

Lewes District Council



Council Agenda

Wednesday, 14 October 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 **Wednesday, 14 October 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

1 Minutes

To confirm and sign the Minutes of the Meeting of the Council dated 16 July 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 Election of the Leader of the Council

To elect the Leader of the Council (who will be the Chair of Cabinet) for the period until the Annual Council Meeting following the next local elections in May 2019 and her/his successor is entitled to act as Leader.

5 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 Meeting of the Council on 16 July 2015 is enclosed – page 7).

6 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 (if any).

7 Petitions

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

8 Response to Petition: Meeching Down

To consider the Report of the Director of Service Delivery (Report No 134/15 herewith - page 11).

(NB Appendix D to the above Report contains exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act (ie information relating to the financial or business affairs of any particular person (including the authority holding that information)). It is considered that the public interest in maintaining the exemption outweigh the public interest in disclosing the information. It can be found starting on (pink) page 56).

9 Response to Petition: The Buckle Car Park

To consider the Report of the Director of Service Delivery (Report No 135/15 herewith - page 32).

(NB Appendix C to the above Report contains exempt information as defined in paragraphs 3 and 5 of Part 1 of Schedule 12A of the Act (ie information relating to the financial or business affairs of any particular person (including the authority holding that information)); and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. It is considered that the public interest in maintaining the exemptions outweigh the public interest in disclosing the information. It can be found starting on (pink) page 58).

10 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).

11 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).*

12 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).

13 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 Meeting of the Council on 16 July 2015

14 Recommendations from Cabinet

To consider the recommendations from the meeting of the Cabinet held on 24 September 2015 (herewith - page 50).

15(a) Notices of Motion

In accordance with Council Procedure Rule 13 Councillor Gauntlett has submitted the following Notice of Motion:

“That Lewes District Council works with Community Transport Lewes Area (CTLA), to convene a working party of representatives from all Town and Parish Councils to discuss common issues of providing community led transportation support for their residents.

CTLA are aware of the constraints on LDC finances and are not seeking funding from LDC to arrange this meeting.

Background

East Sussex County Council have implemented substantial reductions in the amount spent on subsidised bus services across the county. This may leave vulnerable people isolated and present difficulties for them to access care provided by health and social services.

CTLA is pro-actively considering ways of providing alternative services. As a charity they are determined to examine ways of providing support for members of the Lewes District community and in the process addressing social isolation and contributing to improving health and wellbeing.

The involvement of LDC in organising this meeting would give considerable weight to the importance of this issue and demonstrate that LDC is proactively considering the impact of the ESCC funding changes for its residents”.

15(b) Notices of Motion

In accordance with Council Procedure Rule 13 Councillor Cooper has submitted the following Notice of Motion:

“The South Downs National Park is unique in having the largest market towns of any UK national park - Lewes, Petersfield and Midhurst - yet none of the District Councillors for Lewes Town sit on the SDNP's Planning Committee, and residents are effectively barred from making oral representations to the SDNP Planning Committee by virtue of the distance, time, inconvenience and cost required to travel to Midhurst. This situation is widely considered by Town residents and their elected representatives to be completely unacceptable constituting as it does a significant deficit in local democracy.

At a time when the Town is facing the prospect of unprecedented large-scale and potentially character changing development it is vital that the voices of Lewes Town residents and their elected representatives are more directly heard.

We call on the SDNP to urgently:

1. Return to holding planning meetings in Petersfield, Midhurst and Lewes, dealing with the appropriate applications at each venue. This may mean more meetings, but will help to reduce the democratic deficit engendered by holding all meetings in Midhurst.

2. Allow more opportunity for Town Councillors to speak than the single councillor currently permitted. Town Councils represent many times the average parish council.

Given the speed at which some developments are proceeding, we request that, on both matters, SDNP consider proposing both:

1. Urgent interim measures to improve representation and voice for each town, such as via video-conferencing facilities (which in Lewes, could be based at the Town, District or County Hall)

2. Longer-term solutions to improve the situation, to be put out for consultation with residents.”

16 Scrutiny Committee Work Programme 2015/16

To consider the Report of the Director of Business Strategy and Development (Report No 136/15 herewith – page 53).

17 Remit of the Licensing Committee

The Remit of the Licensing Committee as set out in the Constitution makes clear that sub-committees of that committee may be convened to deal with certain functions under the Licensing Act 2003 and the Gambling Act 2005. Officers recommend that the remit be clarified to make clear that sub-committees may also be convened to deal with other licensing functions such as entertainment, taxis, food and miscellaneous licensing. It is therefore recommended that a new paragraph 4.5 be inserted in part 11, Section 3 of the Constitution (Remit of the Licensing Committee) to read as follows:

“To establish sub-committees of three members chosen from a pool of ten on the basis of political proportionality to carry out its functions”.

18 Electoral Review

Following consultation with the Chair of the Council; the Acting Leader of the Council; and the Group Leaders, the Council is invited to note that an Extraordinary Meeting of the Council will be held in the Council Chamber, County Hall, St Annes Crescent, Lewes, on Monday, 9 November 2015 commencing at 2.30pm, at which matters relating to the next stage of the Electoral Review process will be considered.

The Council’s draft proposals on ward patterns must be considered by full Council before submission to the Local Government Boundary Commission for England by 30 November 2015. The Boundary Commission’s timescale for the submission of ward proposals is tight and the deadline, which was

imposed after the setting of the 2015/16 meetings timetable, must be adhered to, thereby requiring an additional Council meeting to be called.

19 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.

Exclusion of the Public and Press

To consider, under Section 100(A) of the Local Government Act 1972 (as amended), excluding the public and press from the meeting during the discussion of Appendix D to Report No 134/15 (Response to Petition: Meeching Down) (Agenda Item No 8 refers) and Appendix C to Report No 135/15 (Response to Petition: The Buckle Car Park) on this Agenda as there are likely to be disclosures of exempt information as defined in paragraphs 3 and 5 of Part 1 of Schedule 12A of the Act (ie information relating to the financial or business affairs of any particular person (including the authority holding that information; and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings)). It is considered that the public interest in maintaining the exemptions outweigh the public interest in disclosing the information.

8 Response to Petition: Meeching Down (Appendix D - EXEMPT)

- Information relating to the financial or business affairs of any particular person (including the authority holding that information);

9 Response to Petition The Buckle Car Park (Appendix C - EXEMPT)

- Information relating to the financial or business affairs of any particular person (including the authority holding that information);
- Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings;



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.