

Hotel's fight with council to drag on

THE legal wrangling over a noise abatement order is to continue – at increased cost to taxpayers.

The Grand and Shepway District Council were due to resolve their dispute in court on Monday, but the hearing will now run for two days next January.

Speaking on Tuesday, Grand manager Robert Richardson (pictured) said:

“We understood SDC had agreed just to discuss costs, but apparently not.

“Yesterday cost me £3,500 for nothing –

and I don't have the public purse to dip into.”



The Grand is appealing an order served by SDC in April last year. It was withdrawn by September but owner Michael Stainer believes it should never have been implemented, so the council should bear legal costs of the appeal.

In spring this year, SDC offered to pay the Grand's costs until September last year but the Grand refused, having by then spent more.

Mr Stainer's lawyer Jeremy Laws said: “Our clear view was they'd agreed to deal with costs on Monday, which meant the appeal was upheld. This now means more outlay for the Grand – and more taxpayers' money spent by the council.”

An SDC spokesman said: “To bring an end to proceedings and limit costs, the council offered – twice – to pay reasonable costs up to the date the notice was withdrawn. We withdrew it because the Grand had complied and the complainant confirmed that there was no longer a problem. The Grand refused both offers.

“Both parties understood that Monday's hearing would be simply to resolve costs. However, magistrates said they could only decide costs if Shepway agreed unreservedly that the appeal had succeeded. We could not, as the notice was properly and justly served.

“The magistrates therefore adjourned for a full hearing of all evidence.”