



## Meeting of the Council

**Minutes of the Meeting of the Council held in The Chamber, Pelham House, St Andrew's Lane, Lewes on Wednesday, 5 December 2012 at 2.30pm**

### **Present:**

Councillor I A Nicholson (Chair)

Councillors S Adeniji, R E Allen, G R Amy, R Blackman, C A Bowers, C J Butler, J L Carr, M P Chartier, M A Cutress, S B Davy, A Dean, I Eiloart, P L Franklin, P Gander; P F Gardiner, S J Gauntlett, B W Groves, J V Harris, J M Harrison-Hicks, P A Howson, A T Jones, C S Lambert, J N MacCleary, R K Maskell, E C Merry, C R O'Keeffe, S J Osborne, J V S Page, R Robertson, E E J Russell, S Saunders, A X Smith, J Stockdale, B M Warren and I J White.

### **Apologies received:**

Councillors D R Edmunds, D M Gray, R Main, H J F Sheppard and C Sugarman.

	<b>Minutes</b>	<b>Action</b>
<b>104 Minutes</b>	<p>The Minutes of the Meeting of the Council held on 17 October 2012 were approved as a correct record and signed by the Chair.</p>	
<b>105 Declarations of Interest</b>	<p>Councillor Stockdale declared his personal, non-prejudicial interest in Agenda Item 11 (Recommendations from Cabinet).</p>	

**106 To Receive any Announcements From the Chair of the Council, Leader of the Council, Members of the Cabinet or the Chief Executive**Chair of the Council's Engagements

The Council received the list of the Chair of the Council's engagements carried out since the Meeting of the Council held on 17 October 2012.

The Chair of the Council reported that, since the preparation of the list of engagements, he had been invited to, and had attended, the Newhaven and Seaford Sailing Club Dinner which had been held on 1 December 2012.

**107 Questions from Members of the Public**

Questions were asked of the Cabinet Member for Planning, Councillor Jones, by a member of the public on the following subject, a copy of which was circulated to all councillors at the meeting and made available to the public attending the meeting (a copy of which is contained in the Minute Book), oral replies to which were given at the meeting:

QuestionerQuestion Concerning

Mr John Kay

*(NB Mr Kay had submitted a question relating to the Lewes District Local Plan – Core Strategy Proposed Submission Document. However, he withdrew his question at the Meeting as the subject matter of his question was covered in a document which was circulated at the Meeting during the Council's consideration of matters under Agenda item 11 ("Recommendations from Cabinet").*

Mr John Foxley

The Environmental and Cultural Policies and the duties of the South Downs National Park Authority applicable to the land south and east of Chyngton Way Seaford (Chyngton Field), over-riding any Development Proposals within the lifetime of the Lewes District Local Plan Core Strategy.

**108 Petitions**

(a) The Chair of the Council received a petition from Councillor O'Keeffe, Catherine Grace and Karen Miles. The petition contained in excess of 2000 signatures, 400 of which had been made by way of an on-line petition, and related to the retention of Southover Grange as The Register Office and to the retention of Southover Grange and Gardens as a public resource for the

people of Lewes.

The petitioners briefly addressed the Council on the subject matter of the petition and the number of signatures.

In accordance with Council Procedure Rule 12(a), the petition would be referred to a future meeting of Cabinet.

CHPRE

(b) The Chair of the Council received a petition from Samira Harris. The petition contained in excess of 2200 signatures and related to the proposal, in the Lewes District Local Plan – Core Strategy Proposed Submission Document, which might result in the demolition of the Phoenix site, Lewes, and, consequently, the loss of employment, the creative community which worked at that site and a community infrastructure which supported education and entertainment facilities. The petition asked that the government support such important elements of the community.

Ms Harris briefly addressed the Council on the subject matter of the petition and the number of signatures.

The matter of the Lewes District Local Plan – Core Strategy Proposed Submission Document was to be considered later in the Meeting as part of the Recommendations from Cabinet (Agenda Item 11 refers) and, therefore, in accordance with Council Procedure Rule 12(b), the petition was referred to when that matter was considered.

DPES

## 109 Questions to the Leader of the Council

Councillors asked questions of the Leader of the Council, Councillor Page, on the following subjects, oral responses to which were given at the meeting:

### Questioner

### Question/Response

Councillor Franklin

#### Question:

Can the Leader of the Council provide an update on when the funding that was to be used for food waste recycling, would be received?

#### Response:

The Council had accepted the offer of the funding and its receipt was awaited. It was anticipated that operation of the food waste recycling programme would commence by September 2013.

DPES

<u>Questioner</u>	<u>Question/Response</u>	
Councillor White	<p><u>Question:</u> The Council was providing a period of free car parking in its off-street car parks in Newhaven and Seaford from 15 December 2012 to 31 December 2012 in order to support Christmas shopping in those towns. Would such provision be continued in the future if it was not too expensive?</p> <p><u>Response:</u> <i>(NB At the request of the Leader of the Council, the following response was provided by the Cabinet Member for Business, Economic Development and Tourism, Councillor Blackman).</i></p> <p>In order to promote goodwill, the Council was to consider offering such seasonal free car parking in its off-street car parks in Newhaven, Seaford and Lewes prior to Christmas 2013.</p>	CHPRE
Councillor Butler	<p><u>Question:</u> Councillor Butler had heard that the Eastside and Quay developments, Newhaven, were due to be considered by the Planning Applications Committee at its meeting on 12 December 2012.</p> <p>As they were significant developments and as that meeting was being held in Lewes, would the Council be able to arrange for it to be webcast in order that the proceedings could be viewed by those who had an interest in the developments, including those who lived in Newhaven, but who were unable to attend the meeting?</p> <p><u>Response:</u> The Council would investigate whether or not the undertaking of such webcasting was feasible.</p>	DPES
Councillor Lambert	<p><u>Question:</u> East Sussex County Council's Small and Medium Sized Enterprises Commission wished to stage a Planning/Business seminar early in 2013 which would include representation from Planners.</p> <p>Would the Council support the Seminar and ensure that its Planning Department was represented?</p> <p><u>Response:</u> The Leader of the Council stated that the staging of</p>	CHPRE/

<u>Questioner</u>	<u>Question/Response</u>	
	the Seminar seemed to be a good idea.	DPES
Councillor Bowers	<p><u>Question:</u> Would the Leader of the Council support the audio recording of Council Meetings from February 2013 onwards?</p> <p><u>Response:</u> The Corporate Head of Legal and Democratic Services would be asked to ascertain whether or not such recording could be undertaken by way of the public address system that was used at Council Meetings. If so, they would be undertaken commencing at the February 2013 Meeting and be made available to all Members of the Council.</p> <p><i>(NB The Chair of the Council reported that he had no objection to such recordings being made).</i></p>	CHLDS
<b>110 Ward Issues</b>		
	Ward issues were raised by Councillors on the following subjects which would be reported to the next meeting of Cabinet:	
<u>Councillor/Ward</u>	<u>Ward Issue Concerning</u>	
Councillor MacCleary – Lewes Bridge Ward	<p>The time of day at which refuse was collected from businesses in the Cliffe High Street area of Lewes as the smell from the refuse was not pleasant for diners who were eating their meals at the food outlets/restaurants in the vicinity.</p> <p><u>Suggested action to be taken by the Council:</u> That the Council be requested to contact the contractor which was responsible for such collections to ask that they be undertaken at more appropriate times of the day when diners were not eating their meals at the food outlets/restaurants.</p>	DPES

<u>Councillor/Ward</u>	<u>Ward Issue Concerning</u>	
Councillor MacCleary – Lewes Bridge Ward	A written explanation of the 10% increase in the Council's off-street car parking charges.  <u>Suggested action to be taken by the Council:</u> That the Leader of the Council be requested to write to Councillor MacCleary in order to provide him with such explanation – was it, for example, to create revenue that could be used to support the Council's finances?	CHPRE
Councillor Butler – Newhaven Denton and Meeching Ward	The Council's financial support of forthcoming events at Newhaven Fort to mark the 100 years remembrance anniversary of the First World War. Some groups that would be undertaking such events had been advised that there would not be any available funding to assist with their activities.  <u>Suggested action to be taken by the Council:</u> That the Council be requested to indicate whether or not it would be providing financial assistance to such groups and whether or not it would be organising any of its own such remembrance activities at the Fort.	CHPRE
Councillor Butler – Newhaven Denton and Meeching Ward	Councillor Butler had been informed that she would be sent copies of all Press Releases which were issued in respect of matters that affected Newhaven Denton and Meeching Ward. However, to date, she had received only one such Release. Was it that only one had been issued or had she not been sent copies of other Releases?  <u>Suggested action to be taken by the Council:</u> That Councillor Butler be sent copies of all Press Releases which were issued in respect of matters that affected Newhaven Denton and Meeching Ward.	CHLDS

## 111 Urgent Decisions taken by the Cabinet or Cabinet Members

### Urgent Decision taken by the Cabinet

In accordance with Scrutiny Procedure Rule 17, the Corporate Head of Legal and Democratic Services reported details of urgent decisions that had been taken by Cabinet at its meeting on 20 November 2012, which were not subject to the call-in procedure, together with the reason for such urgency,

as follows:

Resolutions 100.1 and 100.2 relating to:

- (a) the Council becoming a member of a proposed company, limited by guarantee, established for the purposes of setting up, maintaining, carrying in and developing an Academy, which includes provision of technical education, at premises in Newhaven; and
- (b) the appointment of Councillor Page as the "Local Authority Governor" pursuant to Article 51 of the proposed Articles of Association of CleanTech UTC Ltd,

were urgent as to delay their implementation would adversely affect the likely success of the bid in respect of the Academy and, therefore, were not subject to the call-in procedure.

## 112 Recommendations from Cabinet

### Unreserved Item

(a) The Leader of the Council, Councillor Page, moved, and Councillor Robertson seconded, the motion that the recommendation of Cabinet held on 20 November 2012 contained in Minute 90 relating to the Finance Update, be received and adopted.

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

Resolved:

**112.1** Accordingly.

### Reserved Items

(b) The Leader of the Council, Councillor Page, moved, and Councillor Robertson seconded, the motion that the recommendations of Cabinet held on 20 November 2012 contained in Minute 93 relating to the Local Council Tax Support Scheme - Update, be received and adopted and that the Special Meeting of Full Council, as referred to in Minute 93.3, be held in The Chamber, Pelham House, St Andrew's Lane, Lewes on Thursday, 10 January 2013 commencing at 2.30pm.

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

Resolved:

**112.2** Accordingly.

DF

DF/  
CHLDS

(c) The Leader of the Council, Councillor Page, moved, and Councillor Smith seconded, the motion that the recommendation of Cabinet held on 20 November 2012 contained in Minute 94 relating to the recommendation of the Scrutiny Committee at its meeting held on 6 September 2012, be received and adopted.

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

Resolved:

**112.3** Accordingly.

DF

(d) The Leader of the Council, Councillor Page, moved, and Councillor Robertson seconded, the motion that the recommendation of Cabinet held on 20 November 2012 contained in Minute 102 relating to the Meetings Timetable 2013/2014, be received and adopted subject to the Council Meeting that was due to be held on Monday, 22 July 2013 being rescheduled to take place on Thursday, 18 July 2013; the Cabinet meeting that was due to be held on Monday, 15 July 2013 being rescheduled to take place on Thursday, 11 July 2013 and the Cabinet Callover that was due to be held on Monday, 24 June 2013 being rescheduled to take place on Thursday, 20 June 2013.

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

Resolved:

**112.4** Accordingly.

CHLDS

(e) The Leader of the Council, Councillor Page, moved, and Councillor Howson seconded, the motion "That the Council, until the resolution of the Council is reached, do resolve itself into committee for the purpose of considering Report No 184/12 of the Director of Planning and Environmental Services and the Recommendations of Cabinet as set out in Minute 89 at its meeting held on 20 November 2012 relating to the Lewes District Local Plan – Core Strategy Proposed Submission Document".

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

Resolved:

**112.5** Accordingly.

The Chair of the Council drew Councillors attention to the petition which had been submitted to the Council earlier in the meeting by Samira Harris. The petition contained in excess of 2200 signatures and related to the proposal, in the Lewes District Local Plan – Core Strategy Proposed Submission Document, which might result in the demolition of the Phoenix site, Lewes,



and, consequently, the loss of employment, the creative community which worked at that site and a community infrastructure which supported education and entertainment facilities. The petition asked that the government support such important elements of the community.

The Director of Planning and Environmental Services circulated a document entitled "Lewes District Council – Full Council meeting, 5 December 2012 - Report No. 184/12 - Lewes District Local Plan – Core Strategy Proposed Submission Document" (a copy of which is contained in the Minute Book), which set out details of responses to several issues that had been raised by Cabinet at its meeting held on 20 November 2012. A copy of that document was also made available to all those attending the meeting.

The Director of Planning and Environmental Services and the Planning Policy Manager then gave Council a presentation and answered Councillors questions on matters relating to the Core Strategy Proposed Submission Document, as referred to in Report No 184/12 and in the recommendations contained in Minute 89 of Cabinet at its meeting held on 20 November 2012. The presentation also related to the document which had been circulated at the Council meeting.

The Director of Planning and Environmental Services introduced to the meeting Lara Southam, Planning Policy Officer, South Downs National Park Authority (SDNPA), who also answered some of the Councillors questions on matters relating to the Core Strategy Document and, in particular, to the views of the SDNPA in respect of proposed changes which the Council might wish to make to that Document.

Council considered Report No 184/12, the Cabinet recommendations in respect thereof and the document which had been circulated at the Council meeting.

The Cabinet Member for Planning, Councillor Jones, thanked the Council's Officers and those of the SDNPA for the work that they had undertaken during the production of the Core Strategy Document.

Council came out of committee following which the Leader of the Council, Councillor Page, moved, and Councillor Robertson seconded, the motion that:

- (i) The recommendations of Cabinet held on 20 November 2012 contained in Minute 89 relating to the Lewes District Local Plan – Core Strategy Proposed Submission Document; and
- (ii) The issues set out in the document which had been circulated at the Council meeting entitled "Lewes District Council – Full Council meeting, 5 December 2012 - Report No. 184/12 - Lewes District Local Plan – Core Strategy Proposed Submission Document",

be received and adopted subject to the following amendments (NB All page numbers referred to below relate to the Core Strategy Proposed

Submission Document itself that was circulated with the Agenda for the Cabinet meeting held on 20 November 2012, not to the page numbering of the Cabinet Agenda papers):

- (a) Revise the paragraph relating to Peacehaven & Telscombe on page 19 (“Section 2 – A portrait of Lewes District”) to include details in respect of East Saltdean;
- (b) “.....hubs, such as the railway station. The retail provision on offer in the town will have been improved, by developments that encourage a rich and diverse mix of shops and other town centre uses, and advantage will have been.....” (page 27 – part paragraph at top of page refers). Similar text to be included in the paragraph relating to Lewes town (page 27 refers) and in paragraphs relating to all other areas where possible (NB Such amendments to be on the basis that they can be approved by the Director of Planning at the South Downs National Park Authority without delaying progress of the Core Strategy Document);
- (c) “.....ageing population. A key element of this objective will be ensuring that a suitable mix of housing size, type, tenure and affordability is achieved including consideration being given to the needs of individual settlements in such respect.” (page 29 – text in standard type in paragraph 3 refers);
- (d) “To ensure that the district reduces causes of climate change, including through the implementation of the highest feasible standards of sustainable construction techniques in new developments and be proactive regarding climate change initiatives.” (page 31 – text in bold type at start of paragraph 10 refers);
- (e) Insert a glossary in the Document in which a definition of the word “sustainable” is provided particularly with regard to its mention on page 32;
- (f) “.....(this could include A2 Financial and Professional Services, A3 Restaurants and Cafes, A4 Drinking Establishments and A5 Hot Food Takeaways and community space).” (page 47 – 6th bullet point refers);
- (g) “.....will be further expanded upon in the masterplan, which will be subject to approval from both the National Park Authority and District Council in consultation with residents, businesses and community groups on site and in the local area.” (page 48 - top paragraph refers);
- (h) “outdoor sports facilities (with natural or artificial surfaces, either publicly or privately owned) and cycleways” (page 91 –

paragraph 7.77 – 4th bullet point refers);

- (i) “.....reduce traffic levels in areas of reduced air quality, particularly in town centre locations, and promote the opportunity for cycling through the provision of cycleways.” (page 94 – Core Policy 9 (Air Quality) – paragraph 5 refers);
- (j) “Core Policy 12 – Flood Risk, Coastal Erosion, Sustainable Drainage and Slope Stability” (page 104 – the heading of Core Policy 12 refers);
- (k) The Director of Planning and Environmental Services reviewing the text set out in the boxes which define the Core Policies with the aim of making such text easier to understand; and
- (l) The Director of Planning and Environmental Services reviewing the text set out in Spatial Policy 5 – Land north of Bishops Lane, Ringmer (page 56 refers) in light of the text set out in the document which was circulated at the Council meeting, so as to ensure consistency between them.

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

Resolved:

**112.6** Accordingly.

*(Note: Councillor Stockdale declared his personal, non-prejudicial interest in references to the Lewes District Local Plan – Core Strategy Proposed Submission Document above as he was a Trustee of Lewes Community Land Trust and, therefore, was able to take part in the consideration, discussion and voting thereon).*

DPES

### **113 Notices of Motion**

The Chair of the Council reported that a Notice of Motion had been submitted under Council Procedure Rule 13 by Councillor Gardiner relating to planning and housing matters.

In accordance with Council Procedure Rule 13, Councillor Gardiner moved, and Councillor Jones seconded, the Notice of Motion as follows:

#### **Planning and housing**

“This Council wishes the Secretary of State for Communities and Local Government to note the following:

Lewes District Council believes that local people, through their democratically elected local authorities, are the most suitable judges of

what development is acceptable in an area and the suitable level of contributions that developers need to make;

Lewes District Council opposes:

The Secretary of State's proposals for the Planning Inspectorate to have powers to override agreements between Councils and developers over the number of affordable housing units allocated to planning applications.

The Secretary of State's proposals for planning permission to only be needed for extensions from the rear wall of any home reaching beyond 8m for detached homes and 6m for others (currently planning permission is required for extensions of more than 3 metres for attached houses and or 4 metres for detached houses

The Secretary of State's intention to override Section 106 of the Town and Country Planning Act of 1990 which will allow developers to immediately appeal to the Planning Inspectorate over the allocation of affordable housing units in any scheme with which they may be concerned.

The Secretary of State's proposals for the Planning Inspectorate to take planning powers away from local authorities which he deems to be slow or of making poor quality planning decisions in determining applications.

This Council notes that the current Coalition government did listen earlier in the year over concerns regarding the National Planning Policy Framework and revised its plans accordingly, and so urges the Government to listen to the concerns being expressed by the cross-party LGA;

This council however welcomes other parts of the stimulus package including:

£300 million to provide 15,000 affordable homes across the country

An extension of the refurbishment programme to bring an extra 5,000 empty homes back into use

£280m for FirstBuy, the shared equity scheme to give a further 16,500 first time buyers the chance to own their own homes

Up to £10bn of guarantees to housing associations, property management companies and developers which will be able to use the guarantees to secure lower borrowing costs. This will lead to hundreds of thousands of extra rental homes being built.

This council also notes the following facts:

the record of Government from 1979 to 1997 during which 1.1 million social

homes were lost, through a failure to invest in replacements of right-to-buy sales. In 1997 one million families were on social housing waiting lists.

the record of the previous Labour government on providing affordable social housing – and that during their 13 years in power, the social housing stock fell by another 420,000 houses, as Labour continually failed to build more homes than they were selling off. In the meantime, social housing waiting list soared to almost 1.8million, a rise of 741,000 families.

This council resolves to formally write to the Secretary of State for Communities and Local Government, outlining this council’s opposition to the plans.”

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

Resolved:

**113.1** Accordingly.

DPES

The meeting ended at 5.34pm

I A Nicholson  
Chair