

Full Council

Minutes of meeting held in The Sports Hall, Lewes Leisure Centre, Mountfield Road, Lewes, BN7 2XG on 20 September 2021 at 6.00 pm.

Present:

Councillor Christine Brett (Chair).

Councillors Adrian Ross (Vice-Chair), Graham Amy, Robert Banks, Nancy Bikson, Matthew Bird, Liz Boorman, Roy Burman, Julie Carr, Roy Clay, Chris Collier, Phil Davis, Sharon Davy, Lynda Duhigg, Stephen Gauntlett, Tom Jones, Isabelle Linington, Jim Lord, James MacCleary, Sean MacLeod, Imogen Makepeace, Ron Maskell, Joe Miller, Emily O'Brien, Laurence O'Connor, Ruth O'Keeffe, Nicola Papanicolaou, Keira Rigden, Christine Robinson, Richard Turner, Steve Saunders and Christoph von Kurthy.

Officers in attendance:

Robert Cottrill (Chief Executive), Simon Russell (Head of Democratic Services), Oliver Dixon (Monitoring Officer and Head of Legal Services), Sarah Lawrence (Senior Committee Officer), Ian Fitzpatrick (Deputy Chief Executive and Director of Regeneration and Planning) and Ola Owolabi (Deputy Chief Finance Officer (Corporate Finance)).

32 Minutes of the meeting held on 15 July 2021

Resolved – That the minutes of the meeting held on 15 July 2021 be confirmed and signed as a correct record.

33 Apologies for absence

Apologies for absence had been received from Councillors Adeniji, Denis, S Lord, Manley, Meyer, Nicholson, Peterson, Rutland and Wallraven.

34 Declarations of interest

Councillor O'Connor declared a personal interest in Item 8, Urgent decisions taken by the Cabinet or Cabinet Members in relation to 'Wave Leisure Trust Ltd', as he was a Council appointed trustee of Wave Leisure. The interest was not prejudicial as the item was for information only.

The Monitoring Officer and Head of Legal Services advised that it was not necessary for Newhaven Town Councillors present to declare interests in respect of Item 8 and the Leader's decision on the Newhaven Town Deal.

35 Announcements

The Chair advised that a list of her engagements as Chair of the Council since

the last meeting was set out in the supplement to the agenda, and these were noted.

36 Urgent items

There were no urgent items for consideration at the meeting.

37 Questions from members of the public

No questions had been received from members of the public.

38 Petitions

No petitions had been received.

39 Urgent decisions taken by the Cabinet or Cabinet members

In accordance with the Policy and Performance Committee Procedure Rule 17, the Council received details of two decisions which had been taken by the Leader of the Council under special urgency procedures, in relation to the Wave Leisure Trust Ltd and Newhaven Town Deal made on 23 July and 26 July 2021 respectively.

40 Recommendations from Cabinet

40a Treasury management annual report 2020/21 and latest treasury management monitoring

Councillor MacCleary moved and Councillor Carr seconded the recommendation of the Cabinet of 8 July 2021, to agree the annual treasury management report and prudential and treasury indicators for 2020/21.

The recommendation was put to a vote and carried unanimously.

Resolved to:

- (1) Agree the Annual Treasury Management report for 2020/21 (attached as an appendix to the Cabinet report).
- (2) Approve the 2020/21 Prudential and Treasury Indicators included in the Cabinet report.
- (3) Note that the Treasury Management activities for the period starting from 1 March to 31 March 2021 have been in accordance with the approved Treasury Strategies for that period.

41 Notices of motion.

41a Motion to end "Fire and Rehire"

Councillor Collier moved and Councillor Clay seconded a motion to end the

practice of 'Fire and Rehire' as set out in the agenda.

The motion was debated. Although there was general support for the principle of opposing the practice of 'fire and rehire', some Councillors indicated they did not see it as the Council's role to lobby MPs on such a matter.

The motion was put to a vote and carried by 16 votes in favour, none against, with 15 abstentions.

Resolved that – Lewes District Council condemns the use of 'Fire and Rehire' by any employers in the Lewes District, and:

- Calls upon the Members of Parliament representing Lewes District residents (Maria Caulfield MP (Lewes) and Lloyd Russell-Moyle MP (Brighton Kemptown), by way of a letter from the Cabinet Member for People and Performance, to support Barry Gardiner's Private Member's Bill and do all in their power to make this practice unlawful; and
- Reserves the right, in the event that the Employment and Trade Union Rights (Dismissal and Re-engagement) Bill is enacted, to exclude an organisation from participating in a Lewes District Council procurement procedure where (a) that organisation had committed an offence under that legislation, and (b) the exclusion was proportionate and justified in relation to the particular works, goods or services being procured.

(Note: Councillor O'Keeffe arrived in the meeting at 18.14 at the end of this item.)

41b Motion on Water Pollution

Councillor Bird moved and Councillor O'Connor seconded a motion to call on Southern Water to explain how it will safeguard the River Ouse, its tributaries and the coastal waters of Lewes District, as set out in the agenda, subject to an additional recommendation being added which had been circulated ahead of the meeting:

"B. To request that the Leader of the Council writes to the Environment Agency to request that it reverses its decision to introduce a waiver to allow water companies, including Southern Water, to avoid having to go through the third stage in the treatment of sewage if the company does not have the right chemicals due to driver shortages, given Southern Water's recent track record."

The motion was discussed and concern was expressed as to additional pollution incidents from the last few weeks and it was asked if Southern Water was the best agency to address questions around infrastructure for climate resilience and whether there was any additional information on recent sea discharges.

Councillor Bird in summing up, responded that there was an app available from Southern Water called 'Beachbuoy' which indicated whether there had been outfalls into the sea during the last 72 hours. In addition, he advised that water infrastructure was a key area to be addressed in responding to the climate emergency, and he would expect this to be part of Southern Water's own risk analysis.

The motion was put to a vote and was supported unanimously.

Resolved that - The Council resolves to:

- A. Request that the Leader of the Council write to the Chief Executive of Southern Water and ask him to respond to the following questions:
1. What measures are you taking to ensure there are no sewage discharges or other pollution incidents in those parts of the River Ouse, its tributaries and the coastal waters that lie within the area covered by Lewes District Council?
 2. What measures are you taking to ensure that sewage discharges do not take place in the area covered by Lewes District Council in extreme weather events such as those in the Lewes Floods of 2000?
 3. How much are you investing in infrastructure improvements in the area covered by Lewes District Council and what measures are you taking to ensure this infrastructure is climate resilient?
- B. Request that the Leader of the Council write to the Environment Agency to request that it reverses its decision to introduce a waiver to allow water companies, including Southern Water, to avoid having to go through the third stage in the treatment of sewage if the company does not have the right chemicals due to driver shortages, given Southern Water's recent track record.

42 Written questions from Councillors

No written questions had been received from Councillors.

43 Questions to the Leader of the Council

No questions had been submitted for the Leader.

44 Ward issues

There were no ward issues raised for this meeting.

45 Reporting back on meetings of outside bodies

The following reports had been received on outside bodies set out in the agenda and were noted:

- Aspiration Homes – Councillors Nicholson and MacCleary
- Greater Brighton Economic Board – Councillor Nicholson
- Health & Wellbeing Board – Councillor Nicholson
- LGA People & Places Board – Councillor O'Brien
- ES Strategic Planning Group – Councillor O'Brien
- Police and Crime Panel – Councillor Denis
- Equalities and Fairness Stakeholder Group – Councillor Denis
- Community Safety Partnership – Councillor Denis
- Wave Leisure Trust – Councillors Denis and O'Connor
- Impact Seaford – Councillor Brett
- Upper Ouse Flood Protection and Water Return Works Working Group – Councillor Bird.

The Chair noted that other Councillors had indicated that their outside bodies had not met recently, but they hoped to be able to report at the next Full Council meeting.

46 Date of Next meeting

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

The meeting ended at 6.36 pm

Councillor Christine Brett (Chair)