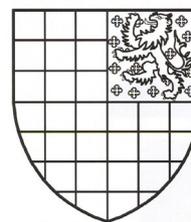


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**LEWES  
TOWN  
COUNCIL**

## ***MINUTES***

Of the **meeting of Lewes Town Council**,  
held on **Thursday 24<sup>th</sup> January 2019**, in the **Council Chamber, Town Hall, Lewes** at **7:30pm**.

**PRESENT** Councillors A Ashby; J Baah (*Mayor*); A Barker; R Burrows; S Catlin (*Wischhusen*); M Chartier; J Lamb; I Makepeace; Dr G Mayhew; M Milner; R Murray; S Murray (*Dep<sup>y</sup> Mayor*); R O’Keeffe; T Rowell.

*In attendance:* S Brigden (*Town Clerk*); Mrs F Garth *Civic Officer and Asst. Town Clerk*) and Mrs E Tingley (*Committee Admin.*)

*Observing:* Mr B Courage (*Town Ranger*) and Ms V McLachlan (*Finance Officer*)

Council’s Chaplain, Canon Richard Moatt, offered a few words before the meeting reflecting upon pivotal moments in history, and reminding that “history judges us”.

**FC2018/79 QUESTIONS:** There were none.

**FC2018/80 DECLARATIONS of INTEREST:** There were none.

**FC2018/81 APOLOGIES FOR ABSENCE:** Apologies had been received from Cllr H Jones whose wife was unwell and Cllr Renton who had a work commitment. There had been no word from Cllrs Elliott or Watts.

**It was resolved that:**

**FC2018/81.1** The reasons submitted for absence from this meeting are noted.

**FC2018/82 MAYOR’S ANNOUNCEMENTS:** There were none.

**FC2018/83 MINUTES:**

**It was resolved that:**

**FC2018/83.1** Minutes of the Council meeting held on 13<sup>th</sup> December 2018 are received and signed as an accurate record.

**FC2018/84 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) Personnel Panel 9<sup>th</sup> January 2019:** Cllr Ashby, as Chairman of the Panel, presented the minutes of this meeting. The Panel had met to discuss a grievance brought by a member of staff. The Panel had recognised the grievance and decided to request that an inquiry into the grievance be made by professionals at South East Employers; the Council’s retained HR consultants. The grievance encompasses some of the issues raised in outstanding complaints. Any action on complaints pending or current would therefore be put on hold until the report from the inquiry into this grievance is complete and any recommendations are acted upon.

**It was resolved that:**

**FC2018/84.1** The Minutes of the Personnel Panel on 9<sup>th</sup> January 2019 (*copy in minute book*) are noted. Council approves the approach taken by the Panel and its conclusions, and agrees actions as described.

**b) Personnel Panel 2<sup>nd</sup> November 2018:** Cllr Ashby presented the minutes of this meeting, which had been convened to receive and discuss Cllr Burrows’ report on his investigation of a public complaint against a member of staff; to decide on any action to be taken, and to give initial consideration to a complaint received from three Councillors.

*Continues...*

The Chairman thanked Cllr Burrows for his very detailed report and asked for comments from members. Panellists concluded that it was an extremely good and fair independent report which had listened to both sides in detail and they were happy to accept Cllr Burrows' conclusions. The Panel asked to record their thanks to Cllr Burrows.

It was decided that the Chairman would write to both the complainant and the subject, enclosing a copy of the report, and explaining the conclusions reached: that the complaint was considered to be without foundation and there would be no further action taken. Members of the Panel then discussed the complaint received from Councillors with a view to finding a resolution. After much discussion the Panel agreed to invite the complainants to a meeting to listen to the points raised in their complaint. They would explain that as a formal complaint it was not valid, but hope that some of the issues raised would be addressed by other initiatives. The Chairman would draft a letter to the complainants explaining the Panel's decision, and also let the subject know the decisions reached and ask for any suggestions to address the problems.

Members then went on to discuss ways of avoiding similar problems in the next administration, one suggestion being to change the format of introductions following elections so that members engage better with each other and staff. They agreed to recommend to Council that the Personnel Panel, following its constitution after elections, is asked to prepare a "new councillors" seminar.

It was suggested that an independent facilitator would be helpful, and that a clear statement of the *status quo* should precede any 'brainstorming' – the aim being to instil a sense of collegiality.

**It was resolved that:**

**FC2018/84.2** The Minutes of the Personnel Panel on 2<sup>nd</sup> November 2018 (*copy in minute book*) are noted and Council supports the approach taken by the Panel and its conclusions as described.

**c) Audit Panel 12<sup>th</sup> December 2018:** Council considered the minutes of this meeting: The meeting had been convened to formally consider a complaint by a member of the public about alleged failures in Council processing of an earlier complaint about a member of staff, and was attended by the complainant ("person A") and a friend ("Person B"). The meeting began with some contention over declarations of prejudicial interest but in the event both Members concerned remained, in the interests of moving the meeting on. It was moved and resolved that any members of the press or public be excluded, and the Chairman explained the process to date in dealing with this complaint; the perceived faults, and his wish to go through the letter he had sent to the complainant and to discuss those points upon which they did not agree.

Cllr Barker explained what had taken place at the Personnel Panel in May 2018 as reported to Council in June, that being the informal stage of the relevant process. Person A again asked at what point the Panel were going to deal 'properly' with the complaint. Person B and the complainant requested a break for 10 minutes.

The Chairman acknowledged that descriptions of the Council's process could be made clearer; and this had already been recognized. The content of the complaints policy was discussed by the complainant and the Panel members.

The Chairman suggested that his letter to the complainant following the Panel's initial assessment, in September, be used as a starting point to the discussion. Person B asked that they start at the beginning of the process and the complainant reiterated a wish to return to the origin. The sequence of events to date was re-examined, and there was argument that the original complaint had been dealt with by the Personnel Panel and that this could not be revisited. Further discussion followed on the involvement of the police; the Council's Dignity at Work personnel policy; statements from two members of staff at the Personnel Panel stage; the Code of Practice in handling the complaint and the fact that the Council had acknowledged that the explanations given in some policies were in need of improvement.

The complainant had then made the following statement:

“We seek an acknowledgement that procedural errors have resulted in this complaint process being flawed and mishandled and that this has led to a breach of natural justice in that the complainant’s complaint has not been properly considered. The complainant is seeking written apology for the stress that the delays and procedural errors have caused, and feels that A has been ignored and asks for a written undertaking to properly and independently investigate the original complaint by way of redress.”

After a brief private discussion, the Panel agreed that there had been flaws and in the spirit of conciliation they would be prepared to appoint an independent investigator to re-open the original complaint against a member of staff, and that the outcome of that should conclude the matter with no further appeal.

**It was resolved that:**

**FC2018/84.3** The minutes of the Audit Panel on 12<sup>th</sup> December 2018 (*copy in minute book*) are noted although Council’s earlier resolution to agree the decision of the Personnel Panel (arising from its meeting of 9<sup>th</sup> January 2019), had the effect of suspending any further consideration or action pending the results of the South East Employers’ investigation.

**d) Friends of Lewes (FoL) liaison meeting 15<sup>th</sup> January 2019 :** Members considered the minutes of this meeting (*copy in minute book*):

*Peace Garden project (‘Magic Circle’):* FoL had introduced plans and 3D renderings of the proposed ‘Magic Circle’ redevelopment, and exhibited a sample of some planned materials. The space had been designed to be a multipurpose public space that could host a range of activities. There were plans to include an interpretation board to explain the long history of the site. The programme was on target and completion was expected by June. FoL understood that Lewes District Council now owned the land, and would be responsible for future maintenance.

*Interpretive plaques etc. for local buildings:* A first draft of a list proposed by FoL for additions to the plaque scheme was distributed. This had not yet been discussed by the Friends’ executive group, and it was agreed that this should happen before firm proposals were prioritized and put forward. Councillors offered their opinions on the suggestions, and these were noted by FoL representatives.

*Land at site of former Rifle Club:* FoL were interested to know the status of this site, and TC gave a brief overview of its history and a summary of the recent discussions with Lewes District Council *iro* their erroneous inclusion of part of the site in North Street Quarter development plans, which was actually owned by the Town Brook Trust (Trustee of which body is the Town Council). The Council had considered this matter recently, and enquiries were in progress with the Charity Commission to establish the Commission’s view on the exchange or disposal of some small areas of land to regularize the position.

*Riverside path East & South of Cliffe Bridge:* There had been no further progress on this idea, and it was noted that more detail of the proposed route and dimensions of a path would be needed to allow proper engagement with landowners. It was understood that UK Power Networks had no objections in principle to the route crossing their land, but they were thought likely to seek indemnities and/or transfers of some onerous aspects of riparian ownership, such as maintenance of an embankment/wall.

*Mount Place Wall:* It was understood that East Sussex County Council engineers had repaired some damage to the wall, and planned (probably in the next year) to strip render to assess the underlying condition.

*Lewes Neighbourhood Plan:* FoL representatives were interested to hear the latest position with regard to the Lewes Neighbourhood Plan, and a comprehensive answer was given. The Examiners report had been assimilated and consequent amendments to the Plan were expected to be completed shortly. The South Downs National Park Authority were expected to approve the amended Plan being submitted to public referendum. A date

had been set (7<sup>th</sup> March), and Lewes District Council had booked polling stations *etc.*

*Matters of general interest:* these had included FoL street plans, which were to be reprinted, having been updated, and updated editions of two FoL booklets (Inns and Twittens) were to be published shortly.

In answer to an enquiry regarding damage to the flint wall opposite Offham Terrace, it had been confirmed that this section of wall, and the redundant public WC built-in to it, remained in the ownership of Lewes District Council.

**It was resolved that:**

**FC2018/84.4** The notes of the Friends of Lewes liaison meeting held on 15<sup>th</sup> January 2019 (*copy in minute book*) are received and noted.

**e) Audit Panel 22<sup>nd</sup> January 2019:** Cllr Milner presented the minutes for Council to consider. It was noted that although the meeting was once again inquorate, the routine matters of oversight and verification had proceeded.

*Routine financial monitoring:* Members had been furnished with detailed information following the end of the third quarter of the financial year 2018/19.

*Budget monitoring update* – this showed actual expenditure and income values as posted to the Council's Sage accounting system for all transactions processed in the period. There was some discussion on salient points of detail, and TC responded with reference to the identified sources. Apparent variations were related to known events, such as specific payments in respect of works and purchases, or perceived 'overspend' which are attributable to Reserves in the final accounts prepared at year-end. There were no items of concern.

*Oversight as required by the Governance & Accountability Code of Practice:* The file of periodic bank reconciliations was introduced, for review of the scrutiny already conducted. The Chairman had appended his signature to verify this.

It was **resolved** that:

**FC2018/84.5** The minutes of the Audit Panel meeting held on 22<sup>nd</sup> January 2019 (*copy in minute book*) are noted.

**FC2018/85**

### **“SAVE LEWES SCHOOLS” CAMPAIGN:**

Members considered a Motion *NOM 009/2018* (*copy in minute book*) proposing that Lewes Town Council write to Maria Caulfield MP expressing support for the Save Lewes Schools Campaign and asking her to intervene by demanding a ballot of parents views before irreversible steps were taken.

It was said that parents in Lewes were expressing serious concerns and resistance to the idea of Priory School with its five 'feeder' primary schools being converted into a Multi Academy Trust. Their concerns started with alarm that the proposal was being advanced without informing and consulting them, and after extensive research and investigation the understanding that the decision-making process was further advanced and less transparent than it should be. The most persistent question parents in Lewes had been asking - "What are the benefits of MATs?" - remained unanswered, it was suggested.

After a wide-ranging debate, in which many Members participated, **it was resolved that:**

**FC2018/85.1** Lewes Town Council will write to Maria Caulfield MP expressing support for the "Save Lewes Schools Campaign" and ask her to join the Council in asking East Sussex County Council to cease to consider formal partnerships, and instead research and develop informal partnerships which already exist; and also lobby Central Government for increased funding for all schools in her Constituency.

**FC2018/86**

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

**a) Annual Plan update:** An update on progress on items in the Annual Plan was distributed (*copy in minute book*). Salient items were:

*Item 6:* Neighbourhood Plan (NP) – Mr Ian Linton, Chairman of the Lewes Neighbourhood Steering Group, gave an oral report. Mr Linton informed Councillors that the revised "referendum version" of the NP should be available on-line very shortly. The Examiner's report had been issued early in the New Year and

was complimentary, helpful and constructive, stating:

*“...the Plan includes a wide range of policies...  
...seeks to bring forward positive and sustainable development...  
...has a clear focus on identifying smaller scale housing...  
...designates a series of local green spaces...  
...supports the vitality of Lewes...  
...the affordable housing elements are well-considered...  
...it is evidence-based and well considered”.*

The plan and examiner’s recommendations had been reviewed by the South Downs National Park Authority (SDNPA) Planning Committee on 17<sup>th</sup> January and was accepted to pass to public referendum. Members of the committee had been extremely complimentary. The date set (by Lewes District Council, as Elections Authority) for the Referendum was 7<sup>th</sup> March 2019. A publicity campaign was in the process of being set out for the Referendum. Council thanked Mr Linton for all his work in connection with the NP and also thanked his predecessor Cllr Susan Murray.

*Item 8: Lewes District Council (LDC) devolution.* It was understood that LDC’s Devolution Committee had met recently and agreed in principle to the transfer of the recreation grounds under the Mountfield Road and Stanley Turner Trusts to the Town Council; approving further investigation with the Charity Commission. The Town Council’s other requests for consideration had related to buildings (2 Fisher Street and the Market Tower) and these were to be dealt-with separately by LDC as property matters. TC would pursue these requests and attempt to establish them as having some priority.

**FC2018/87 NOTICE of ITEMS IN PROSPECT**

*Members were asked to consider items, arising from this meeting, worthy of a Press Release, and indicated:*

- Neighbourhood Plan
- Letter regarding “Save Lewes Schools” Campaign

*Dates to note were given as:*

- a) The next Members’ Surgery was scheduled for Tuesday 5<sup>th</sup> February – 10:00am – 12:00pm in the Corn Exchange. Cllr Lamb volunteered to attend.*
- b) The next Planning Committee meetings would take place on Tuesday 5<sup>th</sup> February and 26<sup>th</sup> February at 7:00pm*
- c) The next Grants Panel would meet on 13<sup>th</sup> February – 4<sup>th</sup> (last) cycle of 4 for this year – deadline for applications: 1<sup>st</sup> February.*
- d) Referendum on the Lewes Neighbourhood Plan would take place on Thursday March 7<sup>th</sup> – polling stations as for elections 07:00 – 22:00.*
- e) The next Council meeting would take place on Thursday 7<sup>th</sup> March at 7:30pm, with a deadline for agenda items to reach TC by noon on Monday 25<sup>th</sup> February.*
- e) Meetings to be arranged were Diversity Working Party, UN Sustainability Working Party, Buildings Working Party and Policy Review Working Party.*

There being no further business the Mayor closed the meeting.

*the meeting ended at 9:20 pm*

Signed: .....

Date: .....