

**Minutes of a Meeting of the Town Council held at the Town Hall, Rye, on
Monday 13 April 2015**

PRESENT Councillors Granville Bantick, Gemma Blumire, John Breeds, Bernardine Fiddimore (**Mayor**), Mike Boyd, Mike Eve, Heidi Foster, Jo Kirkham, Nigel Jennings, Ian Potter, Adam Smith, Sam Souster

IN ATTENDANCE Richard Farhall - Town Clerk; Kevin Barry – Town Sergeant; Rother District Cllr Lord Ampthill; County Cllr Keith Glazier

In the absence of the Mayor's Chaplain, prior to the meeting prayers were said by the Mayor.

The meeting commenced at 6.32pm.

94 APOLOGIES

Apologies for absence – and the reasons (as notified to the Clerk) - were accepted from Cllrs Jonathan Breeds (**Deputy Mayor**) and Mary Smith.

It was noted that the Reverend Canon David Frost was unable to attend.

95 CODE OF CONDUCT

There were no disclosures of interest.

96 MAYORAL ANNOUNCEMENTS

See **Appendix B**.

*The Mayor adjourned the meeting (see **Appendix A**.)*

The meeting reconvened and Cllr Glazier left.

97 COUNCIL MINUTES

RESOLVED To adopt, as an accurate record, the Minutes of the meeting held on 9 February 2015 (C10).

98 COMMITTEE MINUTES

(a) **Planning & Townscape**

RESOLVED To adopt the Minutes of the meetings of the Planning & Townscape Committee held on 9 February 2015 (PT17), 23 February 2015 (PT18), 23 March 2015 (PT20) and 7 April 2015 (PT21).

(b) **Policy, Resources & GP**

RESOLVED To adopt the Minutes of the meetings of the Policy, Resources & GP Committee held on 2 February 2015 (PR05), 23 March 2015 (PR06), 23 March 2015 (PR07), 23 March 2015 (PR08) and 7 April 2015 (PR09).

99 STANDING ORDERS

FINANCIAL REGULATIONS

Members were invited to consider adopting the NALC model Standing Orders and Financial Regulations, as amended by the Clerk.

Cllr Potter thanked the Clerk for working on the documents within a short space of time.

RESOLVED 1 *Proposed Standing Orders, 3g* ~~delete~~ five minutes **insert** three minutes on any one issue

RESOLVED 2 *Proposed Standing Orders, 19i* ~~delete~~ Proper Officer and Assistant Town Clerk **add** Proper Officer, Assistant Town Clerk and Chairman of the Council.

RESOLVED 3 **To adopt the proposed replacement Standing Orders and Financial Regulations, as amended.** **Clerk**

100 TOWN HALL COTTAGE

It was noted that the Cottage would become vacant on 24 April 2015. Members were invited to consider the Affordable Accommodation WG's suggestion that the Council should:

- (a) Let the Cottage for holiday accommodation; and
- (b) Start the process of obtaining a loan to fund the purchase of two residential properties to let, at an affordable rent, to younger Rye families.

The Mayor advised that the WG had thought, initially, that letting the TH Cottage for holiday use should raise more revenue than continuing to let it for residential accommodation. (Referring to the Clerk's briefing note) She suggested that holiday rentals are more complex than originally envisaged.

Cllr Eve agreed that the holiday let proposal for the TH Cottage appeared no longer to be a desirable option. The Cottage is not really suitable for younger families (in respect of providing affordable accommodation) because it has no garden. Rather than refurbish it he suggested selling the Cottage 'as is' and obtaining a PWLB loan to purchase suitable buy-to-lets – for the benefit of younger Rye families. Holiday lets require heavy upfront investment and risk (damage and periods of low occupancy). Either RTC should find another tenant or it should sell the asset and reinvest the proceeds – he was inclined to favour the latter.

Cllr Adam Smith had had experience of letting two cottages in Rye Harbour. Holiday lets appear to be an attractive proposition at first sight; however, occupancy levels can be disappointing, servicing/admin costs are high and property needs to be refurbished annually. Rolling 6-month residential lets require less servicing, entail less damage – and generate regular and reliable income.

Cllr John Breeds observed there were potential risks if a property was let to a tenant who became 'problematic'. He suggested that RTC should be endeavouring to maximize the return on its assets – for the benefit of local Council Tax payers. He was undecided whether the better option for the TH Cottage was as a holiday or residential let.

Cllr Jennings suggested that providing holiday accommodation was not a core business activity for a local authority. Although the TH Cottage was not ideal for younger families, letting it for residential use at an affordable rent would go some way towards countering the view that the Citadel is the preserve of the well-off.

The Mayor was opposed to RTC selling assets that were highly likely to appreciate in value. If the TH Cottage is sold without refurbishment RTC would not realise its current market value.

Responding to a question put by Cllr Foster, the Mayor advised that the TH Cottage had not been valued since last summer.

Cllr Potter advised that if the TH Cottage continued to be let for residential use care should be taken to ensure it did not become a house of multiple occupation.

RESOLVED 1 Subject to survey, to allocate up to £30,000 for the purpose of refurbishing the Town Hall Cottage to enable it to continue to be let for residential use.
Clerk

Cllr Souster considered that the proposal to purchase buy-to-let properties to let to younger Rye families at an affordable rent was laudable but observed that most local authorities leave this activity to Registered Social Landlords. Administration costs could be high.

Cllr Kirkham considered that any decision to borrow a large sum of money and embark on a lengthy project should be left to the new Council. Cllr Foster agreed.

Cllr Adam Smith suggested that providing two buy-to-let properties was insufficient. A better course of action would be to borrow a greater sum of money in order to purchase land and then enter into an agreement with a RSL which would build new (energy-efficient) dwellings. RTC could then be given nomination rights.

Cllr Potter responded that the objective was not to create social housing (RSLs have their own eligibility criteria) but to provide rented accommodation for Rye families *who live within the Parish currently*. Setting a low rent would help them save for a deposit in order to purchase their own property.

Cllr Boyd believed that few local authorities were embarking on this kind of initiative and suggested that it would succeed if there was the will and determination. It would demonstrate that RTC 'means business'.

Cllr Potter observed that the proposal had been RTC policy for over a year. By making a start on the (lengthy) process now this would in no way bind the new Council.

RESOLVED 2 To start the process of obtaining a loan to fund the purchase of two residential properties to let, an affordable rent, to younger Rye families.
Clerk

101 URGENT ITEMS

There was none.

The meeting ended at 7.40.

Date Chairman

c) Report of the County Councillor

Cllr Glazier thanked Councillors for all their work over the last 4 years. He looked forward to working with whoever was elected.

Finance If he had been present at the last meeting who would have explained why ESSC was intending to increase its Band D Council Tax by 1.95%. ESSC was required to find another £18m of savings over the next year. The rise had been a difficult decision; however, Members took the view that they needed to be certain that they could continue to deliver services.

Pot holes He had received a number of complaints about the condition of Deadman's Lane and Rope Walk. He was pleased to note that officers had agreed to erect a 'no left turn' sign opposite the entrance to the new development at the junction of Rye Hill and Deadman's Lane (Lancaster Court). Although ESSC is continuing to provide a reactive service in relation to pot holes, planning highways work is now asset management-based – roads are being resurfaced in order of the severity of their condition.

d) Report of the Rye District Councillors

Cllr Sam Souster See *Appendix C*.

Cllr Lord Amphill See *Appendix D*.

Referring to Cllr Souster's comments about RDC's consideration of the Transatlantic Trade and Investment Partnership (TTIP), Cllr Amphill suggested that RDC's position could be reviewed in due course.

Cllr Eve noted that RDC had declined to add the former Lower School site to the Rother Community Assets Register. He expressed disappointment that the decision had been made by officers and not Members. He considered that the criteria for adding assets incorporated a degree of flexibility; however, it appeared that the political will was absent in this case.

Cllr Eve added that he had recently provided both Ward Members with an article about local authorities successfully taking action against Sainsbury's and Tesco for uncompleted development projects – receiving payments to compensate them for officer time.

Cllr Amphill advised that, unlike RDC, those authorities which had received compensation had agreements in place with Tesco and Sainsbury's other than s106 Agreements. If a development does not proceed no s106 payments are due. In relation to the Lower School site, RDC had considered the Rye Academy Trust's application carefully and was conscious of the need to avoid interfering with the marketplace.

Cllr Souster took the view that RAT's application could have been discussed by Members – adding that RDC had always been officer-lead and never admits to making mistakes. He had never received an apology for the way the debate on TIPP had been handled.

c) Public Question Time

There was none.

C 11 APPENDIX B

This will be the last scheduled meeting of Rye Town Council before the May Elections and therefore my last appearance as Mayor in this council year. I have loved the job and have relished the various challenges and pleasures it has thrown up.

This council has achieved some extraordinary things in the past year. There is no doubt that we have a hit on our hands with the appointment of the Town Steward whose popularity grows and grows. The town is looking so much improved for his efforts. Our Loading Bay in the High Street is really beginning to make a difference at times during the day; I watched today as various van delivery drivers self-regulated, awaiting their turn rather than parking haphazardly just anywhere. I also watched a few days ago as a trio of veteran ladies waiting for the Town Bus berated car drivers who dared to stop in the loading bay before three o'clock, sending them soundly on their way with a flea in their ears.

These and other initiatives are beginning to put Rye Town Council on the map again and we are gaining the respect of other authorities. We have attracted grant funding for our festivals, to attract new ventures and improved the existing ones. Our opinion is being sought by other towns as to our successes and other parishes are looking to adopt schemes similar to the Town Steward.

Thanks to Peter Costick and his team at the Heritage Centre, we have retained a Tourism Advice Centre, where the other towns in the Rother District have lost theirs.

With support from Rye Town Council and others, our Town Bus Service has expanded, where others in the county have suffered huge cutbacks.

I could go on, but I hope I will not have to. It is my fervent wish that with a new council in place, new ideas and energy coming in, the successes and daring initiatives will become self evident and commonplace in our Town Hall.

ROTHER DISTRICT COUNCIL
REPORT TO
RYE TOWN COUNCIL

Forward

For the last four years I have provided detailed reports on issues that RDC have responsibilities for, such as to provide adequate services which the residents pay for and expect. In fairness, the substantial reduction in Government funding and the subsequent reduction in staff has not helped. In a situation like this priorities should be determined, and what finance is available should be distributed fairly and the spending justified.

It is obvious to local residents that Sport and Leisure and Tourism should feature highly, because of the obvious advantages to the town, instead both are at risk.

As this could be my last report to you I will just report on two issues that I believe have discredited Rother District Council.

Transparency

This has received much publicity and relates to the Minister for Local Government (DCLG), Kris Hopkins MP, listing a number of significant failings. This is best weighed up in his statement

“Councils should aim to provide the highest standards of transparency, particularly in how they spend tax payers’ money and certainly meet their legal requirements. The public expects no less.”

I cannot speak for the Controlling Group, but the Opposition members became aware of the exchange of letters between the Minister and RDC’s Leader of Council, Cllr. Maynard after the event on line.

The last two letters 18th March 2015 (DCLG) and 24th March 2015 (RDC) were finally provided to councillors on 24th March 2015, but the first two of 12th December 2014 (DCLG) and 19th December 2014 (RDC) have only been available as part of the Briefing Note produced for the Extra-ordinary Council Meeting, which has been called by the Opposition in order that Cllr. Maynard explains these serious failings.

I attended this meeting this afternoon and played a part, but it would be appropriate for Cllr. Amptill, who is a member of the Cabinet and as such best placed to explain the concerns of a Conservative Minister.

I will finally just quote the final paragraph from Cllr. Maynard’s letter of 24th March, 2015 “I am highly disappointed to receive such a letter from DCLG only weeks before the General and District Elections.”

What arrogance. Is Cllr. Maynard suggesting that the Minister should ignore these serious breached to aid a Conservative Council?

US/EU Transatlantic Trade and Investment Partnership (TTIP)

I do not know how many people locally are aware of this initiative, probably because negotiations were held in secrecy between the European Commission and the USA

Trade Representatives who held talks in 2013. The present Prime Minister and the US President held talks at the G20 Summit in Brisbane in 2014. It was only after Stage 7 of the talks occurred that information was leaked.

I became aware when I came across a publication and was alarmed by the possible irrevocable consequences, so I submitted a motion at the RDC full Council meeting on 15th December 2014 the motion reads

“This Council does not support the proposed TTIP”

which I thought would initiate an informed and interesting debate.

Before the meeting I and many other councillors received emails urging us to support the motion. I personally received 34, some names I recognised, among them was one Labour Party member, one Trade Unionist, two Rye Town Councillors and of the other 30 I have no knowledge of their political leanings. I found out later that this interest had been generated by a pressure group, 38 Degrees which is completely apolitical.

I moved my motion, it was seconded and I spoke from a well-researched paper I had prepared. On completion and before a debate was possible an amendment was moved and seconded and carried. (This had clearly been arranged at the Pre-meeting of the controlling Group). The Council Leader, Cllr. Maynard insisted my motion was politically motivated, which is certainly was not, he, himself, made it political by his comments.

The Council Chamber was full of interested people who were denied a debate on a subject that it was agreed may have serious, far reaching consequences not only for the UK but for Europe as a whole.

The Constitution of Rother District Council later confirmed that the amendment was improper and should not have been allowed because it directly opposed the motion. The Chairman, the Leader and the mover of the improper amendment (Cllr. Amptill) and the Senior Officer present were at fault.

I tried to revisit the issue at the next full Council Meeting on 23rd February 2015, which was the last of the current term, but this was denied.

It was accepted by Council Officers that the amendment should not have been allowed, but only silence came from the Controlling Group.

CLLR.S.H.SOUSTER
12th April 2015

RYE TOWN COUNCIL, 13th APRIL 2015: REPORT OF ROTHER DISTRICT COUNCILLOR

My reports to this Council on the 9th February and to the Town Meeting on the 4th March covered quite a few recent issues: and I would like to mention four this evening – relatively briefly.

An early commitment for the new Council will be to make a submission to the **Local Government Boundary Commission for England**. The Council is invited to recommend, as a priority, how many Rother District Councillors there should be (none is not an option). Thereafter, consideration should be given to ward sizes and how they relate to County Council divisions. The exercise covers the five Districts and Boroughs in East Sussex and the County Council itself. Naturally, there will be wide consultation.

As soon as that matter is settled, RDC will turn its attention to the **governance of Bexhill**. The Bexhill Town Forum has been meeting regularly – largely to press for information on the merits or otherwise of area committees (sounds familiar), forming parishes or a Council for the whole Town. I attended their March meeting and formed the impression that there remains much uncertainty as to what any of these bodies can or will do. Also there is little realization that many services will remain the responsibility of RDC. But I think that it is highly likely now that a Town Council will emerge in due course

Today an Extraordinary Meeting of Council considered and agreed with a motion that: “this Council should ensure that procedures are in place to avoid any recurrence of **non-compliance of transparency regulations** which could bring this Council into disrepute resulting in the withholding of funds by central government”. This followed the well-publicised intervention by the Minister for Local Government who found failings by RDC in matters of transparency and accountability. Members had the benefit of a 20-page Briefing Note from officers which covered every matter raised in the correspondence.

I was at a public meeting in this chamber a couple of weeks ago when our MP was asked whether she knew what was going on at Rother. She said: “look, RDC is a good and well-run Authority. Perhaps they have been mistake in picking a fight with the Secretary of State; but I am sure that all problems will be sorted out quickly”. Rother’s initial response probably annoyed the Department. But reference had been made to new regulations where the Council did not need to be compliant before December 2014. As it happens, we will be almost completely compliant by the end of this month; and totally so by the end of June. Without going into every detail, can I say that, if there was a culture of secrecy or dissimulation, neither I nor colleagues would have tolerated it for a moment.

Finally, I am sorry that it was not possible to support the application by Rye Academy Trust to have the Lower School site listed as a **community asset**. In

the judgment of senior officers, the application did not meet the requirements of the relevant Act. There was full awareness of the support locally for the creation of an Education Quarter and of the urgent need to replace the failing college buildings. But the Council did not feel it right to intervene.

DA 13/04/15