

Full Council

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 26 July 2023 at 6.00 pm.

Present:

Councillor Candy Vaughan (Mayor).

Councillors Amanda Morris (Deputy Mayor), Nick Ansell, Kathy Ballard, Colin Belsey, Daniel Butcher, Penny di Cara, Andy Collins, Ali Dehdashty, Nigel Goodyear, Stephen Holt, Jane Lamb, Robin Maxted, Jim Murray, Hugh Parker, Pat Rodohan, Teri Sayers-Cooper, Kshama Shore, Alan Shuttleworth, David Small, Robert Smart, Colin Swansborough and Jenny Williams.

Officers in attendance:

Ian Fitzpatrick (Deputy Chief Executive and Director of Regeneration and Planning), Homira Javadi (Director of Finance and Performance (Section 151 Officer)), Kate Slattery (Head of Legal Services), Simon Russell (Head of Democratic Services and Monitoring Officer) and Sarah Lawrence (Committee Team Manager).

16 Minute of Silence

The Council paid tribute to former Borough and County Councillor Barry Taylor and held a minute of silence.

17 Minutes of the meeting held on 24 May 2023

RESOLVED – That the minutes of the meeting of the Council held on 24 May 2023 were confirmed and signed as a correct record.

18 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).

No declarations of interest were made at the meeting.

19 Mayor's announcements.

The Council received a list of all the Mayor's engagements carried out since the last Full Council meeting. The Mayor advised that she had enjoyed all forty of the events she had attended in the last two months, and highlighted in particular the Eastbourne Carnival, Drusilla's Dream night for disabled children,

the Armed Forces Briefing as the Armed Forces Champion, and the reception for HMS Puncher.

The Mayor drew Councillors' attention to a consultation being carried by Post Office Ltd on the decision to cease the reopening of Langney Post Office and encouraged all Councillors to participate.

20 Notification of apologies for absence.

Apologies for absence had been received from Councillors Bannister, Diplock, Ewbank and Mayes.

21 Public right of address.

One public speaker was in attendance and advised that he had emailed in to request to speak on Item 10b, but it had not been received due to an error in the email address used. Councillor Belsey moved and Councillor Holt seconded that the request be allowed and this was agreed. The Mayor confirmed that on this basis the public speaker would be allowed to speak at that the start of Item 10b, Motion – Public Space Protection Orders.

22 Order of business.

No change in the order of the business had been requested.

23 Appointment of Standards Independent Persons

Councillor Holt moved and Councillor Maxted seconded the recommendations set out in the report of the Monitoring Officer to appoint two Independent Persons.

Councillor Smart moved and Councillor di Cara seconded a proposal that this matter be deferred until all Councillors had sight of the CVs of the proposed independent persons.

In speaking to the report, Councillor Holt set out the interview process which had taken place with the Chair of the Audit & Governance Committees of both Councils in conjunction with the Monitoring Officer, which was in accordance with the requirements of the constitution. He also extended the Council's thanks to Graham Branton for his service over the last 4 years.

The amendment was put to a vote by a show of hands and lost by 8 votes to 15 with no abstentions.

The original recommendations were then put to a vote and carried by 15 votes to 0, with 8 abstentions.

RESOLVED (by 15 votes to 0, with 8 abstentions):

(1) That the Council approves the appointment of Neal Robinson and Paul Cummins as Independent Persons for Eastbourne Borough Council and Lewes District Council for a term of four years, commencing on 1 August 2023, subject to re-confirmation at the Annual Council meetings throughout their term of office; and

(2) That the Council records its thanks to Graham Branton for his service as outgoing Independent Person.

24 Matters referred from Cabinet or other council bodies.

24a Treasury Management Annual Report 2022/23

Councillor Maxted moved and Councillor Holt seconded the recommendation referred from the meeting of Cabinet held on 19 July 2023, in support of the approval of the Annual Treasury Management Report 2022/23. The referral document from Cabinet and the report considered by Cabinet was set out in an agenda supplement.

The report was discussed by the Council.

A request for a recorded vote was put forward by Councillor Smart and seconded by Councillor di Cara, meeting the threshold in the constitution.

The proposal was put to a recorded vote and carried, as follows:

For: Councillors Ballard, Butcher, Collins, Dehdashty, Holt, Maxted, Morris, Murray, Parker, Rodohan, Sayers-Cooper, Shuttleworth, Swansborough, Vaughan and Williams (15)

Against: Councillors Ansell, Belsey, di Cara, Goodyear, Lamb, Shore, Small and Smart (8).

Abstentions: None

RESOLVED (by 15 votes to 8):

(1) To approve the Annual Treasury Management report 2022/23 for publication (attached as Annex 1); and

(2) To approve the 2022/23 Prudential and Treasury Indicators included in the report (set out at Section 10.1).

25 Motions.

Before the discussion of the motions, the Mayor reminded the Council that they were currently in the pre-election period ahead of the Meads County Council by-election on 3 August. She asked that Members be careful to ensure that their comments related directly to the substance of the motions and actions

being suggested, rather than commenting positively or negatively on the political running of the County Council, which could be seen to be seeking to influence the by-election.

25a Motion on Highways Disrepair

Councillor Parker moved and Councillor Butcher seconded the following motion, which had been slightly amended since its publication on the agenda. The affect of the amendments was to delete the first two sentences of the proposed motion and add in 'and pavements' into point 1.

“Further to the announcement that East Sussex County Council unanimously approved the additional spending from reserves to pay for extra patching and drainage work, and to increase the capital programme, funded through borrowing, and a decision on capital funding due to be made this month - Eastbourne Borough Council asks the Leader and Chief Executive:

1. To contact East Sussex County Council and ask that the County, if it has not already done so, undertakes an immediate and comprehensive condition survey of all Borough highways **and pavements** and within 3 months of that contact, provide this Council with a work plan for undertaking the necessary repairs and resurfacing over a period not exceeding 12 months, giving priority to the more serious conditions; and
2. To invite the relevant officers from East Sussex County Council to attend an early meeting of this Council's Scrutiny Committee to provide details of the arrangements for the repair and maintenance of the highways.”

The Council gave its consent to the motion being amended prior to discussion.

Councillor Small then moved an amendment to the motion which had been circulated, which was seconded by Councillor Shore, to add three additional recommendations:

“3. To reinstate two yearly weed sprays of all Borough highways in order to combat the prevalence of weeds across the borough and to prevent any further unnecessary damage to the borough's highways, subject to Cabinet's approval, once they have considered the financial, strategic and policy implications of this.

4. To ask Council officers to investigate and report back to the relevant Council body on how best the Borough Council (in conjunction with relevant authorities) can address problematic parking on pavements and verges in order to protect against the damage this causes, to ensure disabled residents can navigate the town safely and to support active travel.

5. To note East Sussex County Council's recent decision to invest an additional £15.7 million in pothole repairs, alongside the £2.4 million Government grant announced by the chancellor in the 2023 budget. “

The motion and the amendment were debated in full by the Council.

The amendment proposed by Councillor Small was then put to vote by a show of hands and declared lost by 8 votes to 15.

The motion proposed by Councillor Parker was then put to a vote and carried unanimously.

RESOLVED (unanimously) – Further to the announcement that East Sussex County Council unanimously approved the additional spending from reserves to pay for extra patching and drainage work, and to increase the capital programme, funded through borrowing, and a decision on capital funding due to be made this month - Eastbourne Borough Council asks the Leader and Chief Executive:

1. To contact East Sussex County Council and ask that the County, if it has not already done so, undertakes an immediate and comprehensive condition survey of all Borough highways and pavements and within 3 months of that contact, provide this Council with a work plan for undertaking the necessary repairs and resurfacing over a period not exceeding 12 months, giving priority to the more serious conditions; and
2. To invite the relevant officers from East Sussex County Council to attend an early meeting of this Council's Scrutiny Committee to provide details of the arrangements for the repair and maintenance of the highways.

25b Motion - Public Space Protection Orders (PSPOs)

Councillor Shore moved and Councillor Goodyear seconded the following motion, as set out on the agenda:

“This Council notes that in November 2017, Eastbourne Borough Council implemented Public Space Protection Orders (PSPOs) covering the seafront and a number of open spaces throughout the town.

These PSPOs grant authorised individuals to issue fixed penalty notices of up to £75 or fines of up to £1000 to dog owners who do not keep their dogs on leads in designated areas, or when asked to do so, to clear up after their dog or allow their dogs to enter certain prohibited areas.

This Council notes that these PSPOs have seen exceptionally little enforcement and are commonly ignored.

This Council instructs the Cabinet member for Community Spaces and officers to ensure there are dedicated enforcement patrols of these PSPOs going forward and requires the relevant officer to produce a report for Scrutiny Committee every 6 months detailing the location and number of patrols and any enforcement undertaken that have taken place in the preceding 6 months.

The Council also requests the Director of Service Delivery to make arrangements to extend each of these PSPOs beyond their current November 2023 expiry date, subject to statutory consultation requirements.”

Councillor Morris moved and Councillor Ballard seconded an amendment to the motion to add additional words shown in bold and delete the third and fourth recommendation. The new amended motion would read:

“This Council notes that in November 2017, Eastbourne Borough Council implemented Public Space Protection Orders (PSPOs) covering the seafront and a number of open spaces throughout the town.

These PSPOs grant authorised individuals to issue fixed penalty notices of up to £75 or fines of up to £1,000 to dog owners who do not keep their dogs on leads in designated areas, or when asked to do so, to clear up after their dog or allow their dogs to enter certain prohibited areas.

The Association of Public Service Excellence states that enforcement of PSPOs are part of a solution, but that it needs to be supported by a wider campaign of promoting responsible dog ownership, and reducing dog fouling.

In addition, according to Keep Britain Tidy the vast majority (around 9 out of 10) of people pick up after their dogs.

We note that Keep Britain Tidy wants to eradicate dog fouling by 2030.

We call on Eastbourne Borough Council:

- **To support the campaign of Keep Britain Tidy to eradicate dog fouling by 2030.**
- **To develop a communications strategy to help educate residents and visitors on the importance of responsible dog ownership.**
- **To request the Director of Service Delivery to make arrangements to extend each of these PSPOs beyond their**

current November 2023 expiry date, subject to statutory consultation requirements.”

The Council then heard from the public speaker, Mr Veit, a new local resident on concerns on the presence of dog fouling on the beach, and the need for additional dog bins and better education and information.

The Council then debated the motion and the amendment together. As part of summing up, Councillor Shore indicated that she would be willing to incorporate into her motion the suggested additional recommendations in relation to the Keep Britain Tidy campaign but could not do without the additional paragraphs on additional enforcement patrols and regular reports back to the Scrutiny Committee. Consent to this change to Cllr Shore's original motion was given by the Council, in accordance with Council Procedure Rules.

The amended motion as proposed by Councillor Morris was then put to a vote and carried unanimously.

RESOLVED (unanimously):

This Council notes that in November 2017, Eastbourne Borough Council implemented Public Space Protection Orders (PSPOs) covering the seafront and a number of open spaces throughout the town.

These PSPOs grant authorised individuals to issue fixed penalty notices of up to £75 or fines of up to £1,000 to dog owners who do not keep their dogs on leads in designated areas, or when asked to do so, to clear up after their dog or allow their dogs to enter certain prohibited areas.

The Association of Public Service Excellence states that enforcement of PSPOs are part of a solution, but that it needs to be supported by a wider campaign of promoting responsible dog ownership, and reducing dog fouling.

In addition, according to Keep Britain Tidy the vast majority (around 9 out of 10) of people pick up after their dogs.

We note that Keep Britain Tidy wants to eradicate dog fouling by 2030.

We call on Eastbourne Borough Council:

- To support the campaign of Keep Britain Tidy to eradicate dog fouling by 2030.
- To develop a communications strategy to help educate residents and visitors on the importance of responsible dog ownership.
- To request the Director of Service Delivery to make arrangements to extend each of these PSPOs beyond their current November 2023 expiry date, subject to statutory consultation requirements.

26 Discussion on minutes of council bodies.

The minutes of the following Council bodies were submitted to the meeting for information:

Licensing Committee – 26 June 2023,
Audit and Governance Committee – 8 June 2023
Planning Committee – 12 June 2023
Scrutiny Committee – 10 July 2023
Cabinet – 13 June 2023 and 19 July 2023

No items were called for discussion.

Councillor Holt moved and Councillor Rodohan seconded acceptance of the minutes.

RESOLVED (unanimously) – That the minutes be accepted.

27 Date of next meeting

It was noted that the date of the next meeting was scheduled to take place on 15 November 2023 at 6 pm.

The meeting ended at 7.47 pm

Councillor Candy Vaughan (Mayor)