



Meeting of the Council

Minutes of the Meeting of the Council held in The Council Chamber, County Hall, St Annes Crescent, Lewes on Monday, 9 October 2017 at 6.05pm

Present:

Councillor S Gauntlett (Chair)

Councillors S Adeniji; G Amy; S Barnes; L Boorman; W Botting; J Carr; J Carter; S Catlin; M Chartier; S Davy; J Denis; W Elliott; N Enever; P Franklin; P Gardiner; B Giles; O Honeyman; V Ient; T Jones; A Lambert; I Linington; A Loraine; R Maskell; E Merry; D Neave; T Nicholson; R O’Keeffe MBE; S Osborne; J Peterson; R Robertson; T Rowell; S Saunders; J Sheppard; A Smith; C Sugarman; R Turner; and L Wallraven.

Apology received:

Councillor S Murray;

Minutes

25 Minutes

The Minutes of the Meeting of the Council held on 17 July 2017 were approved as a correct record and signed by the Chair.

26 To Receive any Announcements From the Chair of the Council, Leader of the Council, Members of the Cabinet or the Chief Executive

(i) 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 July 2017.

Action

(ii) Councillor Johnny Denis

The Leader of the Council, on behalf of the Council, welcomed Councillor Johnny Denis to his first Meeting of the Council following his recent election thereto at the Ouse Valley and Ringmer by-election.

(iii) Committee Officer – Trevor Hayward

The Leader of the Council reported that, having completed 41 years of local government service, this was the last Meeting that Committee Officer, Trevor Hayward, was servicing prior to his retirement and handing over that role to his successor at the next Meeting of the Council on 6 December 2017.

Councillor Saunders then paid tribute to Trevor and presented him with a gift on behalf of his colleague councillors.

27 Written Questions from Councillors

Councillor Robertson asked a question of the Cabinet Member for Housing, Councillor Maskell (question 1); and three questions of the Cabinet Member for Environmental Impact, Councillor Linington (questions 2, 3 and 4), relating to:

- (1) The Housing Advice Surgery that was no longer held in Peacehaven on Monday mornings;
- (2) Charities being charged for using the cliffs at Friars Bay in Peacehaven for abseiling, and could the fee be waived?
- (3) In light of the recent cliff falls, when was the last inspection undertaken in the area and should the Council be allowing residents down the cliff face?; and
- (4) In Meridian Park, repair work had been undertaken on the paving slab area. Was that a temporary repair as the ground was uneven, looked unsightly and was not in keeping with what was originally there? Could Councillor Robertson be provided with a breakdown of costs so far?,

copies of which were circulated to Councillors at the meeting and made available to the public attending the meeting (a copy of which is contained in the Minute Book).

Verbal replies to the questions were given at the meeting by Councillors Maskell and Linington.

28 Questions to the Leader of the Council

<u>Questioner</u>	<u>Question/Response</u>
Councillor Catlin	<p><u>Question:</u></p> <p>Councillor Catlin understood that there had been negotiations that had resulted in the Secretary of State agreeing to the effective closure of Brighton London Road, Moulescombe, Falmer, Lewes, Glynde and Cooksbridge railway stations from 12 noon on Saturday 4 November until early Sunday morning 5 November 2017, associated with Lewes Bonfire activities, which would result in considerable inconvenience to many rail users who had legitimate journeys to make to other towns in the District and outside.</p> <p>Why was such action taken without the elected representatives of Lewes, at any level, or Brighton and Hove City Council, being involved in the discussions?</p> <p>What steps had been taken to ascertain how many other travellers would be unable to travel? And, if the number was known and discounted, how many was it? Was such action taken at the behest of Sussex Police on grounds of safety because they had insufficient people to control crowds?</p> <p>Would the Leader of the Council agree that one pinch-point, ie Lewes Station, was easier to control than many?</p> <p>Councillor Catlin hoped that the Council would involve elected Councillors in discussions in respect of the Lewes Bonfire Night event in 2018.</p> <p><u>Response (by Councillor Smith, Leader of the Council):</u></p> <p>Councillor Smith reported that he had not been aware of any such discussions and, therefore, had not seen any associated Risk Assessments in respect of the Lewes Bonfire activities. Furthermore, no elected Members of the Council had been involved in any discussions which had resulted in the modified rail service provision.</p> <p>Lewes Bonfire 2017 was being held on a Saturday for the second consecutive year which was likely to result in larger numbers of people attending the event. Decisions relating to the safety aspects of the event were taken by the Tactical Co-ordinating Group in respect of which Councillor Smith felt that he was unable to comment particularly as it would be that Group's responsibility if something was to go wrong at the event.</p> <p>Councillor Smith outlined details of the alternative bus service provision that would be available to other travellers.</p>

<u>Questioner</u>	<u>Question/Response</u>	
	<p>Councillor Smith felt that the issue relating to one pinch-point, ie Lewes Station, being easier to control than many should be referred to the Tactical Co-ordinating Group. He also felt that it was important for that Group to take the matter of safety seriously. There would be discussion after the event had taken place in respect of which Councillor Smith would be looking to learn lessons that could be used at future events.</p>	DSD
Councillor O'Keeffe	<p><u>Question:</u> Councillor O'Keeffe reported that, in accordance with the "Tell us Once" scheme, bereaved relatives were able to make a single contact with the relevant authority with details of a death and that such details would be forwarded to the appropriate local authority if it was signed-up to the scheme.</p> <p>The Council had not signed-up to the scheme which meant that bereaved relatives needed to make several contacts in order to report details of a death.</p> <p>Was the Council about to sign-up to the scheme?</p> <p><u>Response (by Councillor Smith, Leader of the Council):</u> Councillor Smith felt that it was sensible if such matters (and births) could be reported to the relevant authority once rather than on several occasions. There might be some legitimate reasons as to why the Council had not signed-up to the scheme.</p>	DSD
	<p>Councillor Smith undertook to ascertain the current situation and future proposals, and provide Councillor O'Keeffe with a written response.</p>	DSD
Councillor Saunders	<p><u>Question:</u> Councillor Saunders reminded the Council that in some previous years Newhaven had benefitted from the provision of free car parking on the approach to Christmas.</p> <p>He had raised the issue of the problems associated with illegal, and potentially dangerous, parking which occurred in Newhaven High Street, a situation that was worsened by the parking charge regime that was implemented in that town in respect of which Councillor Saunders had been advised that the matter was being looked at with various schemes and solutions having been prepared. However, the parking situation in the High Street was currently extremely serious.</p> <p>Councillor Saunders requested that, once again, the matter of parking charges in Newhaven be reconsidered and that</p>	

<u>Questioner</u>	<u>Question/Response</u>	
	they be abolished in the short term whilst a scheme for the regeneration of that town centre was prepared and consulted upon. He felt that the abolition of such charges would help to indicate to people that the Council was keen to regenerate Newhaven and help the businesses in the town centre to enjoy the Christmas season.	
	<u>Response (by Councillor Smith, Leader of the Council):</u> Councillor Smith reported that he had not yet had the opportunity to obtain advice from the Officers in respect of the matter but, nevertheless, he felt that it was good to reconsider the issue. However, he recalled that when a temporary free parking scheme had been implemented in Newhaven on a previous occasion it had been counterproductive for the businesses in that town as parking spaces were being occupied all day. There had been an alternative '10p' scheme which had been introduced and which had been successful.	DSD
	<u>Further response (by Councillor Nicholson, Cabinet Member for Customers and Partners):</u> Councillor Nicholson felt that the situation had been continuing for too long but was currently being considered by East Sussex County Council. He would consult that Council in order to ascertain what was causing the difficulty and would report his findings to Councillor Saunders.	DSD
	Lewes District Council would be considering its parking charges in 2018.	DSD

29 Ward Issues

Ward issues were raised by Councillors on the following subjects, details of which would be reported to the next meeting of the Cabinet:

<u>Councillor/Ward</u>	<u>Ward Issue Concerning</u>	
Councillor Robertson – Peacehaven West Ward	With regard to the recent potentially dangerous object that was found and investigated in Peacehaven in respect of which Peacehaven Leisure Centre had been opened as a rest centre for displaced residents who had been required to leave their homes..... <u>Suggested action to be taken by the Council:</u> That the Council's Officers be thanked for the work that they had undertaken during the evacuation process and that, in such future similar instances, the	DSD

<u>Councillor/Ward</u>	<u>Ward Issue Concerning</u>	
	appropriate Ward councillors be kept informed as to the progress made during emergency incidents.	
Councillor Boorman – Seaford West Ward	<p>The feeding of gulls by people which encouraged such birds to nest near to the food source and which resulted in the gulls causing a nuisance to residents of Seaford West Ward. In some instances gulls attacked people who were in their gardens. Some postal staff were attacked on their delivery rounds by adult gulls which were protecting their young.</p> <p><u>Suggested action to be taken by the Council:</u> That the feeding of gulls be included in the Public Spaces Protection Order and that fines be issued to people who fed those birds.</p>	ADLDS
Councillor Denis – Ouse Valley and Ringmer Ward	<p>The East Sussex mobile library service and some libraries, including Ringmer Library, were being considered for possible service reduction/withdrawal by East Sussex County Council.</p> <p><u>Suggested action to be taken by the Council:</u> That Lewes District Council consider participating in the consultation that was being undertaken by East Sussex County Council in respect of the proposed reduction/withdrawal of some of the East Sussex library service in order to oppose such action if possible.</p>	DRP
Councillor Carr – Newhaven Valley Ward	<p>Councillor Carr referred to the Ward issue that she had raised at the Meeting of the Council on 17 July 2017 relating to the emptying of dog waste bins which were located at Riverside Park, Newhaven, details of which was reported to the Cabinet at its meeting on 27 September 2017. Councillor Carr reported that she had not been advised of the Comment by the Chief Officer and the action taken by the Cabinet in respect of that issue. Furthermore, Councillor Carr had been advised that, in light of the Council's current restructure, the Council did not currently have a Dog Warden.</p> <p><u>Suggested action to be taken by the Council:</u> That councillors who raised Ward issues at Meetings of the Council be advised of the Comment by the Chief Officer and the action taken by the Cabinet in respect of their issues.</p>	ADLDS (Head of Dem Svces)

30 Urgent Decisions taken by the Cabinet or Cabinet Members

The Chair of the Council reported that no urgent decisions had been taken by the Cabinet or Cabinet Members since the Meeting of the Council on 17 July 2017.

31 Notices of Motion

(a) The Chair reported that a Notice of Motion had been submitted under Council Procedure Rule 14 by Councillor Barnes relating to the re-opening of the Uckfield to Lewes railway line.

In accordance with Council Procedure Rule 14 Councillor Barnes moved, and Councillor Enever seconded, the Notice of Motion as follows:

"Lewes District Council resolves to positively continue its long standing support for the much needed re-opening of the Uckfield to Lewes railway line.

This is something which hundreds of Lewes District residents have called for over many years, and it would be a strategic addition to the rail network for the Lewes District. This vital transport link, especially if electrified, would help Lewes District Council meet their sustainable transport aspirations. Other examples of successful projects along these lines include the Borders Railway line".

With the agreement of the Council, Councillor Barnes agreed to the amendment of his Notice of Motion to read:

".....much needed re-opening of the Uckfield to Lewes railway line and the Council asks the Scrutiny Committee to consider and propose what actions the Council and potential partner organisations might take to further this outcome.

This is something which hundreds.....".

Councillor Catlin seconded the amended Motion.

The amended Motion was put to the meeting, Declared Carried, and it was

Resolved:

31.1 Accordingly.

(b) The Chair reported that a Notice of Motion had been submitted under Council Procedure Rule 14 by Councillor Robertson relating to a notification being sent to councillors in the event that the Council made any expenditure, for whatever reason, in excess of £1million and that such detail

DRP/
ADLDS
(Scrutiny
Officer)

be inserted in the Financial Procedure Rules of the Council's Constitution.

In accordance with Council Procedure Rule 14 Councillor Robertson moved, and Councillor Barnes seconded, the Notice of Motion as follows:

“That officers set up a mechanism whereby an email notification is sent to all councillors in the event of the district council making any expenditure, for whatever reason, in excess of £1million.

That a provision to this effect be inserted in the Financial Procedure Rules and that the Deputy Chief Executive and Head of Democratic Services be authorised to make such revision”.

Following consideration of the Motion and with the agreement of the Council and of his seconder, Councillor Robertson withdrew his Notice of Motion.

(c) The Chair reported that a Notice of Motion had been submitted under Council Procedure Rule 14 by Councillor Robertson relating to the consideration of some planning applications being undertaken at a venue which was local to the site of the application.

In accordance with Council Procedure Rule 14 Councillor Robertson moved, and Councillor Davy seconded, the Notice of Motion as follows:

“That if a site is allocated as a strategic site, for whatever purpose, (residential or otherwise), in the Local Plan then officers, in conjunction with the Chair of the Planning Applications Committee, will wherever practicable, and subject to the cost, availability and suitability of venue, arrange for the application to be heard locally”.

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

Resolved:

31.2 Accordingly.

(d) The Chair reported that a Notice of Motion had been submitted under Council Procedure Rule 14 by Councillor Ient relating to the inclusion, from 1 January 2018, of the provision of an electric vehicle charging scheme in all new housing and business/commercial planning applications.

In accordance with Council Procedure Rule 14 Councillor Ient moved, and Councillor Saunders seconded, the Notice of Motion as follows:

“That from 1 January 2018 all new housing and business/commercial planning applications to Lewes District Council include the provision of an 'electric vehicle charging scheme'; and that any such scheme would not become binding on the applicant unless included by the local planning authority as a condition of any planning permission

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ADLDS
(Cttee
Officer)

granted.

Sub-text: The applicant would propose a scheme and offer an analysis of its viability or otherwise. Council officers can then advise members as to whether any particular development is suitable for an electric car charging scheme thus leading to the conditioning of the planning permission in appropriate cases.”

With the agreement of the Council and of his seconder, Councillor Ient agreed to the amendment of his Notice of Motion to read:

“That from 1 January 2018 all new housing applications, applications for new or replacement domestic garages, and business/commercial planning applications.....”.

The amended Motion was put to the meeting, Declared Carried, and the vote thereon was recorded in accordance with Council Procedure Rule 18.5 as follows:

For the Motion:

Councillors G Amy; J Carr; J Carter; S Catlin; M Chartier; J Denis; W Elliott; P Gardiner; S Gauntlett; O Honeyman; V Ient; A Lambert; R O’Keeffe; S Osborne; R Robertson; T Rowell; and S Saunders (17).

Against the Motion:

Councillors L Boorman; W Botting; N Enever; B Giles; T Jones; I Linington; A Loraine; R Maskell; D Neave; T Nicholson; J Peterson; J Sheppard; A Smith; C Sugarman; R Turner; and L Wallraven (16).

Abstained:

Councillors S Barnes; S Davy; P Franklin; and E Merry (4).

Resolved:

31.3 Accordingly.

(e) The Chair reported that a Notice of Motion had been submitted under Council Procedure Rule 14 by Councillor Ient relating to the inclusion, from 1 January 2018, of the provision of a renewable energy scheme in all new housing and business/commercial planning applications.

In accordance with Council Procedure Rule 14 Councillor Ient moved, and Councillor Denis seconded, the Notice of Motion as follows:

“That from 1 January 2018 all new housing and business/commercial planning applications to Lewes District Council include the provision of a 'renewable energy scheme'; and that any such scheme would not become binding on the applicant unless included by the local planning authority as a condition of any planning permission granted.

DRP

Sub-text to the motion: The applicant would propose a scheme and offer an analysis of its viability or otherwise. Council officers could then advise members as to whether any particular development is suitable for a renewable energy scheme thus leading to the conditioning of the planning permission in appropriate cases”.

The Motion was put to the meeting, Declared not Carried, and the vote thereon was recorded in accordance with Council Procedure Rule 18.5 as follows:

For the Motion:

Councillors J Carr; J Carter; S Catlin; M Chartier; J Denis; W Elliott; P Gardiner; S Gauntlett; O Honeyman; V Ient; A Lambert; R O’Keeffe; S Osborne; R Robertson; T Rowell; S Saunders (16).

Against the Motion:

Councillors L Boorman; W Botting; S Davy; N Enever; P Franklin; B Giles; T Jones; R Maskell; E Merry; D Neave; T Nicholson; J Peterson; J Sheppard; A Smith; C Sugarman; R Turner; and L Wallraven (17).

Abstained:

Councillors S Barnes; and I Linington (2).

Resolved:

31.4 Accordingly.

32 Lewes District Council – Updated Code of Corporate Governance

The Chair of the Audit and Standards Committee, Councillor Chartier, moved, and Councillor Smith seconded, the motion that the recommendation contained in Report No 142/17 relating to the Updated Code of Corporate Governance, be received and adopted.

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

Resolved:

32.1 Accordingly.

Head of
Audit and
Counter
Fraud/
ADLDS
(Head of
Dem
Svces)

33 Memberships

The Council was invited to note the appointments to the following committees, outside bodies and advisory boards:

- Audit and Standards Committee – Councillor J Denis replaces Councillor T Rowell;
- Housing Working Party – Councillor J Denis replaces Councillor T Rowell;
- 3VA Board (Voluntary Action Lewes) – Councillor S Gauntlett replaces Councillor S Osborne;
- Energy & Sustainability Joint Venture Member Board - Councillors A Smith, I Linington and P Gardiner;
- Upper Ouse Flood Protection and Water Retention Works Working Group - Councillors P Gardiner and I Linington;
- Devolution Committee - Councillor L Boorman; and
- Lewes District Citizens Advice - Councillor L Boorman.

and it was

Resolved:

Accordingly.

ADLDS
(Head of
Dem
Svc)

34 Reporting Back on Meetings of Outside Bodies

Councillor Nicholson reported that, on 6 October 2017 he had attended a meeting of the Sussex Police and Crime Panel to which he had been appointed by the Council to be its representative.

At that meeting it was indicated that there would probably be a precept increase of £5 expressed in terms of Band D properties.

The Panel was advised that from September 2012 to September 2017 the number of Police Constables based on full time equivalents had reduced from 2145 to 2010 and that the number of Police Community Support Officers over the same period had gone down from 340 to 193.

The Sussex Police and Crime Commissioner had reported that she was lobbying for a more generous financial settlement from the government.

At the meeting, Councillor Nicholson had raised the issue of the arrangements for Lewes Bonfire Night and, in particular, the impact on train services. He had been advised that such issue was an operational matter.

The Panel had received a report on crime in educational establishments which showed an increase of 16% from 2015/16 to 2016/17. The Panel received a further report relating to Video Enabled Justice which, it was anticipated, would speed up the justice process.

Councillor Nicholson invited councillors to contact him if they wished to obtain any further information in respect of his verbal Report to the Council.

Resolved:

- 34.1** That the verbal Report by Councillor Nicholson relating to a meeting of the Sussex Police and Crime Panel to which he had been appointed by the Council to be its representative, be received and noted.

The meeting ended at 8.05pm.

S Gauntlett
Chair