

## **Full Council**

**Minutes of meeting held remotely on 18 November 2020 at 6.00 pm.**

### **Present:**

Councillor Steve Wallis (Mayor).

Councillors Sammy Choudhury (Deputy Mayor), Caroline Ansell, Margaret Bannister, Colin Belsey, Helen Burton, Penny di Cara, Peter Diplock, Jonathan Dow, Tony Freebody, Stephen Holt, Jane Lamb, Robin Maxted, Paul Metcalfe, Md. Harun Miah, Colin Murdoch, Jim Murray, Amanda Morris, Pat Rodohan, Dean Sabri, Alan Shuttleworth, Robert Smart, Colin Swansborough, Barry Taylor, David Tutt, Candy Vaughan and Rebecca Whippy.

### **Officers in attendance:**

Robert Cottrill (Chief Executive), Oliver Dixon (Head of Legal Services), Sarah Lawrence (Senior Committee Officer), Simon Russell (Head of Democratic Services), Ian Fitzpatrick (Deputy Chief Executive and Director of Regeneration and Planning) and Peter Finnis (Former Assistant Director for Governance and Corporate Services and Monitoring Officer).

### **1 Welcome**

The Mayor welcomed all Councillors to the first online Full Council meeting and advised that the meeting was being held remotely on Microsoft Teams in accordance with government regulations.

### **2 Period of Silence**

Prior to the start of the formal business the Mayor advised that he wished to hold a short period of silence in memory of Honorary Alderman Aubrey Vickers who had passed away in August following a short illness. Councillor Tutt and Councillor Belsey paid tribute to him for his work on the Borough and County Councils over 50 years, and for his friendship and service to the area. In addition, Councillor Belsey asked for Councillors to remember Colette Cullen, wife of Derek Cullen, former Borough Councillor and Mayor, who had passed away this week.

The Mayor held a short period of silence in memory of both Honorary Alderman Aubrey Vickers and Colette Cullen.

### **3 Introductions and notification of apologies for absence.**

The Mayor invited Members to introduce themselves for those watching and listening to the meeting.

No apologies for absence were received.

**4 Declarations of disclosable pecuniary interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct (please see note at end of agenda).**

Councillor Belsey declared a personal interest in Motion 1 – NHS Walk in Centre as he was the Chair of the East Sussex Health Overview Committee which was due to consider the matter shortly and for which he would not wish to have pre-determined the issue. As a result, Councillor Belsey indicated he would leave the meeting during the discussion on the motion and would not vote.

Councillor Shuttleworth declared a personal interest as a member of the East Sussex Health Overview Committee which was due to consider the matter shortly, but advised that he did not consider that this would predetermine his position and he would participate in the discussion on Motion 1 and vote.

Councillor Taylor declared a personal and prejudicial interest in relation to Motion 3 – Carers' Rights, as his family were involved in nursing care, residential care and day care and would be leaving the meeting for this item.

A question was raised as to whether all Councillors had a pecuniary interest in item 10, Members Allowances Scheme, but the Head of Legal Services advised that this applied to all Councillors, and therefore did not need to be declared.

**5 Minutes of the meeting held on 19 February 2020**

The minutes of the meeting held on 19 February 2020 were presented and the Mayor was authorised to sign them as a correct record.

**6 Public right of address.**

The Mayor advised that public speeches had been submitted as follows, and would be read out at the start of the relevant items:

- On Item 11 (a) Completion of the Winter Gardens, a speech from Chris Leach, Chair of the Eastbourne Society.
- On Item 12 (b) Motion 2 - Government Planning White Paper, a speech from Dennis Scard, Chair of the Meads Community Association.
- On Item 12 (d) Motion 4 - Council meetings, a speech from Dennis Scard, Chair of the Meads Community Association.

**7 Mayor's announcements.**

The Mayor drew attention to the list of the mayoral engagements attended since the last meeting set out in the agenda.

The Mayor thanked all the Councillors, Group Leaders, Caroline Ansell as the

local MP, Officers, volunteers, charity representatives and residents for their response during the Covid-19 in serving the local community. He offered his condolences and prayers for the families of all those who have sadly lost their lives during this difficult time.

## **8 Order of business.**

The business proceeded in accordance with the agenda.

## **9 Designation of Monitoring Officer**

Councillor Tutt moved and Councillor Smart seconded the recommendations in the report to designate Oliver Dixon, the Head of Legal Services as the statutory Monitoring Officer.

The Mayor paid tribute to Peter Finnis, who had retired from the Council after 40 years, thanking him for his support and guidance, and welcomed Mr Dixon to the Monitoring Officer role.

Councillor Tutt confirmed he had no hesitation in proposing Oliver Dixon for the role. Councillor Tutt extended his thanks to two officers who had retired earlier this month. First, he thanked Catherine Knight (formerly the Assistant Director - Legal and Democratic Services) who had worked for Lewes for many years and then latterly for both Lewes and Eastbourne, over 27 years in total. Councillor Tutt then paid tribute to Peter Finnis (formerly the Council Monitoring Officer and Assistant Director – Governance and Corporate Services) and offered his sincere thanks on behalf of both Councillors and Officers for all Peter had done to shape the Council over his 40 years of service.

Councillor Smart in seconding the recommendation, thanked Peter Finnis for his excellent work on behalf of Eastbourne and its residents and wished him well in his retirement, and welcomed Oliver Dixon to his new role.

The recommendation was put to the Council and agreed unanimously.

**Resolved** –That the Council designates Oliver Dixon, the Head of Legal Services, to be its statutory Monitoring Officer with immediate effect.

## **10 Proposal for a Joint Staff Advisory Committee and Joint Appointments and Appeals Committee**

Councillor Swansborough moved and Councillor Lamb seconded the recommendations in the report to set up a new Joint Staff Advisory Committee and a Joint Appointments and Appeals Committee, which would consolidate into one place discussion of matters relating to the single shared workforce which operated across both Councils.

The recommendation was put to the Council and agreed unanimously.

**Resolved -**

- 1) To approve the Terms of Reference for a new Joint Staff Advisory Committee to replace the current Joint Staff Committee, as set out in Appendix 1 to the report;
- 2) To approve the Terms of Reference for a Joint Appointments and Appeals Committee as set out in Appendix 2 to the report;
- 3) To delegate to the Assistant Director – HR and Transformation and the Head of Democratic Services authority to make the necessary consequential changes to the Constitution, Scheme of Delegation and HR Policies as set out in Appendix 3 to the report, and to delegate specific functions to the Head of Paid Service and Assistant Director – HR and Transformation in accordance with paragraphs 1.1 to 1.3 of Appendix 3 to the Report; and
- 4) That appointments be made to the Committee as set out in paragraphs 2.4 and 2.5 of the report.

**11 Conservation Area Advisory Group (CAAG) - Proposed changes to Terms of Reference and Status**

Councillor Rodohan moved and Councillor Smart seconded the recommendations in the report to expand the remit and change the status of the Conservation Area Advisory Group (CAAG) in order to enable more flexible discussion and a broader input of knowledge into the decision-making process in respect of matters affecting Conservation Areas and Listed Buildings.

The recommendation was put to the Council and agreed unanimously.

**Resolved –**

- 1) That Council approves the revised Terms of Reference in respect of remit and membership, set out in Appendix 1 to the report;
- 2) That Council approves the change in status of Conservation Area Advisory Group (CAAG) from ‘Formal Committee’ to ‘Informal Forum’ as set out in section 4 of the report; and
- 3) That the Head of Democratic Services be authorised to make the necessary changes to the Council’s Constitution in order to give effect to these changes.

**12 Members Allowance Scheme - Independent Remuneration Panel Report**

The Council received for consideration the report by an Independent Remuneration Panel (IRP) making recommendations in respect of the Members Allowance Scheme, and the report of the Head of Democratic Services setting out the options available to the Council.

Councillor Tutt moved and Councillor Holt seconded a proposal sent out in an addendum circulated in advance of the meeting, to reject the recommendations of the Panel relating to an uplift in basic and special responsibility allowances, due to the current financial climate. However, it was proposed that this be revisited in February 2023, to enable consideration of whether the allowances needed to be updated ahead of the next elections, for the recruitment of

Councillors from a wide range of backgrounds.

Councillor Freebody and Councillor Holt spoke in support of the proposal and thanked the IRP for its work.

The recommendation was put to the Council and agreed unanimously.

**Resolved -**

- 1) Having considered the recommendations of the Independent Remuneration Panel (IRP), the Council is grateful to the Panel for its work, but determines that it would not be in the best interest of the Council or the Town to accept them in full given the current financial challenges facing the Council whilst responding to the Covid 19 pandemic;
- 2) The Council resolves as follows in relation to the recommendations:
  - a) That the basic allowance and special responsibilities allowances be as set out in the current scheme of allowances, and uplift recommended by the IRP be rejected;
  - b) To accept the recommendation that no Councillor shall be entitled to receive at any time more than one Special Responsibility Allowance and that this One SRA Only Rule be adopted into the Scheme of Allowances;
  - c) To accept the Panel's recommendations in relation to travelling and subsistence allowances, Dependent Carers Allowances, the proposed policy to support parental leave, and the continuation of the current IT allowance;
  - d) To agree that the above changes made to the allowances scheme will be implemented with effect from the beginning of the 2020-21 financial year, and to revoke the current scheme of allowances from the same date.
- 3) That the Head of Democratic Services be authorised to make the necessary amendments to the Council's Members' Allowances Scheme;
- 4) That the report and recommendations of the IRP be re-considered by Full Council at the end of the current administration in February 2023; and
- 5) That thanks be conveyed to the Panel for the work undertaken and report produced.

**13 Matters referred from Cabinet or other council bodies.**

**13a Completion of Winter Garden Redevelopment**

At the start of this item the public speech received from Chris Leach, Chair of the Eastbourne Society was read out.

Councillor Bannister moved and Councillor Smart seconded the recommendation referred from Cabinet meeting held on 16 March 2020, to support Option 2 for the completion of the Winter Garden redevelopment. In moving the recommendation, Councillor Bannister responded to the points

made by Mr Leach and invited him to participate in a 'Winter Gardens Recovery Group'. She advised that the proposals were proceeding with the assistance of a Government grant.

Councillor Smart in seconding the recommendation outlined his concerns that the project had been delayed until this point and as to the budget involved.

Councillor Tutt responded to the points made by Councillor Smart in relation to budget for the project.

The recommendation was put to the Council and agreed unanimously.

**Resolved** - To agree Option 2 for the completion of the Winter Gardens Redeveloped, as detailed in the Cabinet report to the meeting on 16 March 2020.

### **13b Treasury Management Annual Report 2019/20**

Councillor Holt moved and Councillor Tutt seconded the recommendation referred from Cabinet meeting held on 18 November 2020, to approve the Annual Treasury Management report for 2019/20 and to approve the 2019/20 prudential and treasury indicators.

The item was discussed by Members and put to a vote and approved by 15 votes for, 9 votes against and 1 abstention as follows.

**Resolved –**

- 1) To agree the Annual Treasury Management report for 2019/20; and
- 2) To approve the 2019/20 prudential and treasury indicators included in the Cabinet Report to the meeting on 18 November 2020.

### **14 Motions.**

#### **14a Motion 1 - NHS Walk in Centre**

Councillor Holt moved and Councillor Rodohan seconded the motion set out on the agenda, to ask the Clinical Commissioning Group to withdraw its proposal to close the walk-in and GP service at Eastbourne Station Health Centre.

Councillor Ansell moved and Councillor Di Cara seconded an alternative recommendation, which had been circulated to all Councillors, as below:

“Eastbourne Borough Council calls upon the NHS Clinical Commissioning Group (CCG) to guarantee the continuing service of the Eastbourne Station Health Centre until at least 2023. This will provide important continuity of care in the pandemic and its aftermath, safeguard general capacity and, secure the expertise of the ESHC in the fight against the virus, notably to play a significant role in any prospective COVID vaccination programme. Further, ahead of any decision to close the ESHC, that the CCG satisfy 3 public confidence tests:

1. Plans for a town centre satellite centre practice envisaged by the new Old Town super practice, Victoria Medical Centre, have been agreed and delivered.
2. Talks with partnership groups such as the Salvation Army and others whose premises could be used to provide outreach GP and wider health support to vulnerable groups, have been concluded and services negotiated and commissioned.
3. Demonstrate that GP provision in the town centre reflects prospective town centre housing development, circa 1000 new households. That current town centre GP practices have been able to re-open their lists.

When these tests have been satisfied, the CCG to go back out to local public consultation.”

In considering the amendment, Councillor Tutt asked the Mayor if he would consider holding a short adjournment in order to enable Councillor Holt and Councillor Ansell to discuss the potential for a shared revised motion incorporating the best of both versions. With the agreement from Councillor Holt and Councillor Ansell, the Mayor agreed to adjourn the meeting for 10 minutes, and to return to the matter to the end of the meeting.

When returning to this item, Councillor Holt moved and Council Ansell seconded a revised motion. This was put to the Council and agreed unanimously.

**Resolved that:**

“Eastbourne Borough Council calls upon the NHS Clinical Commissioning Group (CCG) to withdraw its proposal to close the walk in and GP service at Eastbourne Station Health Centre.

We believe that the current consultation process is flawed and has understated the importance of the existing GP and Walk-In service in the town centre. Many of the patients using the Walk-In centre are not registered patients and would be unable to take part in any consultation.

The Walk-In centre in delivering a vital service for many homeless people including those who are part of the Rough Sleeping Initiative, and for those who have no fixed home address and may not be registered with GP practices. Many of these people have multiple complex needs and have established a link with the station health service. Without this, many people would simply stop accessing health services or would put pressure on the Primary Care service at the DGH, as their health problems escalate.

The Walk-In service provides a unique access to healthcare not replicated elsewhere in the town and is an important safety net for patients who cannot gain an appointment at other GP surgeries. Our key industry is Tourism and the Walk-In centre provides a vital and accessible facility for anyone taken ill whilst visiting out town. It is also an important service to people with learning disabilities, mental health issues or who may be living in temporary

accommodation in our town, all of whom may need help from a GP but may be unable to book an appointment in advance.

The Walk In Centre would provide important continuity of care in the pandemic and its aftermath, safeguard general capacity and, secure the expertise of the ESHC in the fight against the virus, notably to play a significant role in any prospective COVID vaccination programme.

Further, ahead of any decision to close the ESHC, that the CCG satisfy 3 public confidence tests:

1. Plans for a town centre satellite centre practice envisaged by the new Old Town super practice, Victoria Medical Centre, have been agreed and delivered.
2. Talks with partnership groups such as the Salvation Army and others whose premises could be used to provide outreach GP and wider health support to vulnerable groups, have been concluded and services negotiated and commissioned.
3. Demonstrate that GP provision in the town centre reflects prospective town centre housing development, circa 1000 new households. That current town centre GP practices have been able to re-open their lists.

When these tests have been satisfied, the CCG to go back out to local public consultation.”

(**Note** - Councillor Belsey left the room during the discussion of the item and took no part in the vote on this matter).

[The meeting was adjourned for a period of 10 minutes at 7.30 pm during the discussion of this item]

#### **14b Motion 2 - Government Planning White Paper 'Planning for the Future'**

At the start of this item the public speech received from Dennis Scard, Chair of the Meads Community Association was read out.

Councillor Shuttleworth moved and Councillor Murray seconded the motion set out on the agenda, to call upon the Government to respond to the concerns expressed by the Local Government Association and Councils up and down the Country about proposals in the Government White Paper 'Planning for the Future'.

Councillor Smart moved and Councillor Ansell seconded an amendment to the recommendation, which had been circulated to all Councillors, as below:

“1. To amend the first paragraph of the motion to read:

“Eastbourne Borough Council calls upon the Government to respond to the concerns expressed by the Local Government Association and



Councils up and down the country about proposals for “Changes to the current planning system” and in the Government White Paper “Planning for the future”, and welcomes positive points from the White Paper, particularly those that support our ambition to be a carbon neutral town by 2030.”

2. To delete the detailed points that follow after this paragraph.“

The Council discussed the motion and the amendment.

The amendment was put to a vote and lost (9 votes for, 16 votes against, 1 abstention, 1 unable to cast a vote due to connectivity issues).

The original motion was then put to the vote and carried by 17 votes for, 0 votes against and 10 abstentions, as follows.

**Resolved that:**

“Eastbourne Borough Council calls upon the Government to respond to the concerns expressed by the Local Government Association and Councils up and down the country about proposals in the Government Planning White Paper ‘Planning for the Future’.

Eastbourne Borough Council makes the following points:

- That the Planning Paper needs to recognise that housing targets are best set by local Councils based upon the needs and restraints of their area. The Government imposed targets approach has failed local communities.
- That developers must continue to pay a section 106 levy towards local infrastructure costs. The proposed national Infrastructure Levy will inevitably lead to a reduction in local funding of transport, road improvements, drainage and other infrastructure costs and will lead to less local control.

Further that:

- The number of sites with existing planning permissions for houses that are extant, have not yet been built, or even started to be built, along with the high proportion of planning applications that are agreed are a clear sign that the planning process is not as big a barrier to development as the government claims.
- The planning process has over recent years become increasingly divorced from the needs and desires of local communities. The proposals contained within the White Paper will exacerbate this unwelcome direction of travel.
- The proposals contained within the White Paper will diminish the role of planning authorities, planning committee members and ward councillors.
- While the current planning system is not perfect this is at least in part

due to continued cuts by central government funding to local planning authorities which have, in turn, led to local authorities having to reduce expenditure on planning services. These cuts and ongoing centralisation of policy coming from Government have affected both the processing of planning applications and enforcement activities.

- Previous changes to the planning system, such as the introduction of the Unitary Development Plan and the Local Plan, have proved enormously expensive and time-consuming. Further changes are likely to be the same, with any benefits being outweighed by the costs involved.”

#### **14c Motion 3 - Carers' Rights**

Councillor Diplock moved and Councillor Holt seconded the motion to support carers' rights, as set out on the agenda.

The Council discussed the motion in full. This motion was put to the Council and agreed unanimously as follows.

**Resolved:** Ahead of Carers Rights Day on 26 November, this Council:

1. Recognises the work of both paid and unpaid carers, and thanks them for bearing an often-silent burden. Estimates from Carers UK suggest there are around 13m unpaid carers in the UK, who save the economy approximately £132 billion a year. We all know someone who is a carer.
2. Pledges to lead by example and ensure reasonable adjustments are made to allow carers employed by this authority to balance their caring responsibilities within work, and will continue to support carers, sign posting them to receive help, support and advice whenever possible.
3. Supports the efforts to extend to carers the employment rights within the Equality Act 2010. We call upon our MP to support the efforts made by Parliamentarians to extend protected characteristic rights to Carers.

(**Note** – Having declared an interest, Councillor Taylor left the room during the discussion of the item and took no part in the vote on the matter).

#### **14d Motion 4 - Council Meetings**

At the start of this item the public speech received from Dennis Scard, Chair of the Meads Community Association was read out.

Councillor Freebody moved and Councillor Lamb seconded the motion set out on the agenda, related to re-introducing all Council meetings remotely with immediate effect.

Councillor Tutt moved and Councillor Holt seconded an amendment to the recommendation, so that it read: “This Council remains committed to the democratic process and will conduct all Council meetings using a digital

platform to protect the public, members and officers from possible Covid 19 infection, until such time as Covid restrictions are lifted.”

The Council discussed the motion and the amendment.

The amendment was put to a vote and carried by 24 votes for, 1 against, 1 abstention and 1 unable to cast a vote due to connectivity issues, as follows.

**Resolved that:** This Council remains committed to the democratic process and will conduct all Council meetings using a digital platform to protect the public, members and officers from possible Covid 19 infection, until such time as Covid restrictions are lifted.

#### **14e Motion 5 - Financial processes**

Councillor Smart moved and Councillor Di Cara seconded the motion set out on the agenda, related to improving financial processes and accountability.

Councillor Maxted moved and Councillor Burton seconded an amendment to the recommendation, which had been circulated to all Councillors, the effect of which amend the motion to read:

“In light of the considerable delays to the audit process that many Councils are facing nationally, this Council resolves to assess the recommendations of the Government commissioned Redmond Review and undertake to introduce change where possible now, even ahead of legislation.”

The Council discussed the motion and the amendment.

The amendment was put to a vote and carried (17 votes for, 1 against, 9 abstentions) as follows.

**Resolved that:** In light of the considerable delays to the audit process that many Councils are facing nationally, this Council resolves to assess the recommendations of the Government commissioned Redmond Review and undertake to introduce change where possible now, even ahead of legislation.

#### **15 Discussion on minutes of council bodies.**

The minutes of the following Council bodies held in 2020 were submitted to the meeting:

Audit and Governance Committee – 4 March and 9 September  
Cabinet – 5 February, 16 March, 3 June, 15 July, 16 September  
Conservation Area Advisory Group – 18 February  
Licensing Committee – 6 January  
Planning Committee – 25 February, 25 August  
Scrutiny Committee – 3 February, 14 September

In accordance with Council procedure 14, the minutes of Cabinet on 16 September 2020, Corporate Performance – Quarter 1 – 2020/21, were raised for discussion by Councillor Holt, in order to extend his thanks to staff for their work during the Covid-19 pandemic.

**Resolved (Unanimously):** That the minutes of the above council bodies be accepted.

**16 Date of next meeting**

It was noted that the next meeting of Full Council was scheduled to take place on Wednesday 24 February 2021 at 6 pm.

The meeting ended at 9.35 pm

Councillor Steve Wallis (Mayor)