

**Minutes of a Meeting of the Town Council held via Zoom on  
Monday 19 October 2020**

**PRESENT** Councillors David Amphill, David Bookless, Michael Boyd, Cheryl Creaser, Rebekah Gilbert (**Mayor** – Speaker of the Cinque Ports), Chris Hoggart, Jo Kirkham, Andi Rivett (**Deputy Mayor**), Shaun Rogers, Andy Stuart

**IN ATTENDANCE** Richard Farhall - Town Clerk (Host); Jessica Neame – Deputy Town Clerk (Co-Host); Rother District Cllr Gennette Stevens; East Sussex County Cllr Keith Glazier; 4 members of the public (including Colonel Anthony Kimber, Andy Polley and Jeremy Nobbs).

*The meeting commenced at 6.43pm.*

**22 APOLOGIES**

Apologies for absence – and the reasons as lodged with the Clerk – were accepted from Cllrs Jonathan Breeds, Pat Hughes, Ian Potter and Sam Wood.

**23 CODE OF CONDUCT**

There were no disclosures of interest – nor requests for dispensation.

**24 MINUTES**

**RESOLVED To approve, as an accurate record, the Minutes of the Council meeting held on 7 September 2020 (C2).**

*6.45pm The Mayor adjourned the meeting for the Reports of the District & County Councillors - and questions/contributions from members of the public (see APPENDIX).*

*6.54pm The meeting reconvened.*

**25 RYE HIRE SITE**

The Clerk confirmed that RTC had objected to Rother District Council's proposal to use the former Borough Council depot for housing.

Andy Polley reported that:

- As far as he was aware, it remains the case that Rye Hire has to vacate Cyprus Place by 31.7.21. There is no evidence that RDC is minded to reconsider.
- He recognised that it is a potentially valuable piece of land – however, all town centres are losing businesses as they are forced out to peripheries.
- Sussex Relocate had provided limited support by way of information provision.
- Given the short timescale, he has had to focus on finding an alternative site and planning a move.

Comments from Members included:

- Ben Hook's (Alliance Housing - Rother) recent email indicated that Rye Hire did not mind having to relocate. This appeared to be incorrect.
- The extension of Rye's Hire's lease from 31.10.20 to 31.7.21 was arbitrary.

- RTC should support, vigorously, Rye Hire's ability to trade from its current premises.
- Rye Hire provides a valued service to Rye & District.
- Any 'affordable housing' provided on the site is unlikely to be truly affordable.
- RDC's financial plight is acknowledged.
- Rye Hire provides local employment opportunities.
- Given that Rye Hire staff include retained firefighters, relocation of the business could result in slower response times to incidents.
- Alliance Housing (Rother) carried out no local consultation. Its Business Plan was 'rubber stamped' by the Rother Alliance Group.
- Alliance Homes (Rother) is not actually an 'arm's length company'.
- A lease extension of 5-6 years would allow more time to reach a mutually-acceptable solution.
- In 5 years' time there might be a different political make-up at RDC.
- The issue risks re-opening 'old schisms' between RTC and RDC.
- Rye Hire should be allowed to buy the freehold of the site at a preferential rate.

Cllr Stevens stated that she would continue to press for Rye Hire to allowed to remain at its current location – but warned that the Alliance appeared determined to make its mark.

**RESOLVED (unanimous) To:**

- Suggest to RDC that it will take some time for Alliance Homes (Rother) to become established and that if Rye Hire was given a 10-year lease extension in the meantime it would give the company sufficient time to find a suitable alternative site and draft a business plan;**
- Ask Alliance Homes (Rother) how it will ensure that the 'affordable homes' it proposes to build are 'actually affordable';**
- Point out to RDC that the service provided by Rye Hire at its current location is valued highly by the community and there is a risk of relations between Rye and RDC deteriorating if the matter cannot be resolved.**

**Clerk**

**26 RYE RUGBY CLUB**

Members were invited to consider the Club's proposal that the Freda Gardham Field Head and Underleases be amended to permit a range of fund-raising uses.

On behalf of the Club, Jeremy Nobbs spoke to the presentation distributed with the agenda:

- Other sports clubs are also using the Club's facilities.
- RRFC had improved the field and facilities considerably in the last 5 years.
- The pavilion (owned formerly by the Sovereign Harbour Yacht Club) had been re-plumbed and the toilets had been refurbished.
- Although membership subscriptions and bar takings make a useful contribution towards the £20,000pa running costs, the Club has an annual shortfall of £4,000-£6,000.
- Fixed costs are high – grass cutting alone costs £3,600pa.
- The Club has been generating revenue by hosting wedding receptions; christenings; and caravan, car and bike rallies – utilising its Music and Entertainment licence and applying for Temporary Event Notices.
- The Club leases c85% of the adjacent former school playing field from ESCC. (ESCC has retained 15% to support any future development of the Creative Centre.)

- The Club has realised that the ‘non-sporting’ uses of the fields are not explicitly allowed in any of the leases.
- Non-sporting/Fundraising uses of the Field have been practised for many years.
- The Club has been careful not to cause problems for neighbours.
- ESCC has indicated that if RTC is content with the Head and Under-leases being amended then it is minded to agree.
- The Club is happy to arrange for Members to view the Field and Pavilion in a ‘COVID-safe’ manner. The Mayor would be visiting for an hour on 24 October.

The Clerk was aware that some neighbours – although supportive of the Club – had concerns about a number of aspects of the non-sporting activities. The Club would need to explore whether planning consent is required. Amending the various leases would incur legal costs.

Responding to a question put by Cllr Rivett, the Clerk advised that the Club had provided accounts when Members considered recently its rent review.

Mr Nobbs advised that the preparation of last year’s accounts had been delayed but he would provide a draft once they were available.

Cllr Creaser asked if it would be possible for the Club to produce a video tour of its premises for those Members who would prefer, in the current circumstances, not to visit in person. Mr Nobbs believed that this could be organised.

**RESOLVED 1 To support, in principle, RRFC’s fundraising efforts/ aspirations – subject to there being no adverse impact on the amenity and privacy enjoyed by those living in the vicinity of the Field.**

**RESOLVED 2 To facilitate a meeting between representatives of the Club, RTC and neighbours to consider any concerns residents might have.**  
Clerk

**RESOLVED 3 To invite the Club to submit a costed, detailed proposal that addresses any concerns that might have been articulated by neighbours.**

## 27 PLANNING FOR THE FUTURE

Members considered Colonel Kimber’s briefing paper. Colonel Kimber added/highlighted:

- His paper summarised important considerations for Rye – and suggested an approach (para 9).
- Developers are generally in favour of the White Paper – with those living in areas that might see significantly increased house building being much less keen.
- It is conceivable that the White Paper might result in the National Policy Planning Framework (NPPF) being revised.
- The Housing & Employment Land Availability Assessment (HELAA) will replace the Strategic Housing Land Availability Assessment (SHLAA). It ‘calls’ for possible development sites.

**RESOLVED To adopt the approach described in paragraph 9 of the Briefing paper.**

**28 CIVIL PARKING ENFORCEMENT**

The Clerk reminded Members that RTC is passing issues/suggestions to the County Council as and when received/observed.

**29 PLANNING & TOWNSCAPE COMMITTEE**

Council was invited to consider increasing the Committee's membership in order to minimise the risk of meetings being rendered inquorate. Currently, the Committee had 9 Members and the quorum was 5. If the Mayor and Deputy Mayor joined the Committee the quorum would be 6.

It was noted that two Members had yet to participate in an online Committee/Council meeting; the attendance of another had been low – and meetings via Zoom could continue for some time yet. Without naming them, the Clerk explained the Members' situations.

Cllr Stuart suggested that planning policy matters should be considered by full Council. It was noted that it could take 2 years for the proposals contained within the PFTF White Paper to come into effect – and that RTC Council meetings can be arranged as and when necessary to consider appropriate planning matters.

**RESOLVED 1 To appoint Cllrs Gilbert and Rivett to the Planning & Townscape Committee.**

**RESOLVED 2 To ask the Clerk to discuss meetings attendance with the two Members who had not attended an online meeting. Clerk**

**30 RYE INFORMATION POINT**

**RESOLVED To receive the DTC's progress report.**

**31 FINANCE**

**a) Budget Monitor**

**RESOLVED To receive and note the Monitor as at 30 September 2020.**

**b) Expenditure**

**RESOLVED To receive and note the Expenditure by Supplier Report as at 30 September 2020.**

**c) Account Balances**

**RESOLVED To receive and note the Account Balances as at 30 September 2020.**

**d) Earmarked Reserves**

**RESOLVED To receive and note the Earmarked Reserves as at 30 September 2020.**

**32 EXCLUSION OF THE PUBLIC AND PRESS**

**RESOLVED In accordance with the Public Bodies (Admissions to Meetings) Act 1960 (1)(2), to exclude the public and press on the basis that consideration of the item following includes commercially sensitive information.**

**33 VAT: PARTIAL EXEMPTION**

Members considered whether to opt to tax' the Town Hall with effect from 1 January 2021.

The Clerk advised that, because RTC has a high level of VAT exempt activities/functions (Town Hall lets, two residential lets and leases on the Freda Gardham Playing Field and Rye Heritage Centre) there was a risk that it could find itself, at some future point, exceeding the annual exempt-attributable VAT recovery limit (£7,500) – in which case, no VAT could be recovered on exempt-attributable expenditure.

It was noted that both NALC and SSALC's financial advisor consider that, on balance, it is desirable to 'opt to tax' (charging VAT on all lets/leases) community buildings that are let on a regular basis – particularly older ones requiring higher levels of maintenance.

It was noted also that it is not possible to 'opt to tax' residential properties and it is not acceptable to 'opt to tax' with the intention of recovering exempt-attributable VAT on refurbishment/reconfiguration - but 'like for like' repairs and maintenance are permitted.

Another option was to apportion Town Hall costs (between exempt and non-exempt activity) using an HMRC-approved calculation method (no prior consent required), however, calculations can be complex and might overstate the percentage of exempt-attributable VAT.

The Clerk had established that RTC met HMRC's criteria to 'opt to tax' without prior permission – but there would be a need to notify HMRC.

Once a decision is taken to 'opt to tax' eligible property, the option remains in place for 20 years – although the decision may be rescinded within the first 6 months.

**RESOLVED 1 To note the impact of 'opting to tax' on wedding fees (as set out by the Clerk).**

**RESOLVED 2 To 'opt to tax' the Town Hall with effect from 1 January 2021.**  
**Clerk**

*The meeting ended at 8.19pm.*

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

## ADJOURNMENT

**a) Reports of the Rye District Councillors****Cllr Gennette Stevens**

- RDC is working on assessing the implications of the Planning For a Future White Paper and its Local Plan review.
- Tony Leonard retired from RDC last week.
- She had continued to communicate with officers concerning RTC's support for Rye Hire remaining at the former Borough Council depot.

**b Report of the County Councillor**

*Rother CPE scheme* Following its roll-out, Cllr Glazier had received equal numbers of complaints and compliments. He had recently been able to park in Cinque Ports Street, opposite the Police Station, on a Thursday afternoon (unusual prior to CPE). He had observed that more cars are parked in Military Road but they do not appear to extend much beyond the junction with North Salts.

*SGN (Winchelsea Road works)* East Sussex Highways approached SGN and this resulted in the provision of a 2-way traffic light system (rather than the originally-proposed road closure and long diversion). There had been some inconvenience – but nowhere near as much as would have transpired otherwise.

*Rye Library* Re-opened today with reduced hours (Mon, Thurs and Sat morning).

*Former school playing field, Tilling Green* He was happy to have a discussion about its possible use for housing – however, the Partnership Board had not yet agreed its position.

**c) Public Questions/Contributions***COVID-19*

As Leader of REACT, Colonel Kimber (AK) advised that he endeavours to keep up to date with developments.

The Government recently divided the UK into 'tiers'. Rother is in Tier 1 (Medium) – the lowest tier. Rother has consistently had one of the lowest infection rates. East Sussex Public Health and the University of Sussex are seeking to determine why rates have been so low in this part of the South-East.

Under the Tiered system, people should not travel from a higher tier into a lower one – unless the journey is essential. It would appear that some people do not realise this – or are ignoring it.

*Remembrance 2020* In line with national guidance and practice, this will be marked virtually – with participants videoing their separate participation (to be compiled later and published via *Rye News*).