

MINUTES

OF THE MEETING OF THE

EXTRA-ORDINARY HYTHE TOWN COUNCIL

HELD ON TUESDAY 22ND NOVEMBER 2011

Present: The Right Worshipful Mayor of Hythe
Councillor D Owen (In the Chair)

Councillors R Belcourt, M Dearden, J Griffiths, Mrs R Griffiths, A Mayne,
Mrs A Mayne, P Peacock, Mrs W Peacock, J Schoner, A Smith and R Watson

Also Present: The Town Clerk

283/11 APOLOGIES FOR ABSENCE

Councillor Mrs K Belcourt – meeting at Shepway District Council.
Councillor a Ewart-James – in London.
Councillor S Hayward – previous engagement.
Councillor M Lyons – NHS Foundation Trust meeting in Dover.

It was

PROPOSED BY: Councillor Mrs R Griffiths

SECONDED BY: Councillor R Belcourt and

AGREED – That the above apologies be received and accepted.

284/11 REGISTRATION OF DECLARATION OF INTERESTS

Councillor M Dearden stated that he was not fettering his discretion would abstain in voting on Min No 286/11 – Town Meeting – as a Shepway District Councillor.

285/11 ADJOURNMENT OF MEETING FOR PUBLIC INCLUSION IN ACCORDANCE WITH STANDING ORDER NO. 1 g

There was no adjournment.

286/11 TOWN MEETING

Members discussed the outcomes of the Town Meeting held on the 10th November 2011 which had been circulated to Members on the 22nd November, which included a covering email from the Returning Officer, a letter from Ms Hawkins and details of the proposers of two motions.

It was

PROPOSED BY: Councillor J Schoner

SECONDED BY: Councillor A Smith and

RESOLVED – That the Town Clerk writes to the Chief Executive of Shepway District Council in the following vein requesting the following points be clarified:

- 1 This Town Meeting was not a meeting of Hythe Town Council but an “assembly” / meeting of the Town and so the letter from Ms Hawkins is not factually correct. Town Council meetings were governed by separate statutory provisions to those for Town Meetings.
- 2 Should not the first question have been, debated/ asked first and voted on and then a poll demanded separately?
- 3 Should not the second question have been debated / asked first, voted on and then a poll demanded separately?
- 4 As Shepway District Council already has parking charges in Folkestone and the rest of Shepway, could not the first question be described as tendentious and therefore unfair and unreasonable? The issue revolves around the introduction of on-street charging not upon the car parking charges that already exist.
- 5 The requirements for a poll were not simply that a vote be taken but also that a poll shall be separately called so as to follow the proper procedural process. From the Chairman of the Town Meeting’s letter it appeared that this proper procedural process was not enacted.
- 6 It was noted that the offer of Cllr Mrs Peacock’s notes being sent had not been taken up. The questions that are set out in the letter from Ms Hawkins are materially different to those written verbatim in the above notes.
- 7 The Town Council sought verification of the authority which lies behind the Returning Officer’s actioning Ms Hawkins’s letter of the 11th November 2011. There was no mention in it of her having chaired the meeting. In order to clarify her position, as well as other matters relating, the Town Council requests copies of all written correspondence in the District Council’s possession, including internal e mails and notes which relate to the subject of the calling of the Town Poll and to the Hythe Town Meeting of 10th November, under the provisions of the Freedom of Information Act as soon as practicably possible.
- 8 The Returning Officer be advised that the Town Council had sought independent legal advice on this matter and the Town Council urges the Returning Officer that he does not proceed until all the above points have been settled satisfactorily and the legal advice obtained.
- 9 The Town Clerk writes to Ms Hawkins in order to obtain a copy of the minutes of the Town Meeting of the 10th November 2011 for the record.

Councillors M Dearden and P Peacock recorded their abstentions on the above vote.

287/11 ALLOTMENT (APPEALS) COMMITTEE

It was

PROPOSED BY: Councillor M Dearden
SECONDED BY: Councillor J Griffiths and

RESOLVED – That the Mayor, Deputy Mayor and the Chairman of the Finance & General Purposes Committee be appointed to the Allotment (Appeals) Committee for the remainder of the current civic year.

Meeting closed at 7.36 p.m.

Dated the: Day of: 2011

..... CHAIRMAN