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**LEWES  
TOWN  
COUNCIL**

## *MINUTES*

Of the meeting of **Lewes Town Council** held on  
**Thursday, 29<sup>th</sup> August 2013**, 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 (Wischusen); A Dean; I Eiloart; D Lamport; L F Li; M Milner; R Murray; S Murray; R O’Keeffe (*Mayor*); A Price; Cllr R Rudkin; J Stockdale and Dr M Turner (*Deputy Mayor*).

*In attendance:* S Brigden (*Town Clerk [TC]*); Mrs F Garth (*Civic Officer and Asst. Town Clerk*) M Larkin (*Mace Bearer*);

*Observing:* Ms J Dean (*Customer Services Officer*)

**FC2013/40 QUESTION TIME:** There were no questions (six members of the public were present)

**FC2013/41 MEMBERS’ DECLARATIONS OF INTEREST:** There were declarations of interest with regard to agenda item 8 (“repairs at Stanley Turner Recreation Ground”) from Cllrs Dean; Eiloart, O’Keeffe; and Stockdale as their seat on Lewes District Council conferred Trusteeship for the Stanley Turner Trust; and Cllr Dr Turner and Cllr Rudkin, insofar as they had close connections with the Rugby Club and a current regeneration project.

**FC2013/42 APOLOGIES FOR ABSENCE:** Apologies were received from Cllr M Chartier and Cllr J Daly, who were on holiday; and Cllr J MacCleary (reason unknown).

### **FC2013/43 MAYOR’S ANNOUNCEMENTS:**

a) The Mayor announced with great reluctance that Councillor Kingham had resigned her seat at a bye-election already scheduled for 17th October 2013.

Members were advised that this triggered a statutory process, as there were more than six months left of the natural term of office of the administration. Council must request a bye-election if TEN Bridge Ward electors demanded it. Should there be no such demand; Council must co-opt to fill the seat.

TC had posted a public notice of the vacancy, which explained this principle, and invited electors to write to the District Returning Officer to demand a poll. There was no restriction that would prevent Councillors (or Ms Kingham herself) from making the demand.

The statutory timetable gave a deadline of 5:00pm on Friday 6<sup>th</sup> September for electors to call for a poll, to meet the scheduled election date of 17<sup>th</sup> October.

Ms Kingham was present and gave a short address thanking all those who had supported her election and subsequent work as a Councillor. Members offered her their thanks for her service very best wishes for the future.

b) Cllr O’Keeffe sadly remarked upon the recent death of Keith Austin - a lifelong stalwart of Lewes Bonfire and past Chairman of the Bonfire Council, and staunch supporter of Lewes Operatic Society, he was well-known and well-liked by a huge number of people. Members paused for a moment of reflection.

c) Cllr Dean was stepping-down as the Town Council’s representative on the Lewes

*Continues...*

District Association of Local Councils (LDALC), which created a vacancy on this approved Outside Body. There had been some administrative changes lately and TC had therefore offered to research the current and proposed pattern of meetings and to circulate a note in time for anyone who might wish to volunteer at the next meeting of Council, to assess the impact upon their time.

d) Cllr Kingham's resignation left vacancies on the Grants Panel and the Planning Committee. The Planning Committee still had 9 members, and replacement was not a priority, but the Grants Panel had only four remaining appointed Members, and there was a Panel sitting scheduled for 25<sup>th</sup> September. Following discussion, **it was resolved that:**

**FC2013/43.1** Cllr Eiloart be appointed to serve on the Grants Panel for the remainder of the 2013/14 municipal year.

e) forthcoming events were announced as:

- > 8<sup>th</sup> September – Mayor's event at All Saints – information morning about St Peter & St James Hospice 9.00 – 1.00
- > 15<sup>th</sup> September – Heritage Open Day – tours at 11.00 – 1.00 – 3.00
- > 21<sup>st</sup> September – Mayor's event at All Saints – Art Auction
- > 22<sup>nd</sup> September – Allotment Show
- > 23<sup>rd</sup> September – Mayor's Afternoon Tea 3.30 – 5.00
- > 4<sup>th</sup> October – Concert at All Saints with Ouse Valley Collective and Band from Waldshut-Tiengen – 7.30
- > 5<sup>th</sup> October (it was noted that a September date in Viva Lewes was wrong [their error]) – “*WT-pur: Die Show*” in Lewes at All Saints – 7.00 – featuring the Ouse Valley Collective, Miles Jenner and Jazz Eaton – presented by Waldshut-Tiengen Council with Lewes Town Council.  
A party of 24 were travelling from Waldshut-Tiengen to present this show; an “anglicised” and shortened version of the audio-visual event held in W-T last November with great success. This would include technicians; musicians; and Councillors and officers from W-T Council, and Oberburgermeister Martin Albers hoped to travel with them.
- > 13<sup>th</sup> October – Mayor's Concert given by Lewes Concert Orchestra in the Town Hall – 2.30

**FC2013/44 MINUTES:**

The minutes of the Council meeting held on 25<sup>th</sup> July 2013 were received and signed as an accurate record.

**FC2013/45 WORKING PARTIES AND OUTSIDE BODIES:**

Members were reminded that anyone who may have attended a meeting of any recognized outside body which had covered issues that deserved attention by the Council, should ensure that TC was aware of this before the meeting, and preferably before the agenda deadline. Reports on all activities of the organization were not expected.

a) *Land adjoining Malling Community Centre – meeting with local residents etc 29<sup>th</sup> July 2013:* TC recounted this meeting, which had been attended by several residents and users of the Centre; including the Chairman of the Malling Community Association and the Chairman of the recently-formed Malling Residents and Tenants Association. The District Tree & Landscape Officer also attended and offered valuable advice. The mood had been very positive, and the suggestions presented for future use of the land ranged from a very informal community orchard to a formally-landscaped tranquil garden, and included ideas for facilities such as outdoor gymnasium equipment or a permanent barbeque pit and support for Scouts to erect temporary encampments. The group had been advised that the Council's delayed project for refurbishment of the Centre would re-start now that the ESCC Children's Centre was completed, and

that the ideas expressed would be considered in more detail once design feasibility assessments were underway. Routine maintenance was now established for the newly-grassed area.

- b) *All Saints Steering Group 13<sup>th</sup> August 2013*: Councillors received the minutes of this meeting, which described the Steering Group's consideration of a detailed analysis of film screenings over the first "year" of the *Film@AllSaints* operation. Seventy-six film titles had been shown over 131 screenings across 34 weekends, with audiences of 3,436 in aggregate. Members had been interested to see the breakdown of tickets sold in various categories, together with costs for overheads and the trading performance of the refreshment kiosk. As had been noted in an earlier meeting, there had been recognized difficulties with some aspects of publicity and slow growth in audience numbers, although the overall financial performance of the operation had run consistently very close to "break-even", with an overall loss of £241 presented. Subsequent to this discussion, it had been recognized that the analysis presented did not show all credits attributable to the shared cost of some advertisements. Taking this in to account, the operation had made an overall *surplus* of £257. This had been achieved with audience numbers for individual screenings ranging from 2 to 97, with an average of 26. This suggested that even a modest increase in numbers would notably increase the amount of surplus. The discussion had moved on to consider the impact of technological change in the sector. Although films in 35mm reel format would soon cease to be available, progress toward digital packaging was slower than anticipated. Releases of "popular" films would continue on DVD/Blu-ray disc, and this had stimulated a return to an earlier discussion as to future options, and about issues such as the anticipated planning application for a small multi-screen purpose-built cinema at the Harvey's depot site. Costs and options regarding up-to-date digital projection equipment had been researched, and were considered prohibitive in the current situation. The consensus was that *Film@All Saints* should continue for a further year on the current basis before any longer-term decisions were made. It was noted that lighting and acoustic improvements, which had been designed with assistance from local experts, were scheduled for the current financial year, and provision had been made in agreed budgets. Refinement of options was underway, and more detail would be presented to the next meeting. This project would bring significant improvements for all users of the Centre, as the current installation was extremely outdated. Cllr Milner had kindly offered his considerable professional expertise in this field to help assess incoming suggestions and cost estimates. There had also been a brief discussion regarding a presentation of usage statistics for the Centre, which showed hours booked in both halls continued the trend of gradual, slight, increase year-on-year. The current position showed that approximately 83% of the *theoretical* total licensed operating hours were booked. This was very close to the *practical* maximum that could be achieved, as void periods were required between many events. **It was resolved that:**

**FC2013/45.1** The recommendations of the All Saints Steering Group arising from its meeting on 13<sup>th</sup> August 2013 and presented to council on 29<sup>th</sup> August 2013, are agreed in that the performance to date of the *Film@All Saints* project is noted, and the operation shall continue on the current basis.

- c) *Pells area considerations*: Councillors received report FC006/2013 (*copy in Minute book*), which apprised them of the outcomes arising from a programme of discussion regarding the Pells area, held on 14<sup>th</sup> August. The report was accompanied by a visual presentation, using many of the elements presented on that day. The discussion programme had spanned most of the day, and had been attended by several Councillors; members of the Pells Pool Community Association (PPCA); Pells Residents' Association (PRA); architects; officers of the Council and representatives of the Santon Group, developers of the adjacent North Street Quarter. The programme

had included:

(i) *Pells area flood defence and enhancements*: Santon representatives, including retained architects and engineers, had presented an outline of their work so far on establishing an outline plan for their development. This inevitably touched-upon the adjoining Pells land and led to an interesting set of options, driven by assessment of public use of the area and by design; and constrained by the underlying need for appropriate flood-resilience and flood-defences to be inbuilt. The consensus was that only one option (No.4 as presented) was suitable, and that council should be asked to confirm this view, to allow final planning to be refined.

(ii) *lake ecology improvements*: The Town Council holds an earmarked financial reserve (R5), being the residual balance of an Environment Agency (EA) grant for fisheries and ecology improvements, originally made to Lewes District Council and transferred with the land. The original project had installed anchored wire “cages” planted with suitable aquatic plants, and fringed the permanent islands with reed bundles. The principles were that the planting would provide ecological micro-systems for many insect and invertebrate species; improve and maintain water quality, and offer physical sanctuary for fish-fry and young waterfowl to shelter from predators. The original planting was believed to be sub-standard, and only one cage survived in poor general condition. Estimates had been obtained for restoration of the surviving cage; provision of additional cages, and provision of protected (netted) areas to provide a nursery for water-lily propagation. The assembly had warmly welcomed the suggested improvements and agreed that these would be promoted to Council.

(iii) *Play area equipment*: It was recognized that the existing play area equipment and the timber “trim-trail” elements were overdue for replacement. The general enhancements for the area being discussed presented an opportunity to introduce more sophistication; both in the type and age-range of children’s equipment that might be selected and also the addition of adult outdoor exercise equipment and/or youth-shelter or “bandstand” facilities. Slides showing various alternative styles and types were shown, which generated much interest.

(iv) *Pells Pool kiosk refurbishment*: Ideas were introduced, representing local architects’ response to an original “brief” given by the PPCA (previously discussed in liaison meetings). The original brief arose from the jointly-agreed vision document prepared in 2007, and it had become clear from the presentations earlier in the day that this might be more limited than was now envisioned. Enhancements to the general area that would ensue from the Santon Group developments, and any additional attractions provided by way of equipment, would almost certainly alter the usage of the building, which currently concentrated exclusively upon patrons of the swimming pool. Whilst it had always been intended to cater for users of the recreation ground and parkland in any revisions, this context was now considerably more important, and the likelihood of third-party funds to augment such a project was improved. The general consensus was that the architects had all provided very interesting interpretations of a theme, and that these were all along the right lines; however, the implications described above meant that this project should be reserved for a short while until those issues were clearer.

Council was asked to confirm its preferred direction on all the issues discussed, to inform any joint-working with Santon and others on individual elements.

Following questions and a detailed discussion, **it was resolved that:**

**FC2013/45.2** Lewes Town Council confirms its approval-in-principle of the flood-defence and general works proposals for the enhancement of the public realm in the area of the Pells; presented by representatives of the Santon Group on 14<sup>th</sup> August 2013 and described as “option 4”. The Council will work jointly with the Santon Group and others to pursue these ideas.

**FC2013/45.3** The Pells Lake environmental enhancement project as presented to Council on 29<sup>th</sup> August 2013 and described in report FC006/2013 (*copy in minute book*) is approved; to be funded from the financial reserve earmarked for that purpose and shown as R5 in the Council's published accounts.

**FC2013/45.4** Lewes Town Council agrees to defer, to a later date, consideration of a range of options for the "design philosophy" it wishes to pursue for replacement of play equipment and any additional features for the Pells Recreation Ground.

**FC2013/45.5** Lewes Town Council agrees to develop an enhanced design brief for the refurbishment of the pool kiosk, to recognize public realm proposals for the area.

- d) *Audit & Governance Panel 22<sup>nd</sup> August 2013*: Council considered the minutes (*copy in minute-book*) of this meeting. The Panel had been furnished with detailed information following the end of the first quarter of the financial year 2013/14. This showed actual expenditure and income values as posted to the Council's *Sage* accounting system and included all transactions processed to the end of the quarter. There had been some discussion on salient points of detail, and TC had responded with reference to the identified sources. Variations were related to known events, such as specific payments in respect of works and purchases, or stock-taking adjustments. There were no items of concern. Consequently **it was resolved that:**

**FC2013/45.6** The minutes of the Audit & Governance Panel 22<sup>nd</sup> August 2013 are noted (*copy in minute-book*).

- e) *Working group on devolution of assets and services*: The working group had met on 30<sup>th</sup> July and Council received an oral report summarizing the current position with regard to negotiations with Lewes District Council.

Parish Councils were being provided with up-to-date financial data on the areas within their parish affected by the District-wide contract for Grounds Maintenance. This contract was currently under scrutiny regarding re-tendering, as it was due to expire in March 2014 (although an extension was being negotiated). LDC's cabinet had recently proposed a scheme to recover the costs of these discretionary contracted services by means of direct "special expenses" charges to each parish, moving away from the convention of distributing them evenly across the District. TC explained the principles underlying this legislation (provisions of Section 35 (2) (d) of the 1992 Local Government Finance Act).

The implications of this scheme were that the total cost of the contracted services across the District (currently £845,429) would be recharged to the parishes direct in relation to the sites and activities within their parish. The individual effects shown in examples provided, based upon current costs and Band 'D' rates of Council Tax, gave a nett *reduction* of around £25 per Band 'D' taxpayer in nearly all parishes, with a few saving slightly less, but two - Lewes and Newhaven – carrying an *additional* £56 and £27 respectively. This reflected the disposition of the recreation sites and open spaces within the District. Lewes would bear a direct recharge of £465,588.

It had hitherto been accepted that facilities often serviced more than their own local area, as many sports and recreational pursuits crossed the parish boundaries and there were many sport and other clubs who belonged to District-wide and Regional leagues. Further; it was mooted that if this particular discretionary service was to be subject to a special expenses regime, it should be applied to other areas such as car-parking, which had potential to offset costs with surplus revenues. In the case of Lewes areas, matters were further complicated by the existence of two charitable Trusts; one for the Stanley Turner ground and one for Convent Field. Up-to-date costs for all contracted services and the District Council's overheads were being prepared, and TC would obtain these shortly. It was generally agreed by the group that if the taxpayers of Lewes were to be directly charged for parks and open spaces in any event, the Town Council could offer better local control over the sites if it accepted ownership

through devolution, and transfer of the Trust responsibilities where relevant.

Devolution of sites would require, at least in the short- to medium-term, that the expertise of the District Parks Dept remained available under a management agreement. It had been agreed that the possibility of direct charges for parks & open spaces conferred an immediate priority on those assets, which superseded the previous informal prioritization for discussion that had been agreed by the Group. Issues such as other buildings; WC's and off-street carparks could await further discussion.

The Group had agreed that Council should be asked to mandate this general approach, to allow and inform a meeting with the District Council to define points of potential agreement. A full report would then be brought to the Council, in November.

Council discussed this important issue in some depth, and a range of views were expressed. TC elaborated upon the information presented, and advised that the sums referred-to were only part of the overall cost of ownership; there being capital responsibilities associated with land and buildings in addition to the quoted cost of contracted grounds maintenance. Special Expenses were not a new concept; it was not uncommon nationally and the principle had been considered by previous Lewes District administrations. The Town Council's working group had been alert to the possibility from the outset of discussions in late 2010. Central Government's perspective on levels of local Council Tax were mentioned; in particular the potential for the future imposition of a capping regime. This remained a possibility, although there were established protocols related to the transfer of major assets and services, which was encouraged by government, and happening with increasing frequency across the country.

Further to this discussion **it was resolved that:**

**FC2013/45.7** Lewes Town Council agrees to remain within the District Council's current grounds maintenance contract should an extension be agreed to March 2015.

**FC2013/45.8** The Council's devolution working group is mandated to proceed in discussions with Lewes District Council on the basis presented to Council on 29<sup>th</sup> August 2013 and described in these minutes, that is to explore the detailed implications of acceptance of ownership of Lewes sites currently included within the contract for grounds maintenance services.

#### **FC2013/46 FRACKING PROPOSALS:**

Council considered a motion (*NOM007/2013; copy in minute book*) seeking Council sponsorship of a public debate on natural oil/gas abstraction by hydraulic fracturing – known as “fracking”. There was some debate, during which it was noted that debate was already widespread in the public domain. It was suggested that the Council might be perceived as a “neutral host” for planned public meetings, although this was countered by the fact that it had previously recorded its concerns on the principle.

Following further discussion and declarations of various points of view, it was decided that the Council should not assume the role of “host” at the imminent public meeting already pre-arranged (by third-parties) at the All Saints Centre. Discussion continued and eventually the original proposal was modified and it was moved that a Working Party be formed to pursue the issue, and a vote was called to decide this. This proposal was **not carried**. (*A record was requested of the vote on this item, which is appended to these minutes*).

**REPAIRS at STANLEY TURNER RECREATION GROUND:**

Council considered a proposal (*NOM008/2013; copy in minute-book*) that an urgent contribution of £2,000 be made towards the costs of a project to improve drainage of the cricket outfield. Several members asked why the issue was not the subject of a grant application, and asked for more background information to support the proposal and explain the urgency. TC was able to advise on the background: It was understood that the opening of the playing season had been significantly delayed due to flooding, and that this happened in the event of a particularly wet or protracted Winter/Spring. It had been suggested that an additional section of underground drainage pipe might alleviate the problem. Lewes District Council (LDC) had reimbursed the Priory Cricket Club for losses this season, as a goodwill gesture, but made clear that there was unlikely to be any effective solution to the problem without raising the ground level of the outfield significantly (less than half a metre would be ineffective) and this was impractical. The underlying problem was that the entire surrounding area lay at roughly the level of the water-table in a wet winter. Should there be any compromise to the outflow of the local land-drain network, the area would inevitably flood. Site-plans were exhibited which clarified these points. The additional drainage pipe was considered unlikely to offer much relief, but LDC had offered a contribution of £1,000 to the club if they wished to go ahead. There was a lengthy discussion on the merits of the proposal, and the motion was ultimately amended to advise the cricket club to apply to the Council's grants scheme. Consequently **it was resolved that:**

**FC2013/47.1** Lewes Priory Cricket Club shall be advised that any request for financial support for a proposed project to improve outfield drainage at the Stanley Turner Recreation Ground should be made in the form of an application to the Council's standing financial grants scheme. (*A record was requested of the vote on this item, which is appended to these minutes*)

**DEVOLUTION of ASSETS & SERVICES:**

A proposal was tabled (*NOM009/2013; copy in the minute-book*) that the Council should invite representatives from each of the town councils in Lewes District to meet in Lewes to discuss issues around devolution from the District Council. It was suggested that the Mayor, a lead member and the town clerk for each council be asked to attend. It was suggested that there may be benefit for the towns to discuss the possibility of a common approach in negotiations with the District Council and options for commissioning shared services in respect of some of the devolved assets. It was acknowledged that much of the discussion on this subject earlier in the evening had been relevant to this proposal. There followed a short discussion on the practical options for any joint approach or future joint working, and there was some concern expressed regarding the timing of this suggestion and the need to avoid pre-emption of imminent discussions between the Council's appointed working group and LDC. The matter of discussions regarding joint interest was generally described as premature, and several members proposed deferral. An amendment was agreed and **it was resolved that:**

**FC2013/48.1** Lewes Town Council resolves to invite representatives from each of the town councils in Lewes District to meet in Lewes to discuss issues around devolution from the District Council at a point in time when it is felt appropriate, if recommended by the Council's negotiating group.

**UPDATE ON MATTERS IN PROGRESS:**

Members were advised that there was nothing of note to report on ongoing projects, that had not effectively been mentioned earlier in the evening.

With regard to the claim registered with the employment tribunals service by the former Assistant Manager of the All Saints Centre, the ETS had notified that a private case-management meeting with an employment judge had been scheduled. This was welcomed, and the outcome would be reported in due course

TC recounted an attempted theft of lead from the roof at the rear of the Town Hall, which had been thwarted by a vigilant neighbour.

**FC2013/50**

**NOTICE OF ITEMS IN PROSPECT:** Members were advised of the following:-

- a) There would be various meetings to be arranged and dates (probably running from mid-October) would be established when TC returned from holiday
- b) The Grants Panel would next meet on Wednesday 21<sup>st</sup> September, at 5:30pm in TC's office.
- c) The Council's Planning Committee would next meet on Tuesday 17<sup>th</sup> September, at 7:00pm in the Yarrow Room.
- d) The next meeting of the Council was scheduled for Thursday 3<sup>rd</sup> October 2013 at 7:30pm, in the Council Chamber, with the deadline for submission to the Town Clerk of proposed items for the agenda being noon on Monday 23<sup>rd</sup> September.
- e) Members were reminded of the deadlines applied to agenda items, and TC asked all individuals and organizers of party group meetings to ensure that prospective items were prepared in good time. It was further noted that motions *must* be presented coherently, phrased as clear points of decision and with adequate supporting information and background detail for colleagues to decide upon the extent of further research needed, if any, to prepare for an informed debate.

**FC2013/51**

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

*The meeting ended at 10:15pm*

Signed: .....

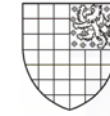
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**VOTING RECORD SHEET**

**MEETING of: Council**

**date: Thursday 29<sup>th</sup> August 2013**



**LEWES  
TOWN  
COUNCIL**

**Please note:** this is a record of voting *where this has been requested* under Standing Order 1(s) [following provisions of Local Government Act 1972 Sch12 p13 (2)]

Agenda item	MOTION or AMENDMENT VOTED UPON	Ind	LD	Ind	LD	LD			LD	LD	LD	LD	Green	Green	Ind	Green	Ind	LD	LD	No. FOR	No. AGAINST	Carried ? Y/N
		CATLIN (Wischhusen)	CHARTIER	DALY	DEAN	EILOART	LAMPORT	LI	MacCLEARY	MILNER	MURRAY R	MURRAY S	O'KEEFE	PRICE	RUDKIN	STOCKDALE	TURNER					
7	Proposal to form Working party to learn more about "Fracking"	*	NP	NP	*	A			*	A	NP	✓	✓	*	✓	*	*	*	*	3	8	N
8	NOM008/2013 Amended: advise Lewes Priory Cricket cLub to make application to grant scheme	✓	NP	NP	✓	✓			✓	✓	NP	✓	✓	✓	✓	✓	✓	✓	✓	13	0	Y