

**Minutes of an Additional meeting of the Town Council held at the Town Hall, Rye
on Monday 15 July 2024**

PRESENT Councillors David Bookless, Mike Boyd, John Breeds, Cheryl Creaser; Willy Everett, Bernardine Fiddimore, Rebekah Gilbert, Vagn Hansen, Chris Hoggart (**Deputy Mayor**), Pat Hughes, Jo Kirkham, Andi Rivett, Andy Stuart (**Mayor**)

IN ATTENDANCE Richard Farhall - Town Clerk; Colonel Anthony Kimber – RNP Co-ordinator; Peter Connock – *Rye News*; Sarah Broadbent – Rye & District Chamber of Commerce Vice-Chair; 7 other members of the public

The meeting commenced at 6.30.

It was agreed generally to suspend the Standing Orders requiring Members to stand, when speaking – and to not speak more than once (unless proposing a resolution).

66 APOLOGIES

Apologies for absence – and the reasons as lodged with the Clerk – were accepted from Cllrs Sue Learoyd Smith and Shaun Rogers.

67 CODE OF CONDUCT

The disclosures of interest following were made:

Cllr Creaser	69	RDC Planning Committee member
Cllr Gilbert	72	Rye Recreation & Wellbeing CIO trustee

*The Mayor adjourned the meeting for public questions/contributions (See **APPENDIX**).*

The meeting reconvened.

68 COUNCIL MINUTES

RESOLVED To approve – as an accurate record - the Draft Minutes of the meeting held on 8 July 2024 (C7).

Cllr Creaser re-stated her interest in the item following and left the Chamber.

69 PLANNING APPLICATIONS (MAJOR – LINKED)

It was agreed to consider these (linked) applications separately.

[RR/2024/949/P](#) Jempsons Trading Estate, Winchelsea Road, Rye
Erection of part two/part four-storey building comprising 44 one- and two-bedroom retirement living units for older persons, with associated communal facilities, parking and landscaping.

Comments included:

- It is unlikely that there will be sufficient demand for the accommodation to be filled by Rye parishioners – especially given the proposed similar development at the former Lower School site.
- It is known that there is an unmet demand for lower cost accommodation for younger people and younger households.

- The Parish already has 170-200 units of accommodation built, specifically, for older people.
- The applicant advertises its properties nationally. Most of the occupants would be relocating from outside the area, increasing pressure on stretched health and medical resources.
- There would be no control over where occupants would be drawn from.
- A care home will soon be completed on land at the Memorial Care Centre.
- Rye is in danger of becoming a retirement town with minimal provision for the needs of younger people.
- The design proposed would be unsightly.
- Prospective downsizers are often reluctant to move if it would mean no longer having a garden.
- There would be nowhere affordable for younger Aldi employees to live in Rye.
- The developer(s) had taken into account some of the concerns raised at its community engagement event.
- Given that RDC suggested that separate applications be submitted – as well as the likely reintroduction of housing targets – there is a good chance that RDC will approve them (albeit with conditions).
- A small number of affordable units would be better than none.
- How many parishioners will be able to afford the asking prices?
- It is believed that National Highways is not keen on additional traffic lights being installed on the A259.
- Towns need a younger population to help to service the needs of older and less able residents.
- RDC commissioned a(n) enlightening viability assessment for the development proposed for the Lower School site.
- In addition to the high purchase cost of retirement properties, management fee can also be high – making re-sale difficult.
- RTC has, consistently, been united in its calls for cheaper accommodation to be provided.
- If Rye is unable to accommodate its younger people/families there is a risk that its secondary school might close.
- The school is currently considered to be at 'peak attendance'.
- There is no local planning policy restricting the supply of accommodation for older people (regardless of where occupants/tenants might be drawn from).

RESOLVED To object to the application on the grounds of overdevelopment and to add a comment that Rye needs cheaper accommodation for younger local people – rather than more expensive accommodation aimed at retired people generally. Clerk

[RR/2024/960/P](#)

Winchelsea Road (West) - land and buildings at, Rye
Demolition of existing buildings and erection of 16 dwellings with access, parking, landscaping and associated works.

Comments included:

- The developer appears to have taken note of local pre-application community engagement and increased the proportion of 1- and 2-bedroom properties.
- Rye does not need properties that lend themselves to use as short-term holiday lets.
- RDC is intending to set up a Task & Finish Group to examine the impact of such lets.
- It appears that none of the dwellings will be affordable.
- RTC could use the Rother Local Plan consultation as an opportunity to highlight the pressing need for affordable homes – as well as flagging up the viability issue.

- The flooding and drainage issues will be expensive matters for the developer to address.

RESOLVED To support approval.

Clerk

[RR/2024/976/P](#)

Winchelsea Road, land to the SW of, Jempsons Yard, Rye
Demolition of the existing buildings and construction of a new food store (use Class E(a)), with access, car and cycle parking, landscaping and associated works.

Comments included:

- The transport report forecasts around 92 (100 on Saturdays) vehicles entering/leaving the site every hour– which will pose risks for vulnerable road users and increase congestion on the A259(T).
- Drivers will have to drive up a gradient to exit the site and sight lines will not be ideal.
- It is unlikely that a roundabout would be approved – necessitating CPOs and demolition. Traffic lights would be a more practicable option – but it is believed that National Highways is opposed to further lights being installed on the A259.
- There is a risk that the arrival of Aldi will put local retailers out of business, altering the character of the High Street.
- Tenterden has two supermarkets but still supports a successful high street.
- Some visitors will always prefer to visit Rye and what it offers by car.
- Not having to drive to Ore or Tenterden for food shopping will reduce vehicle journeys for Rye residents and their environmental impact.
- There is quite a lot of support for an Aldi locally.
- The development will not go ahead unless National Highways is happy with the access.

RESOLVED To support approval – subject to the approval of National Highways.

Clerk

Cllr Creaser re-joined the meeting.

70 LOCAL GOVERNMENT PENSION SCHEME

RESOLVED To adopt the Draft Discretions policy (2013 and 2014 Regs).
(APPENDIX B)

Clerk

71 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 from item 72 on the grounds it will include consideration of quotes/prices for work/services.

72 SKATEPARK REFURBISHMENT

Members were invited to consider further the estimated cost of refurbishment and to agree a course of action.

Comments included:

- There appears to be 3 options: do nothing; fund the full cost of the scheme proposed (drawing substantially on the capital asset reserve) or a phased scheme – with the phase 1 budget being the £34,400 budget agreed by Council on 25.3.24.
- If the full amount proposed is expended on a complete refurbishment it will be cheaper in the long. If there is a phased refurbishment some of the equipment would need to be removed from the site.
- It would be around 7 years before any routine maintenance would be required.
- A survey undertaken by a Member 4 years ago demonstrated the facility is well-used. Neighbouring property owners can vouch for its use.

- Unlike the Skatepark, the Cricket field and Bowls green are not used throughout the year.
- The needs of younger people are often overlooked.
- RTC needs to provide something on the site.
- The Skatepark provides an independent space, with minimal adult supervision.
- Given that RTC is committed to a transfer of the management of the Leisure Centre, there is a danger of RTC over-stretching itself. The Centre should take priority.
- Unlike the Pool, there is no charge to use the Skatepark.
- The Pool is available for schools.
- It would be cheaper to use local tradespeople/volunteers to refurbish the Skatepark.
- Non-specialists would not be familiar with the Skatepark safety/construction regulations and there could be insurance implications.
- The funding proposed could be spent on other activities/projects.
- RTC should share the cost/responsibilities with others; RTC cannot fund everything.
- Spending the full amount would futureproof the Skatepark.
- RTC could ask Buckswood how much its facility cost.
- The upcoming Olympics will create interest in using the Skatepark.
- Outdoor activities/opportunities contribute to improving mental health.
- Notices on the security fencing would help to defend any accident claims from those who enter the (closed) site.
- Over 20 years or so, the proposed refurbishment cost equates to a small amount per household.
- Any fundraising appeals might impact adversely on Rye Recreation & Wellbeing CIO's fundraising.
- Different age groups using the Skatepark can be problematic.
- There has always been a wide range of age groups using the facility – with younger users being accompanied by adults. Older users can act as mentors.
- If something is to be provided this year a decision needs to be made now.
- The Cricket Club – which is looking to become a CIO - could be encouraged to get more involved in the Skatepark.

RESOLVED To ask the Clerk to work with Fearless Ramps on a phased scheme that could be started this year, with Phase 1 (including work undertaken thus far) not exceeding the total expenditure agreed on 25.3.24 - £34,400 + £731 unspent provision at the year end – funded by:

Skatepark Earmarked Reserve as at 31.3.24	£11,731
Skatepark precept provision (2024-25)	£11,000
Capital Assets Reserve	£12,400

The meeting ended at 8.26.

Date Chairman

Public Questions/Contributions

Item 69 (applications for development on the Jempsons Yard/Trading Estate)

Comments from members of the public included:

- The development proposed would increase vehicle movements on the A259 – and to/from the site – resulting in greater congestion.
- A second supermarket would increase competition and the accommodation for older people will free up larger properties as people downsize.
- The approval detail/conditions should be left to experts.

Colonel Kimber's contributions included:

- Developers are keen to maintain their margins: replacing the (lucrative) proposed accommodation for older people with a 'block' of accommodation aimed at younger people could render the redevelopment of the site unviable.
- The cost of addressing the related issues of the high water table and flooding is likely to be high.
- The entrance/exit sightlines will be short.
- There are no references to EVCPs.
- Sewerage would need to be improved (by Southern Water).
- Medical and health care services would be put under pressure.

70 LOCAL GOVERNMENT PENSION SCHEME

RYE TOWN COUNCIL**Local Government Pension Scheme Regulations
(2013 & 2014)****DISCRETIONS POLICY**

Regulation	Discretion	Employer's Policy on the exercise of this discretion
The Local Government Pension Scheme Regulations 2013		
Reg. 16(2)(e)	If Additional Pension Contributions (APCs) are to be paid this can be done by regular contributions, whether to fund in whole or in part a member's additional pension contribution. The maximum additional pension which can be purchased from 1 st April 2021 is £7,316 and subject to annual review.	Rye Town Council will not, generally contribute, in whole or part, towards the cost of APCs. However, each case will be considered on its individual merits.
Reg. 16(4)(d)	If APCs are to be paid by a lump sum contribution, whether to fund in whole or in part a member's additional pension contribution. The maximum additional pension which can be purchased from 1 st April 2020 is £7,316 and subject to annual review.	Rye Town Council will not, generally contribute, in whole or part, towards the cost of APCs. However, each case will be considered on its individual merits.
Reg. 30(6)¹	When an active member who has reached the age of 55 reduces their working hours or grade, you have the discretion to allow them to receive an immediate payment of part or all of their retirement pension that is linked to their current employment. This is subject to an actuarial reduction.	Rye Town Council will have regard to the particular circumstances surrounding each case. Although the Council will consider the individual merits of each case, it is likely to pay particular regard to affordability.
Reg. 30(8)	You can chose whether to waive, in whole or in part, any reduction to a members pension benefit where:- • The member has reached age 55 • Elected to take an immediate payment of a retirement pension • Has not yet reached normal pension age	Rye Town Council will have regard to the particular circumstances surrounding each case. Although the Council will consider the individual merits of each case, it is likely to pay particular regard to affordability.
Reg. 31	When an active member, or someone who was an active member, of the LGPS leaves their employment due to:- • Redundancy • Business efficiency • Mutual consent on the ground of business efficiency You may choose to award an additional pension of up to £6,822² and the decision must be made within 6 months of the member's employment ending.	Rye Town Council will have regard to the particular circumstances surrounding each case. Although the Council will consider the individual merits of each case, it is likely to pay particular regard to affordability.

² Subject to annual review each April under the Pensions (Increase) Act 1971

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The Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014		
Sch 2, 2(2)	Whether to “switch on” the 85 Year Rule ³ for a member voluntarily drawing benefits on or after age 55 and before age 60.	Rye Town Council will have regard to the particular circumstances surrounding each case. Although the Council will consider the individual merits of each case, it is likely to pay particular regard to affordability.
Sch 2, 2(3)	Whether to waive, on compassionate grounds, the actuarial reduction applied to benefits from pre 1/4/14 membership where the employer has “switched-on” the 85 Year Rule for a member voluntarily drawing benefits on or after age 55 and before age 60.	Rye Town Council will have regard to the particular circumstances surrounding each case. Although the Council will consider the individual merits of each case, it is likely to pay particular regard to affordability.

Adopted 15 July 2024

³ The 85 year rule applies to members with service between 1 April 1988 and 30 September 2006. Where their years of service, plus their age, is 85 or more then benefits accrued during this period may be protected from reduction if the pension is drawn between the ages of 55 and 60.