

MINUTES
OF THE MEETING OF
HYTHE TOWN COUNCIL

HELD ON THURSDAY 24TH SEPTEMBER 2009

Present: The Right Worshipful Mayor of Hythe
Councillor Mrs K T Belcourt (In the Chair)

Councillors R Belcourt, D Briddock, R H Carroll, M J Dearden,
A J Ewart-James, Mrs Z Harris, S W Hayward, S Matthews,
A Mayne, Mrs A Mayne, J A Schoner, A Smith and R Watson

Also Present: The Town Clerk, Steve Wilson and Maria Toomey – GKA

Apologies: Councillors M J Lyons and D Owen

The Mayor invited Reverend Tony Windross to open the meeting with prayers.

**182/09 MINUTES OF THE COUNCIL MEETING OF THE 13TH AUGUST &
MINUTES OF THE EXTRA-ORDINARY COUNCIL MEETING OF
THE 9TH SEPTEMBER 2009**

It was

PROPOSED BY: Councillor R Belcourt
SECONDED BY: Councillor S W Hayward and

RESOLVED – That the Minutes of the Council Meetings held on the 13th August and 9th September 2009, having been circulated, be confirmed as correct records of the meetings and signed by the Chairman.

183/09 REGISTRATION OF DECLARATION OF INTERESTS

Councillor Mrs K T Belcourt declared a prejudicial interest in Min No 155/09 – Planning Application Y09/0627 – conflict of interest in her son's electrical shop in Hythe.

Councillor Reg Belcourt declared a prejudicial interest in Min No 155/09 – Planning Application Y09/0627 – conflict of interest in his stepson's electrical shop in Hythe.

Councillor J A Schoner declared a prejudicial interest in Min No 155/09 – Planning Application Y09/0627 – Chairman of the Hythe Venetian Fete Society and Sainsbury's had sponsored the Fete 2009.

**184/09 ADJOURNMENT OF MEETING FOR PUBLIC INCLUSION IN
ACCORDANCE WITH STANDING ORDER NO.70**

It was

PROPOSED BY: Councillor A J Ewart-James
SECONDED BY: Councillor A Smith and

RESOLVED – That the meeting stand adjourned.

Mr Phillips, Mr Taylor and Mrs McCormack addressed the Meeting.

*** Please see attachment for public comments which are attached but do not constitute part of the Minutes.**

Councillor Mrs Z Harris entered the Chamber during Mr Taylor’s comments.

It was then

PROPOSED BY: Councillor A J Ewart-James
SECONDED BY: Councillor A Smith and

RESOLVED – That the Meeting be reconvened.

185/09 MAYOR’S COMMUNICATIONS

- 1 The Mayor had attended the funeral of Past Mayor Mr W Bailey on Monday 21st September and it had been a well attended service.
- 2 The Mayor was holding a charitable event at the Royal British Legion on Friday 30th October in support of “ Help the Heroes”. Tickets were priced at £12.50 and all were invited to attend.
- 3 40 MPs from France, together with the Mayor of Bologne, were coming to Hythe on Saturday 17th October 2009 and a reception was to be held in the Town Hall at 4.15 pm.

186/09 QUESTIONS UNDER STANDING ORDER NO. 24(2)

There were none received.

187/09 MINUTES OF THE PLANS & WORKS COMMITTEE MEETINGS HELD ON THE 25TH AUGUST & 15TH SEPTEMBER 2009

It was

PROPOSED BY: Councillor Mrs K T Belcourt
SECONDED BY: Councillor R H Carroll and

AGREED – That Min No 159/09 – Planning Application Y09/0627/SH (Sainsbury’s) be reserved and taken at the end of any discussions in respect of the Plans & Works Minutes of 15th September 2009.

Minute No 161/09 – Parking Hythe High Street Proposed Amendment

It was

PROPOSED BY: Councillor M J Dearden
SECONDED BY: Councillor R Belcourt

That the recommendations of the Plans & Works Committee in respect of the Penalty Charge Notices be withdrawn and should not proceed in this manner.

The Amendment was carried

It was then

PROPOSED BY: Councillor R Belcourt
SECONDED BY: Councillor A J Ewart-James and

RESOLVED – That the Minutes of the Plans & Works Committee Meetings held on the 25th August and 15th September 2009 be received and the recommendations contained therein be adopted, with the reservation of Min No 159/09 – Planning Application Y09/0627/SH – Sainsbury’s.

Councillors Mrs K T Belcourt, Reg Belcourt and J A Schoner left the Chamber for the discussion and vote on the following item:

The Town Clerk then advised Members that, in order for the business to proceed, a Chairman had to be elected from those Members present in accordance with the provisions of Schedule 12 of the LGA 1972 and Standing Order No 4.

It was then

PROPOSED BY: Councillor A J Ewart-James
SECONDED BY: Councillor A Smith and

RESOLVED – That Councillor M J Dearden be appointed as Chairman.

COUNCILLOR M J DEARDEN IN THE CHAIR

It was then

PROPOSED BY: Councillor S Matthews
SECONDED BY: Councillor D Briddock and

RESOLVED – That Standing Orders be suspended to allow unfettered comment by both the Public and Councillors in accordance with Standing Order No 79.

Councillor Mrs K T Belcourt returned to the Chamber and executed her right under the Code of Conduct (Part 2 - Para 12.2) to speak.

Councillor Mrs K T Belcourt

Councillor Mrs Belcourt felt that the design of the store was a monstrosity within a Conservation Area and close to an Ancient Monument. She considered that shops would close in the High Street and that the car park should be closer to the Town.

Councillor Mrs K T Belcourt then left the Chamber.

Councillor R Belcourt returned to the Chamber and executed his right under the Code of Conduct (Part 2 - Para 12.2) to speak.

Councillor R Belcourt

Councillor Belcourt considered that the car park should be on the eastern side with a 3 hour parking limit. He further stated that the building was not in keeping with historic Hythe.

Councillor R Belcourt then left the Chamber.

The Chairman then invited the Sainsbury's representative to address Members.

Mr Steve Wilson – Sainsbury's
WYG Planning

Mr Wilson had received very good feedback from the public exhibitions and substantial changes had been made to the proposals. It was proposed to move the area of car parking northward and in effect 'move' the car park away from Military Road. A traditional Kentish ragstone effect to both the retaining wall and the wall around the store was now to be used. A significant number of trees were now to be retained. He referred to Tym and Partners positive report and to the turnover of other businesses. He cited the S106 agreement and other specific measures.

In regards to the comments made by the Plans & Works Committee in respect of the modern design which was located in close proximity to an Ancient Monument, Mr Wilson considered that a pastiche of historical style would not work. He considered that this application would regenerate the brownfield site and would create 300 full and part-time jobs in Hythe.

It was then

PROPOSED BY: Councillor R H Carroll
SECONDED BY: Councillor A Smith and

RESOLVED – That Standing Orders be re-instated.

Planning Application Y09/0627/SH

After some discussion it was

PROPOSED BY: Councillor M J Dearden
SECONDED BY: Councillor D Briddock and

- That the Town Council supports the above application, subject to the following observations:

That there be a S106 agreement to include the following:

- 1 Events fund for administration by the Town Council.
- 2 Road, pavement and street lighting improvements in Hythe High Street.
- 3 Public realm sign improvements, including continental style holder signs.
- 4 Decorative lighting in the High Street and along the Canal Bank.
- 5 Water feature in the Town Square.
- 6 Illumination of the Town Centre signs at East Street Roundabout and in the Red Lion Square.
- 7 Permanent seating on the Canal Bank
- 8 2 hour free car parking at the proposed store so as to permit time for people to visit the High Street.

Proposed Amendment

It was

PROPOSED BY: Councillor Mrs Z Harris
SECONDED BY: Councillor S Matthews

That:

- 1 3 hour car parking be part of any planning approval.
- 2 For the applicant to look favourably upon local employment recruitment opportunities and for materials to be sourced locally.

The Amendment was carried

Proposed Amendment

It was

PROPOSED BY: Councillor R H Carroll
SECONDED BY: Councillor S Matthews

That:

- 1 Opening hours be limited to 8am to 8pm Monday to Saturday and 10am to 4pm on Sundays.
- 2 Deliveries to be made between only 8am and 8pm Monday to Saturday and between 10am and 4pm on Sundays.

The Amendment was carried

Councillor Mrs Z Harris left the Chamber at this juncture.

Proposed Amendment

It was

PROPOSED BY: Councillor A J Ewart-James
SECONDED BY: Councillor A Mayne

To instigate by means of a S106 agreement a separate substantial financial fund for noise amelioration measures in Military Terrace.

Councillor Mrs Z Harris returned to the Chamber during the course of the above debate.

The Amendment was carried

The Substantive motion was then put as follows:

RESOLVED – that the Town Council supports the above application, subject to following observations:

- (i) That there be a S106 agreement to include the following:
 - 1 Events fund for administration by the Town Council.
 - 2 Road, pavement and street lighting improvements in Hythe High Street.
 - 3 Public realm sign improvements, including continental style holder signs.
 - 4 Decorative lighting in the High Street and along the Canal Bank.
 - 5 Water feature in the Town Square.
 - 6 Illumination of the Town Centre signs at East Street Roundabout and in the Red Lion Square.
 - 7 Permanent seating on the Canal Bank
 - 8 3 hour free car parking at the proposed store so as to permit time for people to visit the High Street.
- (ii) For the applicant to look favourably upon local employment recruitment opportunities and for materials to be sourced locally.
- (iii) Opening hours to be limited to 8am to 8pm Monday to Saturday and 10am to 4pm on Sundays.
- (iv) Deliveries to be made only between the hours of 8am and 8pm Monday to Saturday and between 10am and 4pm on Sundays.
- (v) To instigate by means of a S106 agreement a separate substantial financial fund for noise amelioration measures in Military Terrace.

A recorded vote was called for in accordance with Standing Order No 10A as follows:

Councillor R Watson	For
Councillor A Mayne	Against
Councillor Mrs A Mayne	Against
Councillor R H Carroll	For
Councillor S W Hayward	For
Councillor D Briddock	For
Councillor S Matthews	For
Councillor A Smith	Against
Councillor Mrs Z Harris	For
Councillor A J Ewart-James	Against
Councillor M J Dearden	For

The substantive motion was carried.

Councillors Mrs K T Belcourt, R Belcourt and J A Schoner returned to the Chamber at this juncture.

THE MAYOR IN THE CHAIR

188/09 MINUTES OF THE FINANCE AND GENERAL PURPOSES COMMITTEE MEETING HELD ON 6TH AUGUST 2009

The Chairman reported on the site progress meeting held earlier in the day at the new Sports Pavilion. The Contractors were to incorporate the independent CCTV system at the Pavilion as part of the overall contract which would permit best value to be obtained. The football pitch was progressing well.

It was then

PROPOSED BY: Councillor J A Schoner
SECONDED BY: Councillor D Briddock and

RESOLVED – That the Minutes of the Finance & General Purposes Committee Meeting held on the 6th August 2009 be received and the recommendations contained therein be adopted.

Meeting closed at 8.45 p.m.

Dated the: Day of: 2009

..... CHAIRMAN

Mr D Phillips

Mr Phillips considered that Hythe did not need another Supermarket. The proposed store was not in keeping with the street scene and with the noise pollution and congestion he considered that it would be a danger to the public. He was very concerned about the symbolic loss of tree and people should not be seduced by sweeteners. He further questioned whether Sainsbury's policies encompassed the needs of local farmers.

Mr P Taylor

Mr Taylor considered that the proposed new store was an out of context building, monopolised retail space and was too big for Hythe. Local residents would suffer with the extra traffic proliferation down a one way street and the application was out of context with its surroundings. The proposed store was a whole new change of use and he was unhappy with the hours of operation.

Mrs D McCormack

Mrs McCormack considered that the 5,731 sq m was far too large, especially when other stores measured 1,756 & that Sainsbury would hold a monopoly. She considered that the proposed store should be located out of the Town Centre and Sainsbury's should go back to the drawing board.