

Full Council

Minutes of meeting held in Council Chamber, County Hall, St Anne's Crescent, Lewes, East Sussex, BN7 1UE on 22 November 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, Julie Carr, Roy Clay, Chris Collier, Phil Davis, Sharon Davy, Johnny Denis, Tom Jones, Isabelle Linington, Jim Lord, Sylvia Lord, James MacCleary, Imogen Makepeace, Milly Manley, Ron Maskell, William Meyer, Zoe Nicholson, Emily O'Brien, Ruth O'Keeffe, Nicola Papanicolaou, Christine Robinson, Geoff Rutland, 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) and Sarah Lawrence (Senior Committee Officer).

47 Minute of Silence

The Chair of the Council stated that since the last meeting of Full Council, two former Councillors, Jon Freeman and Peter Harper, had sadly passed away.

Councillor MacCleary paid tribute to Jon Freeman and Councillor Carr paid tribute to Peter Harper for their service on the Council and the impact they had in their communities of Seaford and Newhaven.

The Council then held a minute's silence in memory.

48 Minutes of the meeting held on 20 September 2021

Resolved – That the minutes of the meeting held on 20 September 2021 be confirmed and signed as a correct record.

49 Apologies for absence

Apologies for absence had been received from Councillors Adeniji, Burman, Duhigg, Gauntlett, Macleod, Miller, O'Connor, Peterson, Rigden and Wallraven.

50 Declarations of interest

No declarations of interests were made.

51 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.

52 Urgent items

There were no urgent items for consideration at the meeting.

53 Questions from members of the public

No questions had been received from members of the public.

54 Petitions

No petitions had been received.

55 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 one decision which had been taken by the Leader of the Council under special urgency procedures on 24 September 2021, in relation to the Asset Regeneration Newhaven.

56 Review of the Lewes District Council Governance Changes

The Council considered a report of the Head of Democratic Services reviewing the Democratic Governance changes at Lewes District Council implemented in May 2020, including the establishment of the Policy and Performance Advisory Committee and changes to the debating rules around motions. These had been discussed by a Governance Working Group reconvened in September 2021, following a year of operation of the new arrangements. Councillor Banks moved and Councillor Manley seconded the recommendations set out in the report, including the recommendation that no further changes be made to the governance arrangements.

Resolved -

- (1) To note and endorse the recommendations of the Governance Working Group that no changes be made to the current governance arrangements at Lewes District Council;
- (2) To note that a training and development session would be scheduled for the membership of the Policy and Performance Advisory Committee, to assist it in making best use of all of its functions; and
- (3) To note the various opportunities for elected members to participate in the democratic process, as set out at Appendix 1 to the report.

57 Review of the Lewes District Council Statement of Licensing Policy

Councillor Robinson moved and Councillor Denis seconded the recommendations set out in the report of the Director of Service Delivery to adopt the 'Lewes District Council Statement of Licensing Policy'.

It was noted that the proposed amendments to the Statement of Licensing

Policy had been considered by the Licensing Committee on 29 July and then put out to public consultation. As the changes had received support in the consultation, these were referred directly to Full Council for approval in accordance with the Committee's resolution. It was expected the Statement of Licensing Policy would come into force on 10 January 2022.

Resolved – That Council approves the Statement of Licensing Policy made under Section 5(4) of the Licensing Act 2003 for 2022-2027.

58 Review of the Lewes District Council Gambling Act Statement of Principles

Councillor Robinson moved and Councillor Denis seconded the recommendations set out in the report of the Director of Service Delivery to adopt the 'Lewes District Council Gambling Act Statement of Principles'.

It was noted that the proposed minor amendment to the Statement of Principles had been considered by the Licensing Committee on 27 July and then put out to public consultation. As the changes had received support in the consultation, the Statement of Principles was referred directly to Full Council for approval in accordance with the Committee's resolution. It was expected the Statement of Principles would come into force on 10 January 2022.

Resolved– That Council approves the Gambling Statement of Principles made under S349 of the Gambling Act 2005 for 2022-2025.

59 Appointments

The Council noted the appointments to the following committees and outside bodies made under delegated authority since the last meeting, as a result of Councillor Gauntlett's appointment by the Leader to be the Cabinet Member for Planning and Infrastructure:

- Policy and Performance Advisory Committee - Councillor Brett had replaced Councillor Gauntlett.
- Audit and Standards Committee – Councillor Macleod had replaced Councillor Gauntlett.
- East Sussex County Council Health and Overview Committee – Councillor Brett had replaced Councillor Gauntlett.
- Licensing Committee – Councillor Amy had replaced Councillor Gauntlett.

Resolved – To note the above changes in appointments.

60 Motions

There were no notices of motion.

61 Written questions from Councillors

The Chair advised that two written questions had been received in accordance with Council Procedure Rule 12 from Councillor Turner and Councillor Manley and as set out in the Agenda Supplement.

1. Question from Councillor Richard Turner to Councillor Stephen Gauntlett (Cabinet Member for Planning and Infrastructure).

“There are many occasions over the years when we, on the Planning Committee, are faced with changes in Affordable Housing numbers at reserved matters. Should viability be assessed in decision making?”

There are occasions when the applicant at Reserved Matters stage submits detailed evidence of the new extra costs that have changed since the application and this reduces the Affordable Housing. A separate valuation is also submitted.

Whilst there are occasions when extra costs must be considered for genuine reasons. As the Conservative Shadow Lead Member for Planning, I would ask that reviews should be included in our new local plan policies as far as viability. This would strengthen the Planning Committee’s decision making and give the Council strength to any appeal.”

Response from Councillor Nicholson (on behalf of Councillor Gauntlett):

As Councillor Gauntlett had given apologies for the meeting, Councillor Nicholson responded verbally to the question at the meeting but indicated that Councillor Gauntlett would provide a further written response after the meeting.

Councillor Nicholson advised that the Government Guidance on this was clear that a viability review to claw back contributions, should the viability position improve, could only take place if the provision to do so was set out in the local plan. No such provision was in the current plan agreed by the previous administration. However, this was something that could be considered for the emerging Local Plan, and Councillor Nicholson invited Councillor Turner and the Conservative Group to be part of the Local Plan Steering Group shaping its development. In the interim, the Council had introduced open book viability assessments that were now more transparent, and had sought independent expert assistance to assess viability reports to make sure the community did not lose out.

Supplementary Question - Councillor Turner indicated that he did not have a supplementary question, but thanked Councillor Nicholson for the response and indicated as Shadow Portfolio Holder for Planning he would wish to be involved in any decision-making on the emerging local plan.

2. Question from Councillor Manley to Councillor Julie Carr (Cabinet Member for Recycling, Waste and Open Spaces) or Councillor Zoe Nicholson (Leader of the Council)

“Why is Lewes District Council finding it so difficult to keep the A27 clean, and to stop other authorities strimming litter? What else is LDC doing to improve the state of our roadsides with regards to litter?”

Response from Councillor Nicholson and Councillor Carr

Councillor Nicholson that she understood this question related to a recent incident where strimming took place in an area before litter collection and where no notification had been received of the works, which was very disappointing.

Councillor Carr echoed this frustration with the incident, as the Council had worked closely with National Highways and their Network Contractor and neighbouring local authorities since 2018/19 to clear litter from arterial routes running through the district, including the A27 and A26. National Highways provided the Council with a 20-week forward plan of plan land closures and temporary traffic management controls, updated weekly, which enabled the Council to send out highly trained teams to carry out litter picking sessions, mainly at night. This team could be mobilised at very short notice if there was a change to the schedule, which was why this incident where work was done without notice or consultation was particularly frustrating. Councillor Carr highlighted that in addition the Council had used a roadside anti-littering campaign and social media messages to discourage littering across the District. Councillor Carr gave assurance that the Council would continue to engage with National Highways to seek a better way of working which translated into tangible results on the ground.

Supplementary Question - Councillor Manley indicated that she did not have a supplementary question but thanked Councillor Nicholson and Councillor Carr for their responses.

62 Questions to the Leader of the Council

No questions had been submitted for the Leader.

63 Ward issues

Councillor Ross raised a ward issue set out in full in the agenda supplement.

He advised that he was concerned that a developer had applied for pre-application advice on a proposal to demolish the bus station in Lewes Bridge Ward, and to replace it with a block of flats. Bus companies, businesses, the Lewes Chamber of Commerce, the Town Council and many residents had expressed significant concerns about the impact the loss of the bus station would have on the Town. He was concerned that the South Downs National Park authority had not yet given assurance that it would consider the application in line with its Strategic Site Policy SD57 (North Street Quarter and Adjacent Eastgate Area) that stated that "Alternative uses on the bus station site are subject to the facility being replaced by an operationally satisfactory and accessible site elsewhere".

He asked that the Leader of the Council speak to the Chief Executive of the South Downs National Park Authority as soon as possible and seek assurance that any application received would be assessed in accordance with the policies consulted on and approved in Local Plans. In addition, he asked that she seek the Authority's commitment to meaningful engagement with interested parties and the public if and when a full application was received.

The Leader responded that she supported the concern raised on this matter which was also in her ward, and she gave assurance that she had met with the Chair of the National Park last week and raised this issue, and was happy to raise it again. She confirmed that the Council would be a consultee on the application and would seek to hold the National Park Authority to account on the way it applied its policies and engaged on the consultation.

64 Reporting back on meetings of outside bodies

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

- Sussex Police and Crime Panel – Councillor Denis
- Equalities and Fairness Stakeholder Group - Councillor Denis
- Community Safety Partnership- Councillor Denis
- Wave Leisure Trust – Councillor Denis and Councillor O'Connor
- Seaford Head Local Nature Reserve Management Committee – Councillor Brett
- South Downs National Park Authority AGM – Councillor Meyer
- South Downs National Park Authority Board Meeting – Councillor Meyer
- South Downs National Park Authority transfer of Seven Sisters Country Park from ESCC to SDNPA and subsequent operation of the Country Park by South Downs Commercial Operations Ltd – Councillor Meyer
- Armed Forces Champion – Councillor Davy
- Lewes District Citizens Advice – Councillor Makepeace
- Seaford to Brighton Line Steering Group Meeting – Councillor O'Brien

65 Date of next meeting

It was confirmed that the next meeting of Full Council was scheduled to take place at 6 pm on Monday 21 February 2022.

The meeting ended at 6.34 pm

Councillor Christine Brett (Chair)