

Full Council

Minutes of meeting held remotely on 23 November 2020 at 6.00 pm.

Present:

Councillor Adrian Ross (Chair).
Councillors Christine Brett (Vice-Chair), Sam Adeniji, Robert Banks, Nancy Bikson, Matthew Bird, Liz Boorman, Roy Burman, Julie Carr, Roy Clay, Chris Collier, Phil Davis, Sharon Davy, Johnny Denis, Lynda Duhigg, Stephen Gauntlett, Tom Jones, Christoph von Kurthy, Isabelle Linington, Jim Lord, Sylvia Lord, James MacCleary, Sean MacLeod, Imogen Makepeace, Ron Maskell, William Meyer, Joe Miller, Zoe Nicholson, Emily O'Brien, Laurence O'Connor, Ruth O'Keeffe, Nicola Papanicolaou, Julian Peterson, Keira Rigden, Christine Robinson, Geoff Rutland and Steve Saunders.

Officers in attendance:

Robert Cottrill (Chief Executive), Oliver Dixon (Head of Legal Services), Simon Russell (Head of Democratic Services) and Sarah Lawrence (Senior Committee Officer).

Also in attendance:

Catherine Knight (Former Assistant Director - Legal and Democratic Services and Monitoring Officer).

32 Welcome

The Chair of the Council advised that the meeting was being held remotely on Microsoft Teams in accordance with published Government regulations.

33 Period of Silence

Prior to the start of the formal business, the Chair of the Council invited members to hold a short period of silence in respect of the two fishermen who were missing, now presumed to have lost their lives, off the coast at Newhaven, and also to recognise the bravery and dedication of the life boat service, coast-guard and local people who participated in and supported the search.

34 Introductions and Apologies for absence

The Chair of the Council invited members to introduce themselves for those watching and listening to the meeting.

Apologies for absence were received from Councillor Amy and Councillor Manley.

35 Declarations of interest

Councillor Banks declared a personal and non-prejudicial interest in respect of Item 14b 'Motion 2 – Government Changes to our Planning System', as an employee of the LGA whose figures he intended to quote in his pre-amble to the motion. He remained in the meeting and took a full part in the discussion and vote.

36 Minutes of the meeting held on 17 September 2020.

Resolved – To approve as a correct record the minutes of the meeting held on 17 September 2020.

37 Announcements.

1. The Chair advised that a list of his engagements as Chair of the Council since the last meeting were set out in the agenda, and these were noted.
2. The Leader of the Council provided an update on what the Council had been doing in response to the second lockdown to provide support to the local community, reopening the community hub helpline, liaising with local and voluntary groups who could offer support, working closely with East Sussex County Council, and administering business support grant distribution. He paid tribute to the continued hard work of Council staff, and members of the local community. He noted that the numbers of cases in Lewes were currently fairly low in comparison to other areas (92 per 100,000), a tribute to the way in which the community had responded.

38 Urgent items

There were no items to be considered as a matter of urgency.

39 Questions from members of the public

No questions had been received from members of the public.

40 Petitions

No petitions had been received.

41 Urgent decisions taken by the Cabinet or Cabinet members

No urgent decisions had been taken by Cabinet or Cabinet Members.

42 Designation of Monitoring Officer

Councillor MacCleary moved and Councillor Linington seconded the recommendations set out in the report for the appointment of Oliver Dixon as the Council's statutory monitoring officer.

In moving the recommendation, Councillor MacCleary paid tribute to Catherine

Knight the former Assistant Director – Legal and Democratic Services and Monitoring Officer for her service to the Council over 27 years, as an invaluable source of advice and support, and to whom the Council owed a huge amount of gratitude and he wished her well for the future.

Councillor Linington, in seconding the recommendation, congratulated Oliver Dixon in this new role, but also extended her thanks to Catherine Knight for her assistance over many years, her advice, calm manner, ability to find the perfect wording, and the scrupulously fair, firm and kind way in which she had advised Councillors. Councillor Linington said that Catherine would be thoroughly missed and wished her a long and happy retirement.

Catherine Knight responded and thanked Councillors for their kind words and support over many years and advised that it had been a pleasure to work with them.

The recommendations were put to the Council and agreed.

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

43 Review of Polling Districts and Polling Places 2020.

Councillor Denis moved and Councillor Collier seconded the recommendations set out in the report, arising from a consultation process on polling districts and places.

The recommendations were put to the Council and agreed.

Resolved –

- 1) To consider and note the result of the consultation process;
- 2) To approve the Returning Officer's proposals for Polling Places and Polling Districts as set out in Appendix 1 to the report; and
- 3) That the Head of Elections, on behalf of the Returning Officer and Electoral Registration Officer, be authorised to implement the Council's decisions in respect of the review.

44 Members allowances 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 MacCleary moved and Councillor Linington seconded a proposal set out in an addendum circulated in advance of the meeting, to reject the Panel's recommendations in relation to the basic and special responsibility allowances at this time due to the current financial climate, but to agree other recommendations and to review the allowances recommendations again in 2022.

The proposal was put to the Council and agreed.

Resolved -

- 1) Having considered the recommendations of the Independent Remuneration Panel (IRP) as set out at Appendix 1 to the report, the Council is grateful to the Panel for its work and recognises the logic of the recommendations put forward, but is unable to accept them in full in light of the current financial challenges facing the Council whilst responding to the Covid 19 pandemic;
- 2) The Council resolves as follows in relation to each of the recommendations:
 - a) To set the basic allowance payable to all members of Lewes District Council at the current level of £3,260 per annum for April 2021 onwards, and to review the IRP's report again in February 2022 to consider if it would be possible to adopt the higher level of basic allowance recommended from April 2022 subject to any future indexation that may apply;
 - 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 retain the current levels of remuneration for all Special Responsibility Allowances, and to review the IRP's report again in February 2022 to consider if it would be possible to adopt the IRP's recommendations in relation to the Special Responsibility Allowances from April 2022 subject to any future indexation that may apply;
 - d) That further to c) above, to retain the existing allowance for the Scrutiny Committee Chair and attribute it to the Chair of the Policy, Performance and Advisory Committee and retain the existing allowance for Employment Committee and attribute it the Chair of the Joint Staff Advisory Committee in the years in which this Joint Committee is chaired by a Lewes District Councillor;
 - e) To accept the recommendation that travelling and subsistence allowances should continue to be payable to Councillors and any co-opted members in connection with any approved duties in accordance with the current scheme of allowances;
 - f) To accept the recommendation that the Dependants Carers' Allowance should be based on two criteria. Rate one for Childcare should be at the market rate, reimbursed upon production of receipts, with no monthly maximum claim. Rate two should be for specialist care based at cost upon production of receipts and requiring medical evidence that this type of care is required. There should also be no monthly maximum claim;
 - g) To accept the recommendation that no change should be made to the current eligibility conditions for receipt of the Dependants Carers' Allowance, except that the duties for which this allowance is payable should be in accordance with the list of approved Councillor duties. The Council should also actively promote the allowance to prospective and new Councillors both before and following an election;
 - h) To accept the recommendation that the recommended duties for which

Dependants' Carers' Allowance and Travelling and Subsistence Allowance should be payable should be in accordance with the Approved Councillor Duties;

- i) To accept the recommendation in relation to the approach to be adopted as a policy to support parental leave for Councillors;
 - j) To accept the recommendation that an IT Allowance for Councillors of £429 per annum be introduced from April 2021, subject to any future indexation that may apply and subject to it being reviewed again at the same time as the Council is scheduled to revisit the question of Councillor allowances overall in February 2022;
 - k) To accept the recommendation that the level at which the Council sets the basic allowance, each of the SRAs and the IT allowance, be increased on 1 April annually in line with the percentage increase in staff salaries up until 2024; and
 - l) To agree that the changes made to the allowances scheme will be implemented with effect from the beginning of the 2021-22 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 (if approved) to the Council's Members' Allowances Scheme; and
- 4) That thanks be conveyed to the Panel for the work undertaken and report produced.

45 Recommendations from Cabinet and other council bodies

45a Annual treasury management report.

Councillor Nicholson moved and Councillor Peterson seconded the recommendation referred from the Cabinet meeting held on 24 September 2020, to approve the Annual Treasury Management report for 2019/20 and to approve the 2019/20 prudential and treasury indicators.

The proposal was put to the Council and agreed.

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.

46 Notices of motion.

46a Motion 1 - To ensure no resident of Lewes District is prevented from voting by any new Voter ID legislation.

Councillor Collier moved and Councillor Denis seconded the motion set out on the agenda, in respect of voter ID.

The matter was debated by the Council members. The motion was put to the vote and approved by majority.

Resolved - We call on the Council to request that legal officers produce a report to Cabinet detailing the implications of Voter ID on residents in the district once the draft legislation and guidance for Voter ID has been published with the aim of identifying the mitigations that could be practically implemented to prevent the loss on any individual's democratic right and ensure that elections within Lewes District are free for all once the legislation comes into force.

46b Motion 2 - Government changes to our planning system.

Councillor Banks moved and Councillor Makepeace seconded the motion set out on the agenda, in respect of the next steps the Council can take in relation to the Government White paper on planning changes.

The matter of was debated by the Council members. The motion was put to the vote and approved by majority.

Resolved - This Council resolves to use the existing comments submitted by Lewes District Council:

1. To ask the Leader or Portfolio Holder for Planning and Infrastructure to write to and lobby both of our Members of Parliament, urging them to oppose the Government proposals; and
2. For the Council to continue to make representations against the proposals as already submitted by the Council and highlight those concerns with local residents.

47 Written questions from Councillors

A written question was received from Councillor Burman to Councillor Peterson, Chair of the Audit and Standards Committee as follows:

“Recognising the audit delays experienced by many Councils across the country, please can the Chair of the Audit and Standards Committee provide the Council with an update on the audit of the accounts for 2018-19 and 2019-20. Can he provide us with an update on any matters which could help to address the delays and on how to avoid them in future?”

Councillor Peterson responded in full, setting out the steps that had been taken, and concerns raised by the Committee. It was noted that there had been an agreement with the auditors to delay the completion of the 2018-19 from July to November 2019, in order to ensure they were thorough and supported by sound working papers. However, subsequently Deloitte has found difficulty in reallocating staff resources to complete the work given its commitments to other clients. It was recognised that this was an issue experienced by many other Councils nationally, which had resulted in the Government commissioning Sir Tony Redmond to undertake an independent review of the effectiveness of local audit and transparency of local authority

financial reporting. The Council had also raised its concerns to the Public Sector Audit Appointments company.

Officers had advised that despite many months of effort to work with Deloitte, there was still no clear path to resolution of when the External Audit for 2018/19 would be completed, a situation that was now putting at risk the audit of 2019/20 accounts and beyond. The Committee at its meeting on 16 November had received an update from Deloitte and agreed to schedule a special meeting within the next few weeks for Deloitte to provide an update and for the Committee to receive a log of all outstanding actions on both sides.

Councillor Burman asked a supplementary question as to whether all Councillors could attend the additional Audit and Standards Committee on this matter and what it was hoped to achieve.

Councillor Peterson responded that he would encourage all Councillors to attend and advised that it was hoped that the meeting would set out a clear way forward for the completion of the statement of accounts.

48 Questions to the Leader of the Council

No questions to the Leader of the Council had been submitted.

49 Ward issues

Councillor Gauntlett raised a ward issue, set out in full in the agenda, in respect of the scaffolding erected five years ago to facilitate the work required in respect of Talland Parade, High Street, Seaford (Planning Application LW/11/1321 etc), and which still remained in place. He requested that:

1. The Council writes to the developer in the strongest possible terms expressing the anger and frustration of Seaford residents.
2. It be noted that Lewes District Council Officers are engaging with the developer to understand the current stage they are at with the building works and the likely end date, including when the scaffolding will be taken down.
3. It be noted that Officers can only work within current legislation and any information supplied by the developer in relation to these points cannot be binding and prosecution for non-adherence is not possible.
4. Lewes District Council write to the Secretary of State for Housing, Communities and Local Government requesting urgent attention to this area of the Law to enable Planning Enforcement Officers to require developers to carry out work within agreed timescales on behalf of local communities.

Councillor Brett and Councillor Jim Lord as neighbouring ward councillors both spoke in support of the concerns raised.

Councillor O'Brien as Cabinet Member for Planning and Infrastructure responded that Officers would continue to work to address the issues on site, including the actions requested in relation to writing to the developer. Officers

had given assurances that the site was subject to regular inspections and was up to date with building control safety standards. However, she confirmed she would write to the Government to request the additional powers required for councils to take enforcement action in these circumstances, and advised that the Chief Executive would report back to a future Cabinet meeting on the actions taken.

50 Reporting back on meetings of outside bodies

Councillors had provided reports on the outside bodies to which they were appointed by Full Council as follows:

Councillor Johnny Denis – Police and Crime Panel

Councillor Christine Brett – Impact Seaford and Seaford Head Nature Reserve Committee.

A request was made for additional outside body updates to be made at the next meeting.

51 Date of the next meeting

It was noted that the next meeting of Full Council was scheduled to take place on 22 February 2021 at 6 pm.

The meeting ended at 8.01 pm

Councillor Adrian Ross (Chair)