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**LEWES
TOWN
COUNCIL**

MINUTES

Of the meeting of **Lewes Town Council** held on

Thursday 22nd January 2015 in the **Council Chamber, Town Hall, Lewes** at **7:30pm**.

NB if a record of voting was requested, this is shown in a table appended to these Minutes.

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

In attendance: S Brigden (*Town Clerk [TC]*); L Symons (*Mace Bearer*); Mrs E Tingley (*C’tee Administration*)

Observing: Ms J Dean (*Customer Services Officer*); Ms V McLachlan (*Finance Administration Officer*)

FC2014/86

QUESTION TIME: There were two observers present; Mr L Russell-Moyle and Cllr R St. Pierre, East Sussex County Councillor.

Mr Russell-Moyle asked whether the Council “would take a proactive approach with other Parish Councils to seek continuance of bus routes”.

Lewes Town Council’s Traffic Working Party would discuss transportation cuts at its next meeting.

Cllr St. Pierre asked whether Lewes Town Council were aware of an East Sussex County Council extraordinary meeting, called for the following Monday to debate the proposal of a second runway at Gatwick Airport, and asked councillors to advise her what their views were.

As there had been no forewarning of this question, it was not possible to offer a coherent ‘corporate’ opinion on such a complex subject and it was agreed that individual members would e-mail Cllr St Pierre with their personal views.

FC2014/87

MEMBERS’ DECLARATIONS OF INTEREST: There were none.

FC2014/88

APOLOGIES FOR ABSENCE: Apologies had been received from Cllr E Allsobrook who had a work commitment, Cllr J Daly who was on holiday, Cllr A Dean who was recovering from a dental operation and Cllr MacCleary who had a work commitment.

FC2014/89

MAYOR’S ANNOUNCEMENTS:

a) *Local Government Finance Settlement* - The Mayor informed members of the National Association of Local Councils response to government, opposing the extension of referendum principles to parish councils and calling for new action on council tax support funding, which had been supported with over 400 responses from councils and county associations and other advocacy work such as lobbying MPs. The final settlement was scheduled to be announced on 5 February with a debate in Parliament taking place on 12 February, subject to Parliamentary timetable.

FC2014/90

MINUTES:

The Minutes of the Council meeting held on 11th December 2014 were received and signed as an accurate record.

Continues...

WORKING PARTIES AND OUTSIDE BODIES:

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

a] *All Saints Steering Group 8th January 2015:* The Minutes of this meeting were received. There had been discussion on the subject of lighting improvements which were underway, and Cllr Milner had offered to advise on technical aspects of further improvements which were in prospect. He clarified a statement in the draft minutes, inasmuch as he did *not* hold specialist qualifications in theatre/stage lighting but was a qualified engineer working in the field and offered extensive experience in this regard. Recently-updated operating statistics were received for Film@AllSaints, and it was noted that a recent children's film had attracted a capacity audience. Further deliberation on the matter of digital projection equipment was deferred until the previously-mandated sub-group could investigate details and options with Lewes Film Club. The Centre continued to operate at near-capacity in terms of booking availability. Following general discussion **it was resolved that:**

FC2014/91.1 The Minutes of the meeting of the All Saints Steering Group held on 8th January 2015 (*copy in minute book*) are noted.

b] *Audit Panel meeting 20th January 2015:* The Minutes of this meeting were received and it was noted that the draft omitted to record Cllr Li's attendance; which amendment was then recorded. Cllr Milner, as Chairman of the Panel, then elaborated upon various points. A view had been expressed by one member regarding the remit of the Panel; suggesting that it "should" have wider responsibilities. A lengthy discussion had ensued, during which the statutory audit and accountability regime that applied to local councils was explained in detail. Members were reminded that successive reports from qualified and independent audit professionals had confirmed the effectiveness and appropriateness of the Council's current systems. Roles and responsibilities were clear, and there were logical distinctions between budget-setting; operation of services; and audit of those operations. The Panel was tasked with satisfying itself that systems were operating satisfactorily to process; record, and monitor. By the Panel's periodic reviews; supported by the independent reports of the professional Internal Auditor, Council was assured that it could sign-off its statutory responsibilities without concern.

Panellists had been furnished with detailed information (*copies in minute book*) following the end of the third quarter of the financial year 2014/15. A budget monitoring update showed actual expenditure and income values as posted to the Council's *Sage* accounting system and included all transactions processed to the end of the third quarter. There was some discussion on salient points of detail and TC had responded with reference to the identified sources. Apparent variations were related to known events, such as specific payments in respect of works and purchases; stock-taking adjustments; errors in posting (*eg* to incorrect accounts) which had since been corrected, or perceived 'overspend' which would be chargeable to Reserves when final accounts were prepared at year-end. There were no items of concern. An analysis of trends in operating costs showed comparisons in operating costs service-by-service back to the 2003/04 year. Figures showed the nett cost of each service, and analysis as a percentage of Precept and of total costs, and indicated trends in Reserve and General Fund balances *etc.* The file of periodic routine bank reconciliations was scrutinized, and the Chairman appended his signature to verify these in each instance. The nominal ledger report produced from the Council's *SAGE* accounting system records was similarly introduced (as the source document reconciled to the budget monitoring report) although before endorsing this, the Chairman asked for some clarification of the accounting conventions shown. It was

confirmed that this had subsequently been provided, and the report verified. **It was resolved that:**

FC2014/91.2 The Minutes of the meeting of the Audit Panel Meeting on 20th January 2015 (*copy in minute book*) are noted.

FC2014/92

ELECTRONIC DELIVERY OF SUMMONS:

Members considered report FC013/2014 (*copy in minute book*) advising Members of the legislative amendment that will allow for electronic service of meetings Agenda.

The Local Government (Electronic Communications) (England) Order 2015/5 now enabled and facilitated the use of electronic communications in the sending of summonses to meetings, to members of both principal councils and parish councils in England. Members must consent to agenda being transmitted by this method and they may at any time withdraw their consent. The summons to attend meetings must be sent at least three days clear before the meeting, as before, but an additional option was now provided for the summons to be transmitted in electronic form to a particular electronic address. The new provisions came into force on 30 January 2015. Members were provided a form on which to advise TC of their wishes in this regard.

The new arrangements would not avoid the need for a paper notice to be given to the public nor did they allow for the posting of members' summonses on a website alone.

It was resolved that:

FC2014/92.1 Lewes Town Council notes the effect of the Local Government (Electronic Communications) (England) Order 2015/5.

FC2014/93

GOVERNMENT CONSULTATION ON PARISH POLLS:

The Department for Communities and Local Government was undertaking a consultation on the modernisation of parish polls, "*with the aim of bringing the process up to date and ensuring that parish polls continue to provide a legitimate method for local communities to have a voice on issues that directly relate to parish matters*". Responses were required by 30 January 2015. Members had previously been sent this consultation in December 2014, to make any individual comments, but Council was now asked to consider a corporate response. Members were reminded that:

A parish poll is unique to the parish level of local government. It is the procedure whereby a ballot of local government electors in the parish can be called on any question arising at a parish meeting. For parishes with parish councils, a parish meeting is normally held once a year, but extraordinary parish meetings can be convened at any time by the parish chairman, by two parish councillors, or by six or more local government electors for the parish.

At these meetings local electors can raise any matter affecting parish business and can vote on any question put before the meeting which it is appropriate for a parish to consider. A poll may be demanded before the conclusion of the meeting on any question arising; and is held if either the person presiding at the meeting consents; or if demanded by not less than ten, or one-third, of the local government electors present at the meeting, whichever is less. Therefore: if a parish meeting is attended by 6 people, just 2 electors could effectively require a poll to be held.

A number of issues had been identified with the current arrangements:

- Parish polls are a very high-cost method of public consultation.
- The number of electors to trigger a poll is very low. Quite often it is just a few electors who demand a poll, and even if the majority at a meeting votes against the matter, the poll still has to be held if demanded by "not less than ten, or one-third, of the electors present". There is no requirement to give any advance notice of the

question to be raised, or that a poll is likely to be demanded on the question.

- There is no restriction on the number of polls that can be held, so a repeated series of polls can be demanded, even on the same matter. The cumulative effect can be extremely costly for the council and its council tax payers.
- The numbers voting at parish polls are usually very low.
- As all costs of the poll are met by the parish, this can have significant financial consequences for parish councils and tax payers.

In response to these concerns about parish polls, Section 42 of the Local Audit and Accountability Act 2014 created a power for the Secretary of State to make regulations on parish polls, and the intention was that these powers were now used to provide new regulations which would: *“modernise the parish poll process, whilst maintaining the essence of this important democratic tool and preserving the mechanism of calling a poll at a parish meeting”*.

In brief, the proposals were:

- to increase the trigger for the number of electors needed to call a poll, so as to limit “vexatious, unnecessary and otherwise inappropriate use of polls”.
- to more closely define the questions on which a parish poll can be held, so that questions posed are on appropriate local issues.
- to update the voting arrangements to improve access, and to modernise the polling procedure to bring mechanisms in line with other local government polls.
- to make various associated changes.

Members considered a draft response which had been suggested by a national parish sector working group, upon which there was a wide-ranging discussion. A number of deletions and other significant changes were proposed, and the resulting document agreed. **It was resolved that:**

FC2014/93.1 Lewes Town Council agrees its response to the government consultation on modernization of Parish Polls, as appended to these minutes.

FC2014/94

UPDATE ON MATTERS IN PROGRESS:

a) *Insurance Review* – A review had recently been conducted by the Council’s insurers and a technical officer had visited to discuss details of the insurance portfolio. A specialist building risk Inspector had also looked around the Town Hall and assessed the infrastructure and varied uses of the building. TC had discussed a scale of reductions in premium for renewal on the basis of a long-term agreement with Zurich Municipal which offered a 10% discount each year (*circa* £3,000) for five years, or 5% (*circa* £1,500) for three years, starting in April 2015. A five-year term was recommended and agreed.

b) *Tree Surveys* – The surveys had almost all been completed. Reports had been received for Love Lane and the Pells. When reports were completed for the other areas a package of works could be prepared for contractor’s costs to be estimated.

c) *Local Council Award Scheme* – This scheme, replacing the Quality Parish initiative had now been launched and Council was registered.

d) *Devolved ownership of Malling Recreation Ground and Landport Bottom* – Formal title searches had been exchanged and the legal process for transfer was now underway.

e) *Neighbourhood Plan Consultant* – The approved Consultant had been appointed and a small team of specialists would be visiting Lewes on the 29th and 30th January for an extended inspection of the town. The team would meet with the Neighbourhood Plan Steering Group on the evening of the 29th January.

FC2014/95

NOTICE of ITEMS IN PROSPECT:

a) The next Planning Committee Meetings would be on Tuesday 3rd February and

Tuesday 24th February at 7pm in the Yarrow Room.

b) The deadline for Grant applications for the next cycle was Friday 23rd January, with the assessment Panel meeting on 4th February and recommendations being considered by Council on 26th February. This was the last of the four cycles for 2014/15.

c) The next Council Meeting would be on Thursday 26th February at 7.30pm with the deadline for submissions to the Town Clerk of proposed items for the agenda being 12 noon on Monday 16th February.

d) The next Building Repairs Working Party would be on Tuesday 3rd February, with a site visit to Malling Community Centre (MCC) at 2:00pm followed by a meeting in the Yarrow Room at 3:00pm. A typographical error was noted in the distributed agenda, which should have identified the MCC address as BN7 2HQ

e) The deadline for nominations for the annual Civic Awards was 30th January.

f) Dates would be confirmed for meetings of various Working Parties and liaison groups.

FC2014/96

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

The meeting ended at 9:00pm

Signed:

Date:

Government consultation on modernization of Parish Polls

Consultation questions and Lewes Town Council responses (*resolution FC2014/93.1 refers*):

Q1. What are your views on the proposed trigger?

The proposal is to provide in regulations that:

No poll shall be taken unless the poll is demanded by the majority of local government electors present at the meeting and the electors demanding a poll constitute not less than: 1) 10% of local government electors for the community, or 2) 60 electors (if 10% of electors exceeds 60)

Lewes Town Council response:

Lewes Town Council welcomes the higher threshold to the trigger.

If a poll is to be held, it should be an additional requirement that no poll can be demanded unless the notice for the parish meeting, published 14 days before the date of the meeting, includes the wording of the question, and the fact that a poll may be requested.

Q2. What are your views on the Government's proposal to modernise voting arrangements?

The proposal is to provide in regulations:

- that a poll must be open from 7 a.m. to 10 p.m.
- that the same facilities for disabled people as used in other polls/referendums must be provided (*e.g. allow documents to be translated into braille and provided in audio format, and the use of ramps at polling stations to make them accessible for disabled voters*);
- that the poll may be conducted in accordance with such rules as applicable to the conduct of other polls as the Returning Officer considers appropriate, subject to the inclusion of postal and proxy voting for the poll being with the agreement of the parish council;
- that at the discretion of the principal council's Returning Officer, a parish poll may be combined, if timing permits, with another poll. In this situation a parish poll must be conducted according to the rules of the other poll.

Lewes Town Council response:

Lewes Town Council supports the proposal to increase hours to between 7am and 10pm and wishes to see the same facilities for less-able voters as for other elections *eg* proxies; electronic and postal voting options.

Q3. Do you consider that the proposed criteria sufficiently tighten the subject matter so that a poll can only be held on a parish issue?

The proposal is to provide in regulations that:

A poll can be called on any question arising at a meeting which concerns affairs which relate to a parish council/meetings functions and meets the following criteria:

1. The subject matter was discussed at the parish meeting.
2. The subject matter directly affects those who live and/or work in the parish; and
3. The parish council/meeting has the capacity to make a decision on the subject matter including any decision as a statutory consultee, but not including a decision simply to agree a declaratory statement on the matter.

Lewes Town Council response:

The wording of item 3 should be changed to "The parish council/meeting has the capacity to make a decision on the subject matter, but not including a decision simply to agree a declaratory statement on the matter, *or where the parish council is acting as a consultee.*"

The cost of holding a non-binding poll will not be justified if the role of the parish is simply as a consultee (*e.g.* on an individual planning application). In these circumstances the electors can raise their concerns directly with the decision-making body as part of the consultation process.

Q4. What are your views on the proposals to:

A: Change the calculation date for the number of electors on the electoral register to 1 December - bringing calculation time in line with other legislation.

B: Provide that only one poll can be called on the same subject in a 12 month period.

C: Provide that principal councils should place the results on their website and also on parish and town council websites, where these are available.

D: Issue guidance and encourage Returning Officers to provide a parish with an estimate of costs once a poll has been called and election arrangements agreed.

E: Provide that after a poll has been called, the parish council should be able to publish a short, factual, balanced and objective statement about the question of the poll.

Lewes Town Council response:

Lewes Town Council agree with A, B, and C.

Items D and E should be amended so that the estimated cost of the poll, together with the parish council's factual statement, can be considered by electors at the parish meeting at which the question and possible poll request are agenda items, these being relevant factors for electors to take into consideration when deciding whether or not a poll should be demanded.

Lewes Town Council
22nd January 2015