



Minutes of the meeting held on Wednesday 20 February 2013 at 6.00 pm

Present:-

Councillor Mike Thompson (Mayor) in the Chair

Councillors Caroline Ansell, Margaret Bannister, Janet Coles, Alun Cooke, Philip Ede, David Elkin, Jon Harris, Carolyn Heaps, Pat Hearn, Sandie Howlett, Gordon Jenkins, Tom Liddiard, Gill Mattock, Harun Miah, Colin Murdoch, Jim Murray, Alan Shuttleworth, Neil Stanley, Barry Taylor, Troy Tester, David Tutt, John Ungar, Steve Wallis, Patrick Warner and Annabelle West.

55. Minutes. The minutes of the ordinary meeting held on 21 November 2012 and the extraordinary meeting held on 16 January 2013 were presented and the Mayor was authorised to sign them as correct records.

56. Mayoral Announcements.

- 1 On Saturday 1 December the Mayor attended the annual World Aids Day Procession from the Town Hall to the Bandstand and was joined by Councillors and others from the community.
- 2 The annual Lark in the Park children's party was held at the Winter Garden on Monday 3 December and the Mayor was very happy to join them, especially as this year Lark in the Park is his chosen charity.
- 3 On Christmas Day the Mayor made visits to the Matthew 25 Mission project at Christ Church, followed by the Chaseley resident's Christmas day party and then went onto join the Rotary Club of Eastbourne's Alone at Christmas event at Our Lady of Ransom Church Hall.
- 4 The Mayor's Charity, Lark in the Park, held an Art Exhibition at the Town Hall in conjunction with the Society of Eastbourne Artists over the weekend of 12 and 13 January. The exhibition was very successful, with approx 500 people attending over the weekend. A total of just under £1000 was raised through a combination of sales commission, a raffle, refreshment sales and donations.
- 5 On 24 January the Mayor attended the charity cheque presentation for the Beachy Head Marathon at the International Lawn Tennis Centre. A total of £5650 of donations was awarded to a number of local charities who helped make the event such a success.
- 6 Holocaust Memorial Day took place on 27 January and the Mayor was pleased to be invited to a service held at the Town Hall by the Eastbourne Cultural Community Network.

- 7 The Mayor attended the annual SITA awards on 30 January. Organised by Churches Together for Eastbourne with a team from Suncoast Church, the sponsors for this years' event were Eastbourne Borough Council and Suez-Sita, and the Mayor presented awards to SITA employees in 5 categories who have all made an exceptional contribution to waste management in the Town over the last year.
- 8 The Mayor also attended a number of AGMs, concerts, open days and exhibitions in the last few months.

57. Apologies for absence. An apology for absence was reported from Councillor Colin Belsey.

58. Declarations of disclosable pecuniary interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.

- Councillor Tutt declared a disclosable pecuniary interest in respect of the motion at item 69 below due to being a member of the "Save the DGH" campaign team, and withdrew from the meeting during this item.
- Councillor Bannister declared a disclosable pecuniary interest in respect of item 59 below as an employee of East Sussex County Council but reported that she had received a dispensation to participate in the item.
- Councillor Bannister declared a disclosable pecuniary interest in respect of the motion at item 69 below on the grounds that her spouse works for the NHS, and withdrew from the meeting during this item.
- Councillor Liddiard declared a disclosable pecuniary interest in respect of the motion at item 70 below on the grounds of his employer's interest in the site, and withdrew from the meeting during this item.

59. Council budget and setting of the council tax 2013/14. This matter was reported and moved by Councillor Mattock on behalf of the Cabinet and was seconded by Councillor Tutt. In addition, the Council considered the reports to Cabinet as included in draft budget book, and also the Scrutiny Committee and Cabinet minutes and resolutions from the meetings held on 4 February and 6 February 2013 respectively.

The following amendment was proposed by Councillor West and seconded by Councillor Warner:

Proposed Spending	
2% cut in borough council tax each year for the next 3 years	£150,000
Parks and Gardens Warden	£30,000
Re-instate the post of dog warden	£30,000
Proposed Savings	
Redistribute solarbourne income for the benefit of all	£75,000

Reduction of one senior officer	£100,000
Bring Eastbourne Homes ALMO back in house	£250,000
Waste contract saving	£1,055,000
Senior officer sharing and saving	£50,000

This amendment was lost by 13 votes to 11.

All members conveyed their thanks to officers and, in particular, the Chief Finance Officer and his staff, for their efforts in connection with budget proposals.

Resolved: (By 13 votes to 4) That approval be given to the following

- 1 The recommendations as detailed in the reports from the Chief Finance Officer and the Senior Head of Community to Cabinet on 6 February 2013:-
 - (i) The General Fund net expenditure for 2013/14 of £17,389,500, and the growth and savings proposals.
 - (ii) No change to the council tax for Eastbourne Borough Council to a Band D charge of £224.19.
 - (iii) Housing Revenue Account (HRA) income and expenditure proposals, including revised HRA budget for 2012/13 and the budget for 2013/14, rents and service charges, arrangements for finalising Eastbourne Homes' management fee and annual plan.
 - (iv) General Fund capital programme as set out in report of the Chief Finance Officer.
 - (v) The Treasury Management Strategy and Prudential Indicators.
- 2 That consequent upon a general fund budget of £17,389,500 and other matters, the basic amount (Band D) of council tax for the borough council's functions will be £224.19 calculated as follows:

	£'000	£'000
Gross Expenditure:		
General Fund		80,615
HRA		15,026
Business Rates payable to Government		9,976
		105,617
Less Income:		
Service Income	(78,069)	
Government Formula Grant	(4,796)	
Other Government Grants	(1,970)	

Business Rates income	(13,479)	
Collection Fund Surplus	(22)	(98,336)
COUNCIL TAX REQUIREMENT		<u>7,281</u>
Band 'D' Council Tax		£224.19

The statutory resolutions relating to this matter are given at paragraphs 3 and 4 below.

- 3 That it be noted that, at its meeting on 12 December 2012, the Cabinet (in exercise of powers delegated to them by the Council) delegated the final determination of the Council Tax Base to the Chief Finance Officer. This has been set at an amount of 32,476.6 Band 'D' equivalent properties for the year 2013/2014 (Item T in the formula in section 31B of the Local Government Finance Act 1992, as amended).
- 4 That the Council Tax requirement for the Council's own purposes for 2013/14 be calculated as £7,280,929.
- 5 That the following amounts be now calculated by the Council for the year 2013/2014 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended:
 - (a) £105,616,640 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
 - (b) £98,335,711 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - (c) £7,280,929 being the amount by which the aggregate at 5(a) above exceeds the aggregate at 5(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
 - (d) £224.19 being the amount at 5(c) above (Item R), all divided by Item T (3 above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.
- 6 To note that East Sussex County Council, East Sussex Fire and Rescue Authority and Police and Crime Commissioner for Sussex have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992, as amended, for each category of dwellings in the Council's area as indicated in the table below.

- 7 That the council, in accordance with Sections 30 to 36 of the Local Government Finance Act 1992, as amended, hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2013/14 for each of the categories of dwellings. :

Valuation Bands

EASTBOURNE BOROUGH COUNCIL

A	£149.46	B	£174.37	C	£199.28	D	£224.19
E	£274.01	F	£323.83	G	£373.65	H	£448.38

EAST SUSSEX COUNTY COUNCIL

A	£772.20	B	£900.90	C	£1,029.60	D	£1,158.30
E	£1,415.70	F	£1,673.10	G	£1,930.50	H	£2,316.60

POLICE AND CRIME COMMISSIONER FOR SUSSEX

A	£92.28	B	£107.66	C	£123.04	D	£138.42
E	£169.18	F	£199.94	G	£230.70	H	£276.84

EAST SUSSEX FIRE AND RESCUE AUTHORITY

A	£54.57	B	£63.67	C	£72.76	D	£81.86
E	£100.05	F	£118.24	G	£136.43	H	£163.72

AGGREGATE OF COUNCIL TAX REQUIREMENTS

A	£1,068.51	B	£1,246.60	C	£1,424.68	D	£1,602.77
E	£1,958.94	F	£2,315.11	G	£2,671.28	H	£3,205.54

- 8 That it be determined that the Council's basic amount of Council Tax for 2013/14 is not excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992, as amended.

NOTE: As the billing authority, the Council has **not** been notified by a major precepting authority that its relevant basic amount of Council Tax for 2013/14 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992, as amended.

- 60. Pay Policy Statement.** Council considered the report of the Deputy Chief Executive proposing an updated pay policy statement produced in accordance with the requirement in the Localism Act 2011.

It was moved by Councillor Tutt, seconded by Councillor Elkin and;

Resolved: (1) That the changes to the content of the Pay Policy Statement and the requirement and rationale for its adoption by the Council be noted.

(2) That the amended Policy Statement be approved for publication on the Council's website.

- 61. Treasury management and prudential indicators 2013/14.** This matter was reported and moved by Councillor Mattock on behalf of the Cabinet and seconded by Councillor West.

Resolved: That the recommendations of the Cabinet be approved.

- 62. Core strategy local plan.** This matter was reported and moved by Councillor Wallis on behalf of the Cabinet and seconded by Councillor Liddiard.

Resolved: That the Eastbourne core strategy local plan and policies map be adopted.

- 63. Sovereign Harbour supplementary planning document (SPD).** This matter was reported and moved by Councillor Wallis on behalf of the Cabinet and seconded by Councillor Liddiard.

Mr Rick Runnals of the Sovereign Harbour Residents Association, addressed the Council in support of this item. He praised the efforts of all parties in their contribution towards the finalisation of this SPD. Both Mr Runnals and the members thanked the Senior Head of Environment and, in particular, Lisa Rawlinson as the lead planning officer in this process.

Resolved: That the Sovereign Harbour supplementary planning document be adopted.

- 64. Eastbourne Park supplementary planning document (SPD).** This matter was reported and moved by Councillor Wallis on behalf of the Cabinet and seconded by Councillor Liddiard.

Resolved: That the Eastbourne Park supplementary planning document be adopted subject to the amendment regarding the indicative nature of the location of the proposed visitor centre as referenced in paragraph 91.7 of the Cabinet minutes.

- 65. Sustainable building design supplementary planning document (SPD).** This matter was reported and moved by Councillor Wallis on behalf of the Cabinet and seconded by Councillor Liddiard.

Resolved: That the sustainable building design supplementary planning document be adopted.

- 66. Eastbourne town centre – use of compulsory purchase powers.** This matter was reported and moved by Councillor Wallis on behalf of the Cabinet and seconded by Councillor Liddiard.

Resolved: That the decision of the Cabinet in this matter be endorsed.

- 67. Gambling Act – statement of principles 2013/16.** This matter was reported and moved by Councillor Wallis on behalf of the Cabinet and seconded by Councillor Murdoch.

Resolved: That this policy be approved and adopted.

- 68. Executive regulations – delegation arrangements.** This matter was reported and moved by Councillor Tester on behalf of the Cabinet and seconded by Councillor Howlett.

Resolved: That the Cabinet's decisions, in so far as they relate to amendments to the Council's Constitution, be approved.

- 69. Motion – Save the DGH Campaign.** The following motion was jointly proposed by Councillors Elkin and Mattock and jointly seconded by Councillors Tester and Howlett:

"1. This Council supports the action taken by the "Save the DGH Campaign" group and agrees to a maximum sum of £40,000 being set aside and being made available to the group should it be needed towards costs involved with current and/or future costs involved with the campaign.

2. That the Chief Executive in consultation with the Lawyer to the Council and the External Auditors be given delegated authority to apply any necessary governance requirements in accordance with legal advice, for the release of this funding."

The above motion was slightly amended in part 1 from the version published on the agenda where the last word of the original wording, "litigation", was replaced with "*and/or future costs involved with the campaign*". This was to enable the widest possible flexibility in respect of the Council's support.

Mr Stephen Lloyd, MP for Eastbourne, and Mr Ian Lucas, both addressed the Council in support of this motion. In addition, the following letter of support was reported from Helen Key, Labour Party representative on the Save the DGH Committee:

"The Save the DGH Campaign has been working on behalf of all residents of Eastbourne and surrounding areas to maintain essential core services at the Eastbourne District General Hospital. It is well known that two of these core services are once again under attack. Removal of any core service to the Conquest will seriously disadvantage local people, and lead to unnecessary further suffering, expense and possibly even death. The most vulnerable local people are the ones who will be hit hardest, including the older and poorer among us, who don't have funds for taxis and will have to negotiate a long, difficult and expensive journey on public transport to receive essential core services, or visit family and friends.

The Save the DGH Campaign is a genuine cross-party group seeking to ensure our local people have high quality health services based in our geographical area. The local Labour Party has had a representative on the campaign group since its beginnings and fully supports the work of the

group. Although I can't be at the meeting tonight I have asked for this letter to be read out to show the local Labour Party's full support of the campaign group and the motion under discussion now."

Council was advised that the campaign team, notwithstanding their obtained legal opinion that the consultation process that led to this decision may have been flawed, was unlikely to proceed with any specific legal action at this time. However, there were strong concerns at the possibility of continued erosion of services at the DGH and it was important to remain vigilant and ready to continue the fight to resist any such proposals. Therefore, there was a likelihood of costs going forward and it was helpful to have access to campaign funds, Council support as indicated by this motion, and the possibility of seeking further public donations. Both the public speakers and members praised the continuing commitment of Honorary Freeman Liz Walke in leading the campaign and being prepared to put her personal resources at risk in continuing the fight. Members were encouraged to continue to keep the East Sussex Health and Overview Scrutiny Committee advised of any further actions and concerns that come to light in the future.

The Council noted that officers had sent instructions to Counsel seeking advice on a number of public law issues relevant to this matter and fully accepted that this advice would need to be taken into account by the Chief Executive in exercising the discretion delegated to him by this motion.

Resolved: (With 1 abstention) That this motion be approved.

- 70. Motion – Langney Shopping Centre.** The following motion was proposed by Councillor Shuttleworth and seconded by Councillor Tester:

"Eastbourne Borough Council expresses its shock and dismay at the collapse of the roof of Langney Shopping Centre on 20th December 2012. The Council recognises that the Centre is the hub of the Langney community, and this event has had a devastating effect on many people and businesses. The Council expresses relief that the collapse did not happen during daytime hours.

The Council resolves to work with all partners to bring about the earliest possible safe re-opening of Langney Shopping Centre as a retail centre with a diverse range of outlets, including a continuing strong input from local traders.

The Council further calls upon the owners of the shopping centre to fully engage with the local community with openness and transparency at this time."

Resolved: That this motion be approved.

- 71. Minutes of council bodies and items for discussion.** The minutes of the following Council Bodies were submitted to this meeting:-

Conservation Area Advisory	20 November 2012 and 8 January 2013
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Group	
Planning Committee	27 November 2012, 8 January 2013 and 5 February 2013
Audit and Governance Committee	5 December 2012
Scrutiny Committee	10 December 2012 and 4 February 2013
Cabinet	12 December 2012 and 6 February 2013
Licensing Act Committee	14 January 2013

In accordance with Council Procedure Rule 14, Members raised the following items for discussion:-

1. Planning Committee, page 197, item 47(4) – EB/2012/0641 – Parkfield Public House, Lindfield Road – raised by Councillor Hearn.
2. Scrutiny Committee, page 209, item 13 – Eastbourne emergency road repairs – raised by Councillor Wallis.

Further to Council Procedure Rule 14.3 it was,

Resolved: That the minutes of the above Council Bodies be accepted.

The meeting closed at 9.10pm

**Councillor Michael John Thompson,
Mayor, Chairman**

(pf:council\13.02.20\mins)