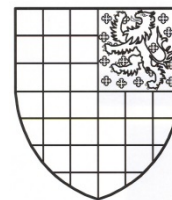


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**LEWES
TOWN
COUNCIL**

To All Members of Lewes Town Council

A Meeting of **Lewes Town Council** will be held on **Thursday 29th September 2016**,
in the **Council Chamber, Town Hall, Lewes** at **7:30 pm** which you are summoned to attend.

S Brigden, Town Clerk, 23rd September 2016

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's meeting held on 25th August 2016.

(attached page 3)

6. LEWES HEALTH HUB PROPOSALS

To receive a presentation on plans for a new integrated health hub

(presentation by Dr Philip Wallek)

7. WORKING PARTIES & OUTSIDE BODIES

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

a) *Neighbourhood Plan Steering Group*

(report FC010/2016 and meeting notes attached page 10)

b) *Landport Bottom Joint Management C'ttee 13th September 2016*

(Oral report by Cllr Makepeace)

c) *Grants Panel 14th September 2016*

(report FC008/2016 attached page 19)

d) *All Saints Steering Group 22nd September 2016*

(Minutes to follow)

e) *Building repairs Working Party 27th September 2016*

(Oral report by Cllr Chartier)

8. COUNCILLORS INDIVIDUAL DUTIES

To consider changes to allotted duties for individual Members

(report FC009/2016 attached page 21)

9. TREES ON LEWES HIGH STREET

To consider a proposal for action and request for funding

(Oral report by Cllr O'Keeffe)

10. TRANSATLANTIC TRADE INVESTMENT PARTNERSHIP

To consider a proposed statement of position

(NOM008/2016 attached page 23)

11. COUNCIL ADMINISTRATIVE STRUCTURE

To consider a proposal to alter the Council's administrative structure

(NOM009/2016 attached page 23)

12. LOCAL GOVERNMENT FINANCE SETTLEMENT 2017/18 CONSULTATION

To consider current government consultation and proposals affecting Parish Councils

(attached page 26)

13. UPDATE ON MATTERS IN PROGRESS

(Oral report by Town Clerk)

14. 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

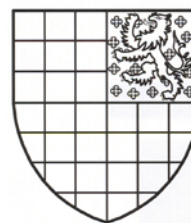
PUBLIC ATTENDANCE: Members of the public have the right, and are welcome, to attend meetings of the Council – questions regarding items on the agenda may be heard at the start of each meeting with the Chairman's consent, subject to time available. Questions or requests to address the Council should, whenever possible, be submitted in writing to the Town Clerk at least 24 hours in advance. For more information on how to ask questions, please contact the Town Clerk. General questions about the work of the Council can be raised at our offices between 9am-5pm Mons- Thurs 9am- 4pm on Fridays – when our staff will be pleased to assist.

Copies for information: T/hall noticeboard; LTC website; Library, Sx. Express, E.Argus, Sx. Police, M Caulfield MP, LDC, ESCC, Fr'ds of Lewes

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MINUTES

Of the **meeting of Lewes Town Council**,
held on **Thursday 25th August 2016**, in the **Council Chamber, Town Hall**, Lewes at **7:30pm**.

PRESENT Councillors A Ashby; J Baah; R Burrows; S Catlin (Wischhusen); M Chartier (*Deputy Mayor*); W Elliott; I Makepeace; Dr G Mayhew (*Mayor*); R Murray; S Murray; R O’Keeffe; T Rowell and E Watts.

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

Observing: Ms V McLachlan (*Finance & Administration Officer*)

FC2016/40 **QUESTIONS:** A written question had been received From Mr Newell Fisher as to any reply received to the Council’s letter to government on rail service disruption. The question and the answer given are appended to these minutes. Other questions had been submitted by Mr J Stockdale regarding the Lewes Neighbourhood Plan, but rejected by the Mayor. This gave rise to a heated discussion, with some Members insisting that the rejection was not acceptable. The Mayor explained his reasoning at length, and advised that he had given a comprehensive explanation to Mr Stockdale and suggested he refer his enquiries to the Neighbourhood Plan Steering Group meeting scheduled for the following week; advising that any remaining questions thereafter would be welcomed at the September 29th Council meeting. TC offered support for this advice and Cllr Murray, who was Chairman of the Neighbourhood Plan Steering Group, elaborated further. Nonetheless a demand was voiced that the ‘technical’ grounds for rejection be noted in the minutes; in consequence of which it is stated: that the questions had been considered to fail the test [*Standing Order 1(d)*] that a question or evidence submitted shall be in respect of an item of business included in the Agenda.

FC2016/41 **DECLARATIONS of INTEREST:** Cllrs Chartier, Makepeace, O’Keeffe and Watts declared an interest regarding Crowd Safety at Lewes Bonfire Celebrations [item 7 on the agenda], as they were all members of Bonfire Societies.

FC2016/42 **APOLOGIES FOR ABSENCE:** Apologies had been received from Cllrs Barker and Jones who were away on holiday; Cllr Lamb who had a work commitment, and Cllr Milner whose partner had recently had a baby. Cllr Dr Bolt had suffered a recent bereavement. **It was resolved that:**

FC2016/42.1 The reasons submitted for absence from this meeting are accepted.

Members wished to record their deepest sympathy to Cllr Dr Bolt on her recent loss.

Members wished to record congratulations to Cllr Milner and his partner Leila on the birth of Kit – a brother for Rex.

FC2016/43 **MAYOR’S ANNOUNCEMENTS:**

a) The Mayor thanked everyone who participated in the bowls match at the Castle on 30th July 2016.

b) The Mayor had recently opened the annual parish ‘Chilbi’ festival in Waldshut-Tiengen where he met the new Oberbürgermeister, Dr Philipp Frank. During his visit, the Mayor attended a memorial honouring those who had lost their lives during the two World Wars. The Mayor had also been involved in the laying of a cobble stone, a commemoration which is taking place throughout Europe to remember the Jewish and other deportees who were sent to extermination camps during the war.

- c) Heritage Open Day would be on Sunday 11th September 2016 with tours taking place at 10am, 12pm and 2pm given by Mike Chartier with help from Philip Pople and Ashley Price
- d) The annual Allotments Show would be held on Sunday 18th September from 2 – 4pm.
- e) A letter had been received from the Friends of Chernobyl's children thanking the Town Council for supporting the children's visit this summer and offering the facilities at the Town Hall.
- f) A Dementia Friendly Lewes awareness-raising session would be held on Monday 19th September at 12pm in the Yarrow Room, Town Hall. All were welcome.

FC2016/44

MINUTES:

The minutes of the meeting held on 28th July 2016 were received and signed as an accurate record.

Cllr Rowell asked that his suggestion, voiced at the end of that meeting, of Diversity awareness training for Members be specifically mentioned and TC agreed to note this.

FC2016/45

WORKING PARTIES AND OUTSIDE BODIES:

Members were 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) *Commemorations Working Party 27th July 2016:* Council considered the minutes of this meeting (*copy in minute book*). The meeting had noted that Council had extended the Working Party's mandate to 2019 and supported, in-principle, prospective events that had been recommended.

Lewes Light Festival: Graham Festenstein and Phil Rose, organizers of the Lewes Light Festival (LLF), had given an illustrated presentation outlining the inspiration for the Festival, analysis of the 2015 event, and plans for an extended festival for this year. The original inspiration had come from the UNESCO International Year of Light 2015, including initiatives at Chartres and Lyon in France; a world-renowned annual event at Alingsas in Sweden, and projects in Durham and London. The 2015 Lewes festival had been shortlisted for a prestigious international award.

There was an in-depth discussion and the guests elaborated upon some of the financial options for the project. Enormous support was already secured from within the lighting industry, such as donation/loan of equipment worth over £250,000, and expertise. Funding for some artistic elements was in place, and more was anticipated, but it was difficult to attract grants *etc* for fundamental but mundane elements such as insurance.

The Festival had a number of ancillary benefits as a practical education tool, as it addressed curricular elements of Science, Technology, Engineering, and Maths (STEM) and offered opportunities in the teaching of dramatic arts, theatre and event management *etc*. Mr Festenstein, a professional engineer, was a 'STEM Ambassador' and Mr Rose was Head of the Production Arts faculty at Sussex Downs College (SDC), a lecturer, and founder of Lewes Youth Theatre. SDC students had produced elements of the 2015 festival and acted as guides through the town. It was proposed that this guide element of the festival would be expanded and would result in a number of trained young people who would be knowledgeable about the history of their own town and who could pass-on such knowledge and enthusiasm. Part of a bid for Heritage Lottery Fund grant was to link to a Lewes local history project with local schools and SDC. There were also plans for a discrete wildlife-themed installation on Landport Bottom.

As an aside; it was noted that energy consumed to present the 2015 Festival had amounted to less than that required for a single floodlit football match.

The working party agreed that it would be a very worthwhile event; helping tourism and including a training aspect helping young people. The LLF was also hoping to present a photographic exhibition in the foyer of the Town Hall. They were seeking funding from

several other sources. It was agreed that Council should be asked to agree a budget of up to £5,000 from the existing earmarked Reserve fund (*balance b/fwd at 1st April 2016 £14,005*), to be spent on the 2016 LLF at the discretion of the Working Party.

100yrs since commencement of 1st World War: There was general discussion on:

- A proposed extension of the popular “lightbox” project featuring photographs from the Edward Reeves Archive in illuminated boxes. The organizer was designing a programme of photographs of local people who served in WW1, to be mounted in the windows of their original homes. A parallel academic scheme to catalogue the Reeve archive of glass photographic plates had not attracted Heritage Lottery Fund funding and was deferred. There was a proposal to involve young people in a coordinated torchlight procession, to culminate in a ceremony at the War Memorial.
- The effect of the war on society at home and development of universal suffrage – working men, and women, being temporarily enfranchised in 1918 and the following Womens’ Suffrage movement. This was also a time of development in the Trades Union movement.
- Lewes Old Grammar School had mounted a production of “Oh! What a Lovely War!” in the Assembly Room, and it was proposed to discuss repeat performances in 2017, perhaps coordinated with an inter-school writing competition across the town.
- The Mayor was considering the organization of a Music-hall styled event in February 2017.
- There was a brief discussion regarding the research Dr Mayhew was conducting for the Council into names on the War Memorial. It had been previously acknowledged that the “missing names” provided by the Royal British Legion would almost certainly prove to have been omitted originally for a particular reason; and lack of space, plus the recent upgrade to the heritage listing status (to 2*) may prove an obstacle to additional names.
- There was a general re-affirmation that marking the peace was the favoured theme.

It was resolved that:

FC2016/45.1 The Minutes of the Commemorations Working Party held on the 27th July 2016 are received and noted. (it was noted also that: resolved following the *oral* report on this meeting given to Council on 28th July, a budget of up to £5,000 had previously been agreed, drawn from the existing earmarked Commemorations Reserve fund (*identified in that council’s accounts as R7 - balance b/fwd at 1st April 2016 £14,005*), to be spent in support of the 2016 Lewes Light Festival at the discretion of the Commemorations Working Party)

b) *Building repairs Working Party 1st August 2016:* Council considered the minutes of this meeting (*copy in minute book*) *Malling Community Centre:* Brian Johnson and Mrs Liz Allsobrook had attended, representing the Malling Community Association; formerly the long-term tenant and currently the Council’s managing agent for the Centre. The Working Party reviewed the history of the building and earlier work to prepare for the refurbishment of the Malling Community Centre (MCC). A professional structural survey had been carried-out, and current and prospective users of the Centre had been surveyed - with the results indicating the scope of the redesign that should be undertaken. Meetings with users and local residents had also discussed ideas to integrate use of the area of open space adjoining, immediately West of the building. Architects had provided some outline design ideas, and an informal inspection by a professional quantity surveyor had produced an estimate of the order of costs to be anticipated. Council had established a financial reserve (R10) which would yield £263,000 in 2016/17 and it was expected that additional funds would be available for specific elements/aspects of the refurbishment from external grants schemes and perhaps from ‘s106’ contributions arising from the planned North Street Quarter development. The project offered an opportunity to incorporate sustainable energy conservation/generation techniques and other

innovations.

The consulting engineers who had managed the recent Town Hall refurbishment had offered to assess the project further, having previously informally given the services of a surveyor, and Members agreed that this offer should be accepted. This would lead to a draft design brief for approval by Council and a building contract that could be offered through tender, and would help establish a project timetable which minimized impact on current users.

Town Hall façade and other works: Members noted that the refurbishment works were complete and a short list of 'snagging' items was being addressed. The fire alarm system works were underway and would take a further three weeks.

Assembly Room and Corn Exchange roofing: Scaffolding was underway, and the recovering of the roof surfaces would follow once this was completed.

All Saints Centre: Although not specifically within the remit of the Working-party, Members considered any building-related matters affecting the All Saints Centre. There were no known issues with the building, which was in generally good repair.

The Working Party asked the Town Clerk to consult with BLB Surveyors regarding the Malling Community Centre refurbishment project. The group would meet again once initial advice had been received, to move the project to the next stage. Current potential sources of grant funding would be researched.

Following some questions and answers, **it was resolved that:**

FC2016/45.2 The Minutes of the Building Repairs Working Party held on 1st August 2016 are received and noted.

FC2016/45.3 The conclusions of the Building Repairs Working Party held on 1st August 2016 (*copy in minute book*) are noted, and the remit of the Working party is extended to include repairs to the All Saints centre as required.

c) *East Sussex Assoc. of Local Councils – Councillors Commission 12th August 2016:* Councillor S Murray gave a brief oral report. Cllr Murray had attended this meeting, in Staplehurst, Kent, on 12th August 2016 which had assembled parish council representatives from East Sussex and Kent. The meeting had been organised by the respective County Associations and Professor Colin Copus of De Montfort University Leicester; who was leading research on the roles of Parish Councils and Councillors and advising a Parliamentary Select Committee. The meeting had covered issues of the role of a Councillor in the local community, the contribution councillors make, decision making and understanding about local government, and inspirations to offer candidacy. Some questions were asked regarding the constitution of ESALC and the Lewes District Association of Local Councils and TC advised.

FC2016/45.4 The oral report on the East Sussex Association of Local Council meeting with the Councillors Commission on 12th August 2016 is noted.

FC2016/46 CROWD SAFETY AT LEWES BONFIRE CELEBRATIONS:

Members considered report FC009/2016 (*copy in the Minute book*) which apprised Members of a request by Lewes District Council for increased contribution to the costs of crowd safety stewarding Lewes Bonfire celebrations.

In October 2010, the Council had considered the matter of crowd safety at Lewes Bonfire. Many improvements in crowd management had been introduced in the recent past and were considered successful, but independent surveys commissioned by Sussex Police and the Bonfire Society Group had identified risks continuing at specific points within the town. Further measures to accommodate the outstanding areas of risk were thought to be relatively straightforward, and Lewes District Council (LDC) had proposed an additional to its existing contract with a professional event management company to provide more trained stewards to ensure public safety at specific locations. That organization specialized in crowd marshalling services at very large events, including Brighton & Hove City *Pride* day, and had established their professional credibility with all

parties to Lewes Bonfire and were considered a preferred partner.

Although neither Council was the principal organizer of the Bonfire celebrations, they are both statutory bodies with an interest in the events and it was considered that in the event of injury to the public a court may well impute some responsibility to mitigate any risks that could reasonably have been anticipated. The Town Council had asked to be more closely involved in Bonfire preparations and this had been welcomed. It was suggested that the Town and District Councils might act as partners to retain the services discussed. The additional services had been evaluated by the contractor at around £7,000 and it was proposed that the two councils share this cost equally. It had been resolved (FC2010/66.1) that Lewes Town Council would contribute up to 50% with a maximum of £3,500, toward the cost of additional marshalling.

Despite several refinements to the service provided, no increase had been requested by the District Council since the original value was set. Whilst LDC has absorbed extra costs over previous years they now asked that the Town Council consider an increase to its contribution, as the original intention was for the two councils to share the cost.

The cost of the stewards has slowly increased over the years and in 2015 the cost was £12,000. As the event in 2016 would fall on a Saturday, anticipated visitor numbers were in the region of 50-60 thousand. In order to provide the necessary crowd safety measures it was understood that there was likely to be an increase of £4,000 bringing the total cost to £16,000.

The additional costs in 2016 were in relation to stewarding the entire length of School Hill from the Boots/Old Library Corner to the War Memorial. The 'soft barrier' rope technique would be continued as this had worked well in recent years. Records showed that in 2009 76 security staff were deployed. In 2015 the event fell on a Thursday and 137 security staff were used. This number would increase this year, nearly doubling the number engaged originally in 2009. LDC did not anticipate that the Council would be in a position to contribute half of £16,000 but would be grateful for any increase. The Town Council's General Fund balance as 1st April 2016 was £238,703. Council had since resolved two unbudgeted items to be drawn from this balance in 2016: a sum total of £8,500.

Members were interested to know details of the strategic safety plan, but this was restricted to the emergency services and not publicly available. There was some discussion as to LDC's opportunities to offset costs with, for example, premium licensing charges; but many were already exploited. Members were keen to investigate the possibility of a seat on the Bonfire Safety Group which considered each year's planning, and to obtain contact details for local controllers on the night, to help avoid issues such as 2015's unplanned closure of Lansdown Place. TC would forward these requests.

After a further short debate and vote on proposed values **it was resolved that:**

FC2016/46.1 Lewes Town Council will contribute up to £6,000, with a maximum contribution of up to 50% proportionate to Lewes District Council's costs of safety stewarding for Lewes Bonfire Celebrations for the year 2016. Future years' contributions will be decided in due course.

FC2016/47

UPDATE ON MATTERS IN PROGRESS

- a) *Assembly Room/Corn Exchange roof repairs:* stripping/recovering would begin when the scaffold was complete.
- b) *Town Hall Fire Alarm:* The fire alarm was now installed and would undergo tests for seven days, following which it would be fully-operational.
- c) *Public WiFi in the Town Hall:* Work to install access points and other infrastructure was due to start on 5th September 2016 and should take around 3 days.
- d) *Devolution of Parks & Open Spaces:* Members were reminded that Lewes District Council (LDC) had, several weeks earlier, produced revised 'heads of terms' for use in

transfers which the Council's solicitor had considered acceptable, as they broadly accommodated his original suggestions. These had been produced in connection with transfers to Newhaven Town Council, but if subsequent contract drafts accurately reflected the declared principles it would allow Lewes Town Council to ask LDC to remove its embargo on transfer of Malling Recreation ground and the LDC share of Landport Bottom. There had been no further development since the last report, and the progress on contract drafting was unknown. In anticipation of reaching a point at which the embargo may be lifted, TC asked councillors for a decision on their continued desire to complete the transfers, and their inclination to pay over to LDC all or part of the £40,000 raised by precept *in* the Malling rec site for 2016/17 to compensate them for having excluded that site from the year's Special Expenses levy. It was noted that; regardless of any eventual ownership transfer, LDC would inevitably seek to recoup its loss in this regard and the Special Expense mechanism allowed for retrospective charging.

It was resolved that:

FC2016/47.1 Lewes Town Council remains willing to accept ownership of Malling Recreation Ground and Lewes District Council's 50% share in land at Landport Bottom, subject to acceptable revision of certain clauses in formal transfer agreements; also:

FC2016/47.2 Lewes Town Council will consider transfer of up to £40,000 to Lewes District Council in respect of grounds maintenance costs for Malling Recreation Ground in 2016/17, subject to further negotiation and transfer of ownership of the site.

e) "Our Pictures" project: Permission had now been given by the Heritage Lottery Fund for the project to start and half the grant awarded would be released in the next few days. A schedule was to be established with the specialist workshop in Cambridge for the conservation works to begin.

FC2016/48 NOTICE of ITEMS IN PROSPECT

a) Neighbourhood Plan Steering Group Meeting would be held on Wednesday 31st August at 7.00pm. It was acknowledged that, although not conventionally open to the general public, there would be no objection to public observers.

b) The next Planning Committee would take place on Tues 6th September at 7:00pm.

c) The next Member's Surgery was scheduled for Tuesday 6th September 2016 – 10:00am – 12:00pm in the Corn Exchange. Cllr Catlin volunteered to attend.

d) The next Council meeting would take place on Thursday 29th September 2016, with a deadline for agenda items to reach TC by noon on Monday 19th September.

e) Meetings to be arranged were: Buildings Working Party; Homes & Workspaces W/pty; Energy efficiency W/pty; Audit Panel; Personnel Panel; Dementia Awareness group; All Saints Steering Group.

f) The next deadline for grant applications: (cycle 2 of 4 2016/17) was Fri 2nd September. The Assessment Panel would meet on Wed 14th September with recommendations being considered by Council at its meeting on 29th September 2016.

There being no further business the Mayor closed the meeting and invited all present to join him in the Parlour for refreshments *The meeting ended at 9:00pm*

Signed:

Date:

QUESTION RECEIVED:

From: Newell Fisher **Received:** email sent Thursday 25/08/2016 01:24

“In the light of item FC2016/33 b in the draft minutes of the last full Council Meeting, local residents and members of Lewes Labour Party have told us that they are suffering very considerable damage to the quality of their family lives as a result of the appalling level of service currently being provided by Southern Rail train operator, Govia Thameslink Railway.

Last week, we spoke to a young man whilst protesting against cuts, cancellations, ticket office closures and job losses outside Lewes railway station, who told us he had lost two jobs as result of late and cancelled trains on the mainline to London.

The disregard of the franchise owner for people, in favour of profit is astounding and is damaging our local economy. What can Town Councillors pledge to do to highlight this issue with our local MP, with the train operator and with the newly appointed Minister for rail, Paul Maynard, MP?

What reply was received from the minister Claire Perry and what further action does the Town Council propose to take?”

Newell Fisher

ANSWER:

Further to Council’s resolution the following letter was sent to the Secretary of State for Transport, Chris Grayling, and copied to Maria Caulfield MP:

Southern Rail services

I am asked by my Council to write to you expressing their extreme concern regarding the ongoing daily disruption to train services operated by Southern, part of the GTR franchise. The misery experienced by travellers attempting to use train services over past weeks has caused immense hardship for those trying to get to and from work and carry out their day to day business. Reliable operation of train services to London, Brighton and elsewhere in this region are fundamental to the economic health of not only the town, but the wider country – this area being a transport gateway to Europe and home to significant numbers of London workers who commute daily.

At their most recent meeting Councillors resolved that:

“Lewes Town Council expresses its extreme dissatisfaction with the present erratic and blighted service from this important rail hub, to Hastings, Eastbourne, Seaford, Brighton and London. The community that we represent deserves assurances of an early end to the disruption and a further assurance that plans issued by GTR, in which the blight is predicted to last until December 2016, will not be tolerated by H M Government.”

The problems which beset the current rail service are too many to list, and the underlying dispute with the RMT regarding proposed staff role-changes is considered to be only a part of the issue; albeit the part that gains the most media attention.

Councillors understand that the present arrangement between the Department of Transport and GTR is a pilot for “input standard” contracts, not a traditional franchise. In return for running the service specified in detail by the DfT, GTR receives a management fee, whilst DfT is remitted all the fare income, less delay refunds.

Councillors are also aware of calls to replace Southern management with a problem-solving team from Transport for London, and that Rail Minister Paul Maynard has publicly stated that “..*Changing the management will not help because that would not address the issues in dispute and would only cause further disruption.*”.

The DfT **must**, therefore, be involved in the solution.

This Council looks forward to learning what steps you propose to take to assist in resolving the matter.

No reply has been received to date. Council will be informed of any response as a matter of course. As a Parish Council, Lewes Town Council has no powers in this matter and can only act as representative of the town, in attempting to influence the opinions of those who do. It can only continue to bring pressure to bear by adding its voice to the overwhelming body of support for government intervention.

Agenda Item No: 7a) **Report No:** FC010/2016
Report Title: Lewes Neighbourhood Plan – present issues
Report To: Full Council **Date:** 29th September 2016
Report By: S Brigden, Town Clerk

Purpose of Report: To apprise Council of developments in drafting a Neighbourhood Plan for Lewes and to clarify the relationship between the Council and co-opted representatives of the community.

Recommendation(s):

- 1 That Council notes the progress on the Neighbourhood Plan; and reviews the terms of reference of the Lewes Neighbourhood Plan Steering Group; criteria for the co-option of community representatives, and eligibility for Chairmanship (*please see 14-16 below*).

Background:

1. The Town Council announced in 2013 that it intends to produce a Neighbourhood Plan for Lewes, using the provisions of the Localism Act 2011. A series of open public meetings had been held to begin the process. Lewes is a parished area having a separate Parish Council, and LTC is the lead body and must agree and publish the Plan. It is supported by the South Downs National Park Authority (SDNPA) but the actual definition of its policy scope and content should reflect the wishes of the community. The plan must ultimately pass through a formal process before becoming enforceable local planning policy: being submitted to an independent Planning Inspector and then needing to attract more than a 50% affirmative vote in a public referendum.
2. Council agreed that a Lewes Neighbourhood Plan Steering Group (LNPSG) be set up to address these ambitions and appointed Councillors to form the nucleus of the group. It was considered that the ‘branding’ of the project should highlight community involvement and the LNPSG should be seen to work at arm’s length, with routine reports and recommendations to Council for adoption.
3. A list of community organizations was agreed, who would be invited to nominate representatives. This was then extended to include all bodies recorded as members of Lewes Town Partnership, as it was considered that this represented a wide range of appropriate groups, who had demonstrated a desire for community engagement. Ninety-seven bodies were originally asked for representatives (*list appended*), and the first meetings of the LNPSG gradually saw a kernel of around twelve regular attendees develop, some of whom volunteered to lead task-groups on specific topics which were developed to form elements of the Plan. Terms of Reference (*appended*) were recommended and approved – being based upon a model used successfully elsewhere in the National Park.
4. A significant amount of research was conducted and community aspirations explored by the LNPSG, during 2014. This gave rise to a clear brief and in early 2015 a professional consultant was engaged by the Council, following a formal tender process, to manage the remaining process; helping the LNPSG to identify all relevant data; develop evidence and obtain public feedback to support a formal plan for Lewes. Ultimately a planning policy document having significant legal status, this will incorporate housing site allocations, green infrastructure, community facilities and infrastructure, enhance existing sustainable transport/street routes in and around the town, protect and enhance the built and natural environment and reflect the aspirations of the community.
5. From that point forward a carefully structured programme, tried-and-tested elsewhere, was introduced. This is based around 16 key tasks, as follows:
 - Task 01 Inception Meeting
 - Task 02 Site Visits

- Task 03 Prepare Consultation Materials
 - Task 04 Visioning Event
 - Task 05 Three Day Design Forum
 - Task 06 Prepare Interim Report
 - Task 07 Develop Policy Themes, Outline Plan + Supporting Vision Text
 - Task 08 Exhibition + Engagement Event (two days)
 - Task 09 Refinement of Outline Plan; Create First Full Draft Plan
 - Task 10 Exhibition + Engagement Event (two days)
 - Task 11** Prepare Regulation 14 Consultation Draft Plan (“pre-submission draft stage”)
 - Task 12 Six Week Formal Consultation (to include two-day drop-in event)
 - Task 13 Prepare Regulation 16 Consultation Draft Plan
 - Task 14 Six Week Formal Consultation (to include two-day drop-in event)
 - Task 15 Prepare Plan for Examination
 - Task 16 Professional Advice During Examination + Referendum
6. The Lewes Plan is currently at the stage of **Task 11** on this programme and the “steering” work is almost completed – the next stages being constrained by regulations. Adding substantial new material to a neighbourhood plan after the six-week ‘Regulation 14’ consultation (task 12) is not permitted. The plan needs to be as complete as possible before that stage although, if supported or indicated by consultation responses, subsequent deletion of items is acceptable.
 7. Task 14 – ‘Regulation 16’ consultation on the final Plan – is conducted by the Planning Authority (SDNPA) and the remainder of the process is strictly formalized.

Present situation:

8. The last milestone in the information-gathering phase was a two-day public event (task 10) in November 2015 to publicize emerging policy themes, followed by an associated online questionnaire open until January 2016, although this was supplemented in March 2016 by two weekend workshop programmes for young people facilitated by Brighton University under the auspices of their *Agenda 21 – Digital Citizenship* initiative. Consultants have processed the resulting feedback, translating general comments into acceptable planning policy statements and relating these to the topical themes. In July 2016 they produced a “rough draft” of a pre-submission draft Plan for the LNPSG to assess; refine; fill gaps, and then promote to Council for the formal Regulation 14 consultation.
9. Much of the work needed to refine this rough draft is straightforward and will reflect helpful comments by SDNPA professional planning officers and community commentators who either did not recognize their input in the document; seek amplification of certain aspects, or who wish to promote or extend a particular issue or context.
10. The most significant outstanding work is related to the identification of sites for potential housing development. The Plan is required to identify sites (other than “strategic” sites such as North Street and Old Mall Farm) capable of accommodating 220 new homes over the plan period. A public advertisement was placed calling for site owners to come forward and public workshops in 2015 identified (by marking on maps) 31 sites ‘of interest’, which must then be assessed for actual potential. Ownership was traced wherever possible and the SDNPA asked for a first-level opinion as to the viability of each site. So far only two sites have passed such scrutiny and obtaining answers from other owners is proving extremely difficult, although there is a possibility that the site of the former St Anne’s school may yield more. Discussions with ESCC on this matter can now take place in earnest as their Lead member for Resources recently approved exploration, with local partners, of options for the site.
11. SDNPA is concurrently drafting its own park-wide Local Plan, which is scheduled to reach pre-submission stage in September 2017. This allows for gaps where drafting of Neighbourhood Plans, such as Lewes, are in progress but SDNPA announced earlier this year that they would hold such gaps ‘open’ only if those neighbourhood plans had reached their own pre-submission (‘Regulation 14’) stage by the end of March 2017. Should that stage *not* be reached in time

SDNPA's stated alternative is that they will 'impose' their own housing sites although it is unclear how they will identify sites if local efforts have failed.

Issues requiring a decision:

12. A meeting of the LNPSG was convened for 31st August 2016, at which a number of people attended for the first time, including Town Councillors (not appointed by Council) who announced they were nominated to represent community groups. Some of those attending alluded to a perception of "public anger" at the present status of the Plan and the apparent hiatus since November 2015 and lack of communication during that time. There ensued a rather intemperate discussion and some argument over attribution of blame for lack of progress and perceived erosion of the group's influence on the Plan. Proposals were made to remove Cllr Susan Murray as Chairman of the LNPSG and install Mr Ian Linton – attending his first meeting as the accredited representative of Houndean Residents' Association. Others suggested that Mr Linton, a retired Project Manager, might be prevailed-upon to assist the Group and apply his expertise; perhaps from the position of Vice-Chairman. TC advised that the legal status of the group was an advisory body of the Town Council, and that a non-Councillor should not serve as Chairman. The group's status and this chairmanship aspect was hotly contested by some individuals, and Mr Linton was eventually voted-in as Interim Chairman.
13. Subsequent to the meeting, there has been unprecedented activity in refining topical work-strands by some LNPSG members and much of this is welcome. Mr Linton attended a recent meeting with TC, SDNPA's Planning Policy Manager; the Chairman of SDNPA Planning Committee and the Council's consultant, at which options were discussed to move forward. It was at this meeting that SDNPA announced that a search for potential housing sites is being "twin-tracked" *ie* SDNPA officers are concurrently replicating our local work albeit with a limiting factor in that they will only seek sites capable of accommodating six or more homes. This has since been confirmed by letter, although SDNPA offer no explanation as to how the sites might be found.
14. Two issues require decision by Council, to ensure that future progress toward a Neighbourhood Plan is not compromised by any technical pitfall. The first of these is eligibility for **membership of the group**. The initial constitution (see 2 & 3 above) reflected the desire for a small nucleus of Councillors plus a majority of public co-optees. Given the advanced state of development of the Plan it may be thought superfluous to appoint further Councillors, but Council should decide this and formally appoint to the duty if it so wishes.

Councillors appointed are:

Cllr Chartier; Cllr Milner; Cllr O'Keefe; Cllr R Murray; Cllr S Murray

Broad public engagement is desirable, and those organizations who were originally invited to send representatives were not previously asked to satisfy any particular criteria other than their membership of Lewes Town Partnership. The recent number of requests to join the Group, and particularly to be admitted to the Google Group set up for intra-Group communication, suggest that Council may wish to set a filter. The most obvious would be to require a body to demonstrate that it has a formal constitution and is not simply an association of like-minded individuals, in the same way as it would filter applicants for financial grant (*eg* Resident's Association with officers and separate bank account).

15. Local councils have a general power to co-opt persons from outside their elected Membership to committees other than those for controlling/regulating finance (*s102 Local Government Act 1972*). This power rests with Council and not the committee. Co-optees must not be disqualified from election to the Council (*eg* bankruptcy), but need not be *positively* qualified for election (*eg* residency requirement). Co-optees to committees have, in general, no voting rights and no rights or privileges not enjoyed by the general public (*s13 Local Govt & Housing Act 1989*). They *may* have voting rights if co-opted to a purely advisory committee but without dispensation a co-opted member cannot fulfil the functions of a chairman such as exercise of a casting vote; access to Council to promote the committee's views or answer questions; nor represent the Council.
16. I have discussed the matter of the LNPSG status and eligibility of a co-opted member of the public to serve as **chairman** with the County association's retained solicitor, and am confirmed

in the view that the Council should be advised to review the terms of reference of the Group (*appended*) and clearly determine, for the avoidance of doubt, that this is an advisory body of the Council with criteria for co-opted membership. Further: a group such as the LNPSG is something of a legal hybrid as it is not *purely* advisory in that work may be done on topical strands and promoted or discussed with outside bodies (*eg* SDNPA) without reference via Council, for obvious reasons of efficiency. If Council is minded to allow a co-optee to Chairmanship of the Group; there will need to be a statement of dispensation to cover the individual in exercising the functions required of the role and authority to work with the Town Clerk (as would a an elected Member), and he/she should be required to submit to the Council's Code of Conduct for Members.

Appendices: Terms of reference Lewes Neighbourhood Plan Steering Group
List of original invitee bodies

S Brigden
20th September 2016

LEWES NEIGHBOURHOOD PLAN

Steering Group Terms of Reference

1. Purpose

- 1.1 The most important purpose of the Steering Group is to oversee the preparation of the Neighbourhood Plan for Lewes ensuring that all issues are addressed properly with high levels of community engagement to maximise the potential that the Plan will be supported at the local referendum.

2. Key Roles

1. To act as adviser to the lead body (Lewes Town Council) for the development and delivery of the Lewes Neighbourhood Plan. To provide strategic direction for the project and ensure all milestones are met for the production of the Neighbourhood Plan.
2. To produce the Lewes Neighbourhood Plan in as timely fashion as possible to further the social, economic and environmental wellbeing of individuals living, or wanting to live in the area as well as the business community.
3. Agree a position on specific issues to lead to an agreed policy approach.
4. Encourage and strengthen links between key organisations within the community and ensure they are informed of the work and progress with the Neighbourhood Plan.
5. To commission specific areas of evidence and analysis as required.
6. To agree the final draft Neighbourhood Plan prior to submission to all relevant bodies for consideration.
7. To recommend the final draft plan to the Town Council and the South Downs National Park Authority prior to the local referendum.
8. To act as the public face and principal contacts with the local communities and public authorities for the Neighbourhood Plan

3. Aims

- 3.1 To provide strategic guidance to working groups in the production of the Neighbourhood Plan.
- 3.2 To bring together appropriate local expertise and facilitate joint community working in developing the Neighbourhood Plan for Lewes.
- 3.3 To assist and help facilitate discussions with relevant and interested groups in the community to promote active involvement in the Neighbourhood Planning process.

4. Relationship to Other Groups

- 4.1 The Steering Group will provide regular updates to Lewes Town Council on progress being made with the Plan.
- 4.2 Close working links will be maintained with the South Downs National Park Authority to ensure compliance with planning policy. Note the adoption by SDNPA of the principles of an ecosystems services approach to the Park Local Plan.
- 4.3 Further links will be maintained with other statutory and voluntary groups to maximise community engagement opportunities and maintain positive working relationships.
- 4.4 Meetings of the Steering Group will also be attended by any other relevant person/s or community representatives who may be invited to speak.
- 4.5 Stakeholder organisations or community representatives can nominate items for debate by the Steering Group by informing the Town Council in accordance with policies or procedures established by the Steering Group to facilitate its operation.
- 4.6 Minutes of the meetings will be available for inspection.

5. Meetings

- 5.1 The Steering Group will meet as required.

6. Membership

- 6.1 As per listing agreed by Lewes Town Council, plus representatives from bodies and associations comprising Lewes Town Partnership.
- 6.2 Amendments to the Steering Group's membership to be approved by Lewes Town Council.

Adopted July 2014

1. 3VA Lewes District
2. Anne of Cleves House
3. Barons Down Housing Association
4. Baxters Field Charity
5. Black History Group
6. Bonfire Council
7. Cliffe Residents Association
8. Cliffe Traders Association
9. Common Cause
10. Crosspath Theatre
11. Cruse
12. CTLA
13. Cycle Lewes
14. De Montfort Residents Association
15. Diversity Lewes
16. East Sussex Credit Union
17. East Sussex Fire and Rescue
18. East Sussex Record Office
19. Four Square Arts Education CIC
20. Friends of Lewes
21. Friends of St Anne's
22. Furniture Now!
23. Grange Road Residents Association
24. Headstrong Club
25. Health Improvement Partnership
26. House of Friendship
27. Junior Film Club
28. Kingston Road & Cranedown Residents Association
29. Landport Residents Association
30. Landport Youth Centre
31. LDC Registered social landlords
32. Lewes Area Access Group
33. Lewes Arms Folk Club
34. Lewes B & B Association
35. Lewes Chamber of Commerce
36. Lewes Coalition
37. Lewes Community Land Trust
38. Lewes Conservation Area Advisory Group
39. Lewes Council of Churches
40. Lewes District Council
41. Lewes District Seniors Forum
42. Lewes FC
43. Lewes for a Living Wage
44. Lewes Group in Support of Refugees and Asylum Seekers
45. Lewes In Focus
46. Lewes Library Friends
47. Lewes Little Gardens
48. Lewes Living Streets
49. Lewes Local CIC
50. Lewes Operatic Society
51. Lewes Phoenix Rising
52. Lewes Pound CIC
53. Lewes Priory School
54. Lewes Priory Trust
55. Lewes Seniors Forum
56. Lewes Stop the Cuts Campaign
57. Lewes Town Partnership
58. Lewes Travel man
59. Lewes WEA
60. LGB Brass
61. Living Well Dying Well
62. Lucid Incident C.I.C
63. Malling Community Association
64. Malling Tenants & Residents Association
65. Musicians of All Saints
66. Neighbourhood Watch
67. Nevill Residents Association
68. Nutty Wizard
69. Paddock Road Residents Association
70. Pells Amenity Group
71. Pells Pool Community Association
72. Pells Residents Association
73. RocketFM Community Radio
74. Social Housing (Rebecca Gracey)
75. Soroptomists International
76. South Malling School
77. Southover CE Primary School
78. Southover Church
79. St John Ambulance Lewes
80. St Mary's Social Centre
81. St Pancras School
82. Subud
83. Sussex Community Development Association
84. Sussex Downs College
85. Tenants of Lewes District (TOLD)
86. The Hive
87. The Lost Parish
88. The Oyster Project
89. Transition Town Lewes
90. Transition Town Lewes - Friday Market
91. Volunteer Centre, East Sussex
92. Wallands CP School
93. WEL Mind
94. Western Road Community Primary School
95. Winterbourne Residents Association
96. YMCA
97. Youth Focus for Lewes

NOTES OF MEETING

<i>Meeting of / between:</i>	LEWES NEIGHBOURHOOD PLAN STEERING GROUP (LNPSG)	
<i>Venue:</i>	Council Chamber, Town Hall	
<i>Date:</i>	7:00pm Wednesday 31 st August 2016	
<i>Attending:</i>	Cllr S Murray	Lewes Town Council
	Cllr R O’Keeffe	Lewes Town Council
	Steve Brigden	Town Clerk (TC)
	Lucy Howard	S. Downs Nat Park (SDNPA) Planning Policy Manager
	Cllr S Catlin	Clevedown Residents
	Cllr J Baah	Lewes Town Council (observing)
	Dr C Tingle	Lewes & Ouse Valley economics (LOVe)
	Robert Cheesman	Friends of Lewes
	Liz Thomas	South Downs Society
	Susan Thompson	Cycle Lewes/Egrets Way group
	Jennifer Chibnall	Phoenix Rising
	Debbie Twitchen	Landport Residents Association
	Tony Kalume	Diversity Lewes
	Sarah Neels	Nevill Residents Association
	Paul Allen	Kingston Rd & Cranedown Residents Association
	Anthony Dicks	Lewes Conservation Area Advisory Group
	John Stockdale	formerly representing Lewes Community Land Trust
	Ian Linton	Houndean Residents Association
	Rita Ellis	Residents Against Inappropriate Development (RAID)
	Lin Hayworth?	Western Road Residents Association
	Cllr W Elliott	Lewes Town Council
	Belinda Chapman	Cliffe Residents Association
	Cllr A Rowell	representing Lewes Travel Man
	Cllr I Makepeace	representing Lewes Living Wage
<i>Apologies:</i>	Neville Harrison	S. Downs. Nat. Park. (SDNPA) Committee Member
	Dr Micheal Turner	Pells residents
	Richard Partridge	Lewes Seniors Forum
	Vic Ient	‘Transport volunteer’
	Cllr M Milner	Lewes Town Council
	Cllr M Chartier	Lewes Town Council
	Cllr R Murray	Lewes Town Council
NOTES:		
1.	Cllr Murray welcomed everyone to the meeting and briefly reviewed the position on the development of a draft plan; outlining background work ongoing since the Group last met.	
2.	<i>Introductions</i> – all present introduced themselves.	
3.	Minutes of the last meeting of the steering group (16 th November 2015) were presented. Cllr O’Keeffe queried the status of a working meeting held with FERIA Urbanism and SDNPA recently, and suggestions that a small ‘executive’ group would be the most practical way of dealing with the final formal stages of development, consultation <i>etc.</i> Cllr Murray and TC explained the background to the consultant’s agreed work programme and other aspects. The background to the recruitment of the consultant was rehearsed, and there followed a discussion on the nature of the material garnered from public workshops and consultations and the work of the topic groups. Lucy Howard explained the integration of Neighbourhood Plans with the overarching SDNPA park-wide Local Plan, and presented the context in which housing targets were considered.	
4.	<i>Budget update</i> – TC presented an update to the project budget	
5.	<i>Update on progress:</i> The last milestone in the information-gathering phase, following the sequence of two- and three-day engagement events, had been a two-day public event in November 2015 to publicize emerging policy themes, followed by an associated online questionnaire open until January	

	<p>2016, although this had been supplemented in March 2016 by two weekend workshop programmes for young people facilitated by Brighton University under the auspices of their <i>Agenda 21 – Digital Citizenship</i> initiative. The Council’s consultants had processed the resulting feedback, translating general comments into acceptable planning policy statements and relating these to the topical themes. A “rough draft” had been circulated of a pre-submission draft Plan for the LNPSG to assess; refine; fill gaps, and then promote to Council for the formal Regulation 14 consultation.</p> <p>The most significant outstanding work was related to the identification of sites for potential housing development. The Plan was required to identify sites capable of accommodating 220 new homes over the plan period. A public advertisement had called for site owners to come forward and public workshops in 2015 had resulted in marked maps identifying 31 sites ‘of interest’, which must then be assessed for actual potential. Ownership had been traced wherever possible and the SDNPA asked for a first-level opinion as to the viability of each site. So far only two sites had passed such scrutiny and obtaining answers from other owners was proving extremely difficult, although there is a possibility that the site of the former St Anne’s school may yield more. Discussions with ESCC on this matter would take place in earnest as their Lead member for Resources would shortly be asked to approve exploration, with local partners, of options for the site.</p>
6.	<p>Some of those attending alluded to a perception of “public anger” at the present status of the Plan and the apparent hiatus since November 2015 and lack of communication during that time. There ensued a rather intemperate discussion and some argument over attribution of blame for lack of progress and perceived erosion of the group’s influence on the Plan. Proposals were made to remove Cllr Susan Murray as Chairman of the LNPSG and install Mr Ian Linton – attending his first meeting as the accredited representative of Houndean Residents’ Association. Others suggested that Mr Linton, a retired Project Manager, might be prevailed-upon to assist the Group and apply his expertise; perhaps from the position of Vice-Chairman. TC advised that the legal status of the group was an advisory body of the Town Council, and that a non-Councillor should not serve as Chairman. This status and the chairmanship aspect was hotly contested by some individuals, and Mr Linton was eventually voted-in as Interim Chairman. Cllr Murray was thanked for all her hard work on the Plan to date.</p>
7.	<p><i>Next steps:</i> There followed a brief discussion on formation of a small executive group to progress decisions on the Plan. Various members offered opinions, and no decision was made. The discussion moved to general administrative matters such as distribution of documents; frequency of meetings and reporting. Mr Linton promised he would issue a weekly progress update. There was a brief discussion on resources and the present gaps in the rough draft plan. This led back to a rehearsal of the discussion on available information on potential housing sites. Nevill residents were concerned about a local landowner who had made overtures to their association (and others) regarding development of downland near Hawkenbury Way. This was generally known, but there was, as yet, no detail and no pre-application material had been submitted to the planning authority.</p>
8.	<p>Date of the next meeting would be discussed and circulated.</p> <p style="text-align: right;"><i>The Meeting ended at 9.30pm</i></p>

Agenda Item No: 7c)

Report No: FC008/2016

Report Title: Grants panel recommendations – 14th September 2016

Report To: Full Council

Date: 29th September 2016

Report By: S Brigden, Town Clerk

Purpose of Report: To recommend payment of grants as suggested by the Grants Panel, following its meeting on 14th September 2016 (the second of four cycles for 2016/17)

Recommendation(s):

- 1 That the grant payments recommended in this report (as shown in column **G** of the appended table) be approved.

Information:

1 The Grants Panel met on 14th September 2016. Ten applications were considered, with requests for support in the sum total of £10,795.

2 Assessing applications were: Cllrs Burrows; Jones; Murray (S); and O’Keeffe. Apologies for absence had been received from Cllr Watts, due to a work commitment.

3 Using the system approved by Council, each panellist evaluated applications on their merits in five categories:

- 1 Closeness of match to Lewes Town Council’s grant scheme policy
- 2 Overall “robustness” of the proposal – general likelihood of success/sustainability
- 3 Financial planning exhibited - adequacy/prudence/appropriateness *etc.*
- 4 Scope and sustainability of the proposal – beneficiaries; scale; thoroughness
- 5 A personal (subjective) assessment, based on any special insight or considerations.

Where recommended awards are below the amount requested by the applicant, the details of the proposal were carefully scrutinized as to the appropriateness of the sum requested in relation to the overall scheme or project budget, and alignment with the Council’s published aims. Also considered were factors such as the balance or proportion of Council funding compared with other sources and the applicant’s own funds, and other detail elements.

4 **The recommended grant awards for this cycle are shown at column G, below.**

Salient points, considered by panellists during their deliberation and influencing their final recommendations (noted/highlighted in column H below, where appropriate), fall into the areas of:

- ⊕ No other funding sought.
- ⊕ Sum requested disproportionate to own assets or contribution to scheme or project.
- ⊕ Sum requested from parish disproportionate to total cost of scheme or project.
- ⊕ Project or scheme mis-matched with parish council powers or LTC’s scheme policy.
- ⊕ Sum recommended is considered to be an appropriate/proportionate parish contribution.

S Brigden

16th September 2016

FINANCIAL GRANTS PANEL - 14th September 2016				Cycle 2 - 2016/17							
A	B	C	D	E	F	G	H				
line	Ref.	ORGANIZATION	STATED purpose of organization	STATED purpose of grant requested	£REQ'D	£ RECC'D	Salient comments (if any) by Panellists				
1	1	Pippa's Group	A pre-school set up for children who are in need.	Contribution towards a salary of a staff member who will work with a small group of children.	3,000	2,000	proportionate to council scheme				
2	2	Lewes Twinning Association	Facilitates exchange visits and fosters understanding between Lewes and its Twin Towns.	Hire of town hall, transport, lunches, suppers etc for annual meeting of the three towns which Lewes is	625	625					
3	3	East Sussex Bach Choir	A Lewes based amateur choir with a membership of about 60 singers.	To help pay for 3 concerts a year. Venue, fees, programmes, rehearsals etc.	2,000	1,500	proportionate to council scheme				
4	4	The Musicians of All Saints	Lewes based chamber orchestra giving local people the chance to hear how classical music is developing in the 20th Century.	Venue costs, professional players, music hire, publicity etc	1,250	1,000	proportionate to council scheme				
5	5	Lewes Soroptimist	Part of an international organisation working towards improving the lives of girls and women here and abroad.	To teach the girls knitting. Knitting needles, wool, patterns and postage costs.	298	298					
6	6	East Sussex Radio Society (ESRS)	To provide a public, community-led radio service for Lewes that entertains and informs the Town's residents.	Offcom licence fee, schedule print run, telephone, daily broadcast fee, licences, insurance and rent.	900	900					
7	7	Lewes Priory Trust	Preserve, promote and enhance the remains of the Cluniac Priory of St Pancras.	For equipment etc. to hold Priory by Candlelight	520	520					
8	8	Commercial Square Bonfire Ltd	Bonfire society based in Lewes.	Hosting the Waldstat Fager Band from Waldshut-Tiengen, who are performing during Lewes Bonfire.	1,000	1,000					
9	9	Landport Travel Club	To provide outings on a Sunday for people who could not afford to go out and then be socially isolated.	Hire of bus and driver for 10 trips per year at a cost of £106 per trip.	560	560					
10	10	Join Us	A social network of older residents, to reduce isolation and loneliness and improve health.	Contribution to costs of Rock'n'Roll networking event for October Older Peoples Day, at Lewes Priory	642	642					
11											
12											
13											
14											
15											
16											
17		TOTALS			£10,795	£9,045					
18											
19				Miscellaneous Grants Budget		£35,000					
20				"Cycle 1" total grants awarded		£8,110					
21				"Cycle 2" total grants recommended		£9,045					
22				"Cycle 3" total grants awarded							
23				"Cycle 4" total grants awarded							
24				Total paid/recommended		£17,155					
25				Budget balance		£17,845					

Agenda Item No: 8

Report No: FC009/2016

Report Title: Review of Councillors individual duties

Report To: Full Council

Date: 29th September 2016

Report By: S Brigden, Town Clerk

Purpose of Report: To advise changes to allotted individual duties requested by Members.

Recommendation(s):

- 1 That changes to allotment of duties to individual Members be approved for the remainder of the 2016/17 municipal year.
-

Information:

Duties were allocated to individual Members at the Annual Meeting on 12th May 2016. Since these appointments were made, some Members have requested changes.

Latest requests, the effects of which are shown on the attached table(s), are:

Appointments to Outside Bodies:

Landport Bottom Joint Management Committee

Cllr Barker resigns from this duty.

Nominations are sought for a Member to serve on this body.

Lewes Priory Trust

Cllr Watts resigns from this duty.

Nominations are sought for a Member to serve on this body.

Members Individual Duties:

No changes

S Brigden

15th September 2016

MEMBERSHIP OF OUTSIDE BODIES 2016/2017Ref Council 29th September 2016 resolution FC2016/n.n (decision pending)**LEWES
TOWN
COUNCIL**

Lewes District Association of Local Councils	Cllr S Murray
East Sussex Association of Local Councils	Cllr S Murray
Citizens Advice Bureau	Cllr R Murray
Railway Land Wildlife Trust (2)	Cllr R Burrows Cllr S Murray
Landport Bottom Joint Management Committee (4)	1 <i>vacant</i> 2 Cllr R Murray 3 Cllr I Makepeace 4 Cllr S Murray
Lewes Town Partnership	Cllr I Makepeace
Lewes – Uckfield Line Parishes group	Cllr Catlin (S Wischhusen)
Sussex Community Rail Partnership	Cllr Catlin (S Wischhusen)
Lewes Priory Trust	<i>vacant</i>
Stanley Turner Advisory Committee	Cllr R Burrows
Lewes Conservation Area Advisory Group	Cllr A Ashby

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 September 2016

NOM 008/2016 – received from **Cllr S Murray** on 14th September 2016, in the following terms:

It is proposed that:

Lewes Town Council makes the following statement:

“Lewes Town council is deeply concerned about the Transatlantic Trade Investment Partnership (TTIP) currently being negotiated between the US and EU. As a town proud of its role in the history of democracy, of its early role in the Transition Town movement and of its support for a living Wage the Council fears that this treaty will challenge democracy, damage our public services, local economy and the environment, as well as weakening further less developed countries. The town council therefore joins with nearby Brighton and Hove and Hastings in making a statement of objection by declaring Lewes to be a TTIP Free Zone. It asks the mayor to write to the relevant government minister expressing our opposition.”

Supporting Information:

1. There is some evidence that the TTIP negotiations may be faltering because of public opposition across Europe. However, there are also other similar treaties such as CETA (EU-Canada Comprehensive Economic and Trade Agreement in the pipeline which are likely to have similarly detrimental effects.
2. Although Britain has voted to leave the EU Article 50 will not be signed for several months and withdrawal from the EU will take a further two years. By that time Britain could already find itself inextricably committed to such undemocratic treaties
3. Lewes as a Transition Town supports local produce, farmer’s markets, green energy, environmental sustainability and a Living Wage.
4. TTIP as a threat to democracy, to small business and working people which threatens to increase inequalities here and abroad, not least because of the iniquitous provision for companies to sue governments if their policies to protect the environment or living standards, for instance, affect company profits.
5. TTIP as threat to public service provision: the Local Authority Association has asked for the exemption of Education, Health, Social care and Police Services
6. A TTIP Free Zone is a statement of objection to treaties over-riding democracy.
7. Declared TTIP Free Zones: Bradford (14 July '15), Birmingham (Feb '16), Brighton & Hove (17 Jul '14), Bury (10 Dec '14), Cambridge (23 Jul '15), Crawley (21 Oct '15), Dundee (10 Nov '15), East Dunbartonshire (18 Dec '15), Edinburgh (25 Jun), Exeter (16 Dec '14), Fife (5 Nov '15), Glasgow (11 Dec '14), Hastings (15 Apr 14), Lancashire (17 Jul '14), Gwynedd (4 Dec '14), Hartlepool (10 Dec '15), Lancaster (17 Dec '14), Lewisham (24 Jun '15), Midlothian (4 Nov '15), Newcastle (3 Sep '14), Northumberland (25 Feb '15), North Ayrshire (16 Dec '15), North Somerset (14 Jul), Norwich (22 Apr '15), Oldham (10 Sep '14), Oxford (29 Sep '14), Reading (24 Mar '15), Renfrewshire (17 Dec '15), Sefton (Dec '15), Stroud (Mar '16), Southampton (23 Dec '14), Southwark (25 Nov '15), Stirling (Dec '15), Warwickshire (19 May '15), West Dunbartonshire (28 Oct '15). Total: 35

Cllr S Murray 14th September 2016

NOM 009/2016 – received from **Cllr W Elliott** on 22nd September 2016, in the following terms:

It is proposed that:

Lewes Town Council adopts a revised administrative structure as described in the appended notes.

Cllr W Elliott 22nd September 2016

(1) That the Transport and Traffic Issues Working Party, Commemorations Working Party, Buildings and Refurbishment Working Party and Communications Working Party be formed as standing committees from the commencement of the Mayoral Year 2017/18, with all meeting dates and times being agreed at the first meeting of that year. The terms of reference and frequency of the new committees will be as follows:

[a] Transport and Traffic Issues Committee:

To consider all issues affecting transport, public and private, including infrastructure, and meet regularly with all public transport providers and bodies responsible for transport infrastructure in the area of Lewes Town.

Frequency: Not less than once per quarter

[b] Commemorations Committee:

To consider and develop commemorative events and support the events held by other bodies within the Lewes Town area.

Frequency: Not less than three times per year, more frequently where the significant anniversaries of commemorative dates requires

[c] Buildings Management and Maintenance Committee:

To consider the management, maintenance and refurbishment of all Town Council built assets, including but not limited to the Town Hall, All Saints Centre, Malling Community Centre and Pells Pool. To receive written quarterly reports from the responsible officer at each meeting of maintenance carried out, refurbishment plan progress and income generated and expenses incurred for each asset. The Committee should take on responsibility for matters previously dealt with by the Energy Efficiency Working Party, and each meeting should have a standing agenda item to include Energy Efficiency updates and business. The business previously carried out by the All Saints Steering Group should be executed by this committee.

Frequency: Not less than once per quarter

[d] Communications Committee

To consider the way that the Town Council communicates with the people of Lewes by mediums including, but not limited to, newsletters, websites, social media, notice boards and Council surgeries. To design, produce and distribute a newsletter not less than three times per annum. To establish and review modern policies relating to web based communication and use of social media

Frequency: Not less than once per quarter

(2) That the Finance Committee will meet not less than twice per annum, and further during budget setting periods as necessary

(3) That the Audit and Governance Panel meet no less than three times per annum, including two to review the budget and once to review Standing Orders and Council governance for the following year

(4) That the Personnel Panel meets no less than four times per year, two meetings six monthly apart at one month after the full year, and one month after the half year, to perform structured appraisals with the Town Clerk as principal officer, and introduce and monitor a structured appraisal system with all other staff members of the Council, to be carried out by the Town Clerk. Other meetings should be to receive written updates on any ongoing or completed disciplinary, grievance or pay matters relating to any staff members of the Council. These meetings should normally be held without public attendance, but publicised to all members. Other Personnel matters should cause the Panel to be convened as required. SSALC and external advisors should be consulted on a suitable appraisal system by the Personnel Panel, and independent training provided to the Panel and the Town Clerk.

(5) That all committee and panel dates should be advertised in the Town Council newsletter, the Sussex Express, the Town Council website and clearly and prominently on the Town Hall noticeboard, giving the public at least three months notice of scheduled dates as soon as practicable after the dates are agreed.

(6) That all committees and panels, except Full Council Meetings, and Planning Committee meetings, are held at least 50% of the time during the normal working hours of Town Council staff, with the remainder held in evenings as presently.

(7) That the roles of Lead Members be dispensed with at the Annual Meeting of the Council, pending election of chairmen to the committees, at which time the responsibilities of Lead Members will be taken by the chair of the relevant committee.



Department for
Communities and
Local Government

The 2017/18 Local Government Finance Settlement

Technical Consultation Paper



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Scope of the consultation

Topic of this consultation:	This consultation covers proposals for the local government finance settlement for 2017/18.
Scope of this consultation:	This consultation seeks views on proposals for the local government finance settlement for 2017/18, in particular from representatives of local government
Geographical scope:	These proposals relate to England only.
Impact Assessment:	Since the Government does not envisage that the proposals within this consultation document will have an impact on business, no impact assessment has been produced.

Basic Information

To:	The consultation will be of particular interest to local authorities, and representative bodies for local authorities.
Body/bodies responsible for the consultation:	Local Government Finance Directorate within the Department for Communities and Local Government.
Duration:	This consultation will last for 6 weeks from 15 September 2016 to 5pm, 28 October 2016.
Enquiries:	For any enquiries about the consultation please contact James Livingston James.Livingston@communities.gsi.gov.uk or 0303 444 2075
How to respond:	Please respond by completing an online survey at: https://www.surveymonkey.co.uk/r/583WBQL Alternatively, you can respond to the questions in this consultation by email to: LGFConsultation@communities.gsi.gov.uk If you are responding in writing, please make it clear which questions you are responding to. Written responses should be sent to: James Livingston Department for Communities and Local Government 2nd floor, Fry Building 2 Marsham Street London SW1P 4DF

	<p>When you reply it would be very useful if you confirm whether you are replying as an individual or submitting an official response on behalf of an organisation and include:</p>
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- your name,
- your position (if applicable),
- the name of organisation (if applicable),
- an address (including post/code),
- an email address, and
- a contact telephone number

About this consultation

This consultation document and consultation process have been planned to adhere to the Consultation Principles issued by the Cabinet Office.

Representative groups are asked to give a summary of the people and organisations they represent, and where relevant who else they have consulted in reaching their conclusions when they respond.

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004.

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department for Communities and Local Government will process your personal data in accordance with DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.
Individual responses will not be acknowledged unless specifically requested.

Your opinions are valuable to us. Thank you for taking the time to read this document and respond.

Are you satisfied that this consultation has followed the Consultation Principles? If not or you have any other observations about how we can improve the process please contact DCLG Consultation Co/coordinator.

Department for Communities and Local Government
2 Marsham Street
London
SW1P 4DF

Or by e-mail to: consultationcoordinator@communities.gsi.gov.uk

1. Summary of proposals

1.1 Summary

1.1.1 This chapter provides an overview of the wider reforms of local government finance which will help provide context to the proposals for the 2017/18 settlement:

- it provides background information regarding the ongoing reforms to business rates retention and
- it outlines the key themes that the Government is proposing for the 2017/18 local government finance settlement.

1.2 Background

1.2.1 The funding available to councils to deliver their core services for the rest of this Parliament is broadly flat, in cash terms. By then, local government will retain 100% of taxes raised locally. This will give local government additional business rates receipts of around £12.5bn to spend on local services. The system will have stronger incentives to boost growth, and areas that take bold decisions to boost growth will see the benefits. In order to ensure that the reforms are fiscally neutral, councils will gain new responsibilities, and some Whitehall grants will be phased out.

1.2.2 These reforms represent a unique opportunity to fundamentally change the role of local government and the way it is funded. The move towards self-sufficiency and away from dependence on central government is something that councils have been calling for over a number of decades. The historic 2016/17 local government finance settlement was a first step along this road. It offers those local authorities who are committed to reform far greater certainty over their future funding.

1.3 Summary of proposals

The distribution of central resources

2.1.1 This chapter outlines our proposals for distributing central resources in 2017/18 to build on the four year offer announced in the 2016/17 local government finance settlement. These proposals are intended to give councils that are committed to reform long term certainty, earlier in the year, over more sources of funding. In summary, it outlines:

- the Government's commitment to the multi-year settlement offer and seeks views on expanding this offer
- the proposed approach to distributing funding through the Improved Better Care Fund using a methodology that takes account of each council's capacity to raise resources through the adult social care precept.

Changes to local resources

2.1.2 This chapter outlines the Government's proposals for the 2017/18 local government finance settlement that have implications for the local resources collected by councils. In summary, it includes:

- the Government's proposals for the council tax referendum principles for 2017/18 which are:
 - a core principle of 2%. As in 2016/17, this would continue to apply to shire counties, unitary authorities, London boroughs, the Greater London Authority, fire authorities, and Police and Crime Commissioners except those whose Band D precept is in the lower quartile of that category
 - a continuation of the Adult Social Care precept of an additional 2%, for county councils, unitary authorities and London boroughs (including the Common Council of the City of London and the Council of the Isles of Scilly), subject to consideration of the use made of the Adult Social Care precept in the previous year
 - that shire district councils will be allowed increases of less than 2% or up to and including £5, whichever is higher
 - that Police and Crime Commissioners whose Band D precept is in the lowest quartile of that category will be allowed increases of less than 2% or up to and including £5, whichever is higher
 - that referendum principles are introduced for town and parish councils whose Band D precept is higher than that of the lowest charging district council for 2016/17 (£75.46), and which have a total precept for 2016/17 of at least £500,000, while taking account of transfers of responsibilities, and that consideration is given to the extension of referendums to all local precepting authorities.
- the proposed approach for adjusting business rates tariff and top ups to cancel out, as far as is practicable, the impact of the 2017 business rates revaluation on local authorities' income
- a proposed methodology for calculating the agreed changes in the local share of retained business rates and the level of tariff and top ups for local authorities piloting 100% business rates retention, designed to ensure that no authorities anywhere in the country are adversely affected by these pilots, and
- a mechanism which would allow places with a devolution deal to revisit the distribution of existing funding streams within their areas, if all affected councils agree.

2. The distribution of central resources

2.1 Summary

2.1.1 This chapter outlines our proposals for distributing central resources in 2017/18 to build on the multi-year settlement offer announced in the 2016/17 local government finance settlement. These proposals are intended to give councils that are committed to reform greater certainty, earlier in the year, over more sources of funding. In particular, the chapter outlines:

- the multi-year settlement offer and seeks views on expanding this offer
- the proposed approach to distributing funding through the Improved Better Care Fund, using a methodology that takes account of each council's capacity to raise resources through the adult social care precept.

2.2 The multi-year settlement offer

2.2.1 On 10 March, the Secretary of State for Communities and Local Government wrote to every local authority in England setting out the conditions for the offer of a multi-year settlement.¹ This made clear that the offer and the production of an efficiency plan should be as simple and straightforward as possible. It is important that plans cover the full four year period and are open and transparent about the benefits they will bring and show how greater certainty can create the necessary conditions for further savings.

2.2.2 The offer, as described in the Secretary of State's letter of 10 March, includes:

- Revenue Support Grant
- Business rates tariff and top up payments, which will not change for reasons relating to the relative needs of local authorities
- Rural Services Delivery Grant and
- Transition Grant.

2.2.3 Plans should be locally owned and driven and as such we have not provided guidance or set out what they should contain. However councils should consider sector-led advice produced by the Local Government Association and CIPFA on what efficiency plans could include (<http://tinyurl.com/zqhpsy0>). Councils have until

¹ The letter confirmed that the Government will offer any council that wishes to take it up a four-year funding settlement to 2019-20. This includes:

- Common Council of the City of London
- London borough councils
- District Councils
- County Councils
- Council of the Isles of Scilly
- Greater London Authority
- Metropolitan County Fire and Rescue Authorities
- Combined Fire and Rescue Authorities.

14 October 2016 to accept the offer by sending an email or letter to MultiYearSettlements@communities.gsi.gov.uk with a link to their published efficiency plan. After the deadline for receipt, DCLG will respond to councils on the 4 year offer as soon as practicable.

- 2.2.4 We expect the take up for this offer to be high as it gives councils an excellent opportunity to increase the level of certainty they have regarding their financial position for the rest of this Parliament. Barring exceptional circumstances, and subject to the normal statutory consultation process for the local government finance settlement,² the Government intends to confirm the constituent elements of the multi-year offer for the remaining years of the Parliament for qualifying councils soon after 14 October. These amounts, together with any additional grants which might be part of the offer (see paragraph 2.2.6, below), would then be published as part of the 2017/18 provisional local government finance settlement in due course.
- 2.2.5 However, those councils that choose not to accept the offer will be subject to the existing annual process for determining the level of central funding that they will receive.
- 2.2.6 The Government would also like to consider expanding the current multi-year offer to give local councils who are committed to reform the opportunity for more security over more of their funding for the rest of this parliament. This could potentially be achieved by including more grants in the offer.

Question 1: What other, additional grants, beyond those set out in para 2.2.2, should the Government consider including in the multi-year offer?

2.3 Distribution of the improved Better Care Fund

- 2.3.1 The Spending Review 2015 announced the introduction of the improved Better Care Fund worth £105 million in 2017/18, £800 million in 2018/19 and £1.5 billion in 2019/20.
- 2.3.2 The Government set out its proposed approach to allocating the improved Better Care Fund allocations alongside the provisional Local Government Finance Settlement 2016/17 and committed to consult on the distribution of the fund in due course.
- 2.3.3 Having carefully considered its approach and the views received in response to the consultation on the settlement, the Government proposes to maintain the approach for 2017/18 set out in chapter 5 of the consultation on the provisional 2016/17 local government finance settlement published on 17 December 2015.³ This approach recognises that authorities have varying capacity to raise council tax, and will

² As prescribed in sections 78 and 78A of the Local Government Finance Act 1988.

³ Available at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/494385/Provisional_settlement_consultation_document.pdf

allocate the funding through a separate grant to local government, using a methodology which provides more funding to those authorities which benefit less from the adult social care council tax precept.

2.3.4 The proposed methodology for each financial year is as follows:

- i. We calculate the additional funding available to spend on adult social care at a national level, combining the 2% council tax flexibility for adult social care and the additional funding for the improved Better Care Fund.
- ii. We then calculate the share of that national amount which each authority with responsibility for social care would receive if it were distributed according to the 2013 adult social care relative needs formula.
- iii. We then calculate how much each authority with responsibility for social care could raise from the additional 2% council tax flexibility for adult social care.
- iv. The additional funding for the improved Better Care Fund is then allocated in such a way that, when combined with the money which could be raised from the council tax flexibility, each council would receive its share of the combined national amount as calculated in step (ii) above.
- v. These allocations are adjusted so that, where an authority could raise more from the additional council tax flexibility for social care than its share of the national amount calculated in step (ii), its allocation for the improved Better Care Fund is set to zero rather than a notional negative figure.
- vi. The remainder of the allocations are then reduced proportionately, so that the combined totals sum to the national total for additional funding available to spend on adult social care, as calculated in step (i).

2.3.5 The resulting illustrative proposed allocations of the improved Better Care Fund by local authority can be found at <https://www.gov.uk/government/publications/core-spending-power-final-local-government-finance-settlement-2016-to-2017>

Question 2: Do you agree with the proposed methodology for allocating funding for the improved Better Care Fund as outlined in paragraph 2.3.4?

3. Changes to local resources

3.1 Summary

3.1.1 This chapter outlines the Government's proposals for the 2017/18 local government finance settlement that have implications for the local resources collected by councils. These proposals include:

- provisional council tax Referendum principles for 2017/18
- the Government's approach to adjusting tariff and top ups to ensure as far as possible that local authorities have a predictable level of income regardless of the impact of the 2017 business rates revaluation
- a methodology for calculating the change in the local share and the level of tariff and top ups for local authorities piloting 100% business rates retention
- a mechanism through which funding could be transferred to a Combined Authority if all councils affected agree to the transfer.

3.2 Council tax referendum principles for local authorities

3.2.1 In the Spending Review, the Government announced a new adult social care precept worth 2% for authorities with responsibility for adult social care for the remainder of the Parliament. This new precept was in addition to a 'core' council tax referendum principle of 2% which would be reviewed annually. A range of flexibilities were offered to certain other categories of authority, with the remainder able to increase by up to the core 2% without triggering a local referendum. The Government is committed to keeping council tax low and, under the existing principles, the average Band D increase for 2016/17 was 3.1%, which means that council tax is still 9% lower in real terms than it was in 2009/10.

3.2.2 In order to balance the aim of keeping council tax low for local residents with the need for councils to raise sufficient funding to support local services, the Government is minded to propose referendum principles the same as those set in 2016/17, subject to the views of respondents to this consultation and consideration of the use made of the adult social care precept in 2016/17. This would mean:

- a core principle of 2%. This would continue to apply to shire counties, unitary authorities, London boroughs, the Greater London Authority, fire authorities, and Police and Crime Commissioners except those whose Band D precept is in the lower quartile of that category (see below)
- a continuation of the Adult Social Care precept of an additional 2%, for County Councils, unitary authorities and London boroughs (including the Common Council of the City of London and the Council of the Isles of Scilly), subject to consideration of the use made of the Adult Social Care precept in the previous year

- shire district councils will be allowed increases of less than 2% or up to and including £5, whichever is higher
- Police and Crime Commissioners in the lowest quartile will be allowed increases of less than 2% or up to and including £5, whichever is higher.

Question 3: Do you agree with the council tax referendum principles for 2017-18 proposed in paragraphs 3.2.1 to 3.2.2 for principal local authorities?

3.3 Council tax referendum principles for parish and town councils

3.3.1 Since the introduction of council tax referendums in 2012/13, no referendum principles have been set for local precepting authorities such as town and parish councils (“parishes”), although the Government has made it clear that we would keep this under review and take action if necessary.

3.3.2 We recognise the value of parishes and the greater role in service delivery that many are performing to deliver ambitious services for their residents. However, the increase in the average Band D council tax level of 6.1% set by parishes in 2016/17 is notably higher than those in the previous 5 years, as shown in Table 1 below:

Table 1: Average percentage increase in Band D council tax levels set by parishes

	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
Parishes	2.3%	3.9%	5.2%	4.3%	3.3%	6.1%

3.3.3 In light of this, the Government is minded to apply referendum principles to larger, higher-spending town and parish councils in 2017/18. There are around 8,800 precepting parishes in England, which vary widely in terms of resident population and precept charge. We believe there is a strong argument in favour of extending referendums to those larger parishes whose precept is equivalent in size to that of a district council.

3.3.4 We propose that referendum principles are introduced for local precepting authorities (town and parish councils) whose Band D precept is higher than that of the lowest charging district council for 2016/17 (£75.46), and which have a total precept for 2016/17 of at least £500,000 (subject to the next paragraph). These parishes would face the same referendum principles as shire districts: increases of less than 2% or up to and including £5 (whichever is higher) can be set without triggering a referendum. Based on these thresholds, the Government expects this new principle will affect around 120 of England’s 8,800 local precepting parishes.

3.3.5 In doing this, the Government wishes to ensure that parishes continue to have the flexibility to take on responsibilities from other tiers of local government without being unduly constrained by council tax referendum principles. It is therefore proposed that parishes will not be in the category to which the referendum principle

applies where there has been a transfer of responsibilities, and where three conditions are satisfied:

- i. the parish council and a principal council covering the area of the parish council have each resolved that a particular function carried out by the principal council in relation to the parish council's area in the financial year 2016-17 is to be carried out instead by the parish council in the financial year 2017-18
- ii. the parish council and the principal council have agreed the reasonable cost of the exercise of that particular function in the parish council's area by the parish council in the financial year 2017-18
- iii. that the agreed cost, if collected by way of the parish council precept, would take the parish council over the threshold of a 2% or £5 increase on the previous year.

3.3.6 A large proportion of parishes are modest in size – for example, around 4,000 parishes have precepts of £25 or less. However, the Government is aware that increases in these precepts continue to concern local tax payers and is therefore prepared to consider extending referendums to all parishes.

3.3.7 We recognise that issues of proportionality, practicality and cost could be raised by such a step, and would welcome views on this.

Question 4: Do you agree that referendum principles should be extended to larger, higher-spending town and parish councils in 2017/18 as set out in paragraphs 3.3.3 to 3.3.4?

Question 5: Do you agree with the proposed approach to take account of the transfer of responsibilities to town and parish councils as outlined in paragraph 3.3.5?

Question 6: Do you agree with the suggestion that referendum principles may be extended to all local precepting authorities as set out in paragraph 3.3.6? If so what level of principle should be set?

Question 7: Do you have views on the practical implications of a possible extension of referendum principles to all local precepting authorities as set out in paragraph 3.3.7?

3.4 The business rates revaluation adjustment

3.4.1 The next business rates revaluation takes effect from 1 April 2017. Revaluation is a revenue neutral exercise so the total rates bill will stay the same at the England level in real terms, after allowing for appeals. At the local authority level, overall bills will increase or fall depending upon whether rateable values in that area have performed above or below the average for England, after allowing for appeals.

3.4.2 This creates change in the system outside the control of local authorities. When the Government introduced the 50% business rate retention scheme it signalled that it would adjust each authority's tariff or top up following a revaluation to ensure, as far as is practicable, that their retained income is the same after revaluation as immediately before. This will ensure that the growth incentive created by the rates retention scheme and the delivery of public services will not be weakened by losses of income outside the control of authorities. The following section describes how we will implement this commitment.

The adjustment for the revaluation

3.4.3 For a local authority, the measure of rates income in the rates retention scheme is its share of "non-domestic rating income" as defined in regulations and captured on the NNDR3 form. Therefore, the objective of the revaluation adjustment is to identify and isolate the amount by which non-domestic rating income in the authority will change purely due to the revaluation. Once identified, the relevant shares of these amounts can then be deducted or added to the tariffs or top ups to cancel out the impact of revaluation.

3.4.4 For example:

An authority sees its local share of non-domestic rating income grow due to revaluation from £100m to £122m. It has a £20m top up. With no adjustment, the £22m increase would feed through into extra revenue for the authority. To compensate we need to deduct £22m from the £20m top up giving a tariff of £2m.

3.4.5 In practice we do not believe it will be possible to directly measure the changes in non-domestic rating income arising from the revaluation alone. Instead we propose to estimate the change using a proxy (derived from gross rates payable). The proxy will be calculated by comparing the local authority's rateable value before and after the revaluation to quantify the impact the revaluation has on the tax base. This effect will then be applied to the authority's gross business rates income before the revaluation to produce a figure for the council's income post-revaluation. Subtracting this post-revaluation income figure from the pre-revaluation income and apportioning it according to the authority's share of business rates income under the scheme will produce the change that needs to be made to its tariff or top up in order to ensure that it has, as far as practicable, the same income after the revaluation as it had before.

3.4.6 We propose to make this adjustment in three stages: on a provisional basis in the 2017-18 settlement; on a final basis with a reconciliation in the 2018-19 settlement; and finally, by cancelling out the reconciliation in the 2019-20 settlement.

3.4.7 Annex A provides more detailed information about the calculations involved in the proposed methodology for the revaluation adjustment.

Appeals against the 2017 rating list

3.4.8 The adjustment for revaluation is for those impacts discernable at the time of the revaluation only (and captured in the rateable values on 31/3/17 and 1/4/17 as we look at them on that day). Changes to the revaluation which occur after 1 April

2017 by virtue of backdated amendments or appeals (including those backdated to 1/4/17) fall within the operation of the rates retention system in the normal way.

Question 8: Do you agree with the methodology for calculating the revaluation adjustment to business rates tariff and top-up payments as outlined in paragraphs 3.4.1 to 3.4.8?

3.5 Adjustments to business rates in areas piloting 100% business rates retention

3.5.1 At the 2015 Autumn Statement the Government committed to piloting approaches to 100% business rates retention in London, Manchester and Liverpool from 1 April 2017.

3.5.2 The Government also committed that the pilots' offer would be available to other areas with ratified devolution deals and that as part of the pilots, the "local share" of business rates could be increased from as early as 2017-18.

3.5.3 To ensure that an increase in the "local share" of business rates is fiscally neutral at the point of change, the Government and pilot areas are exploring:

- ending entitlement to certain grants and other funding streams
- devolving additional responsibilities to pilot areas and
- adjusting existing business rate tariffs and top ups.

3.5.4 The Government intends to use the pilots to test mechanisms for full rollout of the 100% retention scheme. Any cost to the system from elements of the pilots will not impact on non-pilot authorities.

Methodology for calculating the additional local share in pilot areas

3.5.5 The calculation of the value of an additional local share will be based on the pilot areas' Baseline Funding Levels and notional Business Rates Baselines (i.e. the 2013/14 Business Rates Baseline, uprated by subsequent changes to the small business rates multiplier). This will preserve the integrity of the existing scheme by ensuring that the value of the additional share is exclusive of any growth (or decline) in business rates achieved by pilot authorities since 2013-14.

3.5.6 For each pilot authority, the value of funding streams and the new responsibilities rolled in to the business rates retention system (hereinafter referred to as "Grant") will be added to the existing Baseline Funding Level to create a "new" Baseline Funding Level for the authority.

3.5.7 There are two different options on offer to pilot authorities in 2017-18. Either:

- a) the local percentage share of business rates is increased only by the value of the "Grant" rolled-in or

- b) the local percentage share of business rates is increased to 100% and, to the extent that the “Grant” rolled in is not equivalent to 100% of local business rates, tariffs and top ups are adjusted appropriately.

3.5.8 Under option a) above, the additional percentage share of business rates will be equal to:

Grant / notional Business Rates Baseline x existing % share of business rates

3.5.9 This additional percentage share will be added to the existing percentage share to give the percentage to be retained in 2017/18.

3.5.10 Under option b) above, the notional Business Rates Baseline of each authority will be adjusted to reflect the increase in the local share to 100%.⁴ The adjustment to the notional Business Rates Baseline is equal to:

Business Rates Baseline / existing % share of business rates x 100%

3.5.11 For option B, the difference between the new Baseline Funding Level and the new notional Business Rates Baseline will be the tariff or top up for 2017-18.

Calculation of Baseline Funding Levels and Tariffs and Top ups

3.5.12 Baseline Funding Level and business rate tariff and top up figures were set as part of the Local Government Finance Settlement in February 2016 using OBR estimates of the Retail Price Index (RPI) as a proxy for the changes in the small business rating multiplier. The actual multiplier for 2017-18 will be set once September 2016’s RPI is published. At the 2017-18 Settlement, Government will also update Baseline Funding Levels and tariffs/top ups for later years based on up-to-date estimates of RPI.

3.5.13 If it is necessary to make any agreed changes to amounts of Revenue Support Grant, the retained local share or tariffs and top ups for 2017-18, these will be made after the change in the small business rating multiplier are known. Whilst we will publish indicative figures for later years, it is the Government’s intention to recalculate the value of the local share (and the possible knock-on consequences for tariffs and top ups) for future Local Government Finance Settlements based on the actual change to the small business rating multiplier for those years.

Question 9: Do you agree that the methodology, as outlined in paragraphs 3.5.5 to 3.5.13, for calculating changes to the local share of business rates and tariff and top up payments is correct and does not adversely affect non-pilot areas?

3.6 Voluntary transfers of funding to Mayoral Combined Authorities

3.6.1 Devolution Deals have established the new duties that Mayoral Combined Authorities will be responsible for. There is the potential to adjust the calculation of

⁴ In most areas, the 100% will be split between different tiers of authority.

grant and business rates payments to reflect any changes in the way existing duties are carried out by authorities. These changes would only be made in areas where it is requested by the Mayoral Combined Authority and all authorities affected by any changes agreed to the proposals.

- 3.6.2 Before doing this, we would need all local authorities affected by the transfer of funding arrangements to agree to the process and to provide the numbers on which the calculations would be based.
- 3.6.3 If the funding is to be transferred in the form of grant, then it would be possible to decide on an authority by authority basis how much grant is to be paid to the Combined Authority instead of the authorities who currently receive funding. It would be up to the local authorities affected to agree how this should be done.
- 3.6.4 If the funding is to be transferred in the form of a share of business rates, then the same procedure as above would be followed, but an additional step would be required to convert the amount for each authority into a percentage of their business rates that would transfer to the combined authority and the shares of business rates would then need to be reflected in regulations. Section 3.5 outlines how this would be done.
- 3.6.5 If the funding is to be transferred in the form of council tax then it would be necessary to ensure any transfer did not in itself increase the burden on council tax payers. In order to affect the transfer the same Band D level would need to be transferred away from all the currently funded authorities. This could be achieved by dividing the total amount to be transferred to the Combined Authority by the total number of Band D equivalent properties within the currently funded authorities. Alternative Notional Amounts could then be used to reduce the currently funded authorities' baselines and create a new baseline for the Mayor; this would ensure that no local referendums would be triggered due to the transfer of funding. This could only be done if the service transferred was the responsibility of the Mayor rather than that of the combined authority.

Question 10: Are you considering a voluntary transfer of funding between the Combined Authority and constituent authorities?

Question 11: Do you have any comments on the impact of the proposals for the 2017-18 settlement outlined in this consultation document on persons who share a protected characteristic? Please provide evidence to support your comments.

Annex A: 50% Business Rates Retention: Methodology for adjusting for the 2017 revaluation

- B.1. In order to ensure, as far as is practicable, the impact of the 2017 revaluation is neutralised in the rates retention scheme, DCLG propose to make the following adjustments to tariffs and top ups. This will be in addition to the normal inflation adjustments made to tariffs and top ups.
- B.2. Ideally, we would directly measure the change in non-domestic rating income between 31/3/17 and 1/4/17 (the 2 days either side of the revaluation). However:
- being the last day of the financial year and a Friday there could be many alterations on 31 March 2017 with retrospective effect (typically appeals credited on that day). The authority would, therefore, need to take a view as to how much of their provision they have released to fund those appeals and how much actually reduced non-domestic rates income for that day
 - we would need to consider whether changes to the provisions for the year should also be allocated to the income for the day and if so how
 - there will be other accounting adjustments in income which would need to be reflected for the day – such as bad debt.
- B.3. In practice we believe this would be too complicated and too sensitive to refunds, backdated alterations and subjective allocations of accounting adjustments. Instead the Government will use a proxy to measure the change in rates income due to the revaluation. We will then apply that proxy (as a factor) to the non-domestic rating income for 2016/17. That would then give an estimate of the change in in non-domestic rating income between 31/3/17 and 1/4/17.

Choice of a proxy for revaluation change

- B.4. As a proxy, we propose to adopt the change in gross rates payable before all reliefs and accounting adjustments between 31 March 2017 and 1 April 2017. Essentially, this is just the rateable value x small business multiplier for those 2 days.
- B.5. This proxy will not itself reflect changes in reliefs such as Small Business Rate Relief (SBRR). However, the proxy will be applied to non-domestic rating income which will already reflect the degree to which local income is affected by reliefs. So the adjustment will, by adopting non-domestic rating income, reflect the position of those authorities with a lot of SBRR.
- B.6. Where the proxy could be less accurate is where reliefs in a local area change due to the revaluation out of line with the proxy for all properties in the area. Many percentage awards of reliefs will not change due to the revaluation (e.g. charitable

relief) as their eligibility and percentage is not driven by rateable value - so for them the proxy should work as well as it does for any property. And some have little impact (e.g. the empty property relief lower threshold) and some reliefs are insignificant (rural rate relief).

B.7. In principle, there is more scope for the revaluation factor for small properties receiving SBRR to be different to all properties. However:

- it is not possible to say what that revaluation factor for SBRR properties would have been. The Government has made large changes to the eligibility of SBRR for 1 April 2017. Had the Government not done anything to SBRR we would in any case have adjusted the thresholds for the relief and the Small Business (SB) multiplier. In the absence of the need for that decision we cannot isolate the effect of the Budget change to SBRR from the revaluation change
- we believe the impact would still be marginal.

B.8. Therefore, we believe adopting a proxy based on the gross change in rateable value using the Small Business multipliers is a practical and proportionate method. However, we will keep this under review for the final adjustment in the 2018/19 settlement (see below). We will also separately pay section 31 for the SBRR changes in the 2016 Budget including the increase in the threshold for the SB multiplier and will consider that payment in the context of the revaluation adjustment.

Provisional and Final adjustments

B.9. We will not have actual 2016/17 non-domestic rates income or rateable values at 1 April 2017 in time for the 2017/18 settlement. Therefore, we propose to make the revaluation adjustment in 3 stages:

- provisional 2017/18 top ups and tariffs will be calculated in the autumn of 2016 based on forecasts. This will be based on NNDR3 non-domestic rates income for 2015/16 increased in line with inflation and rateable values for the 2010 and 2017 lists available at the draft list stage (30 September 2016)
- final 2017/18 top ups and tariffs will be calculated in the autumn of 2017. The 2018/19 settlement will then include a reconciliation of the 2017/18 adjustment
- in 2019/20 we will cancel the one off reconciliation adjustment for 2018/19.

Appeals and the multiplier

B.10. At the revaluation the Secretary of State is allowed, in setting the multiplier, to anticipate future appeals on both the old and new rating list. This has the effect of increasing the multiplier so in effect we over-collect in the early years of the rating list and then under-collect in later years as the appeals start to come through with retrospective effect.

- B.11. Local government is responsible for accounting for appeals through their forecast of business rates income using proper accounting practice. Therefore they will make a provision at the start of the 2017 rating list to reflect all expected future appeals. To offset the effect of this provision we propose to remove from the revaluation adjustment the impact of future appeals. We will do this by calculating the revaluation adjustment using a notional small business multiplier for 2017/18 which has not been adjusted for appeals.
- B.12. This approach will give local authorities funds to deal with volatility and ensure retained rates income and spending does not fall from 1 April 2017 due to large new provisions for the revaluation.
- B.13. Having regard to the above, the following are the adjustments we propose to make to future settlements to implement the revaluation adjustment.

2017/18 Settlement

- B.14. For the 2017/18 settlement top ups and tariffs for the previous year will be adjusted for each local authority by the addition of the following amount (such that a negative outcome gives rise to a deduction):

$$J = C \left(1 - \frac{A}{B} \right) D$$

Where:

A	is total rateable value in all of the draft 2017 local rating lists covering the authority's area using the draft lists provided to Billing Authorities on 30 September 2016 multiplied by the adjusted provisional small business non-domestic rating multiplier for 2017/18. "Adjusted provisional small business non-domestic rating multiplier" is the provisional small business multiplier as included in the draft Local Government Finance Settlement but adjusted to an assumption that the effect of the alterations referred to in paragraph 5(6) & 5(7) of Schedule 7 to the Local Government Finance Act 1988 was to have no effect on rateable values or hereditaments.
B	is the total rateable value in all of the 2010 local rating lists covering the authority's area for 23 September 2017 and measured on that day multiplied by 0.484.
C	is the non-domestic rating income for the authority for 2015/16 (line 12 page 1 NNDR3) multiplied by 0.484/0.480
D	is the local share.

2018/19 Settlement

- B.15. For the 2018/19 settlement tariffs and top ups for the previous year will be adjusted for each local authority by the addition of the following 2 amounts (such that a negative outcome gives rise to a deduction):

Amount 1 (on-going adjustment)

$$G \left(1 - \frac{E}{F}\right) H$$

Amount 2 (reconciliation of 2017/18)

$$G \left(1 - \frac{E}{F}\right) H - J$$

Where:

E	is total rateable value in all of the 2017 local rating lists covering the authority's area for 1 April 2017 and measured on that day multiplied by the adjusted small business non-domestic rating multiplier for 2017/18. "Adjusted small business non-domestic rating multiplier" is the small business multiplier as included in the Local Government Finance Settlement but adjusted to an assumption that the effect of the alterations referred to in paragraph 5(6) & 5(7) of Schedule 7 to the Local Government Finance Act 1988 was to have no effect on rateable values or hereditaments.
F	is the total rateable value in all of the 2010 local rating lists covering the authority's area for 31 March 2017 and measured on that day multiplied by 0.484.
G	is the non-domestic rating income for the authority for 2016/17.
H	is the local share.
J	is the result of the formula above for the 2017/18 settlement for the authority.

2019/20 settlement

- B.16. Finally we will need an adjustment to the 2019/20 settlement to cancel the adjustment from the previous year's top up or tariff for the reconciliation of 2017/18 (thereby leaving in the top up or tariff the ongoing adjustment only). For the 2019/20 settlement top ups and tariffs for the previous year will be adjusted for each local authority by deducting the following amount:

Amount 2 in respect of 2018/19 x -1

Notes:

- i. We aim to provide certainty for local government by explaining this methodology now. However, DCLG will keep this methodology under review in order to allow scope for further adjustments to be made in 2018/19, for example to account for any significant issues of unfairness.

- ii. The tariffs and top ups will also need to be increased in line with inflation in the normal way each year. To achieve this we may, in practice, first strip out inflation from the revaluation adjustment. We may do this by adopted a “zero inflation” SB multiplier at A above.
- iii. The revaluation factor is calculated before SBRR and before the SB supplement (i.e. it is just based on the SB multiplier). We will separately pay section 31 for the SBRR changes in 2016/17 including the increase in the threshold for the SB multiplier. We will consider that payment in the context of the revaluation adjustment.
- iv. The 2010 and 2017 lists should match – i.e. have the same hereditaments with same physical attributes etc. The draft list provided to you for 30 September will be taken from the live list on 23 September – hence the use of that date. We believe this methodology will achieve this but we will continue to check that assumption.
- v. The adjustment to the multiplier for 2017/18 is to remove the impact of the appeals assumption from the multiplier. This will reduce the multiplier in the calculation which in turn will give local authorities a surplus to offset against future appeal.

Annex B: Summary of consultation questions

Question 1: What other, additional grants, beyond those set out in para 2.2.2, could the Government consider including in the multi-year offer?

Question 2: Do you agree with the proposed methodology for allocating funding for the improved Better Care Fund as outlined in paragraph 2.3.4?

Question 3: Do you agree with the council tax referendum principles for 2017-18 proposed in paragraphs 3.2.1 to 3.2.2 for principal local authorities?

Question 4: Do you agree that referendum principles should be extended to larger, higher-spending town and parish councils in 2017/18 as set out in paragraphs 3.3.3 to 3.3.4?

Question 5: Do you agree with the proposed approach to take account of the transfer of responsibilities to town and parish councils as outlined in paragraph 3.3.5?

Question 6: Do you have any comments on the suggestion that referendum principles may be extended to all local precepting authorities as set out in paragraph 3.3.6? If so what level of principle should be set?

Question 7: Do you have views on the practical implications of a possible extension of referendum principles to all local precepting authorities as set out in paragraph 3.3.7?

Question 8: Do you agree with the methodology for calculating the revaluation adjustment to business rates tariff and top-up payments as outlined in paragraphs 3.4.1 to 3.4.8?

Question 9: Do you agree that the methodology, as outlined in paragraphs 3.5.5 to 3.5.13, for calculating changes to the local share of business rates and tariff and top up payments is correct and does not adversely affect non-pilot areas?

Question 10: Are you contemplating a voluntary transfer of funding between the Combined Authority and constituent authorities?

Question 11: Do you have any comments on the impact of the proposals for the 2017-18 settlement outlined in this consultation document on persons who share a protected characteristic? Please provide evidence to support your comments.

Annex C: Glossary of technical terms

Baseline funding level

The amount of an individual local authority's Start-Up Funding Assessment for 2013/14 provided through the *local share* of the Estimated Business Rates Aggregate updated each year by the change to the small business multiplier (in line with RPI).

Business rates baseline

Determined for individual authorities at the outset of the business rates retention scheme by dividing the *local share* of the Estimated Business Rates Aggregate (England) between billing authorities on the basis of their proportionate shares, before the payment of any major precepting authority share.

Central share

The percentage share of locally collected business rates that is paid to central government by billing authorities. This is set at 50%. The *central share* is re-distributed to local government through grants including the *Revenue Support Grant*. This replaces the previous 'set-aside' policy.

Local government spending control total

The total amount of expenditure for Revenue Support Grant in the Department for Communities and Local Government's Local Government Departmental Expenditure Limit (LG DEL) plus the local share of the Estimated Business Rates Aggregate that is allocated to the local government sector by Government for each year of a Spending Review. It does not include the resources identified in the 2013 Spending Round for social care and Troubled Families.

Local share

The percentage share of locally collected business rates that is retained by local government. This is set at 50%.

Revenue Support Grant

Billing and most major precepting authorities receive Revenue Support Grant from central government in addition to their local share of business rates Aggregate. An authority's Revenue Support Grant amount plus the local share of the Estimated Business Rates Aggregate will together comprise its Settlement Funding Assessment.

Safety net

Mechanism to protect any authority which sees its business rates income drop, in any year, by more than 7.5% below their *baseline funding level* (with baseline funding levels being updated by the small business rates *multiplier* for the purposes of assessing eligibility for support).

Start-up funding assessment

A local authority's share of the local government spending control *total* which will comprise its Revenue Support Grant for the year in question and its *baseline funding level*.

Tariffs and top ups

Calculated by comparing at the outset of the business rate retention scheme an individual authority's business rates baseline against its baseline funding level. Tariffs and top ups are self-funding, fixed at the start of the scheme and index linked to RPI in future years.

Tariff authority

An authority with, at the outset of the scheme, a higher individual authority business rates baseline than its baseline funding level, and which therefore pays a tariff.

Top-up authority

An authority with, at the outset of the scheme, a lower individual authority business rates baseline than its baseline funding level, and which therefore receives a top up.