escaped notice that without a Town Council any devolvement to Bexhill is not possible, and I believe a serious anomaly.

## Supermarkets

Anyone who has read the Rye Observer will be aware of the present shambles created by the Planning committee.

I am not going into much detail here because complaints have been lodged, and as yet have not been answered. Briefly, two identical applications (Tesco and Sainsbury) were considered by the committee. The Officers had recommended acceptance of both. The Tesco one came first, was fully debated and on a named vote, was refused with two good reasons that Council could have defended on appeal.

Unfortunately, the Sainsbury one was approved. This vote, which was also recorded, indicated the absence of some councillors and one who voted both ways. Unless the two applications are called in Tesco's will be resubmitted and approval is a formality.

I could go on, but more next time.

Cllr. Sam Souster – Rye Ward  
12<sup>th</sup> October 2011