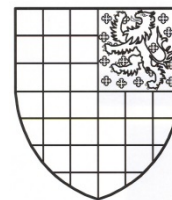


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**LEWES  
TOWN  
COUNCIL**

### **To All Members of Lewes Town Council**

A Meeting of **Lewes Town Council** will be held on **Thursday 4<sup>th</sup> October 2018**,  
in the **Council Chamber, Town Hall, Lewes** at **7:30 pm** which you are summoned to attend.

S Brigden, Town Clerk, 26<sup>th</sup> September 2018

### ***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 30<sup>th</sup> August 2018.

*(attached page 3)*

#### **6. WORKING PARTIES & OUTSIDE BODIES**

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

a) *Grants Panel 12<sup>th</sup> September 2018*

*(report FC012/2018 attached page 11)*

b) *Pells Land Exchange Working Party 18<sup>th</sup> September 2018*

*(Minutes attached page 13)*

c) *Allotments Working Party 19<sup>th</sup> September 2018*

*(Minutes attached page 17)*

#### **7. RETENTION of INTERNAL AUDITOR**

To consider retention of the Internal Auditor for 2018/19

*(Report FC013/2018 attached page 20)*

#### **8. UPDATE ON MATTERS IN PROGRESS**

*(Oral report by Town Clerk and update on Annual Plan)*

#### **9. 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***

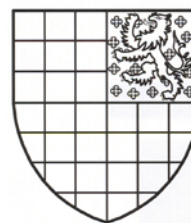
This agenda and supporting papers can be downloaded from [www.lewes-tc.gov.uk](http://www.lewes-tc.gov.uk) Copies are available from the Town Hall

**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.

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## **MINUTES**

Of the **meeting of Lewes Town Council**,  
held on **Thursday 30<sup>th</sup> August 2018**, in the **Council Chamber, Town Hall**, Lewes at **7:30pm**.

**PRESENT** Councillors A Ashby; J Baah (*Mayor*); A Barker; R Burrows; S Catlin (*Wischhusen*); M Chartier; H Jones; J Lamb; Dr G Mayhew; R Murray; S Murray (*Dep<sup>y</sup> Mayor*); R O'Keeffe & A Rowell.

*In attendance:* S Brigden (*Town Clerk*); Mrs F Garth (*Asst. Town Clerk & Civic Officer*).

*Observing:* Ms V McLachlan (*Finance and Admin. Officer*), L Symons (*Town Hall Manager*).

The Council's Chaplain, Canon Richard Moatt, offered a few words before the meeting. He pondered whether 'leadership' had ever been scrutinized so much as it was currently. He noted that decisions are demanded in many areas despite recognition of the principle that they would never meet universal approval. He applauded Councillors who attended to serve their community in such circumstances.

**FC2018/38 QUESTIONS:** There were none. Three members of the public were present.

**FC2018/39 DECLARATIONS of INTEREST:** There were none.

**FC2018/40 APOLOGIES FOR ABSENCE:** Apologies had been received from Cllr Makepeace who was on holiday; and Cllrs Elliott; Milner; Renton, and Watts, who were working.

**It was resolved that:**

**FC2018/40.1** The reasons submitted for absence from this meeting are noted.

**FC2018/41 MAYOR'S ANNOUNCEMENTS:**

a) The Mayor noted that, during her recent visit to Waldshut-Tiengen, Lewes's German twin-town, for the annual *Chilbi* festival she had encountered overwhelming hospitality and goodwill, on a scale rarely experienced.

b) Members were reminded of Heritage Open Day on 9<sup>th</sup> September, and tours of the Town Hall being conducted by Cllr Chartier; Cllr Dr Mayhew; Philip Pople and Ashley Price at 10:00am, 12:00noon, and 2:00pm

c) Anyone interested to join the Mayor's team in the traditional match against Lewes Bowls Club at Mountfield Rd. on 13<sup>th</sup> September at 2:00pm, should let Mrs Garth know.

**FC2018/42 MINUTES:**

The minutes of the meeting held on 26<sup>th</sup> July 2018 were received and signed as an accurate record.

**FC2018/43 WORKING PARTIES AND OUTSIDE BODIES:**

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

**a) Personnel Panel 19<sup>th</sup> July 2018:** Council had received a comprehensive oral report on this meeting at its previous meeting (26<sup>th</sup> July) and this was reported in the Minutes of that meeting. Members now received the written Minutes, for consistency, which were duly noted.

**It was resolved that:**

**FC2018/43.1** The Minutes of the Personnel Panel, held on 19<sup>th</sup> July 2018 (*copy in minute book*) are noted.

**LEWES ATHLETICS CLUB TRACK LIGHTING:**

Council considered report FC008/2018 (*copy in the Minute book*) which presented a request from Lewes Athletics Club for financial assistance to update track lighting. The Mayor welcomed Mr Peter Masters, Chairman of the club, who elaborated on the report and provided more detail and context to the request.

Lewes Athletic Club began in 1984; succeeding the Lewes Athletics Committee started in the 1880's by local Tom Mantell, well-known nationally as "The Countryman". He organized events for many national sporting characters including representatives of Oxford and Cambridge Universities, years before the inception of the national Amateur Athletics Association.

The modern club has close, active, Twinning links with the club in the French village of Marolles, outside Blois, and also addresses a number of wider community initiatives such as the South Downs National Park Authority's *Hike & Bike* programme, encouraging access to the Downs, alongside its own programmes for sportspeople of all ages.

Club members featured at the top end of UK youth rankings, and one young member was presently training in Spain for international events. The club instilled the values of 'respect for others' in its young members and trained 18-19year-olds to coach juniors, which had other benefits such as introducing them to paid employment.

In 1999 the Lewes Community Athletics Track was completed and formally opened in 2000 by the then Minister for Sport Kate Hoey. This was the culmination of work undertaken by the Lewes Athletic Club to raise £660,000 to enable a community athletics track to be located in Lewes. The original funding for the track included a Sport England grant and financial contributions and help in kind from a number of local bodies. The original partnership funding package included contributions from Town, District, and County Councils; Priory School; Sussex Downs (*then Lewes Tertiary*) College and Lewes Athletic Club.

The operation of the track has been managed by a joint management group representing the Club; Lewes District Council; East Sussex County Council; Priory School; and Sussex Downs College, and funded by annual grants from those partners. The club was acting on behalf of the managing partners in initiating a project to replace/upgrade the track lighting.

The club was approaching all the partners to the original construction with a view to joint funding of the sum needed for the project. Since installation of the track, the Town Council had contributed £10,000 (in 2014) toward resurfacing, in a similar initiative. Contractors had submitted cost estimates for the lighting replacement, and the preferred contactor had agreed to hold their £83,000 as a fixed price.

It was requested that the Town Council contribute £5,000, which would complete the funding required and enable the works to be commissioned.

After a brief discussion, during which several members spoke in support of the club and its value to the town, **it was resolved that:**

**FC2018/44.1** Lewes Town Council will grant £5,000 to Lewes Athletics Club toward the replacement of lighting for the community athletics track. This to be drawn from the General Fund.

**PEACE GARDEN ("Magic Circle"):**

Council considered report FC009/2018 (*copy in the Minute book*) which apprised Members of the status of the partnership project with Friends of Lewes to improve public realm features and create a Peace Garden in the area of Castle Ditch Lane known as the 'Magic Circle'; and to seek approval for release of funds earmarked for the project.

This project, with the working title of 'The Magic Circle', had arisen from proposals made by the Friends of Lewes in 2005. Initially, this was simply to improve public realm in the area of Castle Ditch Lane as it was semi-derelict; unattractive to visitors in the historic core of the town, and intimidating after dark. Originally the area was a classical feature within the large gardens of Castlegate House, created during the First World War by the Irish author Frank Frankfort Moore. Over time it came into public use and for decades



had been part of the short-cut down the steps into Castle Ditch Lane. It became overgrown and the water feature was removed, and the parts of the original structures that remained became damaged.

Council had agreed to be a partner in the scheme and inaugurated an earmarked financial Reserve with provision of £10,000 in the 2006/07 budget. This Reserve increased to £17,000 with annual contributions from precept, but was appropriated in 2012/13 to replenish exhausted reserves as the project had not progressed; largely due to uncertainty over ownership of the land.

The question of responsibility for the land was resolved in 2012, when Lewes District Council agreed ownership and consented to the project.

At a FoL liaison meeting in November 2012, draft proposals were presented for the improvement of the Magic Circle, and the possible inclusion of adjoining land and creation of a “peace garden”. This was welcomed, given the imminent anniversaries (2014 and 2018) of the outbreak and end of the First World War. Regrettably it was noted that the Town Council had re-assimilated into its general fund the reserve of £17,000 as the original project had not materialized and funds had been needed for other priorities. Council was asked to reinstate a financial provision for this project when setting budgets for 2013/14, and this had been done.

The earmarked Reserve had since grown to £37,000, *less* a contribution of £1,000 toward costs (50%) of an archaeological study in 2017. In 2018/19, £36,000 was available.

In November 2017 it was agreed that, given the status of the project and its alignment with the final peace after WW1, the target for opening the garden should coincide with commemoration of the signing of the Treaty of Versailles in 2019. The Treaty had been signed on June 28<sup>th</sup> 1919, and took force on January 10<sup>th</sup> 1920.

Background work progressed, and FoL advised that they had received a report from a Quantity Surveyor that indicated a project cost of around £160,000. This was considered to be disproportionate to the importance of the site, and discussions had begun with a potential project manager/fundraiser who had suggested a sum of nearer £85,000 should be adequate to build the project to an appropriate level of quality. FoL's Executive group had agreed this would be an acceptable sum, and had been given to understand that Lewes District Council might match any Town Council contribution. They had some concern over the likelihood of completion by June 2019, and were considering a change of title and dropping the ‘peace’ context. There was consensus among the Councillors, who all commented on this, that the link to the WW1 peace should remain. If problems were encountered in completing the project, even a foundation stone should be possible by June 2019.

A plan had since evolved, to deliver the project within that £85,000 budget. FoL would lead in the design of the built element and landscaping, and control of the project management. Delivery would be shared with Lewes District Council (LDC) who had indicated to match the Lewes Town Council cash donation, partly in cash and part in kind. As they own the land, LDC would undertake the contract management, as they have in-house resources and experience to deal with landscaping contractors.

The plan was now to emulate the original Frank Frankfort Moore circle (without a pond). This to be done using more robust modern materials, with a look and feel closely emulating the stone circle and the archway that led out of it. Rebuilding the classical stonework was not realistic, but there were resin bonded products available now that could be used for the seats, embellishments, archway and the decorative circle planned to replace the original pond. This would provide an attractive feature on a key tourist route from the castle precincts back to the High Street.

There would be no screen either built or planted between the Maltings car park and the new plan, the idea being that people arriving by car will be able to see the area, and be attracted to use it. An advantage would be that there will be no secluded areas for antisocial activities to take place.

From time to time parking could be suspended making the whole car park and the circles to be used for performance or other activities such as re-enactments, Christmas fairs, peace events *etc.*

The steps up to the top of the bank would be made good and re-routed to allow access. The path around the top of the bank would be reinstated to allow full access, providing views over the bowling green and castle, and acting as a natural auditorium for when events may take place.

Provisional cost estimates for the principal elements of the work had been tested and agreed valid at around £60,000.

Lewes Town Council was asked to agree the principles of the scheme and to release the funds held in the earmarked Reserve to facilitate commencement of the project.

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

**FC2018/45.1** Lewes Town Council approves the release of funds held in the earmarked Reserve to facilitate commencement of the Peace Garden project (shown in published accounts as *P3 Magic Circle*). Funds up to a maximum of the amount currently held in Reserve (£36,000) to be drawn-down by the Friends of Lewes on request, subject to evidence of matching funds from other sources, to a minimum of 50% in cash or kind.

#### **FC2018/46 MALLING COMMUNITY CENTRE:**

Council considered report FC009/2018 (*copy in the Minute book*) which was intended to prompt consideration of options for management of the Malling Community Centre, following refurbishment. The report explained that:

The freehold of the building had been sold to the Town Council by Lewes District Council in 1996 for the sum of £46,000, and immediately a full lease was granted to the Malling Community Association (MCA).

Notes of a liaison meeting in June 2009 record that the recently-elected new executive group for the MCA had reported a number of problems. These included declining membership; loss of social club income; sports changing facilities unused as they no longer met evolving youth league standards, and other issues. Funding was a problem, and the building was by now somewhat dilapidated and with completely outdated electrical systems; heating, and plumbing. Council had agreed to commission a full structural survey, which had found that the building was in fundamentally sound condition; with no major structural problems, and confirmed the need for electrical and heating system *etc.* to be brought up to date.

The project to refurbish began with agreement of priorities for improvements, and an MCA survey of current and prospective users to clarify their aspirations. There were no surprises in the resulting analysis of responses, and local architects were engaged to offer initial design ideas. Unfortunately, the project had been interrupted in 2012 by the discovery of structural problems with the Town Hall and the unexpected introduction of a proposal by East Sussex County Council (ESCC) Children's Services department to utilize the redundant social club annexe as the area Children's Centre.

By mutual consent, the MCA had relinquished their tenancy in December 2012 to allow a new lease (of the annexe) to be granted to ESCC and facilitate the subsequent major refurbishment and conversion to provide the Children's Centre. In recognition of their long association with the Centre and the Council, they agreed to act as the Council's agent and continue to manage the day-to-day operation until refurbishment is undertaken. In consideration of this the Council makes a grant to cover the cost of the Association's employed cleaner, and allows MCA to retain a percentage of hire fees. This arrangement, which depends upon hirers and users to look after themselves and conduct themselves appropriately when on the premises, would cease upon closure of the Centre for commencement of building works.

Members considered some key considerations for future management:

- Redesigned building will introduce new, more flexible, facilities such as café/bar and

terrace and two multi-purpose rooms which are attractive for a wider range of users (eg business seminars), and will evolve a different, extended, user-profile over time.

- o Adjacent play-area and recreation ground improvements, arising from a major share of >£1million s106 agreement *iro* North Street Quarter (NSQ) development, will increase casual use; especially likely demand for café/bar with terrace and WC's, accessible for users of play area and sports spectators.
- o Local catchment will increase when North Street Quarter is occupied and accessible via proposed new footbridge.
- o Investment of the magnitude estimated means that Council will wish to ensure careful control of the building and proper maintenance of equipment; facilities, décor *etc.* to sustain the benefits for the community over several decades. Some equipment, such as the ground-source heat pump system and café facilities, will not be suitable for unsupervised operation.
- o Despite recent decision by Lewes District Council to withdraw from devolution of the Recreation Ground to the Town Council, this remains a prospect once NSQ is underway or completed.

Basic options for management models were considered (order not indicative of priority): The options discussed were simplified summaries only, and the list not exhaustive. Permutations are possible, such as separate 'franchise' of the café/bar facility with or without some responsibility for building cleaning/security *etc.*

- a) *Lease to tenant* – A straightforward handing-over of responsibility to a tenant, in return for a rent payment.

*Pro:* Minimum burden on LTC resources. Financial management is simple, with predictable income.

*Con:* Choice of appropriate tenant not straightforward. Natural lifecycle of Trusts and community groups tend to wax/wane with leading individuals over relatively short periods of time. Commercial organizations are unlikely to see adequate potential. Failure to reach income necessary for rent cover and maintenance of building and equipment could leave LTC to resume control and deal with outstanding problems. Conversely: in case of successful income generation, maximum benefits not enjoyed by Council.

- b) *Management agreement/license/shared responsibility* – This could suit an appropriately-experienced organization, and could be structured in several ways eg low fixed service payment with retention of income; higher fixed payment with LTC retaining all income; income share/collaborative development *etc*

*Pro:* Minimum burden on LTC resources. Financial management is simple, with predictable income. Less risk of outright 'failure' of the partner organization.

*Con:* Choice of appropriate partner not straightforward. Shared responsibility inevitably raises occasional contention.

- c) *Direct Management* – This could be implemented in different ways:
  - i) Employment of additional staff exclusively to manage the Centre, either establishing a team at the outset or building incrementally to three staff (as history of All Saints Centre [ASC]).
  - ii) Employment of additional staff to form a 'buildings management team' with existing Town Hall and All Saints Centre staff, where the team flexibly cover all three buildings.
  - iii) Hybrid of i) and ii), with key staff at fixed bases plus itinerant cleaning/security staff.

*Pro:* Best model for ensuring Centre and its facilities are properly cared-for and its potential maximized. All income retained by Council.

*Con:* Choice of model ii) or iii) disruptive to established effective working at T/hall and ASC. Model iii) does not cover all operating hours as effectively. No particular advantage to ii) as each building has very different operating profile and minimal shared detail. Model i), if a full complement is not immediately employed, leaves much to chance/trust when operating the building without resident staff.

Each option had very different financial implications, and there were many non-financial aspects to be considered. There were potential and ancillary issues already known which would affect the Centre and its likely user-profile, both in the foreseeable future and longer-term. Some exploration of possible options had already been undertaken, and detailed assessment would take more time than was reasonable for a Council meeting. It was therefore proposed that a Working Party be tasked with this, and asked to formulate recommendations. Following some questions and very brief discussion, **it was resolved that:**

**FC2018/46.1** The established Buildings Working Party is asked to consider detail of various options for management of the Malling Community Centre, following refurbishment, and formulate recommendations for consideration by Council. Any Members not appointed to the Working Party, will be welcome to join it for discussions on this subject.

#### **FC2018/47 PUBLIC RIGHTS of WAY – LANDPORT BOTTOM:**

Council considered report FC009/2018 (*copy in the Minute book*) which apprised members of an application by the Sussex Area Branch of the Ramblers association to add footpath routes across Council land to the definitive map of Public Rights of Way. Council was asked to consider its response to this application.

The ‘Don’t Lose Your Way Group - Sussex’ had carried out a survey of users of a number of footpaths in the area of Landport Bottom and Offham Chalkpits, with a view to claiming previously unregistered Rights of Way through the formal deposition of claims to unchallenged use for more than 20 years.

The group included members of Mid Sussex Bridleways Group, the Open Spaces Society, the Ramblers Association, the Trail Riders Fellowship, and the South Downs Society.

The survey had asked *“Do you walk on the paths above and around the Offham chalk pits?”* and went on to state: *“... none of these paths is on the rights of way map so, in theory, any one of them could be stopped up at any time. So, although there is no immediate threat, the Ramblers Association is setting out to add the paths to the rights of way map by collecting evidence that they have been used by the public for the past 20 years. (since 1998) If you have walked on some or all of these paths please fill in the evidence form attached.”*

Following this survey, formal notice had been served by the Ramblers Association on landowners regarding claimed rights, and two of these crossed the land at Landport Bottom, owned by the Council. The Notice of Application, appended to the report, showed the routes on a map. The Council was formally asked to consider dedication of the routes labeled A-B and A-D on that map.

It was explained that Rights of Way are easements and are common features of land ownership. Often a land owner will have an easement for the benefit of services and utilities that run over their neighbour’s land. Easements are often granted by a deed or are described in some form of legal instrument and are expressly granted. Easements may also be acquired by long use by “prescription”. The basic principle being that, if a user has exercised a right over land *“not by force, nor stealth, nor licence”* and for a long period of time, the landowner has effectively lost their right to object to that right and has acquiesced to that right being made lawful. A claim to register a right of way is often made on the basis that a right of way has been continually used for a period of time in excess of 20 years or on the basis that the right is the result of an historic grant.

The District Council’s Community Ranger, who was tasked with day-to-day oversight of

Landport Bottom on behalf of the Town Council, had raised the matter of operational flexibility; notably the occasional deployment of sheep to graze particular areas of the site which requires temporary fencing. Should that impact upon unfettered use of a defined Public RoW, special permission would be required for temporary closures. Similarly, the area adjoining the path shown as A-B was a steep slope with many trees and areas of special-interest plant species. Should access need to be restricted at any time (*eg* for tree works or to protect plants) the same would apply.

East Sussex County Council had not yet notified the Town Council of the application, nor had they initiated their statutory assessment. They had indicated that this would be a low priority for them, and may take some time.

Following questions, **it was resolved that:**

**FC2018/47.1** The matter of claimed Rights of Way crossing Council-owned land at Landport Bottom is referred for consideration by the successor body (to be constituted shortly) to the Landport Bottom Joint Management Committee or; if not resolved before any deadline which may set by East Sussex County Council, a future meeting of Council.

#### **FC2018/48 UPDATE ON MATTERS IN PROGRESS**

- a) *Annual Plan update:* An update on progress with the Annual Plan was distributed (*copy in minute book*).
- b) It was noted that, although the Landport Bottom Joint Management Committee had been disbanded, the LDC Community Ranger (now contracted to oversee the land on behalf of the Town Council) was happy to continue with the 'traditional' annual site visit for any Members wishing to become more familiar with the land – now in the Council's sole ownership.. Anyone wishing to attend should assemble at the foot of the Motor Road on Tuesday 4<sup>th</sup> Sept at 9:30am.
- c) The Examiner appointed by the South Downs National Park Authority for Lewes's Neighbourhood Plan had begun his work, and had already produced a schedule of early questions and announced he was planning to visit the town in the near future. He had been very complimentary, in an initial assessment, of the draft Plan and the quality of work he perceived had gone into its development.

#### **FC2018/49 NOTICE of ITEMS IN PROSPECT**

- a) Members were asked to consider items, arising from this meeting, worthy of a Press Release, and indicated:
  - Athletics Track
  - Peace garden ('Magic Circle')
  - Status of Neighbourhood Plan
- b) Reports would be prepared on the position with regard to General Data Protection Regulations and implications for email and office systems; and options for the future management of Landport Bottom.

*Dates to note* were given as:

- c) The next Members' Surgery was scheduled for Tuesday 4<sup>th</sup> September – 10:00am – 12:00pm in the Corn Exchange – Cllrs Catlin and Chartier volunteered
- d) The next Planning Committee would take place on Tues 18<sup>th</sup> September at 7:00pm
- e) The next Council meeting would take place on Thursday 4<sup>th</sup> October at 7:30pm, with a deadline for agenda items to reach TC by noon on Monday 24<sup>th</sup> September.
- f) The Working Party exploring the issue of a proposed land exchange at the Pells was scheduled for 11:00am on Tuesday 18<sup>th</sup> September in the Council Chamber.
- g) The Working Party assessing policy and services provided regarding Allotments would meet at 3:00pm on Wednesday 19<sup>th</sup> September in the Council Chamber.
- h) The Working Party assessing policy regarding Highway Verge maintenance had been scheduled for 11:00am on Tuesday 16<sup>th</sup> October, but this conflicted with a County

Council commitment on the part of the Chairman and it was agreed that a revised date would be sought, as the matter was not urgent.

- i) The All Saints Steering Group would meet at 3:00pm on Thursday 25<sup>th</sup> October in the Council Chamber.
- j) Meetings to be arranged are: Diversity W/pty; Buildings W/pty.

There being no further business the Mayor closed the meeting. *The meeting ended at 8:15 pm*

Signed: .....

Date: .....

Draft



Agenda Item No: 6a)

Report No: FC012/2018

Report Title: Grants panel recommendations – 12<sup>th</sup> September 2018

Report To: Full Council

Date: 4<sup>th</sup> October 2018

Report By: S Brigden, Town Clerk

**Purpose of Report:** To recommend payment of grants as suggested by the Grants Panel, following its meeting on 12<sup>th</sup> September 2018 (the second of four cycles for 2018/19)

**Recommendation(s):**

- 1 That the grant payments recommended in this report (as shown in column **G** of the appended table) be approved.
- 2 That a pro-forma for reporting conclusion of projects is included with all grant award letters in future, and completion is made mandatory as a condition of any future awards.

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**Information:**

1 The Grants Panel met on 12<sup>th</sup> September 2018. **14** applications were considered, with requests for support in the sum total of **£15,121**.

2 Assessing applications were: Cllrs Ashby; Catlin; Jones; Makepeace; Murray (S) and O’Keeffe. Apologies for absence were received from Cllr Burrows (delayed by a family 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.**

Recommended grant awards for this cycle amount to **£9,183** in total, leaving an unspent budget balance of £17,565.

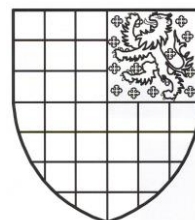
Salient points, considered by panellists during their deliberation and influencing their final recommendations (noted/highlighted in column H below, where appropriate), fall into the areas of:

- ⊕ 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.

5 Panellists also suggest that a pro-forma is designed for reporting conclusion of projects, and included with all grant award letters with completion made mandatory as a condition of future awards.

S Brigden 17<sup>th</sup> September 2018





## **MINUTES**

of the meeting of the **Working Party** formed to assess proposals for a land exchange at The Pells held on **Tuesday 18<sup>th</sup> September 2018** in the **Council Chamber, Town Hall, Lewes** at **11:00am**

**PRESENT** Cllrs Catlin; Chartier; S Murray and O’Keeffe

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

**PellsXchWP2018/01 ELECTION OF CHAIRMAN:** Cllr Chartier was elected to act as Chairman of the Working Party.

**PellsXchWP2018/02 QUESTIONS:** There were none.

**PellsXchWP2018/03 APOLOGIES FOR ABSENCE:** Apologies had been received from Cllr R Murray; no message had been received from Cllr Renton.

**PellsXchWP2018/04 DECLARATIONS OF INTEREST:** There were none  
*TC advised on the principles of Members sitting as Trustees of the Town Brook Trust.*

**PellsXchWP2018/05 REMIT of the WORKING PARTY:** Members noted the remit of the Working Party, set by Council at its meeting on 21<sup>st</sup> June 2018 (*Minute FC2018/28 refers*):

a) A land-swap proposal had been made by Lewes District Council in respect of land held by the Town Brook Trust, to better-align boundaries with the proposed North Street Quarter development. It was proposed that a Working Party be set up to consider the matter in detail, and **it was resolved that:**

**FC2018/28.1** A Working Party be formed, comprising Cllrs Chartier; Catlin; Murray (R); Murray (S); O’Keeffe and Renton to consider proposals made by Lewes District Council in respect of land held by the Town Brook Trust, and to bring recommendations to Council in due course.

**PellsXchWP2018/06 BUSINESS OF THE MEETING:**

1 The meeting considered several background documents (*copies in Minute book*) explaining the history of the area of land off Brook Street where the now-defunct Lewes Rifle Club premises had been sited. The history of the land was complicated: Prior to transfer of trusteeship of the Town Brook Trust to the Town Council; detailed research had been carried out by Lewes District Council’s (LDC) Legal department, and Estates officers had engaged with the Senior County Archivist to attempt a definitive plan of the Town Brook Trust land curtilage (the original gift to the town dating from 1601 and based upon written description). By reference to archived maps and records (as far back as Domesday documents) it was decided that the boundary included the site of the rifle club.

Historically, the old Borough Council (Trustee of the Town Brook 1922 - 1974) had granted a lease which allowed the building of the butts and subsequent renewals culminated in 1985 with a 15-year lease to the Lewes Rifle Club. This was not renewed following the 2000 flood, and the land reverted to LDC – successor Town Brook Trustee (1974 – 2001). Residual legal work related to those circumstances was understood to be the reason that the land remained separate when the Trust was transferred to the Town Council (2001 – present).

2 In 2004 LDC proposed that the rifle club land be jointly used as a short-term carpark. This was not agreed and there followed two years of discussion and consideration of alternatives before, in 2006, the Councils agreed to divide the site along an East-West axis, following plans in earlier documents that showed original Trust land and other distinctions in the area. This allowed LDC to retain options for use of some land with road frontage, and the Town Council registered the

Northern section (an irregular shape) as Trust land with the Charity Commission based upon historic evidence; a statutory declaration by LDC's Estates Officer, and calculations of area. HM Land Registry was provided with relevant affirmations, and the land was included in title ESX 293305 – the Town Brook Trust. Members of the Working Party considered a plan output from LDC's Estates Terrier showing the disposal and LDC's retained land.

3 Confusion had arisen at times since 2006, it was acknowledged, as the whole of the former rifle club land remained outwardly unchanged as a discrete fenced area. On the Town Council's part this was due to the cost and complexity of dealing with the residual footings and service connections to the original building, the footprint of which was bisected by the agreed line of division; an issue that was considered a low priority and thought likely to be best dealt-with when other redevelopment work starts in the area. Initially, LDC decided against pursuing their car parking project for similar reasons and, more recently, their property team seemed unaware of the transfer. This had unfortunately led to the whole site being included in design drawings as part of the application for Planning Consent for the North Street Quarter and the area of the site owned by the Town Brook Trust is shown as covering several car parking spaces and parts of three dwellings. To resolve this, LDC has proposed an exchange of land (*plans appended*) that, ostensibly, offers three areas of land of 754 square metres in aggregate compared with 580sq m on the area in question.

4 As Trust land, the Town Council is constrained by the disposal restrictions in s36 Charities Act 1993. It would be possible to submit a case to the Charity Commission to allow a disposal, but the benefit must accrue to the Trust for use in line with its objects, which are (1922 Commissioners' Scheme):

- a) the provision and maintenance of an open air swimming pool; and
  - b) the provision and maintenance of a recreation ground;
- both for the benefit of beneficiaries, without distinction of political, religious or other opinions, in the interests of social welfare and with the aim of improving the conditions of life of the beneficiaries.

5 The Working Party acknowledged that (with reference to the suggested exchange areas A; B and C) the area designated 'A' (170sq m) would be of benefit as it would allow improvements to changing rooms and other facilities of the swimming pool, and provide an ideal location for the installation of solar panels – a long-held aspiration of both the Town Council and the Pells Pool Community Association. The area designated 'B' was understood to include the vestigial Town Brook, and a question was raised as to the prudence of incorporating a potential water hazard within the Trust grounds. This was a valid concern, although the ditch had been almost dry for many years and it was thought that the overall planning for the North Street Quarter included culverting or similar. It was agreed that this aspect needed further investigation. The area shown as 'C' appeared to simply be a 'tidying-up' of eventual boundary demarcation, and offered no particular benefit. It was noted that there would need to be agreement on responsibilities for the necessary removal of residual footings/service connections, and other structures at this location and a general agreement on legal costs and costs of final boundary structures (*eg fencing*).

6 Overall, the Working Party acknowledged the overall potential increase in land area; the inherent benefits of some of the land, and the opportunity to tidy boundary lines. There were, however, significant concerns over aspects such as the vestigial watercourse and questions to be answered regarding costs and responsibilities. Members wondered whether the former rifle club land in question could be sold outright, provided that the receipt was ring-fenced for the trust's objects. Various permutations of land-exchange and sale were discussed. A key factor would be the attitude of the Charity Commission to any suggestions which may be put forward.

**CONCLUSIONS/RECOMMENDATIONS:**

It is recommended that Council agree to pursue further enquiries as to:

- > Charity Commission view on proposals;
- > the current intentions (*eg* culverting the watercourse) for ‘Area B’;
- > the value of the land should an outright sale be acceptable;
- > an option to exchange for Area ‘A’ plus an enlarged Area ‘C’ (extended Eastward), and
- > LDC/NSQ Ltd’s willingness to cover all transaction and boundary relocation (enclosure) costs.

The Working Party would meet again as required, when more information was available.

The Chairman thanked everyone for attending and declared the meeting closed.

*The meeting closed at 11:40am*

Signed: .....

Date: .....

Draft

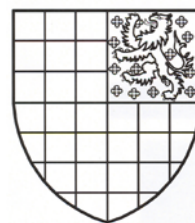




*boundary redrawn with new means of enclosure as part of NSQ development*

**POTENTIAL AMENDMENT TO PARK BOUNDARY**





## MINUTES

of the meeting of the **Working Party** formed to review the Allotments service held on **Wednesday 19<sup>th</sup> September 2018** in the **Council Chamber, Town Hall**, Lewes at **3:00pm**

**PRESENT** Cllrs Catlin; Chartier; Mayhew; S Murray and (*not appointed to Working Party*) R Murray  
**In attendance:** S Brigden (*Town Clerk [TC]*), Mrs E Tingley (*Customer Services*), B Courage (*Town Ranger*)

**AllotsWP2018/01 ELECTION OF CHAIRMAN:** Cllr Susan Murray was elected to act as Chairman of the Working Party.

**AllotsWP2018/02 QUESTIONS:** There were none.

**AllotsWP2018/03 APOLOGIES FOR ABSENCE:** Apologies had been received from Cllr Makepeace (no reason offered).

**AllotsWP2018/04 DECLARATIONS OF INTEREST:** There were none

**AllotsWP2018/05 REMIT of the WORKING PARTY:** Members noted the remit of the Working Party, set by Council at its meeting on 26<sup>th</sup> July 2018 (*Minute FC2018/36.1 refers*):

‘A Working Party be formed to review policy on allotments and the services provided to tenants. The Working Party to comprise: Cllrs Catlin, Chartier, Makepeace, Mayhew and S Murray and any of the members absent this evening who may wish to serve.’

**AllotsWP2018/06 BUSINESS OF THE MEETING:**

1 The meeting noted that a review of services and policies related to allotments was carried-out when circumstances prompted it, and in-depth reviews had been conducted in 2007; 2009; 2012; 2015. This Working Party had been convened as officers considered that a number of issues affecting day-to-day management of the service deserved attention by Members.

2 Mrs Tingley and Mr Courage had prepared background notes based upon their regular attendance at regional National Allotment Gardeners Association Allotment Regeneration Initiative (ARI) meetings where best practices were discussed for allotment management. Several other Councils from the South East attend; varying from Parish Councils to larger District and City Councils.

3 Members noted that:

- > Lewes Town Council owns six allotment sites in the town. The allotment sites were transferred from Lewes District in 1995. Sites and available working plots on each site were listed as:

<i>Allotment Site</i>	<i>No. of Plots</i>	<i>Waiting list</i>
Church Lane, Malling	5	5
Haredean/’Hope in the Valley’	97	15
Highdown/Landport Bottom	43	23
Paddock Road/’Hangmans Acre’	17	53
Queens Road	19	10
Landport	38	20

This total of 219 allotment plots in Lewes compared with 208 in 2011. ‘Original’ 10-rod (approx. 250sq m) plots were divided when relinquished by a tenant (or on request) to make 5- or 2.5-rod plots. Waiting lists currently stood at 126 compared with 268 in 2011.

- > An allotment plot on average for 2018/19 cost £25 per year. Charges were £4.08 per rod (One rod = approximately 25 square meters.) The budgeted

nett cost for the service was around £27,000 – an average of roughly £123 per plot. The law pertaining to allotments; acknowledged to be somewhat archaic and cumbersome, limited annual tenancy charge increases to no more than rates applied to other Council services for a year. LTC had traditionally raised fees by a factor roughly in line with national inflation, and allotment charges originated from a very low value (not uncommon across the country).

> The General Rules and Conditions for Lewes allotment tenants stated that tenants must:

- (1) *accomplish a state of reasonable cultivation, as determined by the Council\*, within eight weeks of commencement of the tenancy when said commencement date falls between 1st April and 30th June and within 12 weeks of commencement of tenancy when said commencement date falls between 1st July and 31st March;*
- (2) *keep it clean and in a state of reasonable cultivation\* and fertility and in a good condition;*

*\* “reasonable cultivation” is defined as: a minimum area equal to 50% of the total plot should be cultivated and in active use during the main growing season March to September*

The 50% of the total plot being actively cultivated was considered best practice and followed several other Councils in the South East.

Lewes Town Council operated a three-tier warning stage for tenants who did not actively utilize their plots and this had resulted in 10 ‘evictions’ in the last three years

4 *Water supply:* Currently 5 sites in Lewes have a water supply. Church Lane tenants (only five plots) used water butts to collect rain water or neighbours in close proximity to the site allowed use of water to tenants during spells of dry weather. The water supply for the remaining 5 sites is turned off between the months of October and March/April.

Members considered the cost of water supplied (five years’ costs were noted), which differed significantly between individual sites due to their topography and nature. Some councils add a water surcharge to the annual rent, and others had opportunistically exploited landscape features to create water harvesting facilities (requiring significant capital investment). A debate followed as to the practicality and wisdom of introducing a modest surcharge for water consumed, and it was agreed that this could prove counter-productive. Consensus was that it would be best to promote to tenants the use of individual water butts and guttering to sheds *etc.* to gather rainwater.

5 *Rubbish collection:* Haredean and Landport sites had, traditionally, a rubbish clearance service provided from April until September. This service was withdrawn some years ago at Haredean due to excessive cost, and two bays had been created at the site: one intended for compostable waste and the other for manure (supplied *for* by neighbouring stables. Unfortunately, the site still had occasional problems with ‘fly tippers’ who dump household waste items in the bays. The bays were currently used for manure and spent play-bark chippings.

Landport rubbish clearance continued and it was noted that the Council was one of the only Councils in the South East that provided this service. Other councils expected tenants to compost/recycle rubbish themselves. The Working Party considered the costs against the impact on tenants of withdrawal of the service. It was agreed that the cost was still relatively modest and the preferred response was to begin a programme of encouragement to tenants to compost within plots (or clusters of plots) and take other waste home for recycling/disposal.

6 *Path strimming:* The Council had provided this service on all allotment sites (apart from Church Lane) since 1995. A new contractor had been appointed this year and the cost for this service had reduced by half. It was noted that many Councils expect tenants to trim/maintain the paths directly adjoining their plots, but ‘boundary disputes’ could arise and it was a difficult policy to administer, even

where established. Members again considered that: as the impact of changing this policy would be harsh, and the cost was already significantly reduced, no change should be introduced.

7 *Sheds at Landport Bottom (aka 'Highdown')*: this site differed from all the others in that tenants were not permitted to erect sheds. The site was technically part of the landholding of Landport Bottom, and covenants in the title deeds, applicable since the land was first farmed, restricted the erection of structures. This had been reinforced when the land was designated as an Area of Outstanding Natural Beauty (AONB) which added further restrictions. The AONB designation was superseded in 2011 by the establishment of the South Downs National Park. It was acknowledged to be an anomaly that tenants here were denied the convenience of a shed; although tenants at other sites were advised not to leave equipment or anything of value in them, they were nonetheless an accepted part of allotment-keeping. There were believed to be considerations in National Park policy that were similar to the old AONB restrictions, but this could be investigated. Similarly, the covenants could be legally interpreted to permit some structures; such as small sheds. The topography of the site meant that sheds could be visually intrusive at certain levels, but less-so at the 'bottom' of the sloping site. Overlooking residents could easily be consulted if thought appropriate. These matters would be investigated.

**AllotsWP2018/07 CONCLUSIONS/RECOMMENDATIONS:**

Members agreed that there should be no change to policies regarding water; rubbish removal, or path clearance; preferring to introduce encouragement in these areas as described at 4; 5, and 6 above. The matter of sheds at Landport Bottom was an anomaly that deserved re-examination now that the Council was sole owner of the land. TC was asked to investigate the perspective of the South Downs National Park Authority, and the real impact of the restrictive covenants, with a view to allowing sheds, as described at 7 above.

**AllotsWP2018/08** The Chairman thanked everyone for attending and declared the meeting closed.

*The meeting closed at 3:50pm*

Signed: ..... Date: .....

**Agenda Item No:** 7 **Report No:** FC013/2018  
**Report Title:** Retention of Internal Auditor  
**Report To:** Full Council **Date:** 4<sup>th</sup> October 2018  
**Report By:** S Brigden, Town Clerk

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

**Recommendation(s):**

- 1 That Mr Mark Mulberry, of Mulberry & Co., 9 Pound Lane, Godalming, Surrey, GU7 1BX be retained as Internal Auditor to Lewes Town Council for the 2018/19 financial year.
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**Information:**

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

S Brigden

14<sup>th</sup> September 2018

Report FC013-2018 Retention of Internal Auditor

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