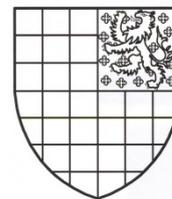


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**LEWES  
TOWN  
COUNCIL**

### To All Members of Lewes Town Council

A Meeting of **Lewes Town Council** will be held on **Thursday 9<sup>th</sup> April 2015**,  
in the **Council Chamber, Town Hall, Lewes** at **7:30 pm** which you are requested to attend.

S Brigden, Town Clerk  
1<sup>st</sup> April 2015

## **AGENDA**

### 1. QUESTION TIME

To consider any questions received regarding items on the agenda for this meeting.

### 2. MEMBERS' DECLARATIONS OF INTERESTS

To note any declarations of personal or prejudicial interest in items to be considered at this meeting.

### 3. APOLOGIES FOR ABSENCE

To consider apologies tendered by Members unable to attend the meeting.

### 4. MAYOR'S ANNOUNCEMENTS

To receive any announcements from the Mayor.

### 5. MINUTES

To agree Minutes of the Council meeting held on 26<sup>th</sup> February 2015.

*(attached page 4)*

### 6. WORKING PARTIES & OUTSIDE BODIES

To consider matters arising from working parties; members serving on outside bodies *etc.*

a) *Policies Review Working Party 11<sup>th</sup> March 2015 (document set herewith, and draft Minutes attached page 12)*

b) *Traffic Issues Working Party 24<sup>th</sup> March 2015 (draft Minutes attached page 14)*

c) *Neighbourhood Plan Steering Group 26<sup>th</sup> March 2015 (oral report by Cllr S Murray)*

d) *Devolution Working Group 31<sup>st</sup> March 2015 (oral report)*

### 7. ARBORICULTURAL CONTRACT

To consider contracted works to trees on Council land

*(Report FC015/2014 attached page 16)*

### 8. ASSET of COMMUNITY VALUE

To consider a proposal for listing

*(NOM011/2014 attached page 3)*

### 9. ART CONSERVATION PROJECT

To consider the project proposal "Our Pictures"

*(Member's report attached page 18)*

### 10. GOVERNMENT CONSULTATION

To consider the DCLG consultation re Local Government Ombudsman

*(attached page 19)*

### 11. UPDATE ON MATTERS IN PROGRESS *Oral reports (for information only)*

### 12. NOTICE of ITEMS IN PROSPECT

*(Oral report by Town Clerk)*

### 13. EXCLUSION OF THE PRESS & PUBLIC



At this point the Mayor will move: "That in view of the confidential nature\* of the business to be transacted during the remainder of the meeting; pursuant to the Public Bodies (Admission to Meetings) Act 1960, any members of the press or public present be excluded and instructed to withdraw". \*The nature of the business is stated to be "personal information related to individual members of staff".

#### 14. LIVING WAGE

To consider a proposal regarding the 'Living Wage'

(NOM012/2014 attached **page 3**)

*For further information about items on this agenda please contact the Town Clerk at the above address*

**This agenda and supporting papers can be downloaded from [www.lewes-tc.gov.uk](http://www.lewes-tc.gov.uk)**

<p><b>PUBLIC ATTENDANCE:</b> Members of the public have the right, and are welcome, to attend meetings of the Council – questions regarding items on this agenda may be heard at the start of each meeting with the Chairman's consent, and subject to time available. Questions or requests to address the Council should, whenever possible, be submitted in writing to the Town Clerk at least 24 hours in advance. General questions can be raised at our offices between 9am-5pm Mons - Thurs; 9am-4pm on Fridays – our staff will be pleased to assist.</p>
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## NOTICE OF MOTIONS PROPOSED

Notice has been received, as described below, of motions which are proposed for consideration by Council at its meeting on Thursday 9<sup>th</sup> April 2015

**NOM 011/2014** – received from Cllr Stockdale on 10<sup>th</sup> March 2015, in the following terms:

### **It is proposed that:**

This Council resolves to nominate the Turkish Baths, Friars Walk, Lewes as a property having a current or recent use which can be shown to further the social wellbeing or social interest of the community for registration and listing as an Asset of Community Value (Community Right to Bid) by Lewes District Council under the Localism Act 2011.

### **Supporting Information:**

Reason

The Turkish Baths is an unusual and important building in the Lewes Conservation Area. It belongs to the District Council and has been used by LDC's print department to print inter alia documents for local charities and community groups. The building deserves to have the protection of Community Right to Bid status so that community groups can fundraise to buy it at market value if the owner decides to dispose of it.

Cllrs J Lamb, L F Li, J MacCleary, M Milner and J Stockdale  
10<sup>th</sup> March 2015

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**NOM 012/2014** – received from Cllr Stockdale on 23<sup>rd</sup> March 2015, in the following terms:

### **It is proposed that:**

This Council undertakes to pay all its employees at least the Living Wage from 1 May 2015 by topping up scale rates where necessary. The cost will be borne by the General Fund.

### **Supporting Information:**

Reason

The UK Living Wage for outside of London is currently £7.85 per hour. It is set by the Living Wage Foundation and the calculation is based on the Minimum Income Standard for the United Kingdom, the product of research by Centre for Research in Social Policy at Loughborough University, funded by the Joseph Rowntree Foundation. The research looks in detail at what households need in order to have a minimum acceptable standard of living. Decisions about what to include in this standard are made by groups comprising members of the public. The Living Wage is therefore rooted in social consensus about what people need to make ends meet.

The uprating of the Living Wage figure each year takes account of rises in living costs and any changes in what people define as a 'minimum'. It also takes some account of what is happening to wages generally, to prevent a situation where Living Wage employers are required to give pay rises that are too far out of line with general pay trends.

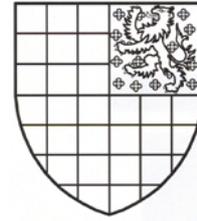
The Living Wage has broad cross-party support and has been widely adopted by local authorities and parishes.

Cllr J Stockdale  
23rd March 2015

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**LEWES  
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## MINUTES

Of the meeting of **Lewes Town Council** held on  
**Thursday 26<sup>th</sup> February 2015** in the **Council Chamber, Town Hall, Lewes** at **7:30pm**.  
*NB if a record of voting was requested, this is shown in a table appended to these Minutes.*

**PRESENT:** Councillors S Catlin (Wischhusen); M Chartier; J Daly; I Eiloart; J Lamb; D Lamport; L F Li (*Deputy Mayor*); G Mayhew; M Milner; R Murray; S Murray; R O’Keeffe; A Price; J Stockdale and Dr M Turner (*Mayor*)

*In attendance:* S Brigden (*Town Clerk [TC]*); M Larkin (*Mace Bearer*); Mrs J Dean (*Customer Services Officer*)

*Observing:* B Courage (*Town Ranger*); Ms V McLachlan (*Finance Administration Officer*)

The Mayor introduced the Council’s Chaplain, Canon Richard Moatt, who spoke for a few moments on the parallels between sacrifices made for Lent and the things that governments insisted were given-up; remarking on the need to consider consequences that inevitably arise from giving something up.

**FC2014/97 QUESTION TIME:** There were three observers present, but no questions.

**FC2014/98 MEMBERS’ DECLARATIONS OF INTEREST:** Cllr O’Keeffe declared interests related to applicant bodies listed as items 2; 6; 10; and 12 in the table of recommended financial grants to be considered at agenda item 6c)..

**FC2014/99 APOLOGIES FOR ABSENCE:** Apologies had been received from Cllr E Allsobrook who had a family commitment, and Cllr MacCleary who had a work commitment. No message had been received from Cllr Dean

**FC2014/100 MAYOR’S ANNOUNCEMENTS:**

a) *Upcoming events:* The Mayor noted

- Sunday 22<sup>nd</sup> March 2015 – 3.00 pm – Senior Citizen’s Tea, Town Hall
- Thursday 16<sup>th</sup> April 2015 – 7.00pm - Civic Awards prior to Town Meeting
- Thursday 30<sup>th</sup> July 2015 – 11:00am – laying of commemorative stone to note the award of the Victoria Cross to 2<sup>nd</sup> Lt S C Woodroffe VC

b) *Pre-election publicity:* All Members had been provided with guidance *re* publicity in the pre-election period, referred to as the “purdah” period. This is the time between the date the notice of an election is published and polling day. For the Parish and District elements of the 2015 elections, the notice would be published on 16th March. Therefore: the purdah period would run from 16th March to 7th May 2015. This affected Council publicity – *not* individual member or party activity.

c) *Elections 2015:* Members were provided with general information for anyone helping to promote service on the Council:

Notice of elections would be published on 16<sup>th</sup> March 2015

Deadline for nominations (delivered to Lewes District Council) was 4pm on Thursday 9<sup>th</sup> April 2015

The count of votes for the Parish elections would take place from 9:00am on Saturday 9<sup>th</sup> May – results available on the District Council website by 5pm.

*Continues...*

**MINUTES:**

The Minutes of the Council meeting held on 22<sup>nd</sup> January 2015 were received and signed as an accurate record.

**WORKING PARTIES AND OUTSIDE BODIES:**

*Members are reminded that anyone who may have attended a meeting of any recognized outside body which has covered issues that deserve attention by the Council, should ensure that TC is aware of this before the Council's next meeting, and preferably before the agenda deadline. Reports on all activities of the organization are not expected.*

a] *Neighbourhood Plan Steering Group 29<sup>th</sup> January 2015.* Council received the minutes of this meeting (*copy in Minute book*), which described the consultant's (Feria Urbanism) presentation. The group then had a discussion on housing in the town covering affordable housing, designation, and the recognition that housing sites are scarce in Lewes. There was a need to find the right sites for good quality, affordable, housing.

The consultant had then moved on to talk about a three day 'Design Forum' where stakeholder groups could get more involved in real time. The forum would explore sites that could offer the opportunity to be built on, and the design qualities that local people are looking for. At the end of the forum it was hoped that a framework could be in place. This was a key point in the process for the NP to move forward and make progress.

The Group had then considered initial stages of the proposal for the preparation of the NP. The next of the 16 key tasks were:

Task 3 – Preparation of consultation material.

Task 4 – Visioning event – to introduce the consultancy (Feria Urbanism) to the community and to allow groups in Lewes to meet each other and share their ideas. To invite stakeholders to the three day Design Forum. There would need to be a four or five week gap between tasks 4 and 5.

Task 5 – Design Forum – A three day forum working with the community. The event would be by invitation to a range of participants, including developers, flood groups, the Environment Agency and others. The NP Topic groups (Tourism, Transport, Housing, Sustainability, Social/Community/Cultural and Design/Built Environment) would need to funnel their work into the same project. The consultant would work with topic groups on this. At the end of the Design Forum there should be a rough plan that sets out what Lewes could look like in 20 years and sites should be identified which are fairly well-tested. This would provide the LNPSG prospective "policy themes" for the NP which would be tested with the public and then a draft plan would be created. With regard to the draft timetable, which aimed to integrate LNPSG progress with the evolution of the SDNPA's Local Plan (expected to be made in 2017), it was hoped that a Pre-submission draft of a Lewes NP would be ready by the early Autumn 2015 for a six week consultation. Comments from the consultation would then be used to revise the Plan.

It was reported that the Council had purchased several domain names with permutations of the chosen "Lewes for All" brand and preferences had been canvassed, for the primary format to use when a website was constructed. The most favoured among the Group was "Lewes4all.uk".

Following general discussion **it was resolved that:**

**FC2014/102.1** The Minutes of the meeting of the Neighbourhood Plan Steering Group 29<sup>th</sup> January 2015 (*copy in minute book*) are noted.

b] *Buildings repairs Working Party 3<sup>rd</sup> February 2015:* The Minutes of this meeting were received (*copy in minute book*). The meeting had been preceded by a visit to inspect Malling Community Centre, for Members to familiarize themselves with the

layout and condition.

There followed a review of the programme to refurbish Malling Community Centre. Preliminary costings by a professional quantity surveyor had established a likely project cost of over £440,000, but these had not arisen from a detailed design and were considered indicative only. They were described as a “basic” refurbishment to meet modern building regulation standards. Earlier consultation with current and prospective users and the wider community had produced a significant amount of material indicating the philosophy such designs should encompass. It was agreed to recommend that Council should commission an architect to prepare a design to the level of detail necessary for accurate costing, and to satisfy any third-party sources of prospective funds. It was understood that the earmarked finance reserve for this project would yield £233,000 in 2015/16 and that this was insufficient to fund the project. It was anticipated that elements of the work would attract third-party grants which were expected to make-up the difference, although this could only be established once detailed plans were agreed.

With regard to the project to refurbish the South (High Street) elevation of the Town Hall, the Order of Costs report prepared following detailed surveys was reviewed. Various details were discussed, and enhancements that might be included, *eg* making a feature of the martyrs’ steps by installation of a glazed viewing port. In the course of this discussion it was noted that the engineer advised flags should not be flown from the flagpole until repairs were completed, as there were suspicions about the integrity of some anchor fixings. The District Conservation Officer and English Heritage officers had been consulted and were reported to be happy with all the proposed works. Council had already acknowledged that the estimated cost of around £305,000 (nett) would exhaust the earmarked finance reserves for this project, which would yield £168,340 in 2015/16, and it was unlikely that the programme would qualify for third-party grants (although this would be explored). The works were unavoidable, and the General Fund would make up any shortfall. A programme was agreed which anticipated the contract would be confirmed in April, with works beginning within six weeks or so.

At their previous meeting, Members had inspected Town Hall office suite, to familiarize themselves with the layout and condition. Suggestions had been considered for refurbishment and works that would increase usable space; improve light and air circulation; mitigate tripping hazards, improve the presentation to visitors, and update and improve shabby kitchen and WC facilities. These had been accepted as sensible and beneficial, and it was recognized that the rooms were long-overdue for refurbishment. Proposed alterations had been drafted after consultation with all staff, and cost estimates sought for carrying out the work. Local firms had been approached with a draft specification and Members were presented a proposal for works in modular format, with elements prioritized and individually priced. The aggregate cost for the complete programme was £30,106. Members considered that all the works should be undertaken, and that to omit any element could be false economy. To avoid further reduction of the General Fund in a single year, it was suggested that this project be accorded a higher priority than Allotment site improvements (all sites currently being in reasonably good order) and the reserve earmarked for that purpose be appropriated (Project account P8 – £30,000 available 2015/16)

After some discussion and questions **it was resolved that:**

**FC2014/102.2** The Minutes of the meeting of the Buildings repairs Working Party on 3rd February 2015 (*copy in minute book*) are noted.

**FC2014/102.3** That the Council invites architects interested in tendering for design work for refurbishment of Malling Community Centre, in accordance with the results of community consultation; to produce plans capable of detailed costing.

**FC2014/102.4** That Council notes and approves the decisions taken with regard to the refurbishment of the façade of the Town Hall, noted at Minutes THRWP2014/06 - 3 and 4 of the Buildings repairs Working Party meeting on 3rd February 2015.

**FC2014/102.5** Works to modernize and improve the Town Hall office suite, as described at Minute THRWP2014/06 - 5 of the Buildings repairs Working Party meeting on 3rd February 2015; are approved - appropriating the balance on project account P8 to that purpose.

c] *Grants Panel 4th February 2015:* Members considered Report FC014/2014 (*Copy in minute book*) containing the Panel's recommendations for payment of grants for the fourth and final cycle of the year. The report highlighted that recommendations exceeded the remaining amount available from the dedicated grant budget by £1,670. It was nonetheless considered that the projects had sufficient merit to be supported to the degree recommended, and Council was asked to supplement the grant budget from the General Fund balance (£377,056 b/fwd at March 2014). Following one or two questions on detail, **it was resolved that:**

**FC2014/102.6** Grant payments recommended in Column G of the appendix to Report FC014/2014 (*Copy in minute book*) are approved; with the sum of £1,670 in excess of the agreed grants budget to be drawn from the General Fund.

d] *Commemorations Working Party 17th February 2015:* The Minutes of this meeting were received (*copy in minute book*). The meeting had considered various topics. There was general discussion on the events to-date marking 100yrs since commencement of World War One, and those in prospect. The "Winter of the World" (WoW) project had culminated in a very well-attended and well-regarded evening of music; poetry, and dramatization, performed with an emotive backdrop of contemporary WW1 photographs, at the All Saints Centre (ASC). The ASC was booked from the afternoon of Saturday 26<sup>th</sup> September through the day of Sunday 27<sup>th</sup> September 2015, to allow an event on the Saturday and a series of films on the Sunday. Titles were suggested and were listed for further research. For the Saturday evening, Members were keen to explore the availability of the Lewes; Glynde, & Beddingham Brass Band and others, with a view to staging an event along similar lines to WoW and perhaps inviting donations to benefit the project to create a Peace Garden adjacent the area popularly referred to as the "Magic Circle" (Castle Ditch Lane). Cllr O'Keeffe had volunteered to write some appropriate music for LGB Brass, and was thanked for this offer.

A meeting had recently been held with District and County Council officers tasked with arranging the local elements of the national project for local commemoration of recipients of the Victoria Cross, which provided stone tablets in memory of recipients. There were to be only two tablets in Lewes District, one in Seaford and one for Lewes; commemorating 2<sup>nd</sup> Lt. Sidney Clayton Woodroffe VC, which would be installed on 30<sup>th</sup> July 2015 as the anniversary of his brave but fatal action in battle at Hooze, Belgium. There had been some discussion on the most appropriate location for the stone tablet, and members considered various locations. The most-favoured was the terrace at the entrance to the public library in Styles' Field, with the Grange Gardens a second-choice. Members had regard to the general ambience of these areas; visibility to the public, and future availability of space should a similar project arise in any future commemoration, *eg* for WW2. A civic ceremony would be arranged for the unveiling.

Council had previously agreed that a Commonwealth flag would be flown on Commonwealth Day each year – the second Monday in March – but it was noted that the Town hall flagpole would not be usable this year, pending repairs, following an engineer's report which had identified weakness in some fixings. A promoter was suggesting a commemorative civic event for the day and Members considered details

in the draft programme but did not wish to pursue the idea in 2015.

It was understood that there was to be enhanced national recognition of VE day in 2015, although no details were known. It was agreed that the Council should take its lead from any plans being formulated by the Royal British Legion.

There was a general discussion on miscellaneous events:

It was understood that Helen Glavin would be amenable to re-presenting the Sword of Freedom at some point, related to national commemoration of Magna Carta.

It was suggested that a version of “Winter of the World” might be staged in Blois, and it was agreed that the Twinning Association should be consulted on this idea.

The Battlefields Trust (LTC is a corporate member) offered a speaker for an Autumn lecture as part of their recognition of Magna Carta. It was suggested that such a lecture might be held in the Corn Exchange, which was, appropriately, decorated with the interpretive panels from the British Library’s 2009 “Taking Liberties” exhibition on civil liberty.

The group of embroiderers who had created the battle of Lewes Tapestry were understood to be contemplating a follow-on project, working with the Sussex Archaeological Society, to create several smaller panels in a similar style, and there was the prospect of an exhibition; possibly a need for a permanent “home” for these. Members agreed that, should this proceed, the Council ought to support the project.

It was reported that the Royal British Legion were considering alternative arrangements for Remembrance Sunday. Suggestions known to be under consideration included a change of time to 11:00am (known to be problematic); a change of venue to St Michael’s church, and a change to place the civic party on the steps of the Crown Court for the parade march-past. Further information would be reported when known.

Following a round of comments and questions, **it was resolved that:**

**FC2014/102.7** The Minutes of the meeting of the Commemorations Working Party on 17<sup>th</sup> February 2015 (*copy in minute book*) are noted.

**FC2014/102.8** The programme to mark events in World War One, planned for the All Saints Centre on 26<sup>th</sup> and 27<sup>th</sup> September 2015, described at Minute CmemsWP2014/20-1 of the meeting of the Commemorations Working Party on 17<sup>th</sup> February 2015 is supported.

**FC2014/102.9** The proposed sites and priorities for a tablet commemorating 2<sup>nd</sup> Lt. Sidney Clayton Woodroffe VC, as suggested at Minute CmemsWP2014/20-2 of the meeting of the Commemorations Working Party on 17<sup>th</sup> February 2015 are agreed.

**FC2014/102.10** The events and ideas described at Minute CmemsWP2014/20-5 of the meeting of the Commemorations Working Party on 17<sup>th</sup> February 2015 are supported in-principle.

e) *Civic Awards Panel 18th February 2015*: Members received notes of the meeting of the Civic Awards Assessment Panel on 18<sup>th</sup> February (*copy in minute book*), which cited the awardees decided-upon. The awards would be presented on 16<sup>th</sup> April 2015. **It was resolved that:**

**FC2014/102.11** The minutes of the meeting of the Civic Awards Assessment Panel on 18<sup>th</sup> February 2015 (*copy in minute book*) are noted.

f) *White Ribbon Initiative*: Cllr A Price, as the Council’s nominated Champion for the White Ribbon Initiative, gave a brief update on the scheme. The local group had shifted focus to concentrate on elder abuse, he said, but he and others were prepared to pursue continuation of the cross-agency work on domestic abuse. He reported statistics for the area indicating an increase in incidents reported as a crime, although it was noted that criteria for the police recording classifications had altered. “Operation Ribbon”, a police initiative to let victims know that they had raised their

alertness to incidents and were training specialist officers, had been extended to April. White Ribbon was an international campaign, addressing abuse of women by men, and the local group was affiliated to the Community Safety Partnership. A new group with a wider remit, encompassing male:female abuse in both contexts, was being planned. Cllr Price was warmly thanked for his commitment to the initiative and asked to continue his efforts. After some questions and general discussion **it was resolved that:**

**FC2014/102.12** The oral report by Cllr Price on developments in the White Ribbon initiative is noted, and the Council's thanks to Cllr Price for his efforts and continued commitment to this campaign are recorded.

g] *Sussex Community Rail Partnership AGM 20th February 2015*: Cllr Catlin reported on the recent Annual General Meeting of the Partnership, and it was noted that the council-supported steam event in 2014 was still receiving accolades. Various events were planned for 2015, and the Partnership wished Members to know that it continued to acknowledge and appreciate the Council's support. **It was resolved that:**

**FC2014/102.13** The oral report by Cllr Catlin on the Sussex Community Rail Partnership AGM 20th February 2015 is noted.

**FC2014/103**

### **ECOSYSTEM/NATURAL CAPITAL:**

Members considered a motion (*NOM010/2014 – copy in Minute book*) which promoted the value of Natural Capital to the health of Lewes' residents and in supplying multiple benefits for the Town's economy through ecosystem services. It was explained that Natural Capital was the term coined to describe the world's stocks of natural assets – things like rocks, soil, air, water and all living things that live in and on these. Ecosystems were defined as the dynamic complex of plants, animals and micro-organisms that, in combination with their non-living environment, make communities that work together as a functional unit. The main identifying feature of an ecosystem was that it is an actual 'system', with interactions between its living elements and the environment they inhabit.

Ecosystem services - basically 'what nature does for us' - provide benefits that contribute to making human life both possible and worth living. Examples of ecosystem services were offered, including products such as food and water, regulation of floods, soil erosion and disease outbreaks, and non-material benefits such as recreational and spiritual benefits in natural areas and most important (but least visible) things like soil formation, nutrient cycling, the water cycle, *etc.* that maintain the conditions for life on Earth [supporting services].

It was accepted that green infrastructure in towns and cities were vital to health and wellbeing; that they also played a significant role in fundamental aspects such as air quality, and that these had quantifiable economic values.

#### **It was resolved that:**

**FC2014/103.1** "Lewes Town Council notes that a thriving natural environment (natural capital) in the town of Lewes is of great value in providing

- significant health benefits to individual residents and the community as a whole
- multiple benefits through ecosystem services for example flood risk reduction, delivery of clean air, micro climate regulation, accessible nature, for the town's economy
- enjoyment for both residents and visitors to the town, helping to promote tourism and hence the local economy

The Council therefore resolves to take advantage of any appropriate opportunity within the town of Lewes to be respectful of and where possible work with others to enhance these natural systems, for example through the improvement of green

infrastructure (GI) and ecological networks in our stewardship of areas such as the Pells and other open spaces that we may have responsibility for, and the buildings that we manage.

As a Council we will look to give weight to environmental management and community aspirations in the decision making process so as to support relevant aspects of the Neighbourhood Plan for the Town.”

FC2014/104

#### **MUNICIPAL CALENDAR 2015/16:**

Members considered the proposed municipal calendar for scheduled meetings in 2015/2016 and public “drop-in” surgeries. Cllr Eiloart offered to assist with formatting a calendar for online reference.

After a brief discussion, **it was resolved that:**

**FC2014/104.1** The proposed calendar for the 2015/2016 municipal year (*copy in Minute Book*) be noted.

FC2014/105

#### **UPDATE ON MATTERS IN PROGRESS:**

- *“Our Pictures” project update* – Cllr Turner reported on the feasibility stage of this project. A Heritage Lottery case officer had been allocated and had welcomed the initial overture, and suggested one or two refinements to better align the scheme with the Fund’s aims. Work continued on drafting a submission and it was anticipated that a decision would be needed shortly as to the value of any bid, as the Lottery fund operated a tiered scheme.
- *Town Hall repairs* – The surveyors had indicated that the specification of works was near completion, and still on-programme for a tendering process during April. Ultimately, the works were expected to take between 20 and 24 weeks.
- *Baxter prints hanging* – a draft layout for the framed prints was being prepared.
- *Seating & bins – Lewes bus station* – An agreement had been signed that afternoon by the owners of the bus station, allowing the Council to site four benches and litter bins around the building.
- *Tree works* – it was understood that the last site visits by prospective contractors were imminent. Quotations for the work would follow.
- *Electronic banking* – Following the recent change in legislation the Council was now registered for online banking. Unfortunately, the bank had distributed faulty cards/card-readers, part of a national problem which they were addressing, and the service had not yet been tested.
- *Devolution of Parks & open spaces* – Lewes District Council had published the statutory public notice of their intention to transfer Malling Recreation Ground and Landport Bottom. This had been delayed, but once the requisite period for response was past, formal transfers could be concluded. The Council’s retained solicitor was engaged in examination of draft transfer documents provided recently by LDC, and would report shortly.

FC2014/106

#### **NOTICE of ITEMS IN PROSPECT:**

- a) The Policies Review Working Party was to meet on 11th March at 11:00am.
- b) A Traffic Working Party meeting was scheduled for 7:00pm on Tuesday 24th March, in the Yarrow Room, Town Hall.
- c) The next Planning Committee meetings would be Tuesday 17th March & Tuesday 14th April 7:00pm.
- d) The next Council meeting (the last of this administration) would be held on Thursday 9th April at 7:30pm. The deadline for submission of agenda items to TC was noon on Monday 30th March.

e) The next deadline for grant applications was Fri 15th May. The assessment Panel would meet on 27th May, and Council would consider recommendations on 18th June.

**FC2014/107**

There being no further business the Mayor declared the meeting closed, and invited those present to join him in the Parlour for refreshments.

*The meeting ended at 8:55pm*

Signed:

Date:

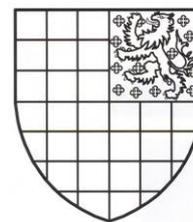
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**LEWES  
TOWN  
COUNCIL**

## ***MINUTES***

of the meeting of the **Working Party** formed to review governance policies, held on **Wednesday 11<sup>th</sup> March 2015**, in the **Yarrow Room, Town Hall, Lewes** at **11:00am**.

**PRESENT** Cllrs M Chartier (*Chairman*); Dr G Mayhew; S Murray; R O’Keeffe and Dr M Turner  
**In attendance:** S Brigden (*Town Clerk [TC]*)

### **PolRevWP2014/01 ELECTION OF CHAIRMAN:**

Cllr Chartier was elected as Chairman of the Working Party.

### **PolRevWP2014/02 APOLOGIES FOR ABSENCE:**

There were none

### **PolRevWP2014/03 DECLARATIONS OF INTEREST:**

There were none

### **PolRevWP2014/04 QUESTIONS:**

There were none. (No members of the public present.)

### **PolRevWP2014/05 REMIT of the WORKING PARTY:**

Members noted the remit of the working party, as defined by Council:

**Resolution FC2014/23.1:** *[The working party members]...be asked to review current Standing Orders, Financial Regulations, and other adopted governance policies; bringing to Council any recommendations for amendment.*

### **PolRevWP2014/06 BUSINESS OF THE MEETING:**

Members had earlier been provided with copies of current policies. Revised documents had been prepared, based upon updates to legislation and national models, latest recommended industry good practice, and updated valuations, as appropriate. The working party reviewed and discussed in detail each amendment which, in summary, have the effect of:

1. *Standing Orders* updated to account for legislative changes with regard to: public rights to record/photograph/film meetings; Code of Conduct status; electronic service of summons; and minor revisions/updates to the national model.
2. *Financial Regulations* minor updates to text references to statutes.
3. *Anti-fraud policy* minor updates to text references to Audit Commission (now abolished)
4. *Investments and Reserves policy* no change
5. *Freedom of Information Act publication scheme* no change
6. *Code of Conduct for Members* no change
7. *Communications policy* no change to policy. Appended briefing note *iro* Defamation replaced – reflects new legislation.
8. *Complaints policy* policy updated to reflect latest good-practice recommendations for parish councils.
9. *Dignity at Work policy (staff discipline; grievance, etc)* policy updated to reflect latest procedural models and technical guidance published by the Arbitration and Conciliation Advisory Service (ACAS).

The revised policies were all accepted, and would be recommended to Council.

**CONCLUSIONS/RECOMMENDATIONS TO COUNCIL:**

1 Revised policy documents, as agreed by the working party, are recommended in respect of:

- Standing Orders
- Financial Regulations
- Anti-fraud policy
- Communications policy
- Complaints policy
- Dignity at Work policy (staff discipline; grievance, *etc*)

2 Unchanged policies will be submitted to Council for re-adoption alongside those revised, for completeness.

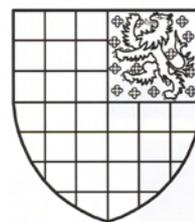
There being no other business, the Chairman declared the meeting closed, and thanked everyone for their attendance and contributions.

*The meeting closed at 12:15pm*

Signed.....

Date .....

Draft



## **MINUTES**

of the meeting of the **Working Party** formed to address transport-related issues in Lewes held on **Tuesday 24<sup>th</sup> March 2015**, in the **Council Chamber, Town Hall, Lewes** at **7:00pm**.

**PRESENT** Cllrs S Catlin (Wischhusen); L F Li; M Milner (*Chairman*); S Murray; R O’Keeffe. **In attendance:** S Brigden (*Town Clerk [TC]*)

**TIWP2014/01 ELECTION OF CHAIRMAN:** Cllr Milner was elected as Chairman.

**TIWP2014/02 APOLOGIES FOR ABSENCE:** There were none. No message had been received from Cllr Dean.

**TIWP2014/03 DECLARATIONS OF INTEREST:** Cllr O’Keeffe noted that she was member of the board administering ESCC Community Match funds.

**TIWP2014/04 MINUTES:** The minutes of the meeting on 18<sup>th</sup> March 2014 were signed as an accurate record.

**TIWP2014/05 QUESTIONS:** There were none. Seven members of the public were present.

**TIWP2014/06 BUSINESS OF THE MEETING:**

1 There was a brief discussion on general matters arising from the previous meeting and subsequent decisions by Council.

*Safety issues near South Malling School* - The Council had offered £1,000 to East Sussex County Council (ESCC) to paint road markings as an experiment to assist with parking and traffic congestion issues during pickup and drop-off periods. There had been no response until Cllr Milner challenged the Highways Department officers to whom the issue had been passed, and initially he had received only an unsatisfactory formal reply explaining ESCC’s priority system for works. Further pressure had elicited a more thoughtful response, but it was explained that ultimately the matter could only be addressed as a formal project, with attendant changes to physical road infrastructure; signage *etc*, which must be preceded by consultation and amendment of prevailing traffic Orders. This was affected by current plans for the road and footpath network in the immediate area (Earwig Corner, and Lewes-Ringmer cycle path) The original idea of a low-cost experiment was not supported. The Town Council was referred to the Community Match scheme, which could allow works outside the structured and prioritized ESCC plan, if significant funding was provided by a parish council. The tenor of the communication from ESCC suggested that they saw little merit in any new scheme, but Members wished to at least establish the likely cost for the necessary project and the true potential for third-party contributions. It was agreed to pursue this question further.

*Footway repairs* – Cllr Catlin reported that standards of repair to Conservation Area footways appeared to be ‘slightly’ improved, although it was observed that some relatively recent repairs had been made using replica bricks/blocks made of self-coloured aggregate materials where the colouring was already fading, highlighting the second-rate standard. He volunteered to pursue this matter with ESCC, and Cllr O’Keeffe offered to assist in her capacity as a Member of ESCC

*Bus Shelters* – the short list of sites proposed for additional shelters had been discussed with ESCC and, as anticipated, only one could be agreed as there were technical restrictions at the others. It had been indicated that a licence to site a shelter on the North side of the Brighton Road outside Lewes Prison should be possible, although subject to planning permission and a careful choice of design, as

space was limited. It was agreed that this should be recommended to Council.

*Bench seats and litter bins at Lewes Bus-station* – it was reported that these were delivered and awaiting installation.

*Bicycle parking improvements* - ESCC had recently installed the new cycle parking frames, although it was not known if the programme was complete.

2 The meeting received a short presentation by Mr Ferrie VanEchtelt, who offered some ideas and past experiences from having worked for the UK's first pure electric car and van club social enterprise. (E-Car Club). Mr VanEchtelt aimed to show the potential of electric vehicles to help accelerate delivery of economic, community and environmental and transport agendas. He sought feedback and suggestions as to suitable partners with whom to continue the dialogue. Members thanked him for his informative presentation, and suggested that there could be value in informing the work of the Council's Neighbourhood Plan Steering Group.

3 There followed a discussion on bus services in the town. Detail was offered of the Town Council's financial support to Community Transport in the Lewes Area (CTLA), and its application to routes. CTLA had noted that they remained open to further partnership projects. Compass Travel's Managing Director was unable to attend, but had sent a detailed message noting the company's position regarding ESCC funding cuts. He stated that reductions in services had been 'far less severe than originally anticipated' and that most rural areas had kept a similar level of service. He was apologetic that frequency of Town routes had been reduced, and suggested that without external funding these were not financially viable. He would be open to discussions as to options, should the Town Council be able to consider funding. Members agreed to ask Council for a mandate to discuss this matter with operators such as Compass.

Several members of the public present had a particular interest in this subject, and were invited to contribute. There was discussion of the detail of particular routes that circulate within the town, and services outward to other towns. Newhaven was cited as a nearby centre of employment and education, where public transport services were important. It was stated that reduced services effectively prevented Lewes people from deriving benefit from developments such as the new University Technical College to be built at Newhaven. Members were asked if they would liaise with other parishes to consider the matter jointly, and the principles of the Lewes District Association of Local Councils (LDALC) were discussed. Cllr Murray, as the Council's representative, undertook to introduce an item at the next LDALC meeting to establish the appetite of other parishes for cooperation. Members were exhorted to promote ideas to bus operators, rather than remain passive, and the legal framework for parishes in this field was discussed. Questions were raised about the County and District Councils' application of surpluses arising from parking charges, and the availability of statistics on existing usage levels of bus services.

TIWP2014/07

#### **CONCLUSIONS/RECOMMENDATIONS TO COUNCIL:**

Council would be asked to pursue installation of a new bus shelter adjacent to Lewes Prison, subject to requisite permissions.

Council would be asked to agree a mandate for the Working Party to discuss bus service support with operators such as Compass Travel, and to establish relevant levels of cost. Cllr Murray would introduce an item at the next meeting of the Lewes District Association of Local Councils to discuss the respective positions of member parishes regarding bus services.

TIWP2014/08

The Chairman thanked everyone for attending and declared the meeting closed.

*The meeting closed at 8:40pm*

Signed: .....

Date: .....

Agenda Item No: 7

Report No: FC015/2014

Report Title: Arboricultural works contract

Report To: Full Council

Date: 9<sup>th</sup> April 2015

Report By: S Brigden, Town Clerk

**Purpose of Report:** To apprise Members of quotations received for works to trees on Council land.

**Recommendation(s):**

- 1 That the Council commissions the arboricultural contractor as recommended in this report, with works to be funded from the financial reserve shown in the accounts as R3: 'Open Spaces'.

---

**Information:**

1 Having considered a report (*FC009/2014*) in November 2014, Council commissioned a professional survey of trees situated on its land at:

- The Love Lane tree belt
- Pells Recreation ground
- Pells lake area
- Priory of St Pancras ('Lewes Priory')
- Landport Bottom (joint ownership with Lewes District Council)
- Allotment sites

2 In accordance with professional good practice recommendations, inspections of these trees and subsequent recommendations for works conform to the following simple principles in order of importance: public health and safety; good arboricultural practice, and the visual or amenity function of the trees.

3 The schedule of works recommended following the survey was stated in terms of priorities for action within 3; 12; and 24 months. Several trees and groups of trees are subject to Tree Preservation Orders (TPO) which may be imposed for a number reasons: from comparative rarity or inherent characteristics of a species/variety; location within the landscape/streetscape (even for 'mundane' species), or for their amenity value *eg* noise buffering or visual enhancement/screening, or particular wildlife habitat context. Any proposed work to these trees requires prior written consent from the Planning Authority before commencement. The only works that are exempt from the need to obtain written consent apply to any tree that is dead, dying, or dangerous. This will also include the removal of dead wood, broken or hanging branches and branches obstructing a Bridleway *etc.*

4 Following the survey, local contractors were furnished with the consultant's report and asked to carry out their own site inspections with a view to submission of quotations for the work.

Three firms submitted quotations, but only two were in accordance with the briefing. These were:

	Contractor A £	Contractor B £	Contractor C £
High priority works	1,140	1,188	1,896
Medium priority works	3,685	5,778	Not quoted
Low priority works	4,240	7,263	Not quoted
<b>TOTAL</b>	<b>9,065</b>	<b>14,229</b>	

All contractors are well-regarded and highly competent specialist firms, and despite the significant difference in total cost quoted, it is considered that Contractor A has included all likely elements in their costing, and that theirs are realistic prices. Their representative, during the accompanied site

inspections, actually noticed and assessed several minor items that had arisen since the original survey and assisted in prioritizing these and drafting a practical schedule for the work.

**5** Inspections and any works arising are usually funded from the existing reserve earmarked for “Open Spaces” (shown in the accounts as R3) which will offer a balance available in 2015/16 of £14,480 having accounted-for the cost of the initial independent survey at £2,580 nett in the current year.

**6** It is recommended that the quotation in the sum of £9,065 is accepted from Contractor A, and that all works are undertaken as soon as they can be accommodated, there being no practical reason to defer low priority works.

S Brigden

30<sup>th</sup> March 2015

<b>REPORTS FROM MEMBERS</b>
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The report(s) below will be presented to Council on Thursday 9<sup>th</sup> April 2015

Report received from Cllr Dr M Turner, (for elaboration at the meeting as appropriate):

**‘OUR PICTURES’ – RESTORATION and ACCESS PROJECT**

**Recommendations:**

1 That the Council agree to proceed with a submission to Heritage Lottery Fund’s “Our Heritage” programme, based upon work to date in connection with the “Our Pictures” project, and agree the contribution of £5,500 required.

2 That the Council agrees the contributions in kind of officer time and room availability during the project, and for a future programme of public access as described below.

**Information:**

1 *Minute extract – resolution of Council:*

**FC/2014/36.1** Lewes Town Council supports the Motion (NOM 007/2014 – copy in Minute Book) that:

a) Lewes Town Council will initiate a project to produce an appropriate booklet devoted to the significant artworks (oil and watercolour paintings) held by the Council, similar to the *Civic Insignia & Plate* booklet published in 2011, and;

b) The potential is investigated for an extended project involving specialist conservation works to major paintings held by the Council, and improved public interpretation material and access to view, plus a ‘legacy project’ where descendants of individuals depicted in the paintings, who have a Lewes connection, are traced and their links recorded by some permanent means.

2 Since Council passed the resolution above, a significant amount of research and other work has been carried out. Following the initial survey two further assessments have been made by independent professional experts. Estimates of cost initially indicated a project that would fall within the criteria for the Heritage lottery Fund’s “Our Heritage” scheme although later, more detailed, surveys of the nineteen paintings suggested the total cost would significantly exceed the £100,000 limit for that fund. Consequently, the individual paintings have been prioritized in order of condition and ‘importance’, and a project has been structured around the twelve paintings considered to be most in need of attention, tailored to that limit.

These are:

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• The Visit of William IV</li> <li>• The Protestant Reformers</li> <li>• Battle of Lewes</li> <li>• Portrait of Nehemiah Wimble</li> <li>• Portrait of Mrs Wimble</li> <li>• Portrait of Audrey Wimble</li> </ul> | <ul style="list-style-type: none"> <li>• Portrait of the Duke of Newcastle</li> <li>• Portrait of the Duchess of Newcastle</li> <li>• Portrait of Wynne F Baxter</li> <li>• Portrait of Alderman George Holman</li> <li>• Syrian Chief 1</li> <li>• Syrian Chief 2</li> </ul> |
|--|---|

3 This gives a project cash cost of £96,600 which would require a contribution of £5,500 by the Council – less than originally envisaged. There would also be contributions in-kind *in* use of rooms at the Town Hall (1 day each month for public access and 6 days per year for school/college visits). Complete with time inputs from various individuals these are admissible for Lottery bid purposes with a notional additional value of £14,988.

4 An informal approach was made to the Heritage Lottery Fund, who indicated that such a project should be eligible for “Our Heritage” grant, and indicated areas upon which they would focus attention: *ie* extended interpretation; community involvement and public access, and educational aspects. Where links could be established between living descendants and individuals appearing in the paintings, this would be the basis for a very interesting cultural project and was well-received. Significant support has been indicated by Lewes History Group; University of the 3<sup>rd</sup> Age, and Friends of Lewes – including a body of volunteers to be trained to conduct guided viewings.

## Local Government Ombudsman & Larger Parish Councils

### Executive Summary

- DCLG have issued a consultation on whether individuals should be able to refer larger parish councils to the Local Government Ombudsman when they feel let down by that council's corporate governance;
- Views are sought on proposals relating to the following two areas:
  - Whether the jurisdiction of the Local Government Ombudsman should be extended to larger parish and town councils;
  - How larger parish and town councils should be defined for this purpose.

### Scope and Impact of Consultation

The purpose of the consultation is to set out the Government's proposals for improving the options for redress by the public when they are let down by their local authority.

Any change to the jurisdiction of the Local Government Ombudsman requires a change to primary legislation, specifically the Local Government Act 1974.

### Issues

Our initial thinking on this consultation has identified several points;

- ***We have a longstanding policy position that the remit of the Local Government Ombudsman should be extended to all parish and town councils, therefore we welcome views on whether this policy should still apply or whether the appetite in the sector for this has changed;***
- ***Identifying interest groups and types of council is always a difficult issue, given the changing nature of council budgets, services and populations. We would welcome comments on whether larger parish councils be defined as with either a population of 35,000 or an annual pre-cepted income of greater than £500,000 per annum;***
- ***There needs to be a further open question on how long larger parish councils would fall within the jurisdiction of the Ombudsman, given population or budgets will fluctuate, and there would be the need to specify a review period to take this into account;***
- ***We would also want to press for an overarching review to take place at a specified point to look at whether any change in remit had met its policy objective.***

The link to the full DCLG consultation documentation is:

<https://www.gov.uk/government/consultations/extending-the-remit-of-the-local-government-ombudsman-to-larger-parish-and-town-councils>

***LTC agenda note:***

**This document is attached**

DCLG had originally intended to run the consultation until the end of May. NALC made strong representations on this timescale and has persuaded DCLG to now run the consultation for a longer period until **30 June 2015**.

This matter will be considered by the meetings of the Larger Councils Committee on 28 April and the Policy Committees on 12 May. Therefore we would welcome receiving any outline responses to the consultation from county associations before these meetings.

***Please send comments you may have either directly to DCLG via the above link, or to inform NALC's own response please send your response to [chris.borg@nalc.gov.uk](mailto:chris.borg@nalc.gov.uk) by Thursday 18 June 2015.***

Recommended Circulation:	County Associations
	All larger councils

This briefing was issued by Chris Borg, Policy and Development Manager



Department for  
Communities and  
Local Government

## Strengthening parish and town council accountability

Consultation on extending the remit of the Local  
Government Ombudsman to larger parish and town councils



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# Contents

1. Summary of proposals	4
2. Introduction	6
3. Parish and Town Councils and redress	7
4. The Local Government Ombudsman	8
5. Defining a larger Parish or Town Council	9

# 1. Summary of proposals

## A consultation paper issued by the Department for Communities and Local Government on behalf of the Secretary of State

<b>Topic of this consultation:</b>	This consultation paper sets out the Government's proposals for extending the remit of the Local Government Ombudsman to larger parish and town councils.
<b>Scope of this consultation:</b>	<p>The purpose of the consultation is to set out the Government's proposals for improving the options for redress by the public when they are let down by their local authority. The Department for Communities and Local Government is consulting on whether the jurisdiction of the Local Government Ombudsman, the organisation charged with investigating complaints from individual members of the public that they have suffered injustice arising from maladministration in local authorities, and able to recommend redress to remedy that injustice, should be extended to larger parish and town councils so that individual citizens have an independent route for redress when they have been let down by their parish or town council.</p> <p>The Department is also consulting on how larger parish and town councils should be defined for this purpose.</p> <p>Any change to the jurisdiction of the Local Government Ombudsman requires a change to primary legislation, specifically the Local Government Act 1974.</p>
<b>Geographical scope:</b>	The jurisdiction of the Local Government Ombudsman extends to local authorities in England only.
<b>Impact Assessment:</b>	An Impact Assessment is only needed where proposals impact upon business or voluntary sector bodies, or have significant costs for the public sector. Our assessment is that the proposals in this consultation will not bring about such impacts, although this consultation does seek the views of those likely to be affected by the proposals.

## Basic Information

<b>To:</b>	This consultation is open to everyone. We particularly seek the views of individual members of the public, town and parish councils, those bodies that represent the interests of local authorities at all levels and those who have an interest in redress in public institutions.
<b>Body responsible for the consultation:</b>	The Conduct and Council Constitutions Team in the Department for Communities and Local Government is responsible for conducting the consultation.
<b>Duration:</b>	The consultation will begin on 26 March 2015. The consultation will run for 9 weeks and will close on 30 June 2015. All responses should be received by no later than 30 June 2015.
<b>Enquiries:</b>	<p>During the consultation, if you have any enquiries, or wish to receive hard copies of the consultation document, please contact:</p> <p>Vanita Patel  e mail: <a href="mailto:vanita.patel@communities.gsi.gov.uk">vanita.patel@communities.gsi.gov.uk</a>  TEL: 0303 44 42581</p> <p>How to respond:  Please respond by email to:</p> <p><a href="mailto:parishconsult@communities.gsi.gov.uk">parishconsult@communities.gsi.gov.uk</a></p> <p>Alternatively, please send postal responses to:</p> <p>Vanita Patel  Department for Communities and Local Government  2nd Floor, NE, Fry Building  2 Marsham Street  London  SW1P 4DF</p> <p>Responses should be received by close on 30 June 2015.</p>
<b>Confidentiality and Data Protection:</b>	<p>Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004).</p> <p>If you want the information that you provide to be treated as confidential, please be aware that, under the Freedom of Information Act 2000, there is a statutory code of practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be</p>

	<p>helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, in itself, be regarded as binding on the department.</p> <p>The Department for Communities and Local Government will process your personal data in accordance with the Data Protection Act 1998, and in the majority of circumstances this will mean your personal data will not be disclosed to non-government third parties. Individual responses will not be acknowledged unless specifically requested.</p>
<b>After the consultation:</b>	A summary of responses to the consultation will be published on the Department's website within three months of the end of the consultation period.
<b>Compliance with the Consultation Principles guidance:</b>	The consultation complies with the Consultation Principles guidance.

## 2. Introduction

1. The Department for Communities and Local Government is consulting on proposals to extend the redress available to the public when they are let down by their local authority by extending the jurisdiction of the Local Government Ombudsman to larger parish and town councils responsible for substantial sums of public money and whose decisions affect a large number of people.

2. The Local Government Ombudsman may investigate complaints from individual members of the public who consider they have suffered injustice arising from maladministration in local authorities. If the Local Government Ombudsman finds in favour of the complainant, the Local Government Ombudsman may recommend redress. The jurisdiction of the Local Government Ombudsman currently extends to, among other authorities, district, borough, city and county councils. It does not extend to parish or town councils.

3. The remit of the Local Government Ombudsman is something that the Government keeps under constant review. The Government recognises that when the public are let down by those that provide their services, swift and effective redress is important.

4. There are around 9,000 parish and town councils across England, representing more than 37 per cent of the population. Whilst parish and town councils do not have the same range of powers as principal local authorities – county and district councils and London borough councils - their responsibilities can be diverse and the decisions they take can affect the day to day lives of many citizens. Whilst for the majority of parish and town

councils the local redress mechanisms currently available to the public are sufficient and proportional, it is right that larger parish councils with responsibilities and budgets comparable to those of district councils, should have equivalent accountability and redress mechanisms to those of principal authorities.

5. It is thus proposed to extend the Local Government Ombudsman's jurisdiction to cover these larger parish and town councils. This should not only give a better deal for the citizen but also lead to better quality and value for money in the local public services delivered by the tier of government nearest to the people.

### 3. Parish and Town Councils and Redress

6. It would be neither practical nor appropriate to extend the jurisdiction of the Local Government Ombudsman to cover all parish and town councils, some of which can have budgets of a few thousand pounds and populations of one or two hundred. In fact parish and town councils vary enormously in size, activities and circumstances. The smallest represent populations of less than 150, the largest has a population of around 71,000 people. Parish and town councils do have a range of statutory functions, which are concurrent with those of district councils and include for instance, allotments, maintenance of footpaths, certain planning matters, maintenance of recreation grounds, traffic calming measures, provision of bus shelters, community centres and the acquisition and sale of land. In addition, principal councils may devolve responsibility for the discharge of certain of their functions to parish and town councils where these have the capacity to undertake these roles.

7. There are, however, important differences between town and parish councils and principal local authorities such as district councils. Legislation regarding executive arrangements and overview and scrutiny does not apply to parish councils. Parish and town councils have limited requirements for audit where income and expenditure is below £6.5m.

8. Local authorities, including parish and town councils, are independent of central government. They are accountable to their electorate, the auditors and ultimately the courts. Legislation provides a framework in which they must operate and they must operate within the law at all times. The Government expects parish and town councils to be open and transparent in the way they conduct their business.

9. The majority of parish and town councils, with the relatively limited functions which they exercise, are well placed to settle complaints at a grass roots level. Redress mechanisms include using the council's formal complaints procedure, or pointing out concerns during the public inspection period of accounts, or by joining with a group of local electors to call for a parish poll on the issue of concern. Furthermore, every elector has the right to raise any matter affecting parish business at the annual parish meeting.

10. Redress routes can also shape and inform the future direction of a parish or town council. For example, parish polls, which allow for a ballot of local government electors in the parish to be called on any question arising from a parish meeting, can provide an indication of support for, or opposition to, specific parish matters which can help to guide the council's decision making.

11. The Government considers that for the majority of parish and town councils the existing system of redress for handling complaints is proportionate, lends itself to achieving swift and effective redress, and is consistent with the principles of localism. However, it considers that for those larger parish councils with responsibility for large amounts of taxpayers' money or which make decisions affecting the lives of many thousands of people, it would be appropriate to have an independent redress mechanism for members of the public.

## 4. The Local Government Ombudsman

12. The Local Government Ombudsman has responsibility for investigating complaints from individual members of the public who consider they have suffered personal injustice arising from maladministration in local authorities and certain other bodies within the Local Government Ombudsman's jurisdiction. The Local Government Ombudsman can make recommendations for redress and while these recommendations are not binding, there is almost total compliance. Recommendations for redress are intended to right the injustice caused and can include financial remedy, although this tends to be in the hundreds, rather than the hundreds of thousands, of pounds. The Local Government Ombudsman's recommendations are also valuable in preventing a repeat of the injustice and so promoting good practice in local authorities.

13. The Local Government Ombudsman's jurisdiction extends beyond principal local authorities such as district, borough, city and county councils to authorities such as internal drainage boards, National Park authorities and Fire and Rescue authorities. In 2013-2014 the Local Government Ombudsman considered 11,725 complaints and enquiries about, for instance, benefits and tax, planning and development, highways and transport and environmental matters. The Local Government Ombudsman's jurisdiction also covers social care provision, and extends to adult social care provided privately.

14. The Local Government Ombudsman is considered by Government to be a valued and respected part of the democratic process providing redress for individuals and driving up standards in authorities within its jurisdiction. Given the experience of the organisation in investigating complaints not just about principal local authorities but also varied single purpose authorities, the Government considers that it is the appropriate organisation to be given the role of independent redress provider for larger parish councils.

**Q1. Should the Local Government Ombudsman's jurisdiction be extended to larger parish and town councils?**

## 5. Defining ‘Larger’ Parish and Town Councils

### The proposal

15. The Government is not proposing extending the jurisdiction of the Local Government Ombudsman to all parish and town councils. The Government understands that this would be impractical, with over 9,000 parish and town councils in England. Furthermore, the Government considers that for the majority of parish and town councils the existing redress mechanisms are proportionate.

16. The Government considers that it is right that the jurisdiction of the Local Government Ombudsman be extended to larger parish and town councils. We are now consulting on how a larger parish and town council is defined.

### Defining a larger parish or town council by population

17. Some town councils have populations the same, or larger, than some of the smaller district councils which are within the jurisdiction of the Local Government Ombudsman. The smallest population for a district council is around 35,000 people. The Government considers it reasonable that any parish or town council with a population the same as or greater than a district council may be considered a large parish or town council and, because the actions, decisions and responsibilities of the parish or town council affect so many people, that parish or town council should be within the jurisdiction of the Local Government Ombudsman. Census data would be used to provide the population numbers for the parish and town councils. There are around 21 town councils with a population of 35,000 or more.

18. The Government understands that there may be an argument for extending the jurisdiction of the Local Government Ombudsman to less populous parish and town councils. Respondents are invited to indicate their preferred population threshold. The table below indicates how many parish and town councils would be in the jurisdiction of the Local Government Ombudsman if the threshold were set at various population levels.

<b>Population threshold</b>	<b>Approximate number of parish and town councils within jurisdiction</b>
1,000 and more	2,640
5,000 and more	803
10,000 and more	444
20,000 and more	155
30,000 and more	26
35,000 and more	21
40,000 and more	11

**Q2. Should a large parish or town council be defined by having a population the same as or greater than 35,000 people, or should the population threshold be set at a different limit?**

## Defining a larger parish or town council by budget

19. The Government recognises that a number of parish and town councils have significant budgets, reflecting the size of the area they serve and the services that they provide to their communities.

20. Quantifying a parish or town council's budget is problematic. As well as an annual precept, a parish or town council may raise income in a variety of ways, from allotments to charges for the use of community centres or sports facilities. Moreover there is scope for annual variation to a parish or town council's budget which may be significant arising from, say, the disposal or acquisition of a substantial asset.

21. Where there is significant use of taxpayers' money the Government consider that the authority responsible for spending taxpayers' money should be accountable. That is why, in addition to the transparency rules and audit requirements the authority already has to fulfil, the Government is consulting on whether a parish or town council's annual precept should act as the threshold for determining its status as a large parish or town council and that the threshold for being considered a larger parish or town council should be £1m. There are 23 parish and town councils with a precept of £1m or over.

**Q3. Should a large parish or town council be defined by having an annual precept of £1m or more?**

## Defining a larger parish council by a combination of both population and budget

22. Recognising that defining a larger parish or town council by population alone or by precept alone might include a parish or town council that is large in terms of population or precept raised, but is not a large administrative body in the sense that it should fall within the jurisdiction of the Local Government Ombudsman, a further option is to define only those parish or town councils with both a population of 25,000 or over and an annual precept of £1m as 'large'. There are around five parish and town councils that meet this criteria.

**Q4. Should a larger parish or town council be defined by both population and budget?**

## The permanence of 'larger' parish and town council status

23. The jurisdiction of the Local Government Ombudsman is set in the Local Government Act 1974. It is this legislation that allows the Local Government Ombudsman to investigate complaints about principal local authorities and other bodies within its jurisdiction. Defining a class of local authority, in this case a larger parish or town council, by population, or annual precept, or both, raises the issue of determining whether a body

is subject to the jurisdiction of the Local Government Ombudsman by a criteria that may fluctuate from year to year.

24. It is undesirable for a local authority to be subject to the jurisdiction of the Local Government Ombudsman one year and not the next. This not only causes confusion about whether or not a complaint might be investigated and the Local Government Ombudsman's power to make any recommendation, but also creates confusion rather than reassurance for any member of the public who may wish to make a complaint.

25. Accordingly, we propose that, as one of the possible criteria for defining a large parish or town council is the population of that parish or town council, and that the population data is to be furnished by the Census, any parish or town council judged to be considered 'large' by its population upon publication of Census data shall be considered to be within the jurisdiction of the Local Government Ombudsman for the next decade, or until the publication of the next Census data for that parish or town council, whichever comes first.

**Q5. Once subject to the Local Government Ombudsman's jurisdiction, should the parish or town council remain so for a fixed time period?**

# Annex A

## Response Form

Response form for consultation paper issued by the Department for Communities and Local Government on behalf of the Secretary of State on the Government's proposals for extending the remit of the Local Government Ombudsman to larger parish and town councils.

<b>Respondent details</b>	<b>Please submit your response by 30 June 2015 to:</b>
<b>Name:</b>	<a href="mailto:parishconsult@communities.gsi.gov.uk">parishconsult@communities.gsi.gov.uk</a>
<b>Organisation:</b>	
<b>Address:</b>	Alternatively, please send postal responses to:
<b>Town/City:</b>	
<b>County/Postcode:</b>	Vanita Patel
<b>Telephone:</b>	Department for Communities and Local Government
<b>e mail:</b>	2nd Floor, NE, Fry Building
	2 Marsham Street
	London
	SW1P 4DF

Are you requesting non-disclosure of your response: YES/NO

<b>Q1. Should the Local Government Ombudsman's jurisdiction be extended to larger parish and town councils?</b>
COMMENTS
<b>Q2. Should a large parish or town council be defined by having a population the same as or greater than 35,000 people, or should the population threshold be set at a different limit?</b>
<p>Please indicate your preferred population threshold</p> <p>Population of 1,000 or more</p> <p>Population of 5,000 or more</p> <p>Population of 10,000 or more</p> <p>Population of 20,000 or more</p> <p>Population of 30,000 or more</p> <p>Population of 40,000 or more</p> <p>COMMENTS</p>
<b>Q3. Should a large parish or town council be defined by having an annual precept of £1m or more?</b>
COMMENTS
<b>Q4. Should a larger parish or town council be defined by both population and budget.</b>
COMMENTS
<b>Q5. Once subject to the Local Government Ombudsman's jurisdiction, should the parish or town council remain so for a fixed time period?</b>
COMMENTS