

## Minutes of meeting held on Wednesday, 19 February 2014 at 6.00 pm

Present:-

Councillor Mike Thompson (Mayor) in the Chair

Councillors Caroline Ansell, Margaret Bannister, Janet Coles, Alun Cooke, Philip Ede, David Elkin, Jon Harris, Pat Hearn, Sandie Howlett, Gordon Jenkins, Tom Liddiard, Gill Mattock, Harun Miah, Colin Murdoch, Jim Murray, Alan Shuttleworth, Neil Stanley, Barry Taylor, Troy Tester, David Tutt, John Ungar, Steve Wallis, Patrick Warner and Annabelle West.

### **54 Honorary Alderman Dr. Grace Fletcher and Honorary Alderman Mrs Ann Murray.**

The Council observed a one minute silence in memory of Honorary Alderman Dr. Grace Fletcher and Honorary Alderman Mrs. Ann Murray, who had both passed away recently.

Dr Fletcher was a member of Eastbourne Borough Council for the Upperton Ward from 8 May 1986 until 3 May 1990, and was made an Honorary Alderman on 7 November 200.

Mrs Murray was a member of Eastbourne Borough Council for the Upperton Ward from 9 May 1988 until 7 May 2007, and was made an Honorary Alderman on 29 March 2012.

### **55 Minutes.**

The minutes of the meeting held on 20 November 2013 were presented and the Mayor was authorised to sign them as correct records.

### **56 Mayor's Announcements.**

1. On 2 December the Mayor and Mayoress attended a fundraising dinner at Zizzis in aid of the Tuesday O'Hara Fund. Guests were invited to make a voluntary contribution towards their meal, and a raffle was also held. The event raised £1400.
2. The Mayor attended the Lark in the Park Christmas Party on 4 December. Held annually at the Winter Garden, the party organisers invite local youngsters with special needs to join them for an afternoon of fun in the run up to Christmas.
3. On 7 December the Mayor and Mayoress visited Eastbourne Rugby Club to celebrate the club's recently awarded full RFU Accreditation. The Rugby Football Union Club Accreditation scheme aims to help all rugby clubs in England become stronger,

more effective, more efficient, and more enjoyable places to play rugby.

4. The Mayor held a Christmas Concert in the Winter Garden's Gold Room on 11 December in aid of his chosen charities. Guests were treated to a performance from Ratton School and Voices Choirs while they enjoyed some mulled wine and mince pies.
5. The Mayor's Charity volunteers were back in action on 14 December where they assisted ASDA shoppers with their bag packing in return for donations. They had a very busy day but earned over £500 for the Mayor's Charities.
6. The Mayor and Mayoress took time out on Christmas Day to visit Matthew 25 Mission who were busy serving up dinners to the homeless at Christ Church, before visiting the Eastbourne Rotary Club's Alone at Christmas event at Our Lady of Ransom Parish Centre.
7. The first Mayoral engagement of 2014 was to attend the Sussex Downs College Student Awards evening at the Grand Hotel.
8. On 15 January the Mayor's Charity teamed up with the Chamber of Commerce for a quiz night at the Langham Hotel. The winners of the quiz were Price and Co. and the evening raised £600 for the Mayor's Charities.
9. On 18 January the Mayor gave permission for 56<sup>th</sup> Signal Squadron Army Reserve Unit to exercise their Freedom of the Borough. The unit marched through the Town from the Pier to the Town Hall, where members of the unit past and present were then treated to refreshments. An afternoon reception followed at the TA Centre before a dinner was held in the evening at the Grand Hotel. This would be the last opportunity for the unit to exercise their Freedom, as the unit was being disbanded shortly.
10. The Mayor attended the Eastbourne Ancestors Exhibition Preview at The Pavilion on 30 January. The exhibition opened to the public on 1 February and will show significant discoveries about the history of Eastbourne and Sussex, focusing on the stories of the human remains stored within the Museum Collection. The Pavilion had opened a brand new café next to the exhibition space for drinks and snacks; and the outside decking would be open as usual in the summer months.
11. The next event in aid of the Mayor's Charity would be a World War 2 Party at the Bomb Shelter Club (also known as the Winter Garden!) on Friday 14 March. Guests will enjoy dinner, entertainment, swing and dancing, and tickets are on sale now from the Mayor's Office.

12. Also coming soon are a sponsored Firewalk on Friday 4 April and an Abseil on Sunday 27 April. Anyone interested in taking part should contact the Mayor's Office.
13. The Mayor also attended a number of visiting conferences, concerts, open days and exhibitions in the last few months.

#### **57 Apologies for Absence.**

Apologies for absence were reported from Councillor Belsey and Councillor Heaps.

#### **58 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.**

- Councillor Elkin declared a personal, non-pecuniary interest in respect of the budget at item 60 below on the basis of his role at East Sussex County Council. This was not deemed to be prejudicial and he chose to remain in the meeting and participate in that item.
- Councillors Bannister and Murray both declared disclosable pecuniary interests in respect of the motion at item 62 below on the basis of spouses' employment with the health trust and both withdrew from the meeting room for the duration of that item.
- Councillor Tester declared a personal, non-pecuniary interest in respect of the motion at item 62 below on the basis of his health-related profession and, though not deemed to be prejudicial, he chose to withdraw from the meeting room for the duration of that item.
- Councillors Shuttleworth and Ungar both stated that as members of the East Sussex Health Overview and Scrutiny Committee, they wished to approach the proceedings of that Committee with an open mind. To avoid any future suggestion that they had pre-determined the issues through their participation in debate on this item, they chose to withdraw from the room and to take no part in that item.
- Councillor Warner declared, in respect of the motion at item 64 below, both a personal interest in the motion, which was potentially prejudicial, by reason of his position on the Sovereign Harbour trust, and a disclosable pecuniary interest in it as a resident of Sovereign Harbour. Having declared interests of this nature he would normally be expected to withdraw from participating, however on this occasion he had been granted a dispensation in advance by the Monitoring Officer who had indicated that she was satisfied that, in all of the circumstances, grounds existed to enable him to participate in discussion and voting on this motion. Councillor Warner therefore remained and participated in the item.

- Councillor Ede declared, in respect of the motion at item 64 below, a disclosable pecuniary interest in it as a resident of Sovereign Harbour. Having declared an interest of this nature he would normally be expected to withdraw from participating, however on this occasion he had been granted a dispensation in advance by the Monitoring Officer who had indicated that she was satisfied that, in the circumstances, grounds existed to enable him to participate in discussion and voting on this motion. Councillor Ede therefore remained and participated in the item.
- Councillor Taylor declared a disclosable pecuniary interest in respect of the motion at item 64 below on the basis of being a harbour berth holder and withdrew from the meeting room for the duration of that item.

**59 Amendment to Council procedure rules - Recorded named votes on setting the annual budget and council tax.**

The Council considered the report of the Head of Corporate Development advising on the Government's intent, under The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, to amend the 2001 regulations. This was in order to require local authorities to undertake recorded named votes when setting the annual budget and council tax, this to include substantive motions and any amendments.

It was moved by Councillor Tutt, seconded by Councillor Elkin; and

**Resolved:** That Council procedure rules be amended to require mandatory recorded named votes on setting the annual budget and council tax in accordance with the requirements of the legislative change.

**60 Council budget and setting of the council tax for 2014/15.**

This matter was reported and moved by Councillor Mattock on behalf of the Cabinet and was seconded by Councillor Tutt. In addition, the Council considered the reports to Cabinet as included in draft budget book, and also the Scrutiny Committee and Cabinet minutes and resolutions from the meetings held on 3 February and 5 February 2014 respectively.

All members conveyed their thanks to officers and, in particular, the Chief Finance Officer and his staff, for their efforts in connection with budget proposals.

The following amendment was proposed by Councillor Ansell and seconded by Councillor West:

*"That the budget and council tax settings for 2014/15 as proposed by Cabinet be approved, subject to the following additional resolution:*

*That this Council commits to funding, from its currently unallocated regeneration fund, any validated Eastbourne applicant to the County scheme in 2014-2015 who, by virtue of oversubscription, would*

*otherwise miss the opportunity to grow their business and create local jobs."*

The above amendment was lost by 12 votes to 11 with 2 abstentions. The named voting record for the above amendment was:

**For:** Councillors Ansell, Cooke, Ede, Elkin, Jenkins, Liddiard, Howlett, Murdoch, Taylor, Warner and West.

**Against:** Councillors Coles, Harris, Hearn, Mattock, Miah, Murray, Shuttleworth, Stanley, Tester, Tutt, Ungar, and Wallis.

**Abstentions:** The Mayor and Councillor Bannister.

Members voting against the above amendment indicated that they felt there was merit in the amendment and that it was possible that some of the economic regeneration fund could be used for this purpose. However, they were unwilling to commit the fund to this specified single use at this time.

**Resolved:** (By 13 votes to 11 with 1 abstention) That approval be given to the following

1. The recommendations as detailed in the reports from the Chief Finance Officer and the Senior Head of Community to Cabinet on 5 February 2014:-
  - (i) The General Fund net expenditure for 2014/15 of £16,926,750, and the growth and savings proposals.
  - (ii) No change to the council tax for Eastbourne Borough Council to a Band D charge of £224.19.
  - (iii) Housing Revenue Account (HRA) income and expenditure proposals, including revised HRA budget for 2013/14 and the budget for 2014/15, rents and service charges, arrangements for finalising Eastbourne Homes' management fee and annual plan.
  - (iv) General Fund capital programme as set out in report of the Chief Finance Officer.
  - (v) The Treasury Management Strategy and Prudential Indicators.
2. That consequent upon a general fund budget of £16,926,750 and other matters, the basic amount (Band D) of council tax for the borough council's functions will be £224.19 calculated as follows:

	£'000	£'000
Gross Expenditure:		
General Fund		81,102
HRA		15,443

Business Rates payable to Government		10,285
		106,830
Less Income:		
Service Income	(78,778)	
Government Formula Grant	(3,736)	
Other Government Grants	(3,143)	
Business Rates income	(13,971)	
		(99,628)
COUNCIL TAX REQUIREMENT		7,202
Band 'D' Council Tax		£224.19

The statutory resolutions relating to this matter are given at paragraphs 3 and 4 below.

3. That it be noted that, at its meeting on 11 December 2013, the Cabinet (in exercise of powers delegated to them by the Council) delegated the final determination of the Council Tax Base to the Chief Finance Officer. This has been set at an amount of 32,126.5 Band 'D' equivalent properties for the year 2014/2015 (Item T in the formula in section 31B of the Local Government Finance Act 1992, as amended).
4. That the Council Tax requirement for the Council's own purposes for 2014/15 be calculated as £7,202,450.
5. That the following amounts be now calculated by the Council for the year 2014/2015 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended:
  - (a) £106,829,070 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
  - (b) £99,626,620 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
  - (c) £7,202.450 being the amount by which the aggregate at 5(a) above exceeds the aggregate at 5(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
  - (d) £224.19 being the amount at 5(c) above (Item R), all divided by Item T (3 above),

calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.

6. That the council, in accordance with Sections 30 to 36 of the Local Government Finance Act 1992, as amended, hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2014/15 for each of the categories of dwellings.
7. To note that East Sussex County Council, East Sussex Fire and Rescue Authority and Police and Crime Commissioner for Sussex have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992, as amended, for each category of dwellings in the Council's area as indicated in the table below.

#### **Valuation Bands**

##### EASTBOURNE BOROUGH COUNCIL

A	£149.46	B	£174.37	C	£199.28	D	£224.19
E	£274.01	F	£323.83	G	£373.65	H	£448.38

##### EAST SUSSEX COUNTY COUNCIL

A	£787.26	B	£918.47	C	£1,049.68	D	£1,180.89
E	£1,443.31	F	£1,705.73	G	£1,968.15	H	£2,361.78

##### POLICE AND CRIME COMMISSIONER FOR SUSSEX

A	£94.08	B	£109.76	C	£125.44	D	£141.12
E	£172.48	F	£203.84	G	£235.20	H	£282.24

##### EAST SUSSEX FIRE AND RESCUE AUTHORITY

A	£55.63	B	£64.91	C	£74.18	D	£83.45
E	£101.99	F	£120.54	G	£139.08	H	£166.90

##### AGGREGATE OF COUNCIL TAX REQUIREMENTS

A	£1,086.43	B	£1,267.51	C	£1,448.58	D	£1,629.65
E	£1,991.79	F	£2,353.94	G	£2,716.08	H	£3,259.30

8. That it be determined that the Council's basic amount of Council Tax for 2014/15 is not excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992, as amended.

**NOTE:** As the billing authority, the Council has **not** been notified by a major precepting authority that its relevant basic amount of Council Tax for 2014/15 is excessive and that the billing authority

is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992, as amended.

**Named voting record for the resolutions at item 60 above:**

**For:** Councillors Bannister, Coles, Harris, Hearn, Mattock, Miah, Murray, Shuttleworth, Stanley, Tester, Tutt, Ungar, and Wallis.

**Against:** Councillors Ansell, Cooke, Ede, Elkin, Jenkins, Liddiard, Howlett, Murdoch, Taylor, Warner and West.

**Abstentions:** The Mayor

**61 Treasury management and prudential indicators 2014/15.**

This matter was reported and moved by Councillor Mattock on behalf of the Cabinet and seconded by Councillor Tutt.

**Resolved:** That the recommendations of the Cabinet be approved.

**62 Motion - The future of maternity and paediatric services in Eastbourne.**

The following motion was jointly proposed by Councillor Elkin and Councillor Tutt and jointly seconded by Councillor Mattock and Councillor Warner:

*That this Council notes the launch of the consultation process by the Eastbourne, Hailsham and Seaford Clinical Commissioning Group on the proposal document 'Better Beginnings' in respect of the future of NHS maternity, in-patient children's services and emergency gynaecology in East Sussex, and responds to it in detail, with the following key overarching messages:*

- 1. Promoting Eastbourne's current and ongoing need for these services having regard to the size and density of our catchment area, the growing overall population, the reducing average age of our population, the potential risks to patients if this is not provided, and the evidence of economic growth in the town.*
- 2. Challenging the assertion that the proposals would result in a safer service than would be the case if full services were maintained at both Eastbourne and Hastings sites and, as a result, maintaining a view that the omission of this as one of the options for consideration, is unacceptable.*
- 3. Having regard to the findings gleaned from the recent Scrutiny Seminar involving members of the Council and representatives of East Sussex Health Trust (ESHT) and the resulting content of the consultation document, the degree of influence that ESHT has had on the options being proposed and our strong concern at the*



*apparent pre-determination of the outcomes of this consultation process.*

*Accordingly, the Council authorises both group leaders to co-sign the detailed response, invite the Council's Hospitals Champion, Honorary Freeman Liz Walke, to also co-sign the response on behalf of the 'Save the DGH' Campaign Group, consider the same invitation to any other appropriate co-signatories, and submit it ahead of the consultation deadline date of 8 April 2014.*

**Resolved:** (1) That this motion be approved.

(2) That the Council's thanks and gratitude be extended to the staff of the DGH for their continued professionalism, care and service excellence during these uncertain times.

### **63 Motion - Sussex Day.**

The following motion was proposed by Councillor Ede and seconded by Councillor Jenkins:

*That this council officially recognises Sussex Day on 16<sup>th</sup> June 2014 and in subsequent years and publicising Sussex Day on its websites and via social media. That officers are tasked with finding a way of recognising Sussex Day that can be incorporated as a theme into the International Tennis Event at Devonshire Park that is taking place on this date.*

**NOTE:** The wording of the above motion was amended from the version published on the agenda by Councillor Ede and the Council consented to accept and consider this revised wording.

The following amendment was proposed by Councillor Tester and seconded by Councillor Ungar:

*Delete the last sentence and replace with:*

*This council therefore calls upon East Sussex County Council to work with West Sussex County Council and Brighton & Hove City Council, in collaboration with all boroughs and districts across Sussex, to develop a comprehensive Sussex-wide programme of events, in which Eastbourne Borough Council will participate.*

As a result of the debate, proposers and seconders of the motion and the amendment agreed to a combined proposal as follows:

*That this council officially recognises Sussex Day on 16<sup>th</sup> June 2014 and in subsequent years and publicising Sussex Day on its websites and via social media.*

*That officers are tasked with exploring ways of recognising Sussex Day that can be incorporated as a theme into the International Tennis Event at Devonshire Park that is taking place on this date.*

*That this council calls upon East Sussex County Council to work with West Sussex County Council and Brighton & Hove City Council, in collaboration with all boroughs and districts across Sussex, to develop a comprehensive Sussex-wide programme of events, in which Eastbourne Borough Council will participate.*

**Resolved:** That the mutually agreed amended proposal be approved so that the final substantive proposal reads as follows:

*That this council officially recognises Sussex Day on 16<sup>th</sup> June 2014 and in subsequent years and publicising Sussex Day on its websites and via social media.*

*That officers are tasked with exploring ways of recognising Sussex Day that can be incorporated as a theme into the International Tennis Event at Devonshire Park that is taking place on this date.*

*That this council calls upon East Sussex County Council to work with West Sussex County Council and Brighton & Hove City Council, in collaboration with all boroughs and districts across Sussex, to develop a comprehensive Sussex-wide programme of events, in which Eastbourne Borough Council will participate.*

**64 Motion - Sovereign Harbour residents' contributions towards sea defence costs.**

The following motion was proposed by Councillor Warner and seconded by Councillor Ede:

*This Council accepts that residents have every right to feel that they were failed from the outset and for them to consider that fairness was not at the heart of the agreement which sees a charge put on Harbour residents alone to maintain sea defences. Furthermore, members will instruct officers to look into how best this council can contribute to righting the historic wrongs and ensure that fairness is at the heart of any new agreement in future.*

The Council was made aware of a potential amendment to the motion and, at the request of Councillor Warner, the Mayor agreed to a brief adjournment of the meeting to enable discussion to take place. As a result of this adjournment, the following revised motion was proposed by Councillor Warner and seconded by Councillor Stanley:

*This Council acknowledges Sovereign Harbour residents' strong feelings with regard to the harbour charge. Therefore, the Council instructs its officers to facilitate discussion between key stakeholders.*

Mrs Jan Weeks, on behalf of the Sovereign Harbour Residents Association, and Mr Ian Weeks and Mr Rick Runalls, as individual residents of Sovereign Harbour, all addressed the Council on this matter.

**Resolved:** That the revised motion be approved so that the final substantive proposal reads as follows:

*This Council acknowledges Sovereign Harbour residents' strong feelings with regard to the harbour charge. Therefore, the Council instructs its officers to facilitate discussion between key stakeholders.*

**65 Minutes of council bodies and items for discussion.**

The minutes of the following Council Bodies were submitted to this meeting:-

Conservation Area Advisory Group	19 November 2013 and 7 January 2014
Planning Committee	26 November 2013, 7 January 2014 and 4 February 2014
Audit and Governance Committee	4 December 2013
Scrutiny Committee	9 December 2013 and 3 February 2014
Cabinet	11 December 2013 and 5 February 2014
General Licensing Committee	19 January 2014

Further to Council Procedure Rule 14.3 it was,

**Resolved:** That the minutes of the above Council Bodies be accepted.

**NOTE:** The accepted minutes included an amended minute (minute no. 75) from the Planning Committee on 4 February 2014 which was subsequently circulated after publication of the Council papers. No items were raised on the above minutes for discussion.

The meeting closed at 9.10 pm

**Councillor Michael John Thompson  
Mayor, Chairman**