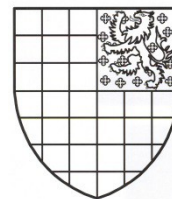


Town Hall
High Street
Lewes
East Sussex
BN7 2QS

☎ 01273 471469 Fax: 01273 480919

✉ info@lewes-tc.gov.uk

🌐 www.lewes-tc.gov.uk



**LEWES
TOWN
COUNCIL**

To All Members of Lewes Town Council

A Meeting of **Lewes Town Council** will be held on **Thursday 29th August 2019**,
in the **Council Chamber, Town Hall, Lewes** at **7:30 pm** which you are summoned to attend.

S Brigden, Town Clerk 21st August 2019

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 25th July 2019.

(attached page 3)

6. WORKING PARTIES & OUTSIDE BODIES

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

a) Report on meeting of East Sussex Association of Local Councils 1st August 2019

(oral report Cllr O'Keeffe)

b) Audit Panel meeting 13th August 2019

(Minutes attached page 10)

c) Commemorations Committee 27th August 2019

(oral report by the Chair)

d) UN Sustainability Goals Working Party 28th August 2019

(oral report by the Chair)

e) Requested changes to Member's appointed duties

(Report FC007/2019 attached page 12)

7. RETENTION of INTERNAL AUDITOR

To agree retention of the Internal Auditor for 2019/20

(Report FC006/2019 attached page 14)

8. TRAINING PROPOSAL

To consider a proposal for Climate Emergency training

(NOM012/2019 attached page 15)

9. URGENT TREE WORKS

To consider recommendations of the District Tree & Landscape Officer

(Report FC008/2019 page 16)

10. UPDATE ON MATTERS IN PROGRESS

(annual plan page 20, and oral report by Town Clerk)

11. NOTICE of ITEMS IN PROSPECT

(Oral report by Town Clerk)

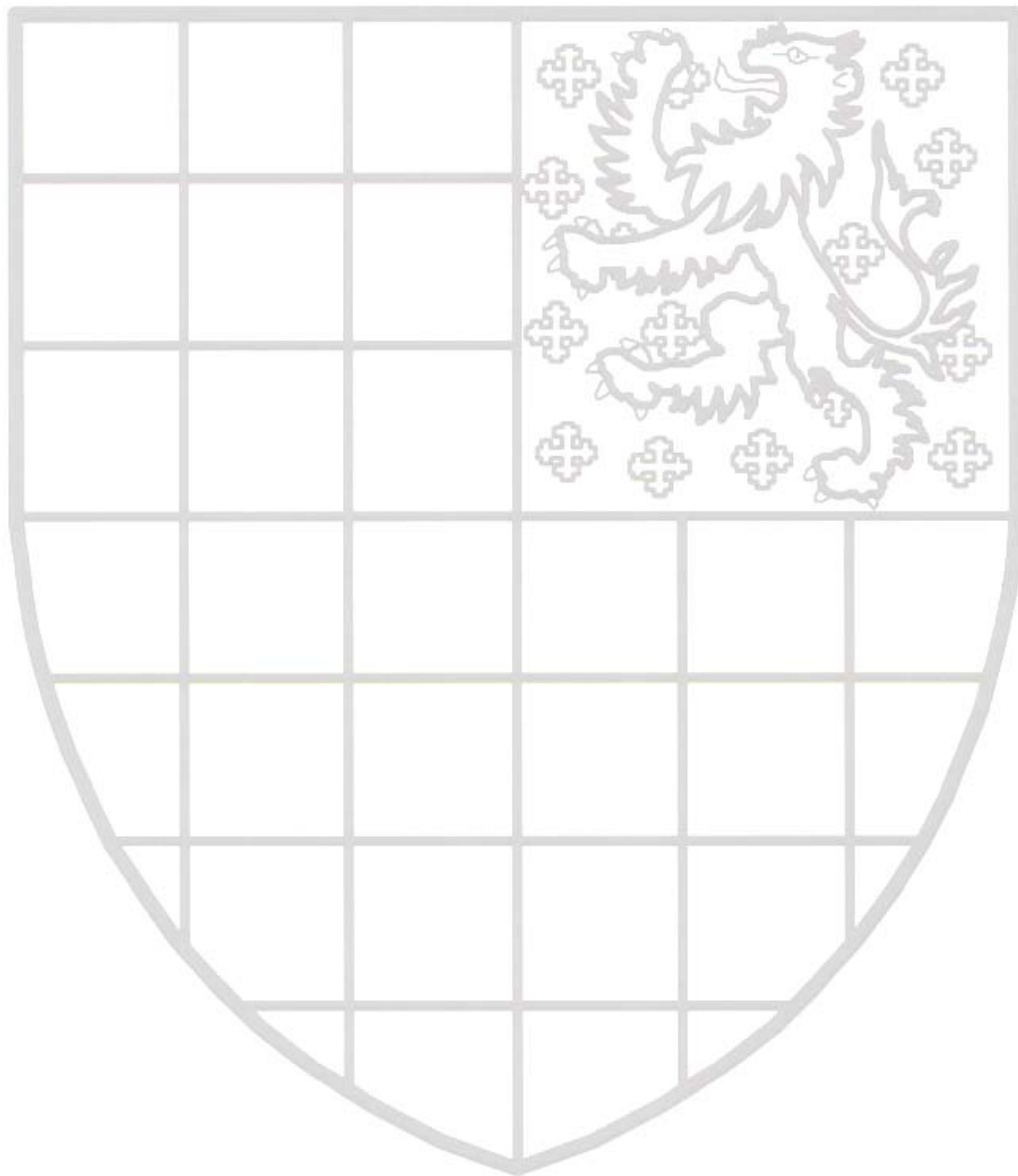
For further information about items on this agenda please contact the Town Clerk at the above address

This agenda and supporting papers can be downloaded from www.lewes-tc.gov.uk

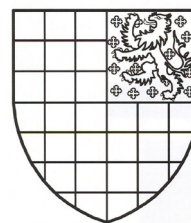
PUBLIC ATTENDANCE:

Members of the public have the right, and are welcome, to attend meetings of the Council – questions regarding items on the agenda may be heard at the start of each meeting with the Chairman's consent, 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 Mon- Thurs, 9am- 4pm on Fridays – when our staff will be pleased to assist.

PAGE INTENTIONALLY BLANK



PAGE INTENTIONALLY BLANK



MINUTES

Of the meeting of **Lewes Town Council**,
held on **Thursday 25th July 2019**, in the **Council Chamber, Town Hall**, Lewes at **7:30pm**.

PRESENT Cllrs J Baah; M Bird; R Burrows; S Catlin (Wischhusen); G Earl; R Handy; O Henman; J Herbert; J Lamb; I Makepeace; Dr W Maples; R O'Keeffe; S Sains; J Vernon; R Waring; K Wood.

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

Observing: Ms V McLachlan (*Finance and Admin. Officer*)

The Council's Chaplain, Canon Richard Moatt, offered a few words before commencement of the meeting, reflecting on how developments in technology meant that many things once done as a collaborative effort were now often done in isolation. He suggested that the 'loss of the team' could hinder the ability to solve problems.

FC2019/31 QUESTION TIME: There were 7 members of the public present.

A written question had been received regarding meetings of the Personnel Panel held on 19th June; 28th June and 11th July 2019. The question and the answer given are appended to these minutes.

FC2019/32 MEMBERS DECLARATIONS of INTERESTS: There were none.

FC2019/33 APOLOGIES FOR ABSENCE:

Apologies for absence were received from Cllr Dr G Mayhew who was on holiday and Cllr M Milner who had a family commitment.

It was resolved that:

FC2019/33.1 Reasons submitted for absence from this meeting are noted.

FC2019/34 MAYOR's ANNOUNCEMENTS:

a) Congratulations were offered to Cllr Waring, who had been elected to one of the two seats representing East Sussex Parishes on the South Downs National Park Authority, alongside Cllr Vanessa Rowlands of Cuckmere Valley Parish Council.

b) The traditional annual Bowls match would be held at the Tilting Ground on 3rd August 2019. Members were asked to inform Fiona if they wished to attend.

c) The Lewes Youth Band, which had newly formed, would be holding their first concert on 23rd August at 6.30pm at the All Saints Centre. There would be an opportunity for audience members to conduct a piece and a world premiere of a new composition.

d) Heritage Open Day would be on Sunday 15th September with tours of the Town Hall at 10.00am, 12.00pm and 2.00pm. Cllr Dr G Mayhew and Michael Chartier would be leading the tours.

e) On Thursday 19th September a "Sustainable Lewes" summit would be held in the Council Chamber, for United Nations Climate Action Day organized by the Mayor and Cllrs Baah and Henman. The aim of the event was to start a discussion on how Lewes could respond to sustainability goals that the United Nations had set. Invited were groups representing the town and all Members would be very welcome. On the 24th & 25th September the United Nations was to meet to review the 17 sustainability goals and how well they are being implemented.

f) The annual Allotment Show would be held in the Town Hall on 22nd September from 2.00 – 4.00pm.

g) On Thursday 31st October there would be an exhibition of assistive technologies involving around a dozen local companies plus disability groups. Members support would be welcomed.

FC2019/35 MINUTES:

It was resolved that:

FC2019/35.1 Minutes of the Council meeting held on 20th June 2019 are received and signed as an accurate record.

FC2019/36 HIGHWAY BOLLARDS:

It was proposed (*NOM011/2019, copy in minute book*) that the Council should agree to fund the replacement of three cast iron 'conservation design' bollards at the end of Southover High Street near the Swan public house; to aid pedestrian safety, the estimated total cost of £1,600 nett to be funded from an appropriate earmarked financial Reserve.

It was stated that there was a need for bollards to protect pedestrians and the houses at the end of Southover High Street near the Swan public house. Large vehicles rounding the corner from the Kingston Road into Southover High Street regularly mounted the pavement, coming close to pedestrians and sometimes so far as to impact the houses. The situation had become worse recently and East Sussex County Council had agreed on siting for bollards. Local residents were very keen to have these bollards installed as they felt unsafe on the pavement, which was part of the walk to school for children from the Kingston Road area going to Western Road and Southover Primary Schools and on to Priory school.

ESCC had released a quotation for the work from a fully qualified and highways accredited contractor to install three bollards at a cost of £1,600 + VAT (£1,920), and it was proposed that the Town Council might fund this.

Subsequent to this proposal being submitted for the meeting, however, another house had been hit in the area and ESCC had investigated the situation, and it was reported that they planned to install bollards at their own expense.

The Motion was therefore withdrawn.

FC2019/37 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 19th June 2019 (and adjournments 28th June & 11th July 2019): Cllr Wood, as Chair of the Panel, reported that at these meetings all panel members had read the report of the independent investigator regarding a staff grievance and two complaints regarding a member of staff. The report had been discussed at great length by the panel, which offered several recommendations which would be debated at the end of the meeting (*item 12 on the Agenda*) in confidential session. At this point the Mayor thanked Cllr Wood and members of the Personnel Panel for the time and effort they had taken over these matters.

It was resolved that:

FC2019/37.1 The oral report on the Personnel Panel meetings of 19th & 28th June and 11th July 2019, is noted.

b) Lewes District Association of Local Councils (LDALC), AGM 10th June 2019: Cllr O'Keeffe reported on this item. Cllrs O'Keeffe and Catlin had attended this meeting as Lewes Town Council's appointed representatives. Cllr Catlin had been elected Chair of LDALC and Cllr O'Keeffe as the Vice-Chair, and both had been appointed to serve as Directors of the East Sussex Association of Local Councils (ESALC) – a component of Surrey and Sussex Associations of Local Councils (SSALC). Cllr O'Keeffe had subsequently attended a meeting of ESALC and was elected as Vice-Chair of that body. In October Cllr O'Keeffe was to attend a NALC conference in Milton Keynes.

It was resolved that:

FC2019/37.2 The oral report from the Council's representatives on the Lewes District Association of Local Council be noted.

FC2019/38 **TRANSPORT MATTERS:**

A motion (*NOM010/2019 copy in minute book*), proposed that Lewes Town Council should establish a Transport Committee, to further the work of earlier working parties.

Lewes Town Council had maintained a project-focussed Traffic Working Party for several years and had been successful in providing pedestrian crossings, commenting on the parking scheme, working with bus operators and acting as a facilitator in encouraging disparate groups in and around Lewes to work together on transport related issues. The Working party structure was not permanent, however, and a new standing committee was felt to be a better format to address the continuing need for particular attention to these areas, which represents a volume of work which could over-burden the Planning Committee (within whose remit some of these matters would otherwise fall). The original remit evolved to include strategy and sustainability issues, and a standing Committee was better suited to looking at long term vision and prospects.

Recently there had been much concern and correspondence about speeding on the A26 including discussions with Town, District, County Councillors and residents. The first Transport Committee meeting should centre around speeding issues.

It was resolved that:

FC2019/38.1 Lewes Town Council will establish a Transport Committee, with a remit to:

- › Work with statutory bodies (including LDC and ESCC), agencies, community groups and stakeholders on transport related issues.
- › Facilitate a Lewes transport policy that is both sustainable and integrated. This would use the work prepared during the drafting of the Lewes Neighbourhood Plan and earlier work by the Town Council's Traffic Working Party on a 'Lewes transport forum', as a starting point:
- › Work with residents and businesses to consider and possibly fund traffic measures such as crossings, signage and speed limits.
- › Continue to monitor the LTC-funded Compass bus service, reporting back to Council.
- › Work with the Council's Planning Committee, ensuring that any recommendations are reviewed before consideration by Council.

FC2019/38.2 Cllrs Baah, Bird, Catlin, Handy, Henman, Herbert, Makepeace, Milner, O'Keeffe, Vernon and Waring be appointed to serve on the Transport Committee.

FC2019/39 **UPDATE ON MATTERS IN PROGRESS**

- a) *Annual Plan update distributed:* An update on progress with the Annual Plan was distributed (*copy in minute book*) and TC elaborated on various salient points.
- b) *Malling (Bridgeview) Community Centre:* the preferred contractors had been asked to re-align their tender as costings for some items were not categorized appropriately. A date would be set for a meeting of the Buildings Working Party at which point there would be a discussion on details of the next stages.
- c) *Pells Lake* – an ecology report on the Pells lake in 2014 had given rise to a plan for improvements which was on-hold pending local engineering works associated with the North Street Quarter development, but was expected to re-start in the near future.
- d) *Lewes Neighbourhood Plan* – Mr Ian Linton, co-opted Chairman of the Council's Neighbourhood Plan Steering Group, attended to offer a final review of the position since the 'making' of the Neighbourhood Plan by the planning authority. Mr Linton noted that the Plan would now serve to influence the thinking of potential developers and planners when considering the future shape of the town. He reminded Members of the long process undertaken to achieve this and noted his thanks and admiration

for those who had begun the work before his accession to the Chair and all members of the Group for their time, effort and commitment.

It was resolved that:

FC2019/39.1 The oral report on the status of the Lewes Neighbourhood Plan is noted.

FC2019/39.2 In noting the Chairman's report and formally closing the Neighbourhood Plan Steering Group, Councillors record their grateful thanks to all concerned in the development of the Plan, and to Mr Ian Linton for his personal contribution.

- e) *Devolution:* TC gave a brief summary of the history of devolution negotiations with Lewes District Council (LDC) and it was **resolved** that:

FC2019/39.3 Lewes Town Council will establish a new Devolution Working Party

FC2019/39.4 Cllrs Burrows, Catlin, Earl, Henman, Mayhew and Ward be appointed to serve on the Devolution Working Party

- f) *IT system* – Corporate E-mail addresses would be issued to Cllrs with guidance notes, once the new IT system was installed and fully tested.
- g) Cllr Waring reported on his election to the South Downs National Park Authority. His role would involve looking for a vision for the whole area of the Park to include facilitating groups (eg farmers) who could work together. He hoped to address diversity within the authority and to visit all parishes with his East Sussex colleague, Cllr Vanessa Rowlands of Cuckmere Valley Parish Council.

FC2019/40 NOTICE of ITEMS IN PROSPECT

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

The establishment of a Transport Committee and Devolution working party.

Dates to note were given as:

- Planning Training, primarily for Planning Committee members but open to all, would take place on Monday 5th August in the Council Chamber with refreshments from 6.30pm; session commences at 7.00pm.
- The next Member's Surgery would be between 10am-12noon on Tuesday 6th August in the Corn Exchange (corner of Market café) Cllrs Maples and O'Keeffe volunteered to attend.
- The next Planning Committee meeting would be at 7:00pm on Tuesday 13th August 2019.
- The Audit Panel would meet at 7:00pm on Wednesday 14th August to conduct the first routine review of the 2019/20 year.
- The next Council meeting would take place on Thursday 29th August at 7:30pm, with a deadline for agenda items to reach TC by noon on Monday 19th.
- The next deadline for grant applications would be on 6th Sept, for a Panel sitting on 18th Sept – Council decision 3rd October. If Members know of any organization who may be planning to apply, they are encouraged to draw their attention to these dates (dates for all 4 cycles are on the cover of the Application Pack, available on the website).
- Meetings to be arranged:* ASC Steering Group; Commemorations C'ttee; Landport Bottom Management Cttee; Buildings W/pty; Land Exchange W/pty; UN goals W/pty; Public Engagement W/Pty; Equality/Diversity/Inclusion W/Pty.

FC2019/41 EXCLUSION of THE PRESS & PUBLIC:

The Mayor proposed, and **it was resolved that:**

FC2019/41.2 "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 *etc.* any members of the press and public present be excluded and instructed to withdraw. Further: anyone making any unofficial recording or transmission of the meeting is instructed to terminate that process. The nature of the business is – consideration of staff matters."

FC2019/42 | PERSONNEL PANEL RECOMMENDATIONS:

The Personnel Panel presented their findings following in-depth consideration of the report by an independent consultant into a grievance registered by a member of staff in early January 2019. The investigation had been conducted by the director of the South East Employers organization; one of nine regional employers' organisations in England specialising in local government Human Resources matters.

The report covered a serious employee grievance against the Council in the previous administration and reviews of two complaints pursued against a member of staff. The Panel had met three times to consider the matter – adjourning twice due to the depth of the matters raised. They had the benefit of a report from the previous Mayor and past councillors who had liaised with the investigator in the final presentation of her report. The Panel made recommendations arising from those of the investigator and stated that it would especially like Council to note comments that provided context for future standards, policy and behaviour.

The aggrieved employee stated that, although having some misgivings regarding the interpretation of areas of the consultant's report and the omission of some factors, they would not wish to encumber a new administration with burdens arising from the previous Council and would not object to the Panel's recommendations as-presented.

Employee grievance:

This was addressed as seven key allegations:

- 1 Council's failure in its statutory duty of mutual trust and confidence in the employment relationship. *Allegation upheld.*
- 2 Council's failure to address issues of stress in the workplace. *Allegation part-upheld.*
- 3 Bullying and victimization of staff by councillor. *Allegation upheld.*
- 4 Failure of Councillors to observe the Code of Conduct in regard to appropriate respect for others. *Allegation upheld.*
- 5 Council's failure to properly observe own policies/procedures; ACAS Code of Practice and employment legislation. *Allegation upheld.*
- 6 Breaches of confidentiality by some Councillors and collusion with others and members of the public in supporting complaints. *Allegation upheld.*
- 7 Unjustified complaints by Councillors as to personal and professional behaviour, not properly dealt-with by the employer. *Allegation part-upheld.*

Complaints against a member of staff:

One complaint was made by a Councillor regarding the officer's response to breaches of confidentiality by the Member. This was in two parts – a question as to whether the Member was the only one to breach confidentiality, and an allegation of officer misconduct in responding to the breach. The Panel *upheld* part one of this complaint as they believe that the Member was not alone in breaching confidence. They did *not uphold* part two in that there had been no unfounded accusation; nor unfair or malicious slur on character made by the officer, as alleged.

The second matter of complaint involved a review of the handling of a complaint originally made in early 2018 by a member of the public and claiming a number of points including defamation. The matter had passed through several stages, none of which had satisfied the complainant. The Panel support the findings of the independent report and this complaint is *not upheld*.

Recommendations arising:

In the matter of the complaints the Panel recommended, and

It was resolved that:

FC2019/42.1 Letters shall be sent by the Chair of the Personnel Panel to the complainants concerned with matters in the independent consultant's report, as reported to Council on 25th July 2019 in confidential session; notifying them of the outcome of the investigation.

In the matter of employee grievance, the Panel recommended, and

It was resolved that:

FC2019/42.2 In response to recommendations of the Personnel Panel regarding matters in the independent consultant's report, as reported to Council on 25th July 2019 in confidential session, it is agreed that Council will:

- a) Re-start the appraisal process, suspended pending the outcome of the investigation.
- b) Ask the Personnel Panel to review feedback on the revised Member's induction process with a view to further improvements in future.
- c) Initiate a review of relevant policies relating to sickness and ensure that issues of stress in the workplace are properly included and reviewed. This should include assessment of where there may be a need for training of staff or Councillors in these areas.
- d) Councillors to re-establish their expectations of officers and the Town Clerk.
- e) All Councillors will be reminded of the Code of Conduct for Members and the Communications Policy, especially and particularly in the areas of confidentiality; trust, and mutual respect, and there should be reciprocity between staff and members in these matters.
- f) All Members and staff will be reminded that any matters of concern around conduct or appropriate behaviour shall be reported to the appropriate officer or the Mayor in a timely manner.
- g) The Personnel Panel is asked to consider the Town Clerk's report on succession-planning, and to make recommendations for Council to consider alongside its review of the 'visioning' exercise, by the end of the 2019 calendar year.
- h) The Personnel Panel will consider as essential to these recommendations that they have a measurable and timed outcome.

There being no further business the Mayor closed the meeting; thanked everyone for their contributions and invited all present to join him in the Mayor's Parlour for refreshments

The meeting ended at 9.25 pm

Signed: Date:



QUESTION RECEIVED:

Received from Tony Rowell at 12:57 on 22nd July 2019:

In accordance with Standing Orders, Appendix 1 paragraph 1.1, I would like to ask the following question to the Chair of the Personnel Panel, Cllr Wood at the Council Meeting on 25 July 2019.

'The minutes of the Personnel Panel of June 19th, 2019 state 'members considered a report by Cllr Baah on the independent consultant's investigation into a staff grievance matter'. Cllr Baah was present at this meeting.

Cllr Baah was also present at subsequent Personnel Panel meetings on 28th June 2019 and 11th July 2019.

Would you please let me know on whose authority Cllr Baah was instructed to provide a report on the independent investigator's report?

Would you please refer me to the relevant minutes where she was appointed to do this?

Would you also let me know why she was present at the 3 meetings as she isn't a member of the Personnel Panel and I understand these meetings are confidential and that the public were excluded?

Was she there as an observer?

Did she participate in the discussion?

Did you consider whether her attendance might compromise the investigation and any subsequent appeal against the recommendations and decisions made or further complaint?

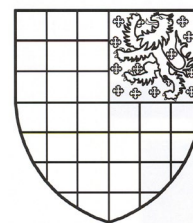
Was it a unanimous decision to allow her to participate?'

Tony Rowell

ANSWER:

- 1 Cllr Baah required no separate instruction; she was acting upon suggestions of the Investigator in her role as the serving Mayor to whom the investigation report was presented.
- 2 See 1 above
- 3 This was *one* meeting – adjourned twice, due to the length of time taken in consideration of the matters concerned. Cllr Baah was not subject to the exclusion of press and public and was present to report upon her interactions with the investigator.
- 4 See 3 above
- 5 These discussions were confidential, and no answer can be given.
- 6 The investigation, into a staff grievance and two separate complaints about a member of staff, was concluded at that point. These are confidential staff matters and appeal is available only in the context of the aggrieved staff member or the subject of the complaints finding final decisions unacceptable.
- 7 These discussions were confidential, and no answer can be given.

*Cllr Kate Wood
Chair, Personnel Panel*



MINUTES

of the **Audit & Governance Panel** held on **Wednesday 14th August 2019**, in the **Yarrow Room, Town Hall, Lewes** at **7:00pm**.

PRESENT Cllrs Bird; Catlin; Lamb; Maples; Milner (*Chairman*).

In attendance: S Brigden (*Town Clerk [TC]*)

AudPan2019/01 ELECTION of CHAIRMAN:

Cllr Milner was elected as Chair of the Panel for the 2019/20 municipal year

AudPan2019/02 QUESTIONS: There were none at this point.

AudPan2019/03 APOLOGIES FOR ABSENCE: There were none.

AudPan2019/04 DECLARATIONS OF INTEREST: There were none.

AudPan2019/05 MINUTES: The minutes of the meeting held on 22nd January 2019 were received and signed as an accurate record.

AudPan2019/06 REMIT of the PANEL:

The remit was rehearsed as:

1. The Audit & Governance Panel comprises (6) Members, who are NOT also authorized to sign cheques or other financial instruments or appointed to the Finance Working Party.
2. The Panel is asked to meet at least 3 times per year, at a practical time following the ends of the 2nd, 3rd, and final financial quarters, with a remit to monitor treasury management and budgets. The Panel will act as a public complaints review panel should the need arise, making recommendations to Council as appropriate.
3. The Panel is delegated authority to carry-out on behalf of the Council those aspects of the prevailing national audit & governance regime that call for member oversight of details (*eg* routine bank reconciliation to ledgers, and recommendations to write-off bad debt). Any items where it is necessary to record a Member's signature are to be delegated to the presiding Chairman of the Panel. All such reviews and signatures are to be detailed in Panel minutes, and thereby reported to Council at the next appropriate meeting.

AudPan2019/07 BUSINESS OF THE MEETING:

TC outlined the annual cycle which began with budget preparation; setting of precept; daily operations and periodic scrutiny by the Panel and the Internal Auditor; culminating in the publication of annual accounts and the statutory Annual Governance & Accountability Return (AGAR) for submission to the external auditors appointed on behalf of central government. He explained the in-built checks and balances in the Council's daily routines (*eg* scrutiny of supporting information before authorization of all payments by three signatories) and the role of the panel in oversight; which was itself overseen as part of the specialist assessment by the professional auditors and noted how these all worked together to produce the 'confidence' for Council to formally approve the statements that were required each year on the AGAR.

There were several questions and short discussions on various points of detail.

Routine financial monitoring: Members were furnished with detailed information (*copies in minute book*) following the end of the first quarter of the financial year 2019/20.

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: TC introduced the file of periodic bank reconciliations, for review of the scrutiny already conducted. The Chairman appended his signature to verify this.

AudPan2019/08 CONCLUSIONS:

1 Members considered information on the Council's financial status and management, and found no items of concern.

2 In accordance with the national audit and governance guidelines: where member oversight is required, the Chairman of the Panel signed to attest the veracity of reconciliation records presented.

AudPan2019/09 There being no further business, the Chairman thanked everyone for their attendance and declared the meeting closed.

The meeting closed at 8:45pm

Signed date

Draft

Agenda Item No: 6e)

Report No: FC007/2019

Report Title: Requested change to Councillors individual duties

Report To: Full Council

Date: 29th August 2019

Report By: S Brigden, Town Clerk

Purpose of Report: To advise Council of a request to change appointed duties and establishment of the Finance Working Party.

Recommendation(s):

1 That these requests be considered.

Information:

Duties were allocated to individual Members at the Annual Meeting on 16th May 2019 and amended on 20th June 2019.

A table of current appointments is appended, for information.

NB: Members' attention is drawn to the statutory provisions (*s85 Local Government Act 1972*) regarding vacation of office by failure to attend meetings: appointment to an organ of the Council, or to an Outside Body, is qualification under these rules and attendance is taken into account in application of the six-months' absence regulation.

Members Individual Duties:

Open Council Working Party

Cllr Makepeace requests appointment to this working party.

Council set no fixed establishment for this working party – currently 10 (ten) Members are appointed

Finance working party

Cllr Makepeace requests appointment to this working party.

The establishment of this Working Party is set at 6 (six) members, and six are currently appointed.

As a matter of good practice members should not also serve on the Audit Panel (6 members).

The Finance Working Party is asked to consider details of operating budgets and recommend an annual Council Tax precept (setting of precept is the responsibility of Council and cannot lawfully be delegated). This work may involve voting on issues and therefore an even number of members is established, to allow any deadlock to be broken by Chairman's casting-vote and a decision reached.

Council should therefore consider this request in the context of also amending the established size of the Working Party.

Councillors individual duties 2019/20

Approved - Council 25th July 2019



LEWES
TOWN
COUNCIL

Standing committees, Functional panels and active Working Parties etc

		Bank Signatory	Grants panel	Planning Committee	Audit Panel (6)	Personnel Panel (6)	Finance w/Pty (6)	ASC Steering Group	Commem's & Events	Landport Bott Mgt (8)	Transport Committee	Buildings Refurb'nt	Pells land exchange	UN sust'ly goals W/pty	Open Council W/p	Egy;Divy;Incl	Devolution W/pty					
Janet	Baah	✓		✓							✓			✓		✓						
Matt	Bird				✓					✓	✓	✓		✓	✓	✓						
Richard	Burrows	✓	✓			✓		✓	✓	✓												✓
Stephen	Catlin		✓	✓	✓	✓		✓	✓		✓	✓	✓		✓	✓	✓					
Guy	Earl	✓					✓		✓			✓										✓
Rob	Handy			✓		✓				✓	✓											✓
Oli	Henman		✓				✓			✓	✓		✓	✓	✓							✓
James	Herbert	✓	✓	✓			✓	✓			✓			✓	✓	✓						
John	Lamb			✓	✓							✓										
Imogen	Makepeace		✓	✓		✓			✓		✓			✓								
Wendy	Maples		✓	✓	✓	✓			✓							✓	✓					
Graham	Mayhew	✓				✓	✓		✓			✓	✓									✓
Merlin	Milner			✓	✓			✓			✓	✓										
Ruth	O'Keeffe	✓	✓				✓	✓	✓	✓	✓		✓	✓	✓							
Shirley-Anne	Sains			✓						✓			✓		✓							
Jonathan	Vernon								✓	✓	✓				✓							
Richard	Waring							✓			✓	✓			✓							
Kate	Wood		✓			✓	✓		✓				✓		✓							✓

Agenda Item No: 7 **Report No:** FC006/2019
Report Title: Retention of Internal Auditor
Report To: Full Council **Date:** 29th August 2019
Report By: S Brigden, Town Clerk

Purpose of Report: To recommend retention of an Internal Auditor.

Recommendation(s):

- 1 That Mr Mark Mulberry, of Mulberry & Co., 9 Pound Lane, Godalming, Surrey, GU7 1BX be retained as Internal Auditor to Lewes Town Council for the 2019/20 financial year.
-

Information:

1. The Council is subject to a statutory audit regime defined by the Local Audit and Accountability Act 2014 and The Accounts and Audit Regulations 2015 (SI2015/234).
2. All local councils are required at least once a year to confirm “in accordance with proper practices”, a review of the effectiveness of their system of internal control including a review of internal audit. Since 2003, when such regulations were first extended to Parish Councils, this has been reported as part of Lewes Town Council’s published accounts booklet and consistently been remarked as good practice by internal and external auditors.
3. It should be noted that the term *internal* auditor (IA) can be misleading, as this is an independent external consultant, commissioned direct by a Council – contrasting with the *external* audit currently carried-out by government-appointed contractors.
4. The IA has a role in reviewing the effectiveness of control measures that the council decides to put in place and Lewes Town Council has been consistently fortunate to retain the services of IA’s who were extremely experienced in high-level local government financial management. The first was the (then) recently-retired Director of Finance at Wealden District Council. Following his untimely death in 2005, the Council retained another professional, recently retired from an extended career with the District Audit Service (a division of the Audit Commission), who subsequently fully retired at the close of the 2010/11 account year.
5. Both the Society of Local Council Clerks (SLCC) and The Sussex & Surrey Associations of Local Councils (SSALC) maintain (short!) lists of “jobbing” internal auditors, but there is only one prospect registered who offers experience and qualifications appropriate to the work of a larger Parish: Mark Mulberry, of Mulberry & Co; a professional accountant and auditor who, coincidentally, manages SSALC’s own finances and who also provides audit services to other larger councils in Surrey and Sussex. Mr Mulberry has acted as IA for Lewes Town Council since the 2011/12 financial year, and has developed a thorough understanding of our particular operating environment.
6. Mr Mulberry is a Chartered Certified Accountant, Registered Tax Advisor; and Registered Auditor with a private practice based in Surrey.
7. A practical plan for internal audit at Lewes is effected in two parts; the first concentrating on systems and procedures and the second on financial aspects. These are carried out in the autumn and spring respectively. As part of the process a written plan and other associated information are provided to ensure the council can fulfil its obligations. At the end of the process a comprehensive report is submitted to council.
8. Fees are charged based on time spent and, as members of SSALC, Lewes enjoys a discount of 50% off the normal commercial rate. In addition there is a small charge for travel cost but not for travel time.
9. Mr Mulberry’s fee is considered extremely reasonable and compares very favourably with other audit costs.

S Brigden

6th August 2019

Report FC006-2019 Retention of Internal Auditor.docx

page 1 of 1

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 29th August 2019

NOM 012/2019 – received from Cllr Herbert on 16th August 2019, in the following terms:

It is proposed that:

1. Lewes Town Council resolves that all staff and members shall receive training by a recognised and currently practicing sustainability trainer.

Supporting Information:

Main Objectives:

To assist staff and members in the implementation of the Council's declared intention to proactively engage in environmental change reduction, mitigation and adaptation in the context of Climate Emergency.

Supporting Information:

At its meeting on 11th April 2019 Lewes Town Council agreed to send out a statement recognising a Climate Emergency and the need to take action at every level of government to limit the effects of climate breakdown. In his acceptance speech in May, Mayor John Lamb re-iterated the message: "First of all, we have got to set an example in the way we go about managing our estate: use less plastic, move away from fossil fuels, reduce our carbon footprint".

We now need to follow up these clear declarations with positive action. In order to do this, we need to understand what behaviours, practices and policies can and should change. We need to be certain the actions we all take and the policies we implement do what we intend. As a responsible Town Council we need to be proactive in ensuring all Councillors and staff are up to date and well-informed on current Climate Emergency issues. It would be both an environmental travesty and an embarrassment to the Town Council if we fail to get this right.

The climate emergency will not wait for us. It is therefore crucial that all members and staff receive appropriate training to facilitate best sustainability policy and practice.

Further details:

The Sustainability Goals (SG) working party sits for the first time on 28th August - at which time we can consider any nuanced requirements of Town Council-specific training. The training itself should then be completed by the 3rd October full council meeting. While the SG working party seeks ways to promote positive and desired changes, it will be the informed knowledge, skills and support of all Town Councillors and all Town Council staff members that render these changes into existence. The Building a Sustainable Lewes discussion that the Mayor has organised for the 19th September 2019 would, of course, complement the proposed sustainability training.

Cllr J Herbert
16th August 2019

Agenda Item No: 9) **Report No:** FC008/2019
Report Title: Notification of need for urgent tree works
Report To: Full Council **Date:** 29th August 2019
Report By: S Brigden, Town Clerk

Purpose of Report: To apprise members of the advice received from the District Council's Special Advisor (Arboriculture) regarding urgent works needed to trees in the Council's ownership, to ensure public safety.

Recommendation(s):

- 1 That Council notes this advice and the action taken so far.
 - 2 That Council considers the implications of the likely cost of this work (details will follow in a subsequent report).
-

1. Present position:

- 1.1. The Special Advisor (Arboriculture) [SAA] has identified wooded areas on land owned by both Lewes Town and District Councils where there is urgent need to carry out major works to ensure public safety, and this affects trees in the Town Councils ownership at Landport Bottom, on the slope adjacent to the A275 Offham Road (*please see appended Plan*)
- 1.2. Both Councils are advised of the need to undertake clear felling of dead, dying and dangerous trees along the public highways (as indicated on the attached plan) this Winter. We may also have to fell many of the companion trees to negate progressive, or cascade, 'windthrow', where fallen trees expose new trees to the prevailing winds creating a domino effect.
- 1.3. The SAA has commissioned a specialist to produce a woodland management plan; plan of operations; application for a Felling Licence from the Forestry Commission; an outline for recovery of costs where possible, and any other pertinent factors or issues for us to consider. This will also cover the Town Council land.
- 1.4. Provisional cost estimates have also been sought for a coordinated programme of works and are awaited at time of writing. At this stage it is prudent to estimate that the share of cost for works on the Town Council land could exceed £30,000 as they are extensive and will require traffic management on the A275 for the duration of the programme.

2. Background:

The Special Advisor (Arboriculture) has provided the following background information:

- 2.1. Ash dieback affects Ash and other *Fraxinus* species of trees and is caused by a fungal pathogen. The fungus, *Hymenoscyphus fraxineus* (also known as *Chalara fraxinea*), arrived from Asia to Europe during the 1990s and spread rapidly across Europe with the first official record in Britain in 2012. This invasive fungus causes a range of symptoms from foliar leaf spots to branch dieback to the death of *Fraxinus excelsior* (Ash) trees and some other *Fraxinus* species. Once infected, most trees will die. The environment also has a role in how trees decline from ash dieback, with trees growing outside of optimal conditions declining more quickly. The precise speed of decline of any individual tree is currently impossible to predict.
- 2.2. Trees are highly adaptive organisms and they will typically adapt to strain applied to them (such as wind and gravity) by thickening the stems and producing stiffer and tougher materials to counteract strain levels that threaten the structure of the tree. This is true for trees growing on the peripheral edge of a woodland block, but trees located within the woodland environment and effectively sheltered have not been subjected to the same levels of strain and as a result have made no adaptations for lateral forces generated by strong winds. This in turn will have made

them all vulnerable to catastrophic failure or wind-throw. The threat of progressive, or cascade wind-throw where fallen trees expose new trees to the prevailing winds creating a domino effect is a recognized phenomenon and an important factor in woodland management.

- 2.3. The woodlands in question were, until quite recently, open downland but post-WW2 they have become colonized by predominantly Ash and Sycamore. Both these species readily colonize new areas and the scarps and slopes of the downs leading up and leading down from the Offham and Nevill Road, are typical examples. As the woodland was essentially created in a short period this has resulted in a narrow age range with a majority of the trees being around 70 years old. This mass of young trees competing with each other have formed 'drawn up' stems, which in commercially managed forestry is usually a desirable outcome for the production of clear 'veneer' timber, but in this case the combination of closely grown trees on steep slopes has unfortunately created etiolated (tall and spindly) trees with poorly tapered stems which are highly interdependent on each other for stability.
- 2.4. For the above reasons, we find ourselves in the situation where the removal of a large number of Ash trees will leave the few remaining trees, mostly Sycamore but some Beech too, exposed and highly vulnerable to wind-throw. In effect, in addition to felling all the infected Ash, we must also consider, therefore, clear felling any surviving species excepting a few clumps (subject to a rolling assessment by the SAA), that should be able to withstand such radical changes to their local environment conditions.
- 2.5. Both Lewes District Council and Lewes Town Council need to undertake clear felling of dead, dying and dangerous trees along the public highways (as indicated on the attached plans) this Winter. A large majority of the trees are Ash which are infected with Ash Dieback Disease, with some being already dead with the remaining in the advanced stages of decline. Any surviving trees may need to be felled to negate progressive wind-throw risk.

2.6. Other Considerations:

LDC will prepare a letter to neighbours further down the Offham Road near the Chalk Pit Inn inviting them to consider commissioning the successful tree work contractors to undertake similar scope of works on their own land.

2.7. Additional Information

Please note that we are aiming to have the works complete this September/October .

Lewes District Council will conduct a public awareness campaign via the press and social media. We will also issue a formal statement which will include the reasons for the works. The contractor and their operatives will be expected to recite this statement to any and all interested parties at or off the site.

The District Council will liaise with the winning contractor to help deal with any adverse public interest should it arise.

S Brigden

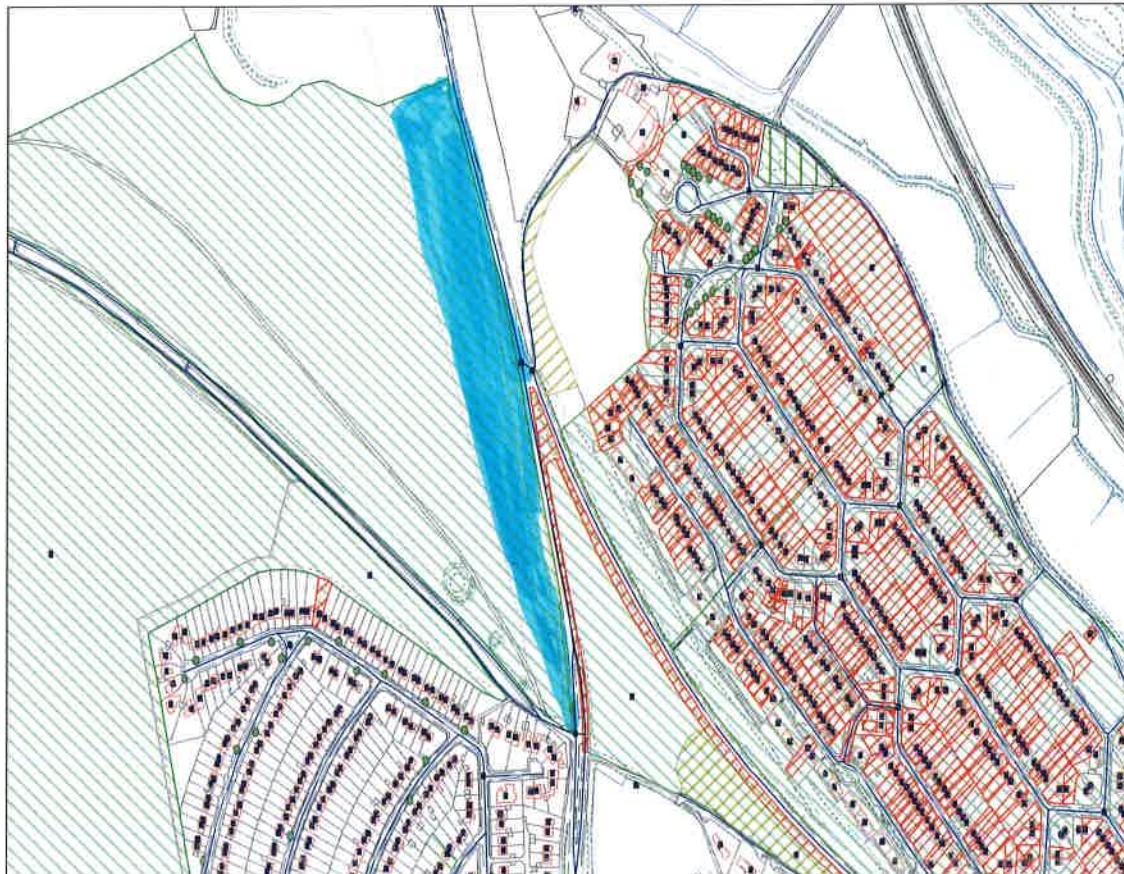
13th August 2019

**ASH DIE BACK –
CLEARANCE OF DEAD, DYING AND DANGEROUS TREES
Offham Road (Lewes Town Council)-**

The embankment is indicated within the highlighted line which is owned and managed by Lewes Town Council.

Contact: Brian Courage 01273 471469 info@lewes-tc.gov.uk

Client Address: Lewes Town Council, Lewes. BN7 2QS



Plan: Western embankment of Offham Road, Lewes .

Summary (TBC)

Clear fell an area 25-30m wide (measured from roadside edge) for about 500m length – approximately to the top of the roadside embankment. Retain wherever possible and practicable existing Hawthorn, Yew and Holly. Existing Beech specimens and other species such as Sycamore would be considered to be at high risk of progressive wind-throw and should also be removed.

Remaining debris can be left on site subject to the following provisos

- All debris (timber and brushwood) to be cleared within 10m of roadside edge
- Remaining brushwood must be left secure and unable to fall, tumble, roll or made to fall (for example by mischievous children).
- If timber is left on site, it must be left secure and unable to fall, tumble, roll or made to fall (for example by mischievous children).

ASH DIE BACK – CLEARANCE OF DEAD, DYING AND DANGEROUS TREES

Objectives: To remove dead, dying and dangerous Ash trees in various stages of decline from an infection of Ash Dieback disease (*Hymenoscyphus fraxineus*). This will also include removal of other species of trees previously sheltered from inclement weather but which will become exposed from the removal of the Ash and which will as a result become highly vulnerable to progressive wind-throw.

Known or Possible Site Constraints:

Badger Setts may be present (to be confirmed by LDC ecologist)

No other planning constraints

Requirements:

We would like to have a written quotation for the following:

- Clear felling and removal of all debris
- Clear felling but with retention of felled material in accordance with 'Summary' above

Additional Information

Please note that we are aiming to have the works complete this September/October .

The Town Council and Lewes District Council will conduct a combined public awareness campaign via the press and social media. We will also issue a formal statement which will include the reasons for the works. The contractor and their operatives will be expected to recite this statement to any and all interested parties at or off the site.

We will also notify the South Downs National Park Authority of the works.

The Council will liaise with the winning contractor to help deal with any adverse public interest should it arise.

Daniel Wynn
Specialist Advisor (Arboriculture)

Lewes District Council & Eastbourne Borough Council
Quality Environment, Southover House, Southover Road, Lewes. E Sussex. BN7 1AB
DDI Telephone: +44 (0)1273 085035
Email: daniel.wynn@lewes-eastbourne.gov.uk
Web Service (Trees); <http://www.lewes-eastbourne.gov.uk/planning-and-building-control/trees-and-hedges/>

COUNCIL PLAN 2019/20

Status update

Lewes Town Council proposes to initiate and complete (where possible and practical), or continue, the following major areas of work in the year 1st April 2019 to 31st March 2020. These are in addition to various projects and initiatives itemised in the Council's budgets and accounts, and represent larger-scale activities deserving special attention.

	Project	description	status at June 2019	status at July 2019	status at August 2019
1	Town Hall repairs & conservation	Replace boilers; Council Chamber redecoration and replace carpet; Corn Exchange and Lecture Room replace lighting; Yarrow Room replace carpet	Research underway	Engineers report pending re heating. Research ongoing re lighting and decoratration <i>etc</i>	Engineers report re heating received. Buildings W/pty will consider on 20th Sept. Research ongoing re lighting and decoratration etc
2	Pells Lake ecology project	Improvements to water quality. Introduction of aquatic plants W/Party remit to consider structural integrity of lake perimeter.partially completed – specialist report obtained	pending commencement of 3rd-party works in locality to achieve best VFM – links to item 3	pending commencement of 3rd-party works in locality to achieve best VFM – links to item 3	pending commencement of 3rd-party works in locality to achieve best VFM – links to item 3
3	Pells Recreation Ground and kiosk/café development (with Santon Group and others)	Engagement with Santon Group and others to improve the “urban realm” in the area as an integral component of necessary flood-defence works; taking the opportunity to replace children’s play equipment and introduce equipment for a wider age-range, and to provide an enhanced café facility for the swimming pool, recreation ground, and surrounding parkland.	PPCA has presented a list of aspirations to inform brief for architects. Initial enquiries to architects who presented design ideas in 2013	PPCA has presented a list of aspirations to inform brief for architects. Initial enquiries to architects who presented design ideas in 2013.	Pending arrangement of meeting with PPCA, and NSQ Sounding Board meeting 16th Sept.
4	Malling (Bridgeview) Community Centre refurbishment	To carry out a comprehensive refurbishment of the community centre, with modern heating and lighting, with improved facilities for community use, including more flexible interior spaces and better integration of the sports changing-rooms with the adjoining sports pitches and recreation ground.	Council agreed details of specification and preferred contractor 11th April 2019 - contractor revising details, anticipated contract let July 2019.	Contractors revised details submitted to managing surveyors for scrutiny. Report awaited.	Borrowing Approval request submitted to DHCLG. Contractor proposes works commence January 2020 (contract awaits borrowing approval)
5	Commemorations:	To engage with, and inspire, appropriate community recognition of National and local commemorations.	Committee now established.	Committee now established - NFA	Committee now established NFA (next meeting 27th August 2019)
6	Neighbourhood Plan (with Community partners)	Development of a Neighbourhood Plan for Lewes under provisions of the Localism Act 2011	Plan now in effect	Plan now in effect	Plan now in effect
7	Continuing programme of environmental enhancements and specific site improvements	Engage with appropriate projects arising from third-party initiatives (eg highway safety/traffic management). Continuing improvements to own assets (eg allotment sites)	New projects awaited	New projects awaited	New projects awaited. Report submitted to Council re urgent tree works needed at Landport Bottom
8	Devolution of assets & services	Provide for transfer of ownership of various assets/services from Lewes District Council. (currently subject to ongoing negotiation)	Options appraisal by LDC and valuations underway re 2 Fisher Street; Market Tower and other sites, and Charity Commission enquiries re transfer of Trusts for Convent Field and Stanley Turner Ground	Valuations received re 2 Fisher St & Market Tower. LDC cabinet to determine Community Asset Transfer Policy - anticipated Sept 2019. Propose LTC reconstitute Devolution Working Party	Working Party re-established. Meeting ?October - pending LDC confirmation of details for discussion
9	New council website	New website.	Established - content revisions and updates ongoing.	Established - content revisions and updates ongoing	Established - content revisions and updates ongoing.
10	General Data Protection Regulations	General Data Protection Regulations and Data Protection Act 2018. Implications for working practices and Data Regulation structure. Office IT systems update will take account of this and address ageing hardware and end-of-life software.	Supplier delay: project completion anticipated W/comm 1st July 2019	Project underway. Anticipated completion W/c 22nd July 2019	Project almost complete. All hardware installed and tested; ongoing adaptation of new security suite and work to obtain 'Cyber Essentials' accreditation.