

Annual Meeting of the Council

Minutes of the Annual Meeting of the Council held in The Chamber, Pelham House, St Andrew's Lane, Lewes on Wednesday, 23 May 2007 at 2.30pm.

Present:

Councillor M P Chartier (Chair)
Councillors R E Allen, P L Bennett, C P Bishop, C A Bowers, S T Bratchie, C J Butler, M A Cutress, J F Daly, S B Davy, A C De Vecchi, I Eiloart, J H Freeman, P Gander, P F Gardiner, D M Gray, B W Groves, L M Hallett, J M Harrison-Hicks, T M Hawthorne, A T Jones, C S Lambert, J N MacCleary, R Main, R Maskell, D H Mitchell, I A Nicholson, C R O'Keeffe, J V S Page, R Robertson, D O Rogers OBE, S Saunders, R Sinclair, C Sugarman, I J White and R L Worthington

Apologies Received:

Councillors E N Collicot, P A Howson, K D Mayers, E E J Russell and J Sheppard,

Minutes

1 Election of the Chair of the Council

The Chair of the Council (Councillor Pepper) invited the Head of Democratic Services to inform the Council of the nomination which had been received for the office of Chair of the Council.

The Head of Democratic Services reported that Councillor M P Chartier had been nominated for the office of Chair of the Council by Councillor Freeman.

Councillor Freeman moved, and Councillor Daly seconded, the motion:

“That Councillor M P Chartier be elected Chair of the District Council of Lewes until the next Annual Meeting of the Council and his successor is entitled to act as Chair.”

The motion was put to the meeting, Declared Carried, and it was

Action

ActionResolved:**1.1** Accordingly.

The Chair of the Council (Councillor Chartier) then made and subscribed the Declaration required by law.

Councillor Chartier in the Chair

The new Chair (Councillor Chartier) moved a vote of thanks for Councillor Pepper's work on behalf of the Council during her year of office. Councillor Pepper then gave a brief speech in response during which she encouraged the new Council to build on the good work that had been undertaken throughout the previous four years with regard to environmental issues and reducing the level of waste which was deposited in landfill. Councillor Pepper also thanked the Officers for the level of support that she had received during her year of office which included the staging of the successful Seedy Saturday event that had been held in Lewes in February 2007.

The motion was put to the meeting, Declared Carried, and it was

Resolved:**1.2** Accordingly.**2 Appointment of the Vice-Chair of the Council**

The Chair of the Council (Councillor Chartier) invited the Head of Democratic Services to inform the Council of the nomination which had been received for the office of Vice-Chair of the Council.

The Head of Democratic Services reported that Councillor C J Butler had been nominated for the office of Vice-Chair of the Council by Councillor De Vecchi.

Councillor De Vecchi moved, and Councillor Main seconded, the motion:

"That Councillor C J Butler be appointed Vice-Chair of the District Council of Lewes until immediately after the election of a Chair at the next Annual Meeting of the Council."

The motion was put to the meeting, Declared Carried, and it was

Resolved:**2.1** Accordingly.

CMT/
Ann Spike
(to note)

CMT/
Ann Spike
(to note)

Action

The Vice-Chair of the Council (Councillor Butler) then made and subscribed the Declaration required by law.

3 Minutes

The Minutes of the Meeting of the Council held on 25 April 2007 were approved as a correct record and signed by the Chair.

4 To Receive any Announcements From the Chair of the Council or the Chief Executive**(i) Councillors Elected to the Council on 3 May 2007**

The Council received Report No 86/07 of the Returning Officer which set out a list of the Councillors which had been elected to the Council on 3 May 2007.

It was

Resolved:

4.1 That Report No 86/07 relating to the results of the Lewes District Council elections be received and noted.

HDS (to note)

(ii) Urgent Items

The Chair of the Council advised that he had agreed, in accordance with Section 100B(4)(b) of the Local Government Act 1972 that:

- (a) Report No 83/07 of the Leader of the Council Elect entitled "Appointments 2007/08";
- (b) Report No 84/07 of the Leader of the Council Elect entitled "Appointments of Representatives to Serve on Outside and Joint Bodies 2007/08";
- (c) Report No 82/07 of the Corporate Management Team entitled "Council Plan 2007/08"; and
- (d) Draft Minute No 9 of the meeting of the Standards Committee held on 1 May 2007 and the Government's new model Code of Conduct for councillors,

which were circulated to all members of the Council on 17 May 2007, be considered as matters of urgency in order that decisions thereon could be taken based on the most up to date information which was

| | Action |
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| <p>available.</p> | |
| <p>(iii) <u>Chair of the Council's Engagements</u></p> <p>The Council received the list of the past Chair of the Council's engagements carried out since the Meeting of the Council held on 25 April 2007.</p> | |
| <p>(iv) <u>District, Town and Parish Council Elections – May 2007</u></p> <p>The Chair of the Council proposed a vote of thanks to the Returning Officer and his team in respect of the professional way in which the recent District, Town and Parish council elections had been organised.</p> | |
| <p>The motion was put to the meeting, <u>Declared Carried</u>, and it was</p> | |
| <p><u>Resolved:</u></p> | |
| <p>4.2 Accordingly.</p> | CE/HDS (both to note) |
| <p>(v) <u>“With the Grain: Wood Sculpture by David Nash” Exhibition</u></p> <p>The Chair of the Council reported details of the “With the Grain: Wood Sculpture by David Nash” exhibition which was currently being held in the Regency Assembly Room, Town Hall, Lewes and invited all Members of the Council and the Officers to attend an event which the Chair was hosting at the exhibition on Thursday, 7 June 2007.</p> | All to note |
| <p>5 Election of Leader of the Council</p> | |
| <p>The Chair of the Council requested nominations for the election of Leader of the Council, who would also be the Chair of the Cabinet.</p> | |
| <p>Councillor Freeman proposed, and Councillor Lambert, seconded, the motion that Councillor De Vecchi be elected Leader of the Council.</p> | |
| <p>The motion was put to the meeting, <u>Declared Carried</u>, and it was</p> | |
| <p><u>Resolved:</u></p> | |
| <p>5.1 Accordingly.</p> | All CMT to note |

6 Appointments

The Leader of the Council moved, and Councillor Saunders seconded, the motion that the recommendations contained in Report Nos 83/07 and 84/07 on pages 1 to 6 and 9 to 11 of Council Document C be approved subject to an amendment to paragraph 9(d) on page H4 of the Council's Constitution so as to require five, rather than the current three, Members of the Scrutiny Committee to agree that a Forward Plan item be placed on a Scrutiny Committee agenda and to the amendment of the recommendations in Report No 84/07 by the inclusion of Councillor M A Cutress as the Council's additional representative to serve on the National Park Local Authority Members and Officers Group and to the replacement of Councillor C S Lambert with Councillor R E Allen to serve as one of the Council's representatives on the Seaford Head Nature Reserve Management Committee.

Councillor I A Nicholson moved, and Councillor J M Harrison-Hicks seconded, an amendment as follows:

"That Councillor S B Davy, as one of the local Ward councillors for the Chailey and Wivelsfield Ward, be appointed as one of the Council's two representatives to serve on the Chailey Common Nature Reserve Management Committee."

The amendment was put to the meeting, Declared not Carried, and the vote thereon was recorded in accordance with Council Procedure Rule 17 as follows:

For the Amendment:

Councillors Allen, Bishop, Bratchie, Davy, Gander, Groves, Hallett, Harrison-Hicks, Jones, Maskell, Nicholson, O'Keeffe, Page, Sugarman, White and Worthington (16).

Against the Amendment:

Councillors Bennett, Bowers, Butler, Chartier, Cutress, Daly, De Vecchi, Eiloart, Freeman, Gardiner, Gray, Hawthorne, Lambert, MacCleary, Main, Mitchell, Robertson, Rogers, Saunders and Sinclair (20).

Councillor I A Nicholson moved, and Councillor J V S Page seconded, an amendment as follows:

"That paragraph 24 of Report No 83/07 relating to a proposed amendment to the Council's Constitution in respect of the Members' Allowances Scheme, be deleted."

The amendment was put to the meeting, Declared not Carried.

Following a debate, and with the consent of the meeting, the Leader of the Council amended her motion as follows:

“That Councillor J N MacCleary be appointed to fill the vacancy to serve as one of the Council’s representatives on the Local Government Association – East Sussex Branch and that Councillor C R O’Keeffe be appointed to serve as the Council’s substitute representative on the National Parking Adjudication Service.”

The substantive motion was put to the meeting, Declared Carried, and it was

Resolved:

- 6.1** That the membership of the Cabinet, the individual areas of responsibility to be allocated to the Cabinet and the allocation of those areas of responsibility to the members of the Cabinet for the year 2007/2008, based on the political structure and the political balance as set out in Appendix B to Report No 83/07 be as follows:

Cabinet Membership 9 (6 – 3)

(Proportionality is shown as Liberal Democrat Group – Conservative Group)

Individual Areas of Responsibility

Policy and Financial Strategy

Community
Environment

Housing
Planning
Staff and Corporate Services

Councillors

Leader of the Council
(Chair)

D M Gray
E N Collict
S Saunders
P F Gardiner
J H Freeman (Deputy
Leader)

**Three Members without Specific
Responsibility**

J V S Page
I A Nicholson
I J White

- 6.2** That the membership of the Committees etc for the municipal year 2007/2008, based on the political structure and the political balance as set out in Appendix B to Report No 83/07 (subject to the adjustments referred to in the Report), be as follows:

Action

All CMT/
Committee
Officers (to
note)

All CMT/
Committee
Officers (to
note)

Action

(Proportionality is shown as Liberal Democrat Group – Conservative Group)

Scrutiny Committee

Membership 9 (5-4)

R E Allen
M A Cutress
T M Hawthorne
J N MacCleary
R Sinclair

E E J Russell (Chair)
S B Davy
P A Howson
H J F Sheppard

Planning Applications Committee

Membership 11 (6-5)

J F Daly (Chair)
D H Mitchell (Vice Chair)
R E Allen
I Eiloart
P F Gardiner
R Main

S B Davy
B W Groves
A T Jones
R Maskell
R L Worthington

Licensing Committee

Membership 10 (6-4)

K D Mayers (Chair)
P L Bennett (Vice Chair)
J F Daly
D H Mitchell
R Robertson
R Sinclair

B W Groves
L M Hallett
P A Howson
I J White

Audit Committee

Membership 7 (4-3 becomes 4-2-1, see paragraph 12 of the Report)

M A Cutress
J F Daly
K D Mayers
C S Lambert

C P Bishop
J M Harrison-Hicks (Chair)
C R O'Keeffe

Devolution Committee

Membership 7 (4-3)

C J Butler
I Eiloart
C S Lambert
D O Rogers

S T Bratchie
P Gander
L M Hallett

Action

Employment Committee Membership 5 (3–2)

T M Hawthorne (Chair)
 J H Freeman
 D O Rogers

I A Nicholson
 H J F Sheppard

Standards Committee Membership 5 (3–2)

I Eiloart
 D H Mitchell
 R Sinclair

A T Jones
 E E J Russell

Complaints Panel

This Panel comprises three councillors who have not had any direct involvement in the complaint.

The following Sub-Committees/Working Groups be re-appointed in order to conclude the business for which they were originally established:

Safety Testing of Memorials in Cemeteries and Closed Churchyards Sub-Committee Membership 5 (3–2) from membership of Council

E N Collict (Chair)
 P L Bennett
 D M Gray

S T Bratchie
 P Gander

Southover Grange Sub-Committee Membership 3 (2–1) from membership of Cabinet

A C De Vecchi (Chair)
 D M Gray

I J White

Newhaven Enterprise Gateway Sub-Committee Membership 3 (2–1) from membership of Cabinet

E N Collict
 S Saunders

J V S Page

Lewes House Site Sub-Committee Membership 3 (2–1) from membership of Cabinet

A C De Vecchi (Chair)
 J H Freeman

I A Nicholson

| | | Action |
|------------|--|---------------------------------------|
| | <p>Travellers Working Group</p> <p>Membership 6 (4–2) from membership of Council</p> <p>C J Butler I Eiloart R Robertson S Saunders</p> <p>Recycling Working Group</p> <p>Membership 3 (2–1) from membership of Council</p> <p>R E Allen I Eiloart</p> | |
| 6.3 | That the nominations of the Majority Group for the appointment of Chairs (and of the Minority Group for the appointment of the Chairs of the Audit and Scrutiny Committees) as set out in 6.2 above, be approved and that the remaining Chairs be appointed at the first meetings of the bodies concerned; | All CMT/ Committee Officers (to note) |
| 6.4 | That the Council's representatives on outside and joint bodies be as follows: | All CMT/ Committee Officers (to note) |

| Outside Body (Annual appointment unless term of office/expiry date stated) | Representative(s) |
|---|------------------------------|
| Action in Rural Sussex (3 years expires 2008) | T M Hawthorne |
| Age Concern Governing Body | D M Gray |
| Anchor Staying Put Review Panel | I J White |
| Chailey Common Nature Reserve Management Committee (2 reps) | D M Gray D H Mitchell |
| Citizens' Advice Bureaux, Lewes & Seaford (4 years expires 2011) | D M Gray |
| Community Transport for the Lewes Area Limited Management Committee | R Robertson |
| Court of the University of Sussex (3 years expires 2010) | I Eiloart Chief Executive |
| Crime Reduction Partnership | D M Gray K D Mayers |

| | | Action |
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| Outside Body (Annual appointment unless term of office/expiry date stated) | Representative(s) | |
| East Sussex Rural Forum | M A Cutress | |
| Health Overview and Scrutiny Committee | C S Lambert | |
| Lewes Flood Appeal | M P Chartier (Chair of Council ex officio) | |
| Lewes Town Community Partnership | A C De Vecchi | |
| Local Government Association East Sussex Branch (2 reps) | D O Rogers J N MacCleary | |
| Waste Management Group | E N Collict | |
| General Assembly | A C De Vecchi | |
| Rural Commission (2 reps) | M A Cutress (with voting rights) D O Rogers | |
| Coastal Issues Special Interest Group | R E Allen | |
| National Park Local Authority Members and Officers Group (2 reps) | M A Cutress P F Gardiner | |
| National Parking Adjudication Service (2 reps) | L M Hallett C R O'Keeffe (substitute) | |
| Newhaven Strategic Network | R Robertson | |
| Ouse Estuary Nature Reserve Liaison Group | R E Allen | |
| Peacehaven and Telscombe Regeneration Partnership | J N MacCleary | |
| Plumpton College Corporation (4 years expires 2008) | P F Gardiner | |
| Rural Voices, Rural Choices (2 reps) | M A Cutress T M Hawthorne | |
| Seaford Community Partnership | C S Lambert | |

| | | Action |
|---|---|--------|
| Outside Body (Annual appointment unless term of office/expiry date stated) | Representative(s) | |
| Seaford Head Nature Reserve Management Committee (2 reps) | R E Allen P L Bennett | |
| South Downs Council for Voluntary Service Executive Committee | D M Gray | |
| South Downs Joint Committee (formerly Sussex Downs Conservation Board) | T M Hawthorne | |
| South East Employers Members' Scrutiny Network | E E J Russell | |
| South East Employers & South Eastern Provincial Council (2 reps) | J H Freeman T M Hawthorne (substitute) | |
| South East England Regional Assembly (2 years expires 2009) | A C De Vecchi | |
| Sussex County Playing Fields Association | B W Groves | |
| Sussex Downs and Weald NHS PCT | C S Lambert | |
| Tourism South East | R Robertson | |
| Travellers Forum (2 reps) | C J Butler R Robertson | |
| Wave Trust Leisure Board | R Robertson | |

| | | | Action |
|--|---|---|--------|
| Joint Body (Annual appointment unless otherwise stated) | Proportionality (where appropriate) Lib Dem – Con (see Report No 83/07) | Representative(s) | |
| Housing Consultative Panel | 4 (3 – 1) | J F Daly I Eiloart D M Gray J M Harrison-Hicks (+ S Saunders, Lead Councillor, Housing ex officio) | |
| Landport Bottom Management Committee | 4 (3 – 1 becomes 3-0-1, see paragraph 17, Report No 83/07) | M A Cutress A C De Vecchi I Eiloart C R O’Keeffe | |
| Local Transport Plan Panel | 5 (3 – 2) | I Eiloart P Gander P A Howson T M Hawthorne R Robertson | |
| Planning User Group | 3 (2 – 1) | J F Daly A T Jones D H Mitchell | |

- 6.5** That paragraph 16.4 on page H7 of the Council’s Constitution be amended to read:

“.....If at least five members of the Committee are in favour of calling in the decision, the Chair of the Committee will call a meeting of a Panel of the Scrutiny Committee within five working days.....”;

All CMT/
Committee
Officers (to
note)

- 6.6** That paragraph 9(d) on page H4 of the Council’s Constitution be amended to read:

“.....If at least three members of the Committee are in agreement that consideration should be given to a matter contained in the Forward Plan and so inform the Head of Democratic Services, the Chair of the Committee will call a meeting of a Panel of the Scrutiny Committee.....”; and

All CMT/
Committee
Officers (to
note)

| | Action |
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| <p>6.7 That page R2 of the Council's Constitution be amended to read:</p> <p>"No one councillor shall receive more than one Special Responsibility Allowance with the exception of the Lead Councillor, Planning should he or she additionally be a member of the Planning Applications Committee."</p> | <p>CE/DPES/ HDS/ Ann Spike (to note)</p> |
| <p>7 Appointment of Town/Parish Councillors and Independent Members of the Standards Committee</p> <p>The Chair of the Council invited the Head of Democratic Services to inform the Council of the nominations by the Lewes Association of Local Councils of the town and parish councillors to serve on the Standards Committee.</p> <p>The Head of Democratic Services reported that the Association had been invited to nominate five councillors to serve on the Committee. However, their names were not yet available but would be reported to a future meeting of the Council for information.</p> <p>The Chair of the Council moved, and Councillor De Vecchi seconded, the motion:</p> <p>"That the five councillors to be nominated by the Lewes Association of Local Councils, together with the three Independent members, namely, Mr G R Eysenck, Mr E P O Mercer and Mrs J M Redman, be appointed to serve on the Standards Committee for the 2007/08 municipal year."</p> <p>The motion was put to the meeting, <u>Declared Carried</u>, and it was</p> <p><u>Resolved:</u></p> <p>7.1 Accordingly.</p> | <p>HDS/DSol/ J Gavigan (all to note)</p> |
| <p>8 Notice of Appointment of Leaders and Deputy Leaders</p> <p>The Chair of the Council invited the Head of Democratic Services to inform the Council of the appointments made by the political groups on the Council.</p> <p>The Head of Democratic Services reported that he had been notified of the following appointments:</p> <p>Deputy Leader of the Majority Group – Councillor J H Freeman</p> <p>Leader of the Minority Group – Councillor J V S Page</p> <p>Deputy Leader of the Minority Group – Councillor I A Nicholson</p> | |

| | | Action | | | | | | | | |
|--|--|--|------------------------------|---|---|---|----------------------|--|--|--|
| <p><u>Resolved:</u></p> <p>8.1 That the Notices of Appointment be received and noted.</p> | | All CMT/ Committee Officers (to note) | | | | | | | | |
| 9 | <p>Substitute Members</p> <p>The Leader of the Council, Councillor De Vecchi moved, and Councillor Rogers seconded, the motion that:</p> <p>"In accordance with Council Procedure Rule 4, all members of the Council be appointed to the 'approved list' of members appointed to act as substitute members".</p> <p>The motion was put to the meeting, <u>Declared Carried</u>, and it was</p> <p><u>Resolved:</u></p> <p>9.2 Accordingly.</p> | All CMT/ Committee Officers (to note) | | | | | | | | |
| 10 | <p>Ward Issues</p> <p>Ward issues were raised by Councillors on the following subjects:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Councillor/Ward</u></th> <th style="text-align: left;"><u>Ward Issue Concerning</u></th> </tr> </thead> <tbody> <tr> <td>Councillor Davy – Chailey and Wivelsfield Ward.</td> <td>Financial compensation which had been paid to residents of Chailey who had experienced extended periods of electricity cuts to their homes which had not been caused by natural events.</td> </tr> <tr> <td>Councillor Davy – Chailey and Wivelsfield Ward.</td> <td>Recycling in Chailey</td> </tr> <tr> <td>Councillors Saunders - Newhaven Valley Ward</td> <td>The success achieved in a national football competition by girls in Years 7 and 8 from Tideway School, Newhaven.</td> </tr> </tbody> </table> | <u>Councillor/Ward</u> | <u>Ward Issue Concerning</u> | Councillor Davy – Chailey and Wivelsfield Ward. | Financial compensation which had been paid to residents of Chailey who had experienced extended periods of electricity cuts to their homes which had not been caused by natural events. | Councillor Davy – Chailey and Wivelsfield Ward. | Recycling in Chailey | Councillors Saunders - Newhaven Valley Ward | The success achieved in a national football competition by girls in Years 7 and 8 from Tideway School, Newhaven. | |
| <u>Councillor/Ward</u> | <u>Ward Issue Concerning</u> | | | | | | | | | |
| Councillor Davy – Chailey and Wivelsfield Ward. | Financial compensation which had been paid to residents of Chailey who had experienced extended periods of electricity cuts to their homes which had not been caused by natural events. | | | | | | | | | |
| Councillor Davy – Chailey and Wivelsfield Ward. | Recycling in Chailey | | | | | | | | | |
| Councillors Saunders - Newhaven Valley Ward | The success achieved in a national football competition by girls in Years 7 and 8 from Tideway School, Newhaven. | | | | | | | | | |

| | Action |
|---|---------------|
| <p>11 Council Plan 2007/08</p> <p>The Leader of the Council, Councillor De Vecchi moved, and Councillor Freeman seconded, the motion that the recommendation contained in Report No 82/07 relating to the Council Plan 2007/08 be approved.</p> <p>Each Lead Councillor presented their part of the Plan and answered questions relating thereto. In the absence of the Lead Councillor for Environment, Councillor Collict, the Chair of the Cabinet, Councillor De Vecchi, presented that part of the Plan.</p> <p>The motion was put to the meeting, <u>Declared Carried</u>, and it was:</p> <p><u>Resolved:</u></p> <p>11.1 Accordingly.</p> | CMT |
| <p>12 Model Code of Conduct</p> <p>The Leader of the Council, Councillor De Vecchi moved, and Councillor Saunders seconded, the motion that the recommendations contained in Minute 9 of the Standards Committee meeting held on 1 May 2007 relating to the Model Code of Conduct be approved.</p> <p>The motion was put to the meeting, <u>Declared Carried</u>, and it was:</p> <p><u>Resolved:</u></p> <p>12.1 Accordingly.</p> <p>The Chair of the Council then invited councillors to sign the undertaking to observe the Code of Conduct before leaving the Meeting.</p> | DSol |
| <p>The meeting ended at 4.07pm.</p> <p>M P Chartier Chair</p> | |