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**LEWES
TOWN
COUNCIL**

MINUTES

Of the meeting of **Lewes Town Council** held on
Thursday 4th April 2013, in the **Council Chamber, Town Hall, Lewes** at **7:30pm**.

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

PRESENT:

Councillors S Catlin (Wischhusen); M Chartier (*Mayor*); J Daly; I Eiloart; M Kent; D Lamport; L F Li; J MacCleary; M. Milner; R Murray; S Murray; R O’Keeffe (*Deputy Mayor*); A Price; and J Stockdale

In attendance: S Brigden (*Town Clerk [TC]*); Mrs F Garth (*Civic Officer and Asst. Town Clerk*) M Larkin (*Mace Bearer*); Ms E. Martin (*C’tee Administration*)

Observing: Ms J Dean (*Customer Services Officer*); Ms V McLachlan (*Finance Administration Officer*) and B Stevenson (*student observer on work experience placement*)

FC2012/131 QUESTION TIME: None (No members of the press or public were present.)

FC2012/132 MEMBERS’ DECLARATIONS OF INTEREST:

Cllr M Kent declared an interest *iro* item 6d in that he is a member of the Malling Community Association.

Cllr R O’Keeffe declared an interest *iro* item 6a in that she is a Director of Lewes Town Partnership

FC2012/133 APOLOGIES FOR ABSENCE:

Apologies were received from Cllr P Kingham, who had a work commitment; Cllr R Rudkin, who had a study commitment; and Cllr M Turner, who was unwell. No message had been received from Cllr Dean.

FC2012/134 MAYOR’S ANNOUNCEMENTS:

a) The Mayor thanked those Members who joined the traditional Beating of the Bounds walk held on 23rd March 2013.

b) The Mayor thanked those Members who had attended the Youth Sports Awards reception held at the Town Hall on Wednesday 3rd April 2013.

c) Welcome was offered to Ben Stevenson, who was gaining work experience at the Town Hall before starting University in September.

d) The next scheduled Members “drop-in” surgery would be on 6th April from 12 – 2pm in the Yarrow Room. Cllr R O’Keeffe volunteered to attend.

e) On Sunday 28th April between 8am and noon, there would be a temporary traffic control for the High Street/ Station Street/ Fisher Street junction to allow a large platform lift vehicle to remain at the front of the Town Hall for a professional survey of the building’s frontage at close-quarters. A report on the findings would follow in due course.

f) The Mayor reported on the threat of legal action by Lewes Cinema Limited on grounds of defamation. The Council’s insurers (Zurich Municipal Insurance) and the solicitors representing Lewes Cinema Limited had reached an agreement to avoid the potentially huge cost of litigation. Members would recall Zurich’s barrister had advised that, in his opinion, there was no justification for the claim, but he had noted that a common path with such actions was to proceed “up to the courtroom door”

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and then agree settlement terms after each side had already expended large sums on legal costs. To avoid this, and without any admission of liability, Zurich had agreed a payment of Lewes Cinema Limited's legal costs to date and a "statement of clarification" to be published on our Website. The payment would be made from a contingency reserve maintained by Zurich for such purposes, and would have no effect on our claims history or future premiums – this was simply an expedient measure in their terms. The wording of the clarification, which would be posted on the Council's website for one month from 5th April had been agreed as:

"We refer to the Information the Council posted on its website on 7th March 2012 – Lewes Community Cinema Project – FACTS".

We would like to clarify one aspect of this information. We wish to confirm that we did not intend to suggest that there was anything disreputable about Lewes Cinema Limited and we express our regret if there was anything we stated in the information which led anyone to form that view. We have no reason to believe that Lewes Cinema Limited is not a fit and proper undertaking for the screening of films.

We also confirm that Lewes Cinema Limited does not operate outside Lewes"

Given the emotional temperature of the original dispute, and the technical nature of the legal agreement, Members were reminded that any questions regarding the matter should be answered solely by reference to this statement and the information given – all of which would be reflected in the minutes of this meeting – or referred to the Town Clerk.

g) The Mayor reported that a particularly malicious, unpleasant and unquestionably libellous statement had been posted on the Lewes Forum website on Saturday 2nd March; immediately following, and referring-to, the last meeting of Council. The item was sensibly taken down by the webmaster immediately it was noticed (after three hours). As is typical on that website the item was entered under a false name, and whilst a Member might not have actually posted it, it was obvious that the item was "inspired" in some way by a Councillor present at the meeting. The completely false context and description of the proceedings could have been designed to mislead, but it was equally possible that the Member who inspired the entry too-casually recounted to a third party their personal misunderstanding of what had transpired.

Members were reminded of their individual duty to ensure an understanding of what is discussed and decided at Council meetings, and to report or answer questions from any quarter accurately, or refer them to the Town Clerk for an official response. If reporting a personal view, which may be different from the Council's majority, there was nonetheless a duty of accuracy, and they must have regard to anything that might reflect upon the Town Council.

The Mayor suggested that it would be helpful to re-issue to all Members a copy of the Council's adopted Communications Protocol.

FC2012/135

MINUTES:

The minutes of the Council meeting held on 28th February 2013 were received and signed as an accurate record.

FC2012/136

WORKING PARTIES AND OUTSIDE BODIES:

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

expected.

a] *Lewes Town Partnership*: Cllr S Catlin reported that East Sussex County Council (ESCC) were believed unlikely to fund a proposed “hop on hop off” bus service. It was reported that new bids for funding for such projects were being opened on 5th April 2013.

After a discussion **it was resolved that:**

FC2012/136.1 The report be noted.

b] *All Saints Steering Group 19th March 2013*: Members considered the minutes of this meeting (*copy in minute book*). It was noted that Mrs Garth had attended, but her name omitted from the list of those present, and a correction was recorded. A question was raised regarding access to papers from that meeting, and TC explained that the particular papers in question had been confidential. This was challenged, and he went on to describe the legal position of members who were not nominated to serve on a committee or other working group. Cllr Stockdale wished the minutes to record his registration of “an unreasonable withholding of information from Councillors”. There was apparent misunderstanding with regard to application of the Freedom of Information Act 2000, and TC offered clarification on that point. He also produced and quoted from a National Association of Local Councils legal topic note (*NALC LTN1 rev Feb 2013*) on the subject, which directly addressed the principles of a Councillor’s “need to know”. With reference to case law, this established a requirement for a Member who was not appointed (to a particular committee or group) to demonstrate why sight of specific documents was necessary to enable him/her to perform their duties as a Councillor. Another member exhorted colleagues to recognize the contention surrounding some of the issues discussed by the Steering Group and the need for cautious observance of proper practice. The Mayor reminded colleagues of the potential consequences of ignoring such advice. It was agreed that Cllr Stockdale could view the information within the general principles of confidentiality, but no copies would be made or released.

Following a short general discussion, **it was resolved that:**

FC/2012/136.2 The Minutes of the All Saints Steering Group held on 19th March 2013 be noted (with the addition of Mrs Garth to the list of attendees).

c] *Neighbourhood Planning (NP) information event 26th February 2013*: The Chairman of the Planning Committee informed members that a second open day had been held at the All Saints Centre. Unfortunately the event was not as successful as the initial introduction at the Town Hall in February, despite a different venue, time-frame, and a midweek event. It was explained that young people were not yet engaged with Neighbourhood Planning, and there was a strong feeling that this should be encouraged. An outreach programme to promote the NP project in schools was planned, and a general increase in the level of publicity as the project developed.

After a short discussion **it was resolved that:**

FC/2012/136.3 The report be noted and thanks recorded to Cllr S Murray for her work on the Neighbourhood Plan open days. Further, the opportunity is taken to record thanks to Cllr S Catlin for his volunteer work at the All Saints Centre.

d] *Malling Community Association liaison panel 27th March 2013*: Members considered the minutes of this meeting (*copy in minute book*). The meeting had re-affirmed commitment to the refurbishment of the remainder of the building, to result in an “as-new” building, with modern heating and lighting, with improved facilities for community use, including better integration of the sports changing-rooms with the adjoining sports pitches and recreation ground. The project could be funded from the Council’s existing balances, although it was sensible to investigate third-party grants and other potential support. The key priorities to be addressed in the redesign were confirmed as:

- Access to refreshments (*eg* café facility).
- Large space for use by 200 or more people.
- General access to facilities such as toilets.
- More than one entrance, together with the ability to “zone” the building – allow/restrict access to particular areas as required.
- Storage facilities for regular users.
- Facilities such as kitchen to allow for wider participation *eg* cookery lessons.
- Separate facilities for users such as “arts and crafts” *eg* sinks/worktops.
- Small space for private interviews *etc.*
- Public Wi-fi availability.
- Internal area to offer poor-weather alternative to adjacent play park.
- Better integration between outside areas and internal facilities.

After a general discussion **it was resolved that:**

FC/2012/136.4 The Minutes of the Malling Community Association liaison panel held on 27th March 2013 be noted, and recommendations for the commencement of a refurbishment project, in the terms described in those minutes, be agreed.

e] *Pells Pool Developments*: Members were reminded that Council had previously agreed to start the next phase of improvements at the Pells Pool in line with the vision document that had been adopted in 2007. The remaining elements were: a redevelopment of the kiosk building; installation of changing cubicles and WC facilities, and redesign of the paddling pool. The Council’s partners, the Pells Pool Community Association (PPCA) had drafted an attractive design for a changing block and had acquired a number of good-quality cubicle components and fittings that were surplus to the requirements of another pool. Early approaches to local Architects for expressions of interest in developing the kiosk building had attracted some positive responses. The possibility of grant aid had been discussed with Active Sussex, who advised on the Inspire Fund offered by Sport England. This could offer support for such elements as the changing facilities, but not the major elements of kiosk and paddling pool. As the changing facility proposal was estimated to cost between £12,000 and £25,000 (dependent upon the need for drainage works if extra WC’s were included) any grant support would therefore be modest. As the grant fund requirements would inevitably impose constraints and might demand additional overheads (such as consultants’ reports) it was suggested that the return could be outweighed by the effort. A contribution of £28,000 had been held in reserve by Lewes District Council since the Pells was transferred to the Town Council in 2000; the Town Council had £80,000 in an earmarked reserve and the Pells Pool Association offered £30,000 to contribute to the project. Estimated costs for the whole project (Cubicles; kiosk, and paddling pool) had earlier been gauged at around £100,000, although some recent architects’ comments suggested the total might be nearer £120,000. The original vision had been drawn up originally by a national firm of architects leading in the field of lido redevelopment, and it was mooted that the desired results could be achieved without further input from architects and the attendant overhead cost, thus remaining within original estimates. With these facts in mind, it had been advised that there was no appreciable advantage to making an application to the Inspire fund, and the project could therefore go ahead immediately using existing reserves. Some Members were loath to ignore the possibility of any grant-aid, however modest, and there was a lengthy debate on the issues that arose. It was mentioned that the proposed redevelopment of Malling Community Centre would include elements that might be appropriate subjects for an application to the

Inspire fund, at some point in the next year. After extensive discussion it was agreed to continue as originally planned: disaggregating the project, and pursuing any appropriate grant support for individual elements.

it was resolved that:

FC/2012/136.5. The three elements of the agreed phase of improvements to the Pells Pool be progressed as independent projects, with an immediate start on proposals in respect of the kiosk building, all as resolved at the Council meeting on 13th December 2012 (minute FC2012/103.2 refers).

FC2012/137

CIVIC HANDBOOK:

The Mayor and Mrs Garth introduced the draft of an informative handbook on Mayoral and Civic matters. This was primarily intended to support serving Mayors and prospective Mayors, although it contained much information that would be of general interest to Councillors and others. The content was an amalgamation of current practice; tradition; convention and best-practice guidance from the National Association of Civic Officers (NACO). The initiative to codify such matters was an administrative one, but Members were asked to note and agree some elements such as the traditional events programme that Council would expect any Mayor to support. Indicative costs were given based upon experience in recent years.

After a short discussion **it was agreed** that the draft should be considered for adoption at the next meeting of Council, and Members were asked to pass any comments on the draft to Mrs Garth.

FC2012/138

UPDATE ON MATTERS IN PROGRESS:

a) *Mumford and Sons* – The event management company were progressing plans for the event, and intended to use the site of the Priory of St Pancras to allow access for some visitors, and for a suitably-themed food-fair as a complement to the main events. The Council's tenants, Lewes Priory Trust, were taking advantage of advice and practical assistance from Lewes District Council, whose adjoining Convent Field site would host the main stage and audience areas. English Heritage was yet to comment. The statutory Licensing consultation had now closed and no antipathy had been recorded; nor was there any unusual concern registered by statutory agencies such as the Police. There was suggestion that the town should arrange some complementary events over the weekend, such as a street concert by young local musicians. The District Council was prepared to include such elements in its own planning and suggested a financial contribution would be appropriate. There was some general discussion around the event, and **it was resolved that**

FC/2012/138.1. The Commemorations Working Party are asked to address the matter of a contribution toward events running in the town over the period of the *Mumford & Sons* event in July 2013 at their next meeting and a budget of £10,000 is approved, to be drawn from the General Fund.

b) *Pedestrian crossings for Malling* - Cllr Milner reported on recent developments regarding the two crossings that were to be installed in Church Road, Malling, and funded by the Council. ESCC officers had been alerted by the local school to concerns that one of the crossings would have the effect of disqualifying them from funded provision of a crossing patrol "lollipop" service. That crossing location might also be affected in the near future by development of the Lewes-Ringmer cycle path. There had been a last-minute re-survey by ESCC officers of the location for the second crossing, in response to some general questions raised in the final local consultation. That survey had elicited several comments that a crossing will be welcomed. After some consideration, **it was resolved that:**

FC/2012/138.2. The pedestrian crossing proposed for the Eastern end of Church Lane Malling, adjacent to Barn Road and South Malling School, be not installed at this

time but that the agreed financial contribution of £15,000 be held in reserve pending a review of the issue. East Sussex County Council (ESCC) is to be asked to expedite the installation of the second agreed crossing, East of the entrance to Sussex Police Headquarters.

c) *20mph speed limit* – ESCC had requested that Council consider increasing its contribution to the costs of implementation of a 20mph speed limit in the town centre, as extensions to the boundaries that had been made in response to consultation had significantly increased the cost. This was largely attributable to the need for additional illuminated signs, whereas original boundaries would have utilized existing posts and electrical connections. An increase from £5,000 to £6,500 was requested. After a short discussion **it was resolved that**

FC/2012/138.3. Lewes Town Council will increase its financial contribution to East Sussex County Council, in respect of the implementation of a 20mph speed limit for Lewes town centre, to £6,500.

d) *Office computer network and telephone system replacement* - The Town Clerk informed members that these works had been completed with minimal disruption.

e) *Land adjoining Malling Community Centre*, cleared last year, would be cultivated and seeded with grass when the weather improved. Later in the Spring a further local meeting would be arranged to develop ideas for possible replanting of trees or shrubs. Local Members were asked to keep neighbours informed.

FC2012/139

NOTICE of ITEMS IN PROSPECT:

a) The Annual Town Meeting would be on 18th April 2013 at 8.00pm preceded by the Civic Awards at 7.00pm.

b) The next Planning Committee would be on Tuesday 23rd April.

c) The Annual Mayor-making ceremony would be held on Thursday 23rd May 2013 at 7.00pm. Members were asked to discuss roles and appointments and advise TC of any changes proposed in individual duties or nominations to serve on outside bodies.

d) The next Council Meeting was scheduled for Thursday 13th June at 7.30pm with the deadline for submissions to the Town Clerk of proposed items for the agenda being 12 noon on Monday 3rd June. Items already in prospect for that agenda were:

- Statutory annual return
- Draft Accounts
- Annual risk assessment
- Audit Panel minutes
- Grants Panel recommendations

FC2012/140

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 9:35pm

Signed:

Date: