

**Minutes of a Meeting of the Town Council held at the Town Hall, Rye, on  
Monday 20 June 2011**

- PRESENT** Councillors Lord Amphill, Granville Bantick, Gemma Blumire, John Breeds (Mayor), Jonathan Breeds *[part]*, Mike Eve, Heidi Foster, Sonia Holmes, Nigel Jennings, Jo Kirkham, Ian Potter, Shaun Rogers (Deputy Mayor) *[part]*, Adam Smith, Mary Smith, Sam Souster
- IN ATTENDANCE** Richard Farhall - Town Clerk; Kevin Barry – Town Sergeant; County Councillor Keith Glazier; 7 members of the public
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*The meeting commenced at 6.30*

**26 PRAYERS**

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

**27 APOLOGIES**

Apologies for absence – and the reason logged with the Clerk – were accepted from Cllr Bernardine Fiddimore.

**28 DISCLOSURES OF INTEREST**

Cllr Lord Amphill *personal* **adjournment** *(in the event that allotments ownership arises)* RDC Member

Cllr Sam Souster *personal* **adjournment** *(in the event that allotments ownership arises)* RDC Member

**29 MAYORAL ANNOUNCEMENTS**

There were no Mayoral Announcements.

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

*Cllr Jonathan Breeds arrived during this item.*

*The meeting reconvened.*

**30 COUNCIL MINUTES**

**RESOLVED** To adopt the Minutes of the Council meeting held on 23 May 2011 (C2).

**31 COMMITTEE MINUTES**

**a) Planning & Townscape**

**RESOLVED** Adoption of the Minutes of the meetings held on 23 May 2011 (PT01) and 13 June 2011 (PT02).

**b) Public Services**

**RESOLVED** Adoption of the Minutes of the meeting held on 13 June 2011 (PS01).

32 ANNUAL ACCOUNTS 2010-11 AND AUDIT

(a) Internal Audit Report (16.6.11)

**RESOLVED 1** To note that the report contains two errors:  
*Page 7, 10 Asset Register, line 2 delete '£1,247,572 however' insert '£1,259,572 however'.*

*Page 7, 12 Improvements, para 1, line 4 delete make insert ensure*

**RESOLVED 2** To receive the report of the Internal Auditor, Angela Alexander dated 14.6.11 and to adopt its recommendations.

(b) Statement of Internal Control

**RESOLVED** To receive an updated Statement of Internal Control, dated 14.6.11, noting the actions identified.

(c) Day-to-Day Financial Controls

**RESOLVED** To receive and note the current Summary of Main Day-to-Day Financial Controls (as at 13.6.11).

(d) Risk Assessments (2011)

**RESOLVED** To receive the annual Risk Assessments (2011).

(e) Internal Auditor's Terms of Reference

**RESOLVED** To re-approve the Internal Auditor's Terms of Reference.

(f) Draft Audit Plan 2011-12

**RESOLVED** To receive the Draft Audit Plan 2011-12.

(g) Effectiveness of the Council's internal audit (ending 31.3.11)

**RESOLVED** To pursue the areas identified for development.

(h) (Re)Appointment of Internal Auditor

**RESOLVED** To re-appoint Angela Alexander for the financial year 2011-12 and agree that her remuneration shall be in the region of £260 (exact amount to be determined when considering the 2012-13 Budget).

(i) Consolidated Accounts 2010-11

**RESOLVED** To receive the Consolidated Town Council Accounts for 2010-11 - including the Heritage Centre profit & loss statement.

(j) Annual Return 2011

**RESOLVED To:**

- (i) note section 4 of the Annual Return, as completed by the Internal Auditor
- (ii) approve sections 1 and 2, as drafted.

(k) Financial Regulations

**RESOLVED** To ask the Standing Orders Working Group to, additionally, review the Council's Financial Regulations.

**33 PROPOSED HONORARY TITLE**

The Mayor suggested that in recognition of his substantial contribution to the work of the Council and well being of the Parish, Members might like to consider conferring the title of Honorary Freeman (a relatively new power for parish/town councils) upon former Town Councillor and Mayor, Frank Stephen Palmer. He suggested that conferring the title occasionally would be a positive step, adding that last Freeman appointed had been Geoffrey Bagley. As well as being Mayor, Frank had served on the Town Council for 28 years, had chaired the Planning & Townscape Committee for many years and had authored works of local and historical interest.

The Mayor suggested also that the Council might like to do the same in respect of former Town Councillor, Roger Breeds – another long-standing Planning & Townscape Committee Chairman and former Mayor who had served 31 years on the Town Council and 8 on RDC. Had he not left the area, the Mayor would have considered nominating also former Rye College Head Ray Fooks.

The Clerk advised that the Council could appoint an Honorary Freeman/Woman only at a Council meeting called specifically for that purpose – with two-thirds of Members [11] voting in favour of the appointment.

*Cllr Rogers arrived during this item.*

The discussion ensuing included the comments following: there were members of the community who had contributed much to the parish but had not served on the Council; there was likely to be a cost involved – for example, the design, printing and framing of an illuminated scroll; would serving Members be eligible for consideration?; the Council had not agreed eligibility criteria/guidance – against which to assess nominations; it would be more appropriate for the Council to consider the concept before conferring the title; appointing Honorary Freeman/Women would continue a tradition which expired only when Rye Borough Council was abolished; there was a risk of getting bogged down in trying to establish eligibility criteria – why were these necessary?

**RESOLVED To ask the Clerk to draft suggested criteria for Members' consideration.** **Clerk**

**34 URGENT ITEMS**

There were no urgent items to consider.

*The meeting ended at 7.48.*

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

## REPORT OF THE COUNTY COUNCILLOR

*Town centre access* Cllr Glazier had raised the local concern about the lack of dropped kerbs with the Director of Transport & Environment, Rupert Clubb who would look into the matter. However, ESCC currently had very limited funding for such work.

*Cobbled streets* Cllr Glazier was aware that it had been suggested that a local resident could be trained to replace loose cobbles and that groups – including the Conservation Society – were concerned about the deterioration of the town's cobbled streets. The suggestion had been passed to Rupert Clubb and a formal request to pursue this route was awaited.

*Deadman's Lane* The Experimental TRO was now in place and the scheme appeared to be working well. He had reminded Highways that RTC had requested that the Give Way signs at the bottom of the lane be replaced with STOP signs.

*ESCC role* Cllr Glazier was now the Deputy Leader and the Lead Member for Community and Resources.

## REPORT OF THE ROTHER DISTRICT COUNCILLORS

### Cllr Lord Amphill

*See Appendix B.*

**Cllr Souster** *If there is no 'whipping' within the ruling group, why does it have pre-meetings?*

**Cllr Amphill** They allow Members to share local knowledge and consider different points of view.

### Cllr Sam Souster

*See Appendix C.*

## PUBLIC QUESTION TIME

**Keith Taylor** *When was planning consent for a second supermarket likely to be given and are the two applications being considered at the same time?*

**Cllr Souster** The Sainsbury's application was being considered by RDC's Planning Committee for the first time on 23 June. The company had recently made some amendments to address concerns raised by Tillingham Avenue residents.

**Cllr Amphill** The Tesco application had been considered by the Committee 3 times – on the last occasion Members took the view that the design of the store was not appropriate. The applications were being considered separately.

**John Howlett** *Would the 'new' Town Council have the opportunity to comment on the upcoming LDF Core Strategy consultation? Is the 'new' District Council trying to set up a Town Council for Bexhill (given that too much attention is paid to Bexhill matters by RDC)?*

**Cllr Amphill** RTC should look at the Strategy again and would have the opportunity to do so during the 6-week consultation period. Nothing is set in stone. There are no (known) plans to consider formally parishing Bexhill.

Mr Howlett congratulated Cllr Glazier on the Deadman's Lane scheme.

Cllr Potter advised that he was not concerned who visited the De La Warr Pavilion – but was concerned about its deficit.

Cllr Ampthill reported that the Pavilion's total income was in the region of £1m, derived (roughly equally) from RDC and the Arts Council. Consequently, the programme of events was governed largely by the 'arts lobby'. It is recognised that the Pavilion is too dependent on public subsidy.

Cllr Holmes suggested that RDC needed to make clear which services were being shared with which authority. The situation is confusing – with people not knowing who is responsible for what.

**Cllr Mary Smith** *Rye Allotments Association has offered to run the two allotment sites for the cost of the rental income derived from them only. Has either District Councillor asked RDC to return the freeholds to RTC (so that they could be managed by the Association)?*

**Cllr Ampthill** RDC considers that the freeholds are non-negotiable. In actual fact, the successor body to Rye BC was RDC – not RTC. The question of whether taxpayers/users were getting a good service was more important than who owned an asset.

**Cllr Souster** At the time of the 1972-74 local government reorganisation, Sandwich managed to retain many of its assets by putting them in trust. In Rye, the new Town Council tried to manage a number of assets but concluded that it could not afford to do so. The allotments were part of a package of assets passed back to RDC – a mistake because the LGA 1972 states that in a parished area the parish council is the Proper Allotment Authority. If RDC is worried about RTC trying to develop allotment land it could draft a suitable covenant. He had prepared a case to put to RDC if it continued to resist transferring the freeholds. RDC's Director of Services had made it clear that RDC will close/stop any facility/service which it wishes to divest itself of if no local organisation or group is prepared to take it on on the terms offered. He noted that RDC was not in a position to devolve services to a local council in Bexhill.

**Cllr Foster** *Why was it so important for RDC to retain the freeholds?*

**Cllr Ampthill** It was an undeniable fact that the freeholds rest with RDC – and it had managed/maintained them since the transfer in the mid 70s.

The Mayor suggested that the issue of ownership of the allotment sites was important because he believed that some of the land was gifted to the town in perpetuity.

(Former Rye Borough Member) Cllr Kirkham advised that Rye's allotments are reclaimed marshland. For the benefit of newer Members she gave a short account of the circumstances prevailing between 1974-76. Most Borough Councillors did not stand for election to the newly-created Rye Town Council. The Town Clerk had secured a future Finance job with the newly-created Rother District Council and so, no doubt, experienced 'divided loyalties'. Unlike Sandwich, Rye did not have the benefit of appropriate legal advice/guidance. Upon the abolition of RBC most assets and services were transferred to RDC. RTC was left with a few assets - including the Town Hall, Ypres Tower, Landgate Arch and allotments – and a Town Sergeant/Town Crier/caretaker. RTC employed a Clerk for 9 hours a week; however, he had no previous experience. After 18 months it became clear that RTC did not have the resources to manage the assets. Members were reluctant to raise the precept substantially because of the economic depression and few job opportunities locally. With the benefit of hindsight, transferring the allotments to RDC was an error.

Cllr Eve thanked Cllr Kirkham for the background information but emphasised the need to look ahead – and suggested that Rye was 'best placed' to manage its own allotments. RDC could not justify its retention of Rye's allotments.

He reported that the regular post gas mains replacement repairs were damaging trade in Cinque Ports Street. Cllr Glazier advised that the repairs were being undertaken by the utility provider's contractors and not those employed by ESCC Highways.

John Howlett referred to an internal RDC Memo he had acquired under a FOI request in which RDC's Legal Advisor states that [RDC] Members must hold on to Rye's allotments at all costs because they are potential building land.

Cllr Ampthill advised that this memo had subsequently been withdrawn.

RYE TOWN COUNCIL, 20<sup>th</sup> JUNE 2011: REPORT OF ROTHER DISTRICT COUNCILLOR

Next Monday, 27<sup>th</sup>, Council will consider the **Rother Core Strategy of the Local Development Framework**, the successor to the 2006 Local Plan. This sets out the Council's vision and objectives – suggesting the future pattern and form of development up to 2028. It provides broad guidance on the provision of supporting infrastructure; and it addresses such matters as resource management, community development, housing, the economy and transport. It is not light bedside reading; but is an essential tool for all those interested in planning and development. The minutes of RTC's Planning & Townscape Committee of 26<sup>th</sup> April reveal that Members adopted the Draft Rye & Rye Harbour Study after several meetings of a Working Group. I hope that all Members are conversant with this evolving strategy – because it will eventually form the District's planning policy against which all planning applications are considered.

It is sometimes said that the **interests of Bexhill** dominate the agenda of Rother District Council. During the past four years, I have tried to uncover evidence to support that claim; and it isn't there. The major works on Bexhill sea front, in the vicinity of the De La Warr Pavilion, form part of the Council's capital programme – essentially decided in 2006 as part of a regeneration effort. It is unlikely that the Council's capital will be invested in this way in future.

It is worth recalling that there are 18 members from Bexhill and 20 from rural Rother. 2 Bexhill Members sit in Cabinet out of 8. A Bexhill Member chairs the Planning Committee; and rural Rother Members chair the two Scrutiny Committees and the Licensing Committee. There is no "them and us" mentality; we work for the District as a whole and try to share scarce resources fairly. As a matter of possible interest, there is no "whipping" within the group to which I belong. There is, however, plenty of vigorous debate. Any Member of the Council can address monthly Cabinet meetings on any topic on the relevant agenda. Service delivery is more expensive in the country areas than in the towns. Net Service Expenditure this year, after taking into account all income, will be £12.2 million. This is the sum which has to be raised in Council tax or revenue support from government. (The Rother part of such bills for a Band D taxpayer in Rye is £3.10 per week.)

As I reported in April, Rother's **Resetting programme** is well under way – including some restructuring of the officer establishment and some voluntary redundancies. There will be nine rather than eleven Heads of Service. Across some service areas, Rother has become the lead Authority – managing those services on behalf of Wealden or Hastings or both; and vice versa. Hastings, for instance, will manage the Grounds Maintenance contract for the Borough and us.

Which brings me to **Allotments**. A letter from Derek Stevens appeared in the Observer newspaper ten days ago. This was not intended for publication: but does not alter the facts. RDC wants to find the simplest and most cost effective solution *for all Rother tax payers*. It could result in a District-wide solution with single management of twelve different sites. The door remains open to RTC and/or Rye Allotments Association to propose a management solution which may also involve a long leasehold tenure relating to the land set aside for allotments on which there is no intention to build. There has been some feedback from individuals and societies to the Amenities team - but not from Rye.

The **De La Warr Pavilion's** Director reported on 13<sup>th</sup> June to Members of Services Overview & Scrutiny Committee. During the past year, trading income represented 31 per cent, and ticket income 13 per cent, of turnover. The Board expects to improve these figures; and the Scrutiny Members concluded that the Pavilion's managers were moving in the right direction. I have seen interesting comments from RTC Members as to the programme of events and exhibitions. I do not know how many Members have visited an exhibition or a show in recent months: but a tour of the Pavilion and presentation could be arranged if there is interest.

Rother takes great trouble to lay on comprehensive **Member training**. An example is the recent day-long tour of the District to look at **Housing need**. There is a serious shortage of homes to offer via registered social landlords. In Rother, just over 10 per cent of the total housing stock is "social housing" i.e. owned by housing associations for rent at low cost to people in housing need. Officers try to bring empty homes back into private rental use. In reality, there are only about 300 which are genuinely empty. We inspected the Udimore Road site which is nearly half built. Of 54 affordable homes under construction, one is now occupied.

On Thursday, 23<sup>rd</sup>, the Sainsbury's and 90 Udimore Road applications will be considered by **Planning Committee**.

## **AGENDA ITEM 29(b) RYE ROTHER DISTRICT COUNCILLOR'S REPORT**

Much has changed at Rother in the four years I have been away, and much more is to come in order to make the substantial savings demanded by Central Government (£1.7 million within 2 years).

For example:-

### Beeching Road

At present this houses the large divisions of Amenities, Environmental Health and Housing. It is to be closed and these divisions will be re-housed at the Town Hall premises. How is difficult to imagine.

### Delivery of Services

These are to be shared with other adjacent Authorities, Eastbourne Borough, Hastings Borough, Wealden District and East Sussex County Council. Rother and Wealden cabinets have signed up to a Joint Working Agreement.

The most significant of these is being formulated by a joint Waste Management Committee that could see big changes when our current contract with Verdant expires in April 2014. The Cabinet Minutes of 6.6.11 records my warning that as the present scheme is working well the public would want to know why the current arrangements would be changing.

### Staff Changes

30 members of staff have indicated their intention to take advantage of the Voluntary Redundancy Scheme, and will leaving over the next six months. All vacant posts are frozen, overall officer structure is being reviewed, and Service Heads are reduced from 11 to 9 with flexible working introduced.

Training was always available, but now a very comprehensive training programme has been introduced for councillors. I have already undergone Induction and Heads of Service briefing in the following:-

Planning, Housing, Ethics and Property and Alcohol and Licensing with more to come.

I have been appointed to the Service s Overview and Scrutiny (SOSC) and Planning Committees.

I attended the Cabinet Meeting on 6.6.11, where the two main issues were the future of Waste Management and the Cabinet approval of a revised Local Development Scheme and the Core Strategy Document, which is going to be published to provide a 6 week statutory period for representations to be made.

I attend my first Services Overview and Scrutiny Committee on 13.6.11, and the items of note were:-

1. The Chief Executive Officer of the De La Warr Pavilion (DLWP) presented an annual update.

This was lengthy and covered the primary issues of Publicity, Finance and Building Maintenance. The Artistic Programme and Audiences/Visitors section of the report was questioned by councillors.

The Artistic Programme was said to lack variation and be unappealing to many local people.

Audiences and Visitors these were presented as percentages in two categories – Visitors and Ticket Buyers – both were similar and showed approximately 25% from Bexhill, 20%+ from Rother, 8% from Hastings and 49% from everywhere else. It was pointed out that as Rye has always questioned the local usage; at very least there should be figures for Eastern Rother usage.

The Director of Services' report that followed recorded that the DLWP will receive over £1.5 million for the next three years.

## 2. Appointment of Councillors to Outside Bodies

### Rye Sports Centre Management Committee

It is regrettable that without consultation the SOSOC have taken a decision not to appoint the usual three councillors and to withdraw secretariat support. There is a legal Joint Users Agreement (ESCC, RDC, Rye College) that required RDC's involvement. When I asked the reason for this decision I was told it was to save costs. What the cost amounts to is an RDC officer attending for a few hours twice yearly. I hope they will reconsider, as this is not in the interests of Rye. Whilst I agree wholeheartedly that savings have to be made I do question priorities, particularly in light of the above.

### Allotments

Letter to the Rye Observer from the RDC Chief Executive headed "In Early Discussions".

This contained statements such as '*the team contacted all current tenants, local groups, existing allotment associations and other interested parties*' Has this happened?

Further that '*our experienced officers feel that a single management option rather than twelve individual site based groups....*' What reaction is there to this proposal?

When serious discussions begin, I believe the return of the freehold of the allotments should be part of any agreement, and I hope I shall be supported by our other District councillor.

Cllr. S.H.Souster  
20<sup>th</sup> June 2011