



Meeting of the Council

Minutes of a Meeting of the Council held in The Council Chamber, County Hall, St Annes Crescent, Lewes on Wednesday, 2 May 2018 at 6.00pm

Present:

Councillor S Gauntlett (Chair)

Councillors 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; J Harrison-Hicks; O Honeyman; V Ient; T Jones; A Lambert; I Linington; R Maskell; E Merry; S Murray; D Neave; T Nicholson; R O'Keeffe MBE; S Osborne; J Peterson; R Robertson; T Rowell; S Saunders; J Sheppard; A Smith; R Turner and L Wallraven.

Apologies received:

Councillors S Adeniji; B Bovington; A Loraine and C Sugarman.

Minutes

1 Election of the Chair of the Council

Councillor Mike Chartier was elected as substitute Chair for the duration of this Agenda Item in order to preside over the Election of the Chair of the Council.

The substitute Chair of the Council (Councillor Chartier) invited the Solicitor to inform the Council of the nominations which had been received for the Office of the new Chair of the Council.

The Solicitor reported that Councillors Linda Wallraven and Stephen Gauntlett had been nominated for the Office of the new Chair of the Council.

Councillor Merry moved, and Councillor Linington seconded, the motion:

“That Councillor Linda Wallraven be elected Chair of Lewes District Council until the next Annual Meeting of the Council and her successor is entitled to act as Chair.”

Councillor Osborne moved, and Councillor Saunders seconded, the motion:

“That Councillor Stephen Gauntlett be elected Chair of Lewes District Council until the next Annual Meeting of the Council and his successor is entitled to act as Chair.”

The nominations were put to the meeting, and the vote thereon

Resolved:

1. That Councillor Stephen Gauntlett be elected Chair of Lewes District Council until the next Annual Meeting of the Council and his successor is entitled to act as Chair.

The new Chair of the Council (Councillor Gauntlett) then made and subscribed the Declaration required by law and announced that the continuation of his theme during his year of Office would be to encourage and affirm wildlife conservation throughout the District, particularly with young people.

Councillor Gauntlett further announced that his wife Rose Gauntlett would be his Consort during his year of Office.

Councillor Gauntlett thanked Councillor Wallraven for all the work she had undertaken in representing the Council as Vice-Chair during the previous year. He also thanked the Civic and Member Services Officer, Caroline Hanlon, for the work that she had undertaken for him during his previous year of Office.

Councillor Gauntlett in the Chair

2 Appointment of the Vice-Chair of the Council

The new Chair of the Council (Councillor Gauntlett) invited the Solicitor to inform the Council of the nominations which had been received for the Office of Vice-Chair of the Council.

The Solicitor reported that Councillors Richard Turner and Johnny Denis had been nominated for the Office of Vice-Chair of the Council.

Councillor Smith moved, and Councillor Franklin seconded, the motion:

“That Councillor Richard Turner be appointed Vice-Chair of Lewes District Council until immediately after the election of a Chair at the next Annual Meeting of the Council.”

Councillor Catlin moved, and Councillor Neave seconded, the motion:

“That Councillor Johnny Denis be appointed Vice-Chair of Lewes District Council until immediately after the election of a Chair at the next Annual Meeting of the Council.”

The nominations were put to the meeting, and the vote thereon

Resolved:

1. That Councillor Johnny Denis be appointed Vice-Chair of Lewes District Council until immediately after the election of a Chair at the next Annual Meeting of the Council.

The Vice-Chair of the Council (Councillor Denis) then made and subscribed the Declaration required by law.

3 Minutes

The Minutes of the Meeting of the Council held on 19 February 2018 were approved as a correct record and signed by the Chair.

4 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 19 February 2018.

(ii) Councillor Sharon Davy – Planning Applications Committee

Councillors Smith and Ient thanked Councillor Davy for her handling of the Planning Applications Committee meeting in Peacehaven on 23 April 2018.

(iii) Councillor Tony Nicholson – Mini guide for visitors to Lewes District

Councillor Nicholson drew members' attention to the mini guide for visitors to Lewes District and welcomed any comments. Copies of the mini guide were circulated at the meeting.

5 Urgent Item

The Chair reported that he had agreed, in accordance with Section 100B(4)(b) of the Local Government Act 1972, that the document entitled “Recommendations from Cabinet – 19 March 2018”, which was circulated to all members of the Council on 24 April 2018, be considered as a matter of urgency immediately after Item 10 on the Agenda, in order that the Council could take its decisions based on the most recent information which was available.

6 Recommendations from Cabinet

(i) **Recommendations from the meeting of the Cabinet held on 19 March 2018 relating to:**

(a) **Minute 90 relating to Plumpton Neighbourhood Plan; and**

(b) **Minute 91 relating to Ditchling, Streat and Westmeston Neighbourhood Plan**

Unreserved Item

The Leader of the Council moved, and Councillor Jones seconded, the motion that the recommendations of Cabinet held on 19 March 2018 contained in Minute 91 relating to Ditchling, Streat and Westmeston Neighbourhood Plan, be received and adopted.

In response to a question from a councillor, officers agreed to include the result of the Ditchling, Streat and Westmeston Neighbourhood Planning Referendum in the minutes of the meeting. The Plan had been adopted with 693 votes in favour and 55 votes against.

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

Resolved:

1. Accordingly.

Reserved Item

The Leader of the Council moved, and Councillor Jones seconded, the motion that the recommendation of Cabinet held on 19 March 2018 contained in Minute 90 relating to the Plumpton Neighbourhood Plan, be received and adopted.

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

Resolved:

2. Accordingly.

7 Appointments 2018/19

The Council noted the names of those councillors who the Leader of the Council had appointed to be members of the Cabinet, with their portfolios, as follows:

Individual Areas of Responsibility

Regeneration and Business
People and Performance
Customers and Partners
Finance

Councillors

A Smith (Leader of the Council)
E Merry (Deputy Leader)
T Nicholson
B Giles

Waste and Recycling	P Franklin
Planning	T Jones
Housing	R Maskell
Environmental Impact	I Linington

The Chair of the Council moved, and Councillor Catlin seconded, the motion that the recommendations contained in the reports entitled “Appointments 2018/19” and “Appointments to Representatives to Serve on Outside and Joint Bodies 2018/19” be approved.

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

Resolved:

1. That the membership of Committees etc. for the municipal year 2018/2019, based on the political structure and the political balance as set out in Appendix B to the Appointments 2018/19 report, and taking account of the adjustments referred to in that report, be as follows:

Proportionality is shown as Conservative – Liberal Democrat – Independent – Green:

Audit and Standards Committee Membership 7 (4-1-1-1)

N Enever	M Chartier (Chair)	S Catlin	J Denis
A Loraine			
S Gauntlett (Cons gifted seat)			
VACANT (Cons seat)			

(plus up to 3 co-opted, non-voting Town/Parish Council members – participation restricted to Standards matters)

Devolution Committee Membership 7 (4-2-1-0)

T Nicholson	G Amy	S Catlin
L Boorman	V lent	(Chair)
J Harrison-Hicks		
S Osborne (Cons gifted seat)		

Employment Committee Membership 5 (2-2-0-1)

E Merry (Chair)	S Gauntlett	R Robertson
P Franklin	M Chartier	

**Licensing
Committee**

Membership 10 (5-3-1-1)

S Adeniji (Chair)
B Bovington
L Boorman
J Harrison-Hicks
A LoraineW Elliott
S Gauntlett
I Linington (Lib Dem gifted
seat)

W Botting

T Rowell

**Planning
Applications
Committee**

Membership 11 (6-3-1-1)

S Davy (Chair)
T Jones
L Boorman
J Sheppard (Vice-
Chair)
R Turner
L WallravenG Amy
P Gardiner
V lent

S Catlin

T Rowell

**Scrutiny
Committee**

Membership 11 (5-3-2-1)

S Adeniji
B Bovington
N Enever
J Peterson
C SugarmanP Gardiner (Chair)
V lent
S OsborneR O'Keeffe
R Robertson

J Carter

**Housing Working
Party**

Membership 7 (3-2-1-1)

R Maskell (Chair)
S Davy
R TurnerM Chartier
S Saunders

R O'Keeffe

J Denis

- 8** That the nominations for the appointment of committee Chairs be as indicated above and that any remaining Chairs be appointed at the first meetings of the bodies concerned;
- 9** That the CIL Management Board be re-appointed for the purpose of reviewing infrastructure bids from the District and Community pots with a membership of Councillors S Davy, L Boorman, J Carr, D Neave and J Denis;
- 10** That the Strategic Property Board be re-appointed for the purpose of advising property activities for non-housing property within the Council with a membership of Councillors B Giles (Chair), A Smith and S Osborne;
- 11** That the Energy & Sustainability Joint Venture Member Board be re-

appointed for the purpose of scrutinising and reviewing all potential projects to be delivered through the joint venture with a membership of Councillors A Smith, I Linington and P Gardiner (alongside EBC Councillors M Bannister, J Dow and R Smart);

- 12 That the Upper Ouse Flood Protection and Water Retention Works Working Group be re-appointed for the purpose of overseeing the scheme approvals and budget with a membership of Councillors P Gardiner and I Linington;
- 13 That the Local Plan Steering Group be re-appointed for the purpose of advising on planning policy formulation and associated issues within the Council with its membership to be confirmed, once the new Head of Planning is in post;
- 14 That the appointment of representatives to serve on outside and joint bodies be as set out below:

Outside Body (annual appointment unless otherwise stated)	Representative(s)
3VA Board (Voluntary Action Lewes)	S Gauntlett
Age UK East Sussex Governing Body	R Turner
Coast to Capital <i>(Rep should be Leader of the Council)</i>	A Smith
Community Safety Partnership: <ul style="list-style-type: none"> • Joint Action Group <i>(2 reps – 1 should be Cabinet Member for Customers and Partners)</i> • Strategy Group Meeting <i>(Rep should be Cabinet Member for Customers and Partners)</i> 	T Nicholson E Merry T Nicholson
East Sussex Health and Well-Being Board	L Wallraven
East Sussex Health Overview and Scrutiny Committee <i>(Rep cannot be member of Cabinet)</i>	S Murray
East Sussex Strategic Planning Members Group <i>(Rep should be Cabinet Member for Planning)</i>	T Jones
Greater Brighton Economic Board: <ul style="list-style-type: none"> • Board member <i>(Rep should be Leader of the Council)</i> • Independent Call-in Panel member <i>(1 rep and 1 appointed sub – rep and sub cannot be on the Board or involved in decision being called-in)</i> 	A Smith Scrutiny Committee member Scrutiny Committee member (sub)
iESE Transformation Ltd <i>(1 rep and 1 appointed sub - rep should be Leader of the Council)</i>	A Smith E Merry (sub)
Impact Seaford	P Franklin

Joint Waste Committee <i>(Rep should be Cabinet Member for Waste)</i>	P Franklin
LEADER Central Sussex Local Action Group	J Sheppard
Lewes District Citizens Advice	L Boorman
Lewes Joint Parking Board <i>(2 reps)</i>	R Turner L Wallraven
Local Government Association: <ul style="list-style-type: none"> • General Assembly <i>(Rep should be Leader of the Council)</i> • Coastal Issues Special Interest Group • District Councils' Network <i>(Rep should be Leader of the Council)</i> 	A Smith I Linington A Smith
Planning Service User Group <i>(Rep should be Cabinet Member for Planning)</i>	T Jones
Seaford Head Local Nature Reserve Management Committee	B Bovington
Seaford to Brighton Line Stakeholders Group (Sussex Community Rail Partnership)	S Catlin
South Downs National Park Authority <i>(Rep appointed for 4 years, expires 2019)</i>	T Jones
South East England Councils <i>(1 rep and 1 appointed sub – rep and sub should be Cabinet Members)</i>	R Maskell B Giles (sub)
Sussex Annual Forum – the University of Sussex <i>(Rep should be Chair of the Council)</i>	Chair of the Council elect
Sussex County Playing Fields Association	A Loraine
Sussex Police and Crime Panel <i>(1 rep and 1 appointed sub)</i>	T Nicholson (Chair) E Merry (sub)
Sussex Rural Community Council (Action in Rural Sussex)	T Nicholson
Team East Sussex <i>(Rep should be Leader of the Council)</i>	A Smith
Wave Leisure Trust Board	L Boorman
West Sussex and Greater Brighton Strategic Planning Board <i>(Rep should be Cabinet Member for Planning)</i>	T Jones

Joint Body (annual appointment unless otherwise stated)	Proportionality (where appropriate) Con-LibDem-Ind-Green	Representative(s)
Landport Bottom Management Committee (4 reps)	4 (2 - 1 - 1 - 0)	J Carter (Cons gifted seat) R O’Keeffe (Cons gifted seat) V lent S Catlin

15 Substitute Members

The Leader of the Council moved, and Councillor Gardiner seconded, the motion that, in accordance with Council Procedure Rule 4, all members of the Council be appointed to the “approved list” of members appointed to act as substitute members.

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

Resolved:

1. Accordingly.

16 Pay Policy Statement

The Cabinet Member for Finance, Councillor Giles, moved, and Councillor Harrison-Hicks seconded, the motion that the recommendation contained in the report relating to the Pay Policy Statement, be received and adopted.

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

Resolved:

1. Accordingly.

17 Questions to the Leader of the Council

Questioner Question/Response

Councillor
Rowell

Question:

How seriously does the Council take air quality? In September 2016, Report Number 121/16 to Cabinet undertook to review the Lewes Air Quality Action Plan of 2009 by the end of 2016. In July 2017 I asked the Leader at Council to undertake the review by September 2017 and was assured by the Cabinet Member for Environmental Impact that a revised Air Quality Plan for Lewes would be out in March 2018. It is now May 2018 and it still hasn't been done. Does the Council not consider Air Quality a sufficiently important issue to stick to its own deadlines and when will the revised plan be produced?

Response (by Councillor Linington, Cabinet Member for Environmental Impact):

Councillor Linington reported that Lewes District Council was committed to air quality but had made no assurance that a revised Air Quality Management Plan (AQMP) would be completed by March 2018. As part of the AQMP for Lewes, it was necessary to obtain air pollution modelling which required information of vehicle movements and air quality data to be input into modelling software. Due to the specialist nature of the work required it was necessary to obtain the services of a neighbouring authority (Brighton and Hove City Council) that had the technical knowledge and modelling software to undertake this work. The computer modelling took time and unfortunately this had delayed undertaking the review to the Lewes AQMP. This was not something the Council wanted to rush and get wrong, it was appropriate that something as important as air quality was given the time and importance it deserved and was done properly, even if it took longer than the Council would like.

However, as air quality was a priority, the Council had not stood still, and instead had undertaken a programme of funding and installing signage 'cut engine, cut pollution' across the District to help educate the public that they should turn off their vehicle engines when waiting in traffic to reduce air pollution.

As part of a multi-authority bid across East and West Sussex, Lewes had recently secured a share of £105,900 as part of the Government's 'Clean Air Fund' to produce an Action Plan for schools and businesses in air quality management areas across Sussex. The Action Plan would directly assist schools and businesses in the air quality management areas of Lewes and Newhaven.

Councillor
Catlin

Question:

An anonymous letter has been circulating to the Corporate Management Team, suggesting that the Joint Transformation Policy could be likened to Don Juan's Descent into Hell. What is Lewes District Council's policy on whistle blowers?

Response (by Councillor Merry, Cabinet Member for People and Performance):

Councillor Merry reported that Lewes District Council had a Whistleblowing Policy that applied to all employees, agency staff and councillors which explained the way in which staff could raise issues of concern about their work or the activities of the Council generally. It was clear that the Council welcomed all genuine concerns and would treat issues seriously. Anonymous reporting was not encouraged as concerns were more difficult to investigate and were generally less powerful, however the policy explained that

anonymous referrals were considered at the discretion of the officers handling the concern. This discretion was based on the seriousness of the issue raised, the credibility of the concern, and the available evidence.

Councillor
Osborne

Question:

Good digital connection is now widely seen as an everyday essential alongside traditional utilities. The Local Government Association cross party group on broadband connectivity, of which I am a member, is currently looking into ways of increasing full fibre to the home broadband connections in rural areas. This is in the context of evidence demonstrating that better connectivity improves productivity and therefore economic growth, but also that the UK compares very badly with a number of other countries.

According to OFFCOM's report last year full fibre is only available to around 3%, of UK premises. This compares with over 50% in Latvia and over 40% in Sweden. The EU average is 14%.

Lewes District has a high proportion of small business in both urban and rural areas. Their ability to compete and grow would be enhanced by better broadband.

Unlike some other types of infrastructure, the Council can take action directly to make improvements using our planning, regeneration and housing powers at very little cost.

I should like to ask the Leader if he would agree to the following:

1. That all new homes built by Lewes District Council, including those in Lewes Housing Investment Company and Aspiration Homes, as a policy include full FTTP connectivity
2. That we look at options to include in future planning policy or guidance requirements that all new homes and premises built across the District have full FTTP connections.
3. In the meantime we require that all affordable homes secured by s106 agreements include full FTTP connections.
4. That we work with our partners at Coast to Capital LEP to make funding and provision of this infrastructure a priority in Newhaven Enterprise Zone.

Response (by Councillor Smith, Leader of the Council):

Councillor Smith responded that he welcomed Councillor Osborne's support in seeking to secure improved connectivity to new homes and premises. Lewes District Council could play a key role with our housing and planning powers in particular, to increase the provision of full fibre connectivity. Whilst he supported exploring how the Council could do this, any

policies or decisions needed to have regard to the viability and economic impact of implementing individual developments. This was particularly relevant to rural areas where the nearest fibre infrastructure may be some distance away and the cost of full connectivity could make certain schemes unviable. In all of these cases the Council would seek to work with other agencies, such as East Sussex County Council, who may have responsibility and existing funding for broadband rollout, particularly in hard to reach areas. In these cases different technologies such as wireless broadband, as used more extensively in other countries, could be deployed as an effective alternative.

In response to the specific questions:

1. That all new homes built by Lewes District Council, including those in Lewes Housing Investment Company and Aspiration Homes, as a policy include full FTTP connectivity

A. Whilst sharing this aspiration, the financial impact on small and medium sized developers needed to be understood, in order to ensure that any policy or decision did not reduce the number of affordable homes that could be provided.

2. That we look at options to include in future planning policy or guidance requirements that all new homes and premises built across the District have full FTTP connections.

A. The Planning policy team has been asked to complete a review and feasibility study to draw up options for future discussion.

3. In the meantime we require that all affordable homes secured by s106 agreements include full FTTP connections.

A. Again, whilst sharing this aspiration, the economic viability needed to be understood, in order to ensure that any requirement did not affect the number of affordable homes that could be provided.

4. That we work with our partners at Coast to Capital LEP to make funding and provision of this infrastructure a priority in Newhaven Enterprise Zone.

A. The Chief Executive had been asked to raise this as an agenda item at the board meeting of the Newhaven Enterprise Zone this month.

Councillor
Enever

Question:

Can you update us on the proposal for Lewes District Council to carry out an Economic Impact Study on the effects of congestion on the A259 in the Peacehaven area?

Response (by Councillor Smith, Leader of the Council):

Councillor Smith reported that a recent petition received by the Council had requested that an Economic Impact Study be conducted, to include data on traffic in the area against the backdrop of increased levels of housing and development of the enterprise zone. The Council had agreed to allocate £50k towards the study which would incorporate the formula used by the Transport for South East Forum that showed the cost of congestion, including productivity loss. The Council would be working with East Sussex County Council and Brighton and Hove City Council to ensure the survey budget was spent efficiently as housing numbers increased.

18 Ward Issues

A ward issue was raised by Councillor Merry on the following subject, details of the action taken by officers would be circulated to all councillors:

<u>Councillor/Ward</u>	<u>Ward Issue Concerning</u>
Councillor Merry – Peacehaven North	<p>I represent Peacehaven North ward. You may be aware that we have recently had a planning application for 450 homes approved by the Planning Applications Committee, which held two meetings in the town before approval was given.</p> <p>Both meetings heard of local concerns over lack of infrastructure, with major concerns over the A259 and how difficult it is to use the road at peak times being highlighted yet again.</p> <p>I'm not at this time going to discuss all the infrastructure problems but address the concerns my residents have about increased traffic on the A259.</p> <p>When a large development such as this is proposed which is going to have an impact on the whole town, my residents have been asking me why there appears to be no forward planning with regard to what effect this will have on everyone.</p> <p>We hear that the only suggestions by the developers of dealing with extra traffic is to alter some road junctions that feed on to the A259 and offer the new residents vouchers towards a bike. Is this really all that can be done?</p> <p>Why is it that we have not had meaningful discussions with Brighton and Hove Buses around the possibility of a local service which would take residents from the north of the town to the coast road and around the</p>

<u>Councillor/Ward</u>	<u>Ward Issue Concerning</u>
	<p>town?</p> <p>There are many current residents in my area that are going to be affected by this, not just the residents on the new estate.</p> <p>Residents have said to me they would like to know why East Sussex County Council and Brighton and Hove City Council have not been supportive of discussions regarding the increase in traffic.</p> <p>With extra cars on this road, air pollution must become a fact that has to be considered and I understand is a factor at Rottingdean.</p> <p>We were told at the last meeting of a journey along the A259 at peak time that a committee member, Councillor Amy, had taken from Newhaven to Rottingdean with no delay. Why was this? Because the lights at Rottingdean were not working.</p> <p>Many local residents can tell of similar times when that has made the journey so much better. Also by how easy it is to travel during school holidays along with the horrific tales of being stuck in queues following accidents with no alternative route.</p> <p>At the first meeting the possibility of, and the benefit of a meeting with East Sussex County Council along with Brighton and Hove City Council was discussed.</p> <p>Surely we can all benefit from working together. Why has it proved impossible so far to get these authorities to meet and appreciate the problems local people face? At the last meeting the East Sussex County Council representative shrugged his shoulders and said Rottingdean was not their responsibility.</p> <p>I appreciate the whole of this road has different traffic issues but we have a clearly identifiable local problem which can and should be addressed for the benefit of all.</p> <p>We need support from these other authorities to work together to come up with proactive solutions to traffic. Current plans for improvements in Peacehaven are only on access to the road. The other solution seems to rest upon Peacehaven residents using bikes not cars.</p> <p>These are not long term sustainable solutions to how people travel around to work, school and general life. That's what we need to work on and where working</p>

<u>Councillor/Ward</u>	<u>Ward Issue Concerning</u>
	<p>together is absolutely necessary as I am aware more houses are planned, that we have phases two and three yet to come in my area alone, what will happen in other areas? Let's get a strategic plan together now!</p> <p><u>Suggested action to be taken by the Council:</u></p> <p>So I ask that we Lewes District Council, make every effort and try again and again to ensure a meeting takes place between East Sussex County Council and Brighton and Hove City Council to take our concerns around the road seriously. That the Leader and Chief Executive ensure that contact is made and continued with the intention of looking to long term practical solutions, not just with this development but looking to the future and possible further developments.</p>

19 Reporting Back on Meetings of Outside Bodies

Councillor Nicholson reported back on the work of the Lewes District Joint Action Group, in his capacity as the Council's representative on this outside body, details of which were contained in his report.

Resolved:

1. That the report by Councillor Nicholson relating to the work of the Lewes District Joint Action Group, be received and noted.

The meeting ended at 7.00pm.

S Gauntlett
Chair