

Lewes District Council



Council Agenda

Thursday, 16 July 2015

Southover House, Lewes

Jenny Rowlands
Chief Executive

Lewes District Council



Council Meeting

Councillors are kindly requested to switch off their mobile 'phones and other mobile devices prior to the commencement of the meeting.

Note: At the commencement of the meeting the Chair will ask for a period of silence to enable councillors to focus their thoughts on the meeting or to pray silently.

To all Members of the Council

A meeting of the **Council** will be held in the **The Council Chamber, County Hall, St Annes Crescent, Lewes BN7 1UE** on **Thursday, 16 July 2015** at **14:30** which you are requested to attend. Please note the start time and that the venue for this meeting is wheelchair accessible and has an induction loop to help people who are hearing impaired.

This meeting may be filmed, recorded or broadcast by any person or organisation. Anyone wishing to film or record must notify the Chair prior to the start of the meeting. Members of the public attending the meeting are deemed to have consented to be filmed or recorded, as liability for this is not within the Council's control.

Agenda

Introduction

1 Minutes

To confirm and sign the Minutes of the Annual Meeting of the Council dated 20 May 2015 (copy previously circulated).

2 Apologies for Absence

3 Declarations of Interest

Disclosure by councillors of personal interests in matters on the agenda, the nature of any interest and whether the councillor regards the interest as prejudicial under the terms of the Code of Conduct

4 Announcements

To receive any announcements from the Chair of the Council, Leader of the Council, Members of the Cabinet or the Chief Executive.

A list of the Chair of the Council's engagements since the Annual Meeting of the Council on 20 May 2015 is enclosed – page 7.

5 Questions from Members of the Public

To deal with questions which members of the public may wish to put to members of the Cabinet in accordance with Council Procedure Rule 10 (herewith - page 9).

6 Petitions

To receive petitions from councillors or members of the public in accordance with Council Procedure Rule 12 (if any).

7 Written Questions from Councillors

To deal with written questions which councillors may wish to put to the Chair of the Council, a Lead Councillor on the Cabinet or the Chair of any committee or sub-committee in accordance with Council Procedure Rule 11 (if any).

8 Questions to the Leader of the Council

To deal with questions (if any) which councillors may wish to put to the Leader of the Council. It will be at the Leader's discretion to re-direct questions to relevant Members of the Cabinet. A councillor wishing to raise a question must notify the Chair of the Council of the text of the question prior to the commencement of the meeting. *(NB This item is limited to a maximum of 5 questions, with no more than 1 question being asked per councillor. If a question requires a detailed or technical response, the Leader may decide that a written response is more appropriate).*

9 Ward Issues

To deal with ward issues which councillors wish to raise. A councillor wishing to raise a ward issue must notify the Chair of the Council prior to the commencement of the meeting in accordance with Council Procedure Rule 11.8 (if any).

10 Urgent Decisions taken by the Cabinet or Cabinet Members

In accordance with Scrutiny Procedure Rule 17, to receive details of any urgent decisions taken by the Cabinet or Cabinet Members since the Annual Meeting of the Council on 20 May 2015.

11 Recommendations from Cabinet

To consider the recommendations from the meeting of the Cabinet held on 6 July 2015 (herewith - page 10).

12 Notices of Motion

(a) In accordance with Council Procedure Rule 13 Councillor Osborne has submitted the following Notice of Motion:

To change the thresholds for petitions to trigger referral to Scrutiny and Full Council

Council notes that a petition must contain at least 750 signatures to require the relevant senior officer to give evidence at a public meeting of the Council's Scrutiny Committee.

And a petition must contain at least 1,500 signatures or more for it to be

debated by all our councillors as an agenda item at a full Council meeting.

We believe that this somewhat arbitrary threshold, discriminates against small rural communities with populations below 750 signatures (or 1500). For example East Chiltington and St John Without combined only has approx 470 people. Even if 100% of the residents of both parishes felt strongly enough to sign a petition, they could not have their concerns debated at a public meeting. By contrast Seaford will only need to gain the signatures of approximately 3 % or 6% respectively of the population to be afforded the attention of councillors and officers at LDC.

Therefore we suggest that the constitution be changed to read as follows:

A petition must contain at least 750 signatures (or 40% of the population of a parish, if on a localised issue) to require the relevant senior officer to give evidence at a public meeting of the Council's Scrutiny Committee. A petition must contain at least 1,500 signatures (or 40% of the population of a parish, if on a localised issue) for it to be debated by all councillors as an agenda item at a full Council meeting.

If there is any doubt as to whether the subject of the petition is a localised as opposed to a district wide issue, this will be determined by the relevant service Director in consultation with the Chief Executive.

(b) In accordance with Council Procedure Rule 13 Councillor Osborne has submitted the following Notice of Motion:

Timing of Council Meetings

The Council notes the following:

The District Council has historically met for Full Council Meetings at 2.30pm.

We believe Public meetings should be held at a time convenient for the majority of the public, whenever possible.

For most of the public, scheduling a public meeting for a weekday afternoon is somewhat inconvenient unless they're retired, unemployed, work nights or have very flexible working hours. Having meetings in the evening may not draw a crowd, but having them scheduled during the day almost ensures plenty of empty seats.

Beyond that, day meetings send residents a signal that their participation is neither encouraged nor desired. That's exactly the wrong signal to be sending those who pay the bills, elect the council and play a big role in shaping Lewes District.

As all council meetings with the exception of the Planning Applications Committee meet during the day, many working Councillors are having to take a substantial amount of time off from their paid employment or own businesses to attend. Although it is assumed that legislation demands that employers give their employees reasonable time off to attend meetings and many do, this is not the case in law. Whether by choice or out of necessity many of my colleagues choose to take the time off as annual leave and

therefore give up a large percentage of the holiday time they have available to spend with our families. This is one of the reasons that many members of the community are dissuaded from ever becoming Councillors in the first place and subsequently reduces the cross-section of the membership of the Council as a whole.

I would ask the Council to improve the present situation by adopting the following Notice of Motion:

To enable greater engagement with members and the public:

The timing of the meetings of Full Council be changed from 2.30pm to 6 pm commencing with the meeting in July 2016 and thereafter.

13 Outside Body & Joint Body Representatives and Cabinet Membership

To consider the Report of the Assistant Director of Corporate Services (Report No 92/15 herewith – page 20).

14 Protocol on Member-Officer Relations

To consider the Report of the Assistant Director of Corporate Services (Report No 93/15 herewith – page 23).

15 Officer Employment Procedure Rules Update

To consider the Report of the Assistant Director of Corporate Services (Report No 94/15 herewith – page 26).

16 Pay Policy Statement

To consider the Report of the Director of Corporate Services (Report No 95/15 herewith – page 32).

17 Reporting Back on Meetings of Outside Bodies

To receive feedback from the Council's representatives who serve on outside bodies in respect of meetings they have attended (if any). A councillor wishing to provide feedback must notify the Chair of the Council prior to the commencement of the meeting.



Jenny Rowlands
Chief Executive

For further information about items appearing on this Agenda, please contact Catherine Knight at Southover House, Southover Road, Lewes, East Sussex BN7 1AB. Telephone (01273) 471600.

Introduction

- Notes:
- 1 Please note time, date and venue for the meeting.

 - 2 The meeting will open with a period of silence to enable councillors to focus their thoughts on the meeting or to pray silently.



Lewes District Council

Southover House
Southover Road
Lewes
East Sussex BN7 1AB

Civic Officer: 01273 661115

civic.office@lewes.gov.uk

CHAIR
Councillor RUTH O'KEEFFE

CHAIR'S ENGAGEMENTS 21 May 2015 – 16 July 2015

Thursday 21 May	7pm	Chair: To attend Lewes Town Council's Annual Council and ceremony of Mayor Making at Lewes Town Hall.
Saturday 30 May	11am	Chair: To attend the Oyster Project commemoration event at Westgate Chapel, Lewes.
Thursday 4 June	7pm	Vice-Chair: To attend the Varndean College Private View at Varndean College.
Thursday 11 June	7.30pm	Chair: To attend the HOMELINK Annual General Meeting at Friends Meeting House, Lewes.
Monday 15 June	5pm	Chair and Consort: To attend a Service for HM Judiciary and members of the East Sussex Community and Reception, hosted by the High Sheriff of East Sussex, at St Margaret's Church, Ditchling, and Ditchling Museum.
Tuesday 16 June	6pm	Chair and Consort: To attend the Sussex Downs College Diploma and Awards ceremony at Sussex Downs College.
Thursday 18 June	6pm	Vice-Chair: To attend the Bishop of Chichester's Evening Reception in the gardens of the Bishop's Palace.
Friday 19 June	2.15pm	Chair and Consort: To attend the Plumpton College Awards Ceremony at Plumpton College.

Saturday 20 June	7pm	Chair: To attend and present the prizes at the Rotary Club of Lewes Annual Skittle Event in Grange Gardens, Lewes.
Wednesday 24 June	7.30pm	Chair: To attend the Phoenix Talking Post Annual General Meeting at the House of Friendship, Lewes.
Saturday 27 June	11am	Chair and Consort: To attend the Armed Forces Day parade and afternoon tea, hosted by The Royal Society of St. George, Seahaven Branch and Seaford Town Council, at Martello Fields, Seaford.
Saturday 27 June	4pm	Chair and Consort: To attend the Friends of Sussex Hospices Summer Concert at Folkington Manor, Folkington, East Sussex.
Sunday 28 June	3pm	Chair and Consort: To attend the Iford and Swanborough community embroidery project Opening Ceremony at St. Nicholas Church, Iford.
Monday 29 June	6.30pm	Chair and Consort: To attend the Chairman of East Sussex County Council's Summer Reception at the Beach Deck, Eastbourne Seafront.
Tuesday 7 July	11am	Chair and Consort: To attend a visit to the Bluebell Railway.
Wednesday 8 July	8pm	Chair and Consort: To attend the Seahaven District Scouts Annual General Meeting at Seahaven District Scouts HQ, Seahaven.
Friday 10 July	10am	Vice-Chair: To attend a celebration of Newhaven Library, Newhaven.
Friday 10 July	6pm	Chair and Consort: To attend and open the Remembering Srebrenica exhibition at Lewes House, Lewes.
Saturday 11 July	5pm	Chair and Consort: To attend the Lord Lieutenant's Champagne Reception and Open Air Concert at Herstmonceux Castle, East Sussex.

COUNCIL MEETING

16 July 2015

Questions from Members of the Public (Agenda Item No 5)

Questions submitted by Kevin Claxton. To be put to Councillor Jones, Cabinet Member for Planning:

1. How will the Council engage with the community at Telscombe Cliffs regarding the large blue commercial garage premises that has been erected and is impacting on the local area and National Park?
2. The Council process currently is to only consult with immediate neighbours and placing notices in the street, during a planning application. Will the Council seek to reduce the possibility of a similar situation to that now existing in Telscombe Cliffs arising again, by considering the introduction of an alternative larger consultation process for planning applications which are likely to have impact on the broader community, rather than immediate neighbours only?



**Cabinet recommendations for consideration by Council
at the Meeting of the Council on Thursday, 16 July 2015**

Cabinet – 6 July 2015

5 Finance Update

The Cabinet considered Report No 80/15 which provided an update on financial matters that affected the General Fund Revenue Account, the Housing Revenue Account and the approved Capital Programme.

Treasury Management investment activity between 28 February and 31 May 2015 was summarised in Table 1 to the Report for which all activity was consistent with the Council's approved Treasury and Investment Strategies for 2014/2015 and 2015/2016.

In accordance with the Council's approved Treasury Strategy Statement, the Audit and Standards Committee reviewed all treasury activity that took place in order to confirm that it had been undertaken in accordance with the approved Strategy. In the event that the Committee had any observations thereon, they would be referred to Cabinet.

The Council had adopted the Chartered Institute of Public Finance and Accountancy's Code of Practice on Treasury Management in the Public Services Code and complied with its requirements, one of which was that the Council should receive an Annual Treasury Management Report following the end of each financial year. The Annual Report for 2014/2015 was set out at Appendix 1 to Report No 80/15.

The Council's 2014/2015 Accounts had been closed. The Director of Corporate Services had approved the draft Statement of Accounts on 29 June 2015 and the Accounts had been released to the Council's external auditor BDO and were available to the public for inspection.

The General Fund year end position for 2014/2015 was in line with the budget and remained sufficiently robust to support the Medium Term Financial Strategy. Table 2 to the Report showed the final net expenditure/income for 2014/2015 analysed by statutory service area, as presented in the Council's published budget papers and Table 3 summarised the variations which had led to the overall saving of £75,000 in the cost of Service provision when

compared with the budget.

In addition to spending on services, contributions to Reserves had been made in 2014/2015 as shown in Table 4 to the Report. Appendix 2 thereto identified the contributions to each Reserve.

Table 4 showed that £1,314,000 had been used from General Fund Reserves in 2014/2015 to fund revenue expenditure. At 31 March 2015, £10,056,000 was held in those Reserves and was available to support future spending. Appendix 2 showed the movements through each Reserve in 2014/2015 and the balance held at the year end. Such analysis corresponded with the position stated in the Council's draft Statement of Accounts. Cabinet was recommended to adopt the General Fund Reserves as set out in Table 6 of the Report with immediate effect.

The Housing Revenue Account outturn for 2014/2015 had produced a net deficit of £90,000 compared with a surplus of £281,000 which had been projected when the 2015/2016 budget had been set. Table 7 to the Report summarised the main variations compared with that projection.

The balance on the Council Tax Collection Fund at 31 March 2015 was a surplus of £975,000 compared with a surplus of £403,000 which had been estimated at the time that the Council Tax for 2015/2016 had been set. Such variance, at just under 1% of income, was well within the acceptable level of tolerance given that the total annual amount of Council Tax due was £58.9m. The earliest that the Collection Fund balance could be distributed was during 2016/2017 which would be between the Council, East Sussex County Council, East Sussex Fire Authority and the Sussex Police and Crime Commissioner, based on 2015/2016 Council Tax amounts, for which approximately 14% of the surplus would be returned to the Council.

The balance on the Business Rates Collection Fund at 31 March 2015 was a deficit of £614,000, for which the Council's share would be £245,000, compared with the break-even position which had been anticipated when the 2015/2016 budget had been set. Such variation was the result of an increase in the provision made in respect of business rates appeals.

Paragraph 4.5 of the Report set out details relating to the Capital Programme 2014/2015 and 2015/2016 which was an allocation of resources to projects relating to the major repair, enhancement or purchase of long-term assets which, in many cases, spanned financial years. Table 9 to the Report summarised the final position in respect of the 2014/2015 Capital Programme and Appendix 3 thereto set out a detailed analysis thereon. In some instances, further variations to the allocations previously agreed during 2014/2015 were necessary, further details of which were set out in Table 10 to the Report.

The Capital Programme for 2015/2016 was set out in Appendix 4 to the Report which had been updated to include the amounts brought forward from 2014/2015. The only other recommended variations related to:

- inclusion of a Play Area project at Newick which was to be fully funded from a Developer's Contribution (line 50); and
- minor adjustment to incorporate a final payment required in

respect of the replacement boiler at Southover House (line 76).

Resolved:

- | | | |
|------------|--|-----|
| 5.1 | That it be agreed that the Treasury Management activity since the last Report to Cabinet, as referred to in Report No 80/15, has been consistent with the Council's approved Treasury and Investment Strategy; | DCS |
| 5.2 | That the final position on the General Fund, Housing Revenue Account and Collection Fund accounts for 2014/2015, be agreed; | DCS |
| 5.3 | That the allocation of Reserves at 31 March 2015, as shown in Appendix 2 to the Report, be confirmed; | DCS |
| 5.4 | That the Reserves shown in Table 6 of the Report, be adopted; | DCS |
| 5.5 | That the Capital Programme outturn for 2014/2015, as shown in Appendix 3 to the Report, be agreed; | DCS |
| 5.6 | That the updated 2015/2016 Capital Programme, as set out in Appendix 4 to the Report, be approved. | DCS |

It was further

Recommended:

- | | | |
|------------|---|---------------------|
| 5.7 | That the Annual Treasury Management Report for 2014/2015 be approved. | DCS
(to
note) |
|------------|---|---------------------|

Reasons for the Decisions:

A Report on funding issues in relation to the Council's General Fund Revenue Account, Housing Revenue Account and Capital Programme is made to each meeting of the Cabinet to ensure that the Council's financial health is kept under continual review. It is essential to ensure that the Council has a sound financial base from which to respond to changing activity levels and demand for statutory services and to ensure that, when appropriate, its finances are adjusted in response to reducing income levels and inflationary pressures on expenditure.

The Council's Treasury Management function deals with very large value transactions on a daily basis. It is essential that the Council is satisfied that appropriate controls are in place and in accordance with the Code of Practice on Treasury Management in the Public Services prepared by the Chartered Institute of Public Finance and Accountancy and adopted by the Council.

† *The Recommendation, and not the Resolutions, in the above Minute is for consideration by Council.*

Councillors are requested to bring with them to the meeting Report No 80/15 which was circulated with the agenda papers for the meeting of the Cabinet on 6 July 2015. If you require a further copy of the document please contact

Trevor Hayward, Committee Officer, on e-mail trevor.hayward@lewes.gov.uk or telephone 01273 471600.

7 Lewes District Local Plan – Part 1 (Joint Core Strategy): Publication of Main Modifications for Consultation

The Cabinet considered Report No 82/15 which related to a proposal to publish the proposed schedule of Main Modifications to the Lewes District Local Plan Joint Core Strategy (JCS) for a period of eight weeks public consultation. Pursuant to the Examination Hearings and the Planning Inspector's Initial Findings, the Modifications had been drafted in partnership with the South Downs National Park Authority (SDNPA) in order to address the Inspector's recommendations.

The Cabinet Member for Planning, Councillor Jones, reported that the Main Modifications to the JCS would also be considered by the SDNPA at its meeting on 9 July 2015.

Approval was also sought to subsequently submit the Main Modifications, together with any duly made representations received, to the Examination for consideration by the Inspector during any further Hearings and in his final report.

Report No 82/15 did not seek suggested further modifications that were not within the scope of the Inspector's Initial Findings, or factual updates, as all other parts of the plan were considered by the Inspector to be 'essentially sound'. No other modifications had been invited by the Inspector.

The JCS would be the central planning document for the district. It would set out the long term vision and guide development and change up to 2030. It was being prepared in partnership with the SDNPA and had already been subject to a long process of preparation, public consultation and inspection. It had been extensively consulted upon and amended accordingly.

In April 2014 Cabinet had recommended, and Council had subsequently approved at its Annual Meeting on 7 May 2014, the Focussed Amendments version of the JCS for publication and subsequent submission to the Secretary of State for Examination in public. The JCS was submitted in September 2014 and public Examination hearings had taken place in January 2015.

In February 2015, the Council had received the Inspector's Initial Findings letter which confirmed that the Inspector considered the JCS to meet the statutory requirements, including those arising from the Duty to Cooperate and relating to legal compliance. The Initial Findings also found that the District's level of objectively assessed housing needs had been appropriately identified, and accepted the Council's and SDNPA's position that the level of development could not be accommodated in the District without unacceptable environmental consequences.

However, the Inspector was not convinced that ‘no stone had been left unturned’ in terms of seeking as many suitable, deliverable and appropriate housing sites as possible. He advised that the evidence of the Examination was that the level of housing growth proposed in the JCS, of 290 homes per year, would not be sufficient to maintain the present levels of employment in the District. Consequently, the Initial Findings letter advised that modifications would be required to the plan in order for it to be capable of being found sound in the final report which included increasing the housing requirement to at least 345 homes per year as set out in paragraph 5 of Report No 82/15.

The Initial Findings letter provided very clear guidance on the changes that the Inspector considered necessary, which had been drafted into schedules of Modifications ready for public consultation. Apart from the suggested modifications relating to housing delivery, the Inspector confirmed that he considered all other elements of the JCS to be essentially sound.

Paragraph 5 of The Report set out details relating to the four schedules of modifications that had been prepared for publication, consultation and subsequent submission to the Examination, namely:

Schedule 1 comprised both Main and Additional modifications which had been identified between the publication of the Focussed Amendments JCS in May 2014 and Submission to the Secretary of State in September 2014.

Schedule 2 comprised both Main and Additional Modifications as proposed to the Examination in the Council’s submitted Written Matters Statements in January 2015. It had been considered by the Inspector, including at the public Hearings, but had not yet been subject to formal publication and consultation. Schedule 2 was attached in Appendix 2 to the Report for information and was not subject to Council approval.

Schedule 3 comprised all Main Modifications proposed in response to discussions at the Examination Hearings and in response to the Inspector’s Initial Findings, together with any Main Modifications that were previously identified in Schedules 1 and 2. It was only those Main Modifications that the Inspector may consider in his Final Report and which must be subject to public consultation. Details relating to the Main Modifications were set out in Appendix 1 to the Report.

Schedule 4 comprised the Additional Modifications proposed in response to discussions at the Examination Hearings in January 2015 and in response to the Inspector’s Initial Findings. Schedule 4 was attached in Appendix 2 to the Report for information and was not subject to Council approval.

The Main Modifications responded to matters that affected the soundness of the JCS. Such changes would be necessary before the plan could be adopted. The Inspector advised at the final Hearing session that, overall, he considered the JCS had been well prepared and well evidenced. However, primarily in light of the shortfall of proposed housing against the level of objectively assessed need for housing, he felt that the balance of sustainable development, as set out in the National Planning Policy Framework namely three elements of environmental, social and economic factors that needed to

be appropriately balanced, but which had not yet been struck, as the Inspector considered that too much emphasis had been placed on the environmental element of sustainable development, particularly in terms of new housing provision in the JCS.

Paragraph 5.3 of the Report set out details relating to the key matters that were addressed in the proposed modifications, as indicated in the Inspector's Initial Findings Letter.

It was a statutory requirement that the Main Modifications were published and consulted upon for a minimum period of six weeks which, it was proposed, would commence on 24 July 2015. However, as such time was at the start of the summer holiday period, it was proposed to undertake a longer consultation period of eight weeks which, if implemented, would close on 18 September 2015.

There was no statutory requirement to publish or consult upon the schedules of Additional Modifications.

The anticipated timetable for ongoing work on the JCS to adoption was set out in paragraph 7.1 of the Report which might be influenced by the number and content of representations received and the Inspector's timings with particular regard to any additional Hearing sessions that he decided to hold.

Recommended:

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|------------|--|----------------------|
| 7.1 | That the schedule of Main Modifications to the Joint Core Strategy, as set out in Appendix 1 to Report No 82/15, be published for an eight week period for public representations to be made; | DBSD
(to
note) |
| 7.2 | That the Director of Business Strategy and Development be authorised to submit the schedule of Main Modifications, together with any duly made representations, to the Examination; and | DBSD
(to
note) |
| 7.3 | That the Director of Business Strategy and Development, in consultation with the Lead Member for Planning and the South Downs National Park Authority, be authorised to agree any further Additional (minor) Modifications to the Joint Core Strategy that may result from the remaining Examination process, as deemed necessary to make the document sound or to aid in its practical application for decision-making. | DBSD
(to
note) |

Reasons for the Decisions:

To ensure that the Joint Core Strategy addresses the Initial Findings of the Planning Inspector in order to result in a sound and National Planning Policy Framework (NPPF) compliant plan.

To ensure that the Joint Core Strategy has addressed the implications of recent changes to national planning policy that have occurred subsequent to its submission for Examination, in order to result in a sound and NPPF compliant plan.

To ensure that the Joint Core Strategy is progressed through the final stages to adoption in a timely manner, in order to provide the Council and National Park Authority with up-to-date development plan policies against which to determine planning applications.

† *Councillors are requested to bring with them to the meeting Report No 82/15 which was circulated with the agenda papers for the meeting of the Cabinet on 6 July 2015. If you require a further copy of the document please contact Trevor Hayward, Committee Officer, on e-mail trevor.hayward@lewes.gov.uk or telephone 01273 471600.*

8 Adoption ‘Making’ of the Newick Neighbourhood Plan

The Cabinet considered Report No 83/15 which related to the proposed adoption of the Newick Neighbourhood Plan (‘Newick Now to 2030’) as part of the statutory development plan.

The 2011 Localism Act had allowed for local communities to shape their areas by enabling town and parish councils to prepare neighbourhood development plans, an issue which had been enthusiastically taken up by many of the towns and parishes in the District.

Once adopted, such Plans formed part of the statutory development plan and sat alongside the Local Plan which was prepared by the Council. In instances when planning permission was sought in areas covered by an adopted neighbourhood plan, the application needed to be determined in accordance with both the neighbourhood plan and the Local Plan.

There were several legally prescribed stages that needed to be undertaken in the preparation of a neighbourhood plan, further details of which were set out in paragraph 2.3 of the Report.

Paragraphs 3.1 to 3.11 of the Report set out details relating to the progress that had been made in respect of the Newick Neighbourhood Plan upon which, on 26 February 2015, a referendum had been held in Newick Parish that had posed the following question to eligible voters:

“Do you want Lewes District Council to use the Neighbourhood Plan for Newick Parish to help decide planning applications in the neighbourhood area?”

49% of registered electors had recorded their votes, 846 of which were in favour of ‘yes’ compared with 102 in favour of ‘No’. Consequently, it was declared that more than half of those voting had voted in favour of the Plan.

In accordance with the Neighbourhood Planning Regulations, following the outcome of the referendum it was for the Council to ‘make’ the neighbourhood plan so that it formally became part of the development plan for the District.

Section 38A of the Planning and Compulsory Purchase Act 2004 (as amended) set out the requirement for a local planning authority when it came to adopting (or 'making') a neighbourhood plan, further details of which were set out in paragraph 3.11 of the Report.

Recommended:

- 8.1** That the Newick Neighbourhood Plan, as referred to in Report No 83/15, be formally adopted as part of the statutory development plan for the district.

DBSD
(to
note)

Reasons for the Decision:

The Newick Neighbourhood Plan has undergone a successful examination and received a majority vote in favour at a referendum.

To comply with the Localism Act which requires local planning authorities to 'make' a neighbourhood development plan as soon as reasonably practicable following a successful referendum.

- † *Councillors are requested to bring with them to the meeting Report No 83/15 which was circulated with the agenda papers for the meeting of the Cabinet on 6 July 2015. If you require a further copy of the document please contact Trevor Hayward, Committee Officer, on e-mail trevor.hayward@lewes.gov.uk or telephone 01273 471600.*

13 Electoral Review: Council Size

The Cabinet considered Report No 88/15 which sought views on the recommendations of the Council's Electoral Review Working Group on Council size, as part of the East Sussex-wide Electoral Review that was being conducted by the Local Government Boundary Commission for England (LGBCE).

The LGBCE was required to undertake an Electoral Review of East Sussex County Council prior to the next County Council elections in May 2017. In addition, reviews were being conducted in Wealden and Hastings as part of the process as, in both authorities, electorate imbalance in wards/divisions had triggered the need for such a review.

Whilst there was no current requirement for such a review in Eastbourne, Lewes or Rother, the LGBCE had asked to review the whole County at the same time and all the relevant authorities had agreed to take part. There were advantages of East Sussex County Council and the District and Borough Councils being reviewed together which included the potential for coterminous boundaries and economies of scale.

Consistency of approach to the Review was being overseen by a joint officer Project team with representatives from all the authorities. However, each

Council needed to produce its own review proposals.

Following a presentation to councillors relating to the Review in April 2015, a cross-party Electoral Review Working Group had been formed which looked at the first key issue namely, the number of councillors required to run the Council to ensure appropriate levels of governance, scrutiny and community representation, which would come into effect at the next District Council elections that were scheduled to be held in May 2019. The second issue, which was not for consideration as part of Report No 88/15, related to the making of proposals in respect of ward numbers, boundaries and names.

The Council currently had 41 Councillors and 21 wards, and its boundaries were coterminous with the 8 county electoral divisions that covered the District.

The LG BCE had made it clear that council size changes would be considered within specific representational ranges appropriate to the size and demographic of the District. In the case of the Council, the approved range was a council membership of from 27 to 59 therefore, the Council had scope to increase, reduce or maintain its current size.

The Electoral Review Working Group, comprising cross-party representation of all the political Group Leaders, had met on 5 May 2015 to consider and formulate a council size proposal for recommendation to full Council, further details of which were set out in paragraph 4 of the Report. That process had included a review of the results of a survey which had been circulated to all councillors, together with other considerations.

Having regard to the retention of the same statutory democratic structure as had existed in 2000, the advancements in technological tools and the organisational improvements in addressing issues in the community, it was recommended that the Council submit a proposal on its size within the range from 35 to 41 Councillors, with the final preferred number to be agreed by full Council.

Paragraph 5 of the Report set out details relating to the timetable and further work associated with the submission of draft proposals on council size to the LG BCE and for the second key stage of the Review in respect of proposed ward numbers, boundaries and names.

Resolved:

- 13.1** That the proposals of the Electoral Review Working Group on Council size, as set out in Report No 88/15, be noted;
- 13.2** That the scope for the Electoral Review Working Group to consider ward proposals be noted; and
- 13.3** That the timescale of reporting for the submissions on Council size and ward proposals be noted.

It was further

Recommended:

- | | |
|---|----------------------|
| <p>13.4 That the recommendation of the Electoral Review Working Group that the proposed Council size of Lewes District Council from 2019 should range between 35 to 41 councillors, be agreed;</p> | ADCS
(to
note) |
| <p>13.5 That the Council decide the final preferred number of councillors from within the proposed range of 35 to 41 councillors for the submission to the Local Government Boundary Commission for England on Council size;</p> | ADCS
(to
note) |
| <p>13.6 That the scope for the Electoral Review Working Group to consider and produce the subsequent proposals for wards (names, number and boundaries), be confirmed; and</p> | ADCS
(to
note) |
| <p>13.7 That the timetable of reporting for the submissions on Council size and ward proposals, be noted.</p> | |

Reasons for the Decisions:

To achieve the outcomes of the Electoral Review and to ensure the Local Government Boundary Commission for England timetable is met.

† *The Recommendations, and not the Resolutions, in the above Minute are for consideration by Council.*

Councillors are requested to bring with them to the meeting Report No 88/15 which was circulated with the agenda papers for the meeting of the Cabinet on 6 July 2015. If you require a further copy of the document please contact Trevor Hayward, Committee Officer, on e-mail trevor.hayward@lewes.gov.uk or telephone 01273 471600.

Agenda Item No: 13 **Report No:** 92/15
Report Title: Outside Body & Joint Body Representatives and Cabinet Membership
Report To: Council **Date:** 16 July 2015
Ward(s) Affected: All
Report By: Catherine Knight, Assistant Director of Corporate Services
Contact Officer(s)-
Name(s): Jackie Gavigan
Post Title(s): Head of Democratic Services
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Tel No(s): 01273 661117

Purpose of Report:

To confirm the appointments to Outside and Joint Body representatives.

To note the membership of Cabinet.

Officers Recommendation(s):

- 1 That the appointments to the Outside and Joint Body representatives, as set out in paragraph 3 of the Report, be confirmed and noted; and
- 2 That the appointments to Cabinet, as set out in paragraphs 6 & 7 of the Report, be noted.

Reasons for Recommendations

- 1 To comply with the Council's legal duties and to implement changes in accordance with the Constitution.

Information

- 2 The 'Appointments of Representatives to Serve on Outside and Joint Bodies 2015/16' report that was agreed at the Annual Council meeting on 20 May 2015 showed some vacant seats on Outside and Joint Bodies that remained to be filled by the relevant Political Groups.

Outside and Joint Body representatives

- 3 The Leaders of the Political Groups have informed me of the appointments that their Groups wish to make to the representatives to serve on the affected Outside and Joint Bodies as follows:

- 3.1 Greater Brighton Economic Board: Independent Call-in Panel member** – Representative to be appointed from the membership of the Scrutiny Committee as and when a decision is called in and a representative is required to sit on the Panel.
- 3.2 Housing Consultative Panel** – Councillor M Chartier fills the vacant Liberal Democrat Group seat.
- 3.3 Landport Bottom Management Committee** – Councillor D Cooper fills the vacant Liberal Democrat Group seat. Councillor P Gander fills one of the 2 vacant Conservative Group seats. Councillor J Carter fills the other vacant Conservative Group (this seat was gifted to the Green Group by the Conservative Group until the next review of memberships in May 2016).
- 3.4 Planning Service User Group** - Councillor V Ient fills the vacant Liberal Democrat Group seat. Councillor J Harrison-Hicks fills the vacant Conservative Group seat.
- 4** In accordance with Council Procedure Rules (Procedures for Appointments, page D23, paragraph 4.2), the Group Leaders have made the recommendations as to the appointment of representatives to serve on these Outside and Joint Bodies which now need to be confirmed by Council.
- 5** For information, the Head of Democratic Services has been informed that the Outside Body previously named ‘Sussex Downs and Low Weald LEADER Local Action Group’ has changed its name to ‘Central Sussex Local Action Group’. There is no change to the appointed representative who is Councillor J Sheppard.

Cabinet membership

- 6** As a matter of law, the power to appoint the membership of Cabinet rests with the Leader of the Council. In light of this, the Leader of the Council has appointed 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 as follows:

Cabinet Membership up to 10

Individual Areas of Responsibility	Councillors
Regeneration, Enterprise and Partnerships	R Blackman (Leader of the Council)
Finance and Resources	A Smith
Environment	P Franklin
Planning	T Jones
Housing	R Maskell
People and Performance	E Merry

- 7 As a matter of law, the power to appoint the Deputy Leader rests with the Leader of the Council. In light of this, the Leader of the Council has appointed Councillor A Smith to be his Deputy Leader.

Financial Appraisal

- 8 There are no financial implications arising from this Report.

Legal Implications

- 9 None over and above those set out in the body of this Report.

Risk Management Implications

- 10 There are no risk management implications arising as a result of this Report. If the recommendations are not implemented, the main risk will be that the Council fails to meet its legal duties and the requirements of the Constitution are not met.

Equality Screening

- 11 This is a routine, procedural Report with no potential for negative impacts. Therefore, an Equality Analysis is not required.

Background Papers

- 12 None

Appendices

- 13 None

Agenda Item No: 14

Report No: 93/15

Report Title: Protocol on Member/Officer Relations

Report To: Council

Date: 16 July 2015

Cabinet Member: Councillor Merry

Ward(s) Affected: All

**Report By: Catherine Knight, Assistant Director of
Corporate Services**

Contact Officer(s)-

Name(s): Oliver Dixon
Post Title(s): Senior Lawyer
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Tel No(s): 01273 471600

Purpose of Report:

To seek Council's approval to amend the Protocol on Member/Officer Relations, bringing in new provisions on Member meetings and discussions with external commercial bodies.

Officers Recommendation(s):

- 1 That Council agree to amend the Protocol on Member/Officer Relations by adding the new provisions set out in paragraph 2.4 of this report.

Reasons for Recommendations

- 1 The Protocol on Member/Officer Relations is one of a number of Codes and Protocols set out in the Council's constitution. Amendments to that part of the constitution may only be approved by full Council.

Information

2 Background

2.1 In October 2014 a report by the Head of Audit and Performance recommended a number of revisions intended to strengthen certain areas of the Constitution.

2.2 The Head of Audit's recommendations included this one:

“The Assistant Director of Corporate Services (in her capacity as Monitoring Officer) should add to the existing Protocol on Member/Officer Relations to make clear that it is the role of officers, not Councillors, to negotiate on behalf of the local authority, to evaluate proposals and to ensure that any proposal is brought into the Council’s governance system so that any decision relating to it is properly taken.”

- 2.3** To give effect to the recommendation at paragraph 2.2 above, it is proposed that the following provisions be added to the Protocol on Member/Officer Relations:

“Respective roles of Members and Officers in identifying and progressing commercial opportunities on behalf of the council

1. Through Cabinet and full Council, Members are responsible for the formulation and approval of the council’s Budget & Policy Framework, a set of strategies that include the council’s corporate plan. Once this strategic framework is in place, it is the responsibility of officers to deliver these agreed plans and policies. In this context, “delivery” by officers includes identifying and evaluating commercial opportunities consistent with the Policy Framework, negotiating with external parties, as appropriate, and, for those opportunities considered worthy of further progression, submitting detailed proposals at the appropriate time to the relevant Council decision-making forum for consideration and approval.
2. As a public body, the council’s commercial dealings with other parties are subject to particular legal and financial requirements. Members should therefore avoid discussions or meetings with third parties over commercial matters, unless council officers properly versed in these governance arrangements are present. This should protect the council’s best interests by ensuring that any opportunities, negotiations and proposals are handled fairly, lawfully and with the necessary financial prudence.
3. These provisions should be read in conjunction with:
 - (i) The Councillor Protocol for Procurement, appended to the Council’s Contract Procedure Rules; and
 - (ii) The Code of Conduct for Members”

- 2.4** A further recommendation was to support the amended Protocol on Member/Officer Relations with guidance to help councillors understand the risk of engaging with external commercial parties unless advised or accompanied by suitably qualified officers. The Assistant Director of Corporate Services is developing this guidance and will communicate it to Councillors in due course.

3. Financial Appraisal

There are no direct financial implications arising from the recommended amendment to the Protocol on Member/Officer Relations. As explained in the report, the proposal is intended to protect the Council's commercial and financial interests.

4. Legal Implications

The legal risks of not adhering to the amended protocol on Member/Officer Relations are potentially significant. These risks will be set out in the guidance document referred to in paragraph 2.4 above.

5. Risk Management Implications

The proposed amendment to the protocol on Member/Officer Relations is intended to minimise the risk of a legal challenge against the Council, by putting in procedures that ensure that engagement by councillors with external commercial parties is proper and lawful.

6. Equality Screening

There are no equality implications associated with this report.

7. Background Papers

Report to Audit & Standards Committee of 1 December 2014: Summary Audit Report – (Report no. 177/14)

8. Appendices

None

Agenda Item No: 15

Report No: 94/15

Report Title: Officer Employment Procedure Rules Update

Report To: Council

Date: 16 July 2015

Cabinet Member: Councillor Merry

Ward(s) Affected: All

Report By: Catherine Knight, Assistant Director Corporate Services

Contact Officer(s)-

Name(s): Oliver Dixon
Post Title(s): Lawyer
E-mail(s): oliver.dixon@lewes.gov.uk
Tel No(s): 01273 471600

Purpose of Report:

To seek approval to update the Council's Officer Employment Procedure Rules.

Officers Recommendation(s):

- 1 To approve the amended Officer Employment Procedure Rules appended to this report, and to authorise the Assistant Director Corporate Services to publish the amended Rules in the Council's constitution.
-

1. Reasons for Recommendations

- 1.1 The Council's Officer Employment Procedure Rules form part of Lewes District Council's Constitution. The Rules include arrangements for the appointment and dismissal of specified senior officers, in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001.
- 1.2 The 2001 Regulations have recently been updated, requiring the Council to make the amendments detailed in paragraph 2.1 below no later than the first ordinary meeting of the Council falling after 11th May 2015.

2. Information

- 2.1 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 require the following changes to the Council's Officer Employment Procedure Rules:

- (i) Dismissals of the monitoring officer or chief finance officer must be approved by the authority before the notice of dismissal is given. (Previously, this requirement applied only to the proposed dismissal of the head of paid service.)
- (ii) There is no longer a requirement for a report from a designated independent person recommending disciplinary action against the head of the paid service, the monitoring officer or the chief finance officer before such action is taken. Instead, there is a new procedure for conducting dismissal hearings for such officers, which requires the Council to appoint at least two relevant independent persons to an advisory panel. Before voting on the dismissal, the authority must take account of the panel's views, the conclusion of any investigation into the proposed dismissal and any representations from the relevant officer.

2.2 The relevant parts of the Officer Employment Procedure Rules incorporating the above changes are set out in Appendix 1, marked up to show all amendments.

2.3 Following Council approval, the Monitoring Officer will arrange to publish the amended Procedure Rules in the Council's Constitution.

3. Financial Appraisal

If the recommendations to this report are approved, there will be no material impact on the Council's financial position. The cost of an independent advisory panel, should it be required, would be minimal and could be met from the Council's corporate budget.

4. Legal Implications

The Legal Services Department has made the following comments:

The Council is under a statutory duty to amend its Officer Employment Procedure Rules in accordance with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

5. Risk Management Implications

None.

6. Equality Screening

There are no equality issues associated with this report

7. Background Papers

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015

Appendices

- 1. Officer Employment Procedure Rules incorporating all amendments required by The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

LEWES DISTRICT COUNCIL CONSTITUTION - PART 4

Officer Employment Procedure Rules

1 Recruitment and Appointment

(a) Declarations

- (i) The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the relative of an existing councillor or officer of the Council;
- (ii) No candidate so related to a councillor or an officer will be appointed without the authority of the relevant Director or an officer nominated by him/her.

(b) Seeking support for appointment.

- (i) The Council will disqualify any applicant who directly or indirectly seeks the support of any councillor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- (ii) No councillor will seek support for any person for any appointment with the Council.

2 Recruitment of Head of Paid Service and Chief Officers

Where the Council proposes to appoint a Director and it is not proposed that the appointment be made exclusively from among their existing officers, the Council will:

- (a) draw up a statement specifying:
 - (i) the duties of the officer concerned; and
 - (ii) any qualifications or qualities to be sought in the person to be appointed;
- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- (c) make arrangements for a copy of the statement mentioned in paragraph (2)(a) to be sent to any person on request.

3 Appointment of Head of Paid Service

- (a) The full council will approve the appointment of the head of paid service following the recommendation of such an appointment by a committee of the Council comprising the Leader of the Council, Leaders of the Minority Groups, one other councillor nominated by the Leaders of the Minority Groups, a Cabinet Member and one other councillor nominated by the Leader of the Council. Any councillor who cannot attend may appoint a substitute.
- (b) The full Council may only make or approve the appointment of the head of paid service where no well-founded objection has been made by any member of the Cabinet.
- (c) No offer of appointment to the position of head of paid service may be made until full Council have approved the appointment.

4 Appointment of Chief Officers and Directors

- (a) A committee of the Council (the "Appointments Committee") will appoint any Chief Officer or Director. The composition of that Committee will vary depending on the appointment under consideration. The remit of the Appointments Committee is contained in Part 11 of the Constitution.
- (b) An offer of employment as a Chief Officer or Director shall only be made where no well-founded objection from any member of the executive has been received.

5 Other Appointments

Officers below Director. Appointment of officers below Director are the responsibility of the head of paid service or his/her nominee, and cannot be made by councillors.

6 Disciplinary action

- (a) **Suspension.** The head of paid service, monitoring officer and chief finance officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months.
- (b) ~~**Independent person.** No other disciplinary action may be taken in respect of any of those officers except in accordance with a recommendation in a report made by a designated independent person as required by the Local Authority Standing Orders Regulations 1993. (The designated independent person~~

~~shall be such person as is agreed between the authority and the relevant officer, or in default of such agreement, appointed by the Secretary of State).~~

- (c) Councillors will not be involved in the disciplinary action against any officer below Director except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to members in respect of disciplinary action.

7 Dismissal

- 7.1 The power to approve the dismissal of the Council's head of paid service, its monitoring officer or its chief finance officer shall be exercised only by full Council. Accordingly, notice of dismissal may not be served on the council's head of paid service, its monitoring officer or chief finance officer until and unless full Council have approved the dismissal.
- 7.2. The Council may not dismiss its head of paid service, its chief finance officer, or its monitoring officer, as the case may be, unless the provisions set out in paragraphs 7.2.1 to 7.2.9 have been complied with.
- 7.2.1 The Council must appoint a committee ('the Panel') under section 102(4) of the Local Government Act 1972 for the purposes of advising the Council on matters relating to the dismissal of officers referred to in paragraph 7.1 above.
- 7.2.2 The Council must invite relevant independent persons (as defined in paragraph 7.2.3) to be considered for appointment to the Panel, with a view to appointing at least two such persons to the Panel.
- 7.2.3 For the purposes of paragraphs 7.2.2 to 7.2.5 "relevant independent person" means any independent person appointed by the Council under section 28(7) of the Localism Act 2011 or, where there are fewer than two such persons, such independent persons as have been appointed by another local authority or authorities (under that same provision) as the Council considers appropriate.
- 7.2.4 Subject to paragraph 7.2.5, the Council must appoint to the Panel such relevant independent persons who have accepted an invitation pursuant to paragraph 7.2.2 in accordance with the following priority order:
- (a) a relevant independent person who has been appointed by the Council and who is a local government elector in the Council's register of electors;

(b) any other relevant independent person who has been appointed by the Council;

(c) a relevant independent person who has been appointed by another authority or authorities.

7.2.5 The Council is not required to appoint more than two relevant independent persons in accordance with paragraph 7.2.4 but may do so.

7.2.6 The Council must appoint any Panel at least 20 working days before the relevant meeting (as defined in paragraph 7.2.7).

7.2.7 For the purposes of paragraphs 7.2.6 to 7.2.8, “relevant meeting” means a meeting of the Council to consider whether or not to approve a proposal to dismiss its head of paid service, its chief finance officer, or its monitoring officer, as the case may be.

7.2.8 Before the taking of a vote at the relevant meeting on whether or not to approve such a dismissal, the Council must take into account, in particular–

(i) any advice, views or recommendations of the Panel;

(ii) the conclusions of any investigation into the proposed dismissal; and

(iii) any representations from the officer who is the subject of the proposed dismissal.

7.2.9 Any remuneration, allowances, or fees paid by the Council to an independent person appointed to the Panel must not exceed the level of remuneration, allowances or fees payable to that independent person in respect of his/her role as an independent person under the Localism Act 2011.

7.3 Councillors will not be involved in the dismissal of any officer below Director except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council’s disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to members in respect of dismissals.

Agenda Item No: 16 **Report No:** 95/15
Report Title: Pay Policy Statement
Report To: Council **Date:** 16 July 2015
Cabinet Member: Councillor Andy Smith (Finance & Resources)
Ward(s) Affected: All
Report By: Alan Osborne, Director of Corporate Services
Contact Officer(s)-
Name(s): Becky Cooke
Post Title(s): Head of Organisational Development
E-mail(s): becky.cooke@lewes.gov.uk
Tel No(s): 07805 812060

Purpose of Report:

To present a Pay Policy Statement for the financial year 2015/16 for approval by Council in accordance with section 38 of the Localism Act 2011.

Officers Recommendation(s):

- 1 To adopt the Pay Policy Statement attached at Appendix A for the financial year 2015/16.
-

Reasons for Recommendations

- 1 The Localism Act 2011 places an obligation on local authorities to be more accountable to the communities they serve. Chapter 8 of the Act requires the Council to adopt and publish a Pay Policy Statement.

We are required to keep the Statement up to date and it has now been reviewed to take account of latest statistical data.

Information

2

- 2.1 The 2015/16 Statement drafted for Lewes District Council is appended to this report.
- 2.2 The revised version is presented to Council for consideration and recommendation for its approval. It will then replace the current version on the Council's website to meet the requirements of the Localism Act.

Changes to note:

- The Publication of Information section has been updated to reflect changes brought in by the Local Government Transparency Code 2014.
- The 'pay multiple' is the ratio between the highest paid salary and the median average salary of the whole of the Council's workforce. The Council's pay multiple for 2013/14 was 5.04 (based on the median average salary of £20,524 and the highest salary of £103,539). The Council's new pay multiple for 2014/15 is 4.94 (based on the median average salary of £20,976 and the highest salary of £103,539). This information will be reflected on the Council's website as currently.
- Advice regarding the re-engagement of chief officers has been updated to provide more rigour and to align practice with that reflected in Eastbourne Borough Council's Pay Policy Statement.

Financial Appraisal

- 3** No financial implications arising from this report

Legal Implications

The Legal Services Department has made the following comment:

- 4** Failure to adopt a revised Pay Policy Statement will constitute a failure to comply with the requirements of the Localism Act 2011.

Risk Management Implications

- 5** Failure to adopt a revised Pay Policy Statement will constitute a failure to comply with the requirements of the Localism Act 2011.

Equality Screening

- 6** Analysis of equality implications has not been carried out as this report is for information only purposes and does not involve the making of key decisions.

Appendices

- 7** Appendix A – draft Pay Policy Statement for 2015/16

Pay Policy Statement 2015/16

The Localism Act 2011 requires the authority to publish an annual pay policy statement.

New Appointments

Full Council shall agree salary packages in excess of £100,000 for new appointments. Salary packages shall include salary, bonuses, fees, benefits in kind or allowances that would be routinely payable to the appointee. The salary package shall be agreed before recruitment for the post begins.

Publication of Information

The authority will publish appropriate details of those staff whose salary is at least £50,000.

Pay Multiples

The authority will publish information on pay multiples – the ratio between the highest paid employee and the median salary across the organisation.

The authority shall publish the actual pay multiple as at 31 March each year. The authority recognises that the actual pay multiple will vary slightly year on year for the reasons set out above, but will usually aim to maintain a multiple no greater than 6 to 1.

Local Election Duties

Fees for local election duties will be paid separately to the remuneration paid for an officer's employment. Those fees are set in accordance with a scale of fees and charges agreed and reviewed annually jointly by all authorities in East Sussex. For parliamentary elections (national and European) and national referenda, those fees are set nationally by parliament.

Performance Related Pay

The authority will not pay performance related pay to any of its staff during the year.

Pay Determination

The pay for the highest paid employee has previously been set through benchmarking exercises within the local government employment market and through the application of nationally negotiated pay awards by the Joint National Council for Chief Executives. For 2015/16 this current remuneration level will continue and any nationally negotiated pay awards will be paid.

Members of the Corporate Management Team shall have their salary levels set based on compliance with equal pay, discrimination and other relevant employment legislation, whilst also ensuring that remuneration packages broadly align with market norms for relevant local government and public sectors. The appropriate banding shall be determined by Cabinet, depending

on the current responsibilities and accountabilities, size of department, market pressures and any other relevant information. Total salary packages above £100,000 will be subject to agreement by full Council.

For other staff the authority will use the spinal point table negotiated nationally by the National Joint Council for Local Government Services, amended as follows:

- The addition of 13 points at the top of the table.
- The addition of a 6% supplement to points 4 to 17, and 6.25% to all other points

These amendments are to reflect the higher cost of living in the South East and to keep our salaries competitive. National “cost of living” increases negotiated annually shall be paid.

The spinal point table shall be divided into grades, which contain a number of spinal points. The salary grade for each post shall be determined using the Council’s agreed job evaluation scheme.

Apprentices and interns (if any) will be paid at least the appropriate national minimum wage or on one of the spinal points from the local government services spinal point table.

Low Pay

As set out above, the minimum payment made to an employee will be the appropriate national minimum wage. This level of payment is not one that would apply to the normal employees and for the purposes of comparison the authority regards its lowest paid employees as those receiving the lowest value spinal point on the Local Government Services spinal point table at any time.

Termination Arrangements

The authority shall maintain a policy on discretionary payments for early termination of employment as required by the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 and all severance payments made shall follow the approach of that policy.

Re-engagement of Chief Officers who have left Lewes District Council.

Re-engagement as employees

- (1) Subject to any relevant provisions in employment and equalities legislation, the Council’s policy is not to re-employ [as a Chief Executive or Chief Officer/ in any capacity] any former Chief Executive or Chief Officer who left the Council for any reason other than compulsory redundancy, and was in receipt of a severance or termination payment, for a period of three years from the date of termination of employment. This policy may be varied in exceptional circumstances which are

approved by a delegated panel/committee of Council Members acting on behalf of Full Council and advised by appropriate persons.

- (2) Where a Chief Executive/ Chief Officer's employment has been terminated compulsorily on grounds of redundancy, they will not be re-employed in the same or a similar post for a period of one year following the date of termination of employment. If they are re-employed in another post within four weeks after the effective date of redundancy, they will lose their right to a redundancy payment, including any enhancements under the provisions of the LGPS or the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006.
- (3) Any former Chief Executive or Chief Officer who is employed by Lewes District Council and who has previously received a severance, termination or redundancy payment from this or any other Council or related body will not have previous service counted when determining any further entitlements to notice periods, sickness payments, annual leave or other benefits/entitlements based on continuous service.

Re-engagement under a contract for services

The Council's policy is not to re-engage under a contract for services any former Chief Executive or Chief Officer who left the Council for any reason and was in receipt of a redundancy, severance or termination payment, for a period of three years from the cessation of employment. This policy may be varied in exceptional circumstances which are approved by a panel/committee convened by the Council to act in this matter and advised by persons including the Council's Monitoring Officer, except where the Monitoring Officer is a Chief Officer.

Employment of those in receipt of an LGPS pension

General:

In the unlikely event that the Council employs as a Chief Executive or Chief Officer a person who is in receipt of a pension under the LGPS, the rules on abatement of pensions adopted by the Council's Administering Authority for the LGPS, pursuant to Regulations 70 and 71 of the the Local Government Pension Scheme (Administration) Regulations 2008 must be applied.

Flexible retirement:

The LGPS regulations permit the Council to offer flexible retirement to employees aged 55 or over, so that they can reduce their hours of work, and receive a pension in respect of accrued years in the scheme.