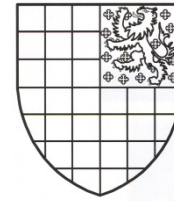


Town Hall  
High Street  
Lewes  
East Sussex  
BN7 2QS



**LEWES  
TOWN  
COUNCIL**

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

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

S Brigden, Town Clerk, 23<sup>rd</sup> August 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 26<sup>th</sup> July 2018.

*(attached page 3)*

**6. WORKING PARTIES & OUTSIDE BODIES**

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

*a) Personnel Panel 19<sup>th</sup> July 2018 (oral report presented to Council 21<sup>st</sup> June – Minutes attached page 10)*

**7. LEWES ATHLETICS CLUB TRACK LIGHTING**

To consider a request by Lewes Athletics Club

*(report FC008/2018 attached page 12)*

**8. PEACE GARDEN ('Magic Circle')**

To consider the release of reserved funds

*(report FC009/2018 attached page 16)*

**9. MALLING COMMUNITY CENTRE**

To consider future management of the Centre

*(report FC010/2018 attached page 18)*

**10. PUBLIC RIGHTS OF WAY – LANDPORT BOTTOM**

To consider a notification by the Ramblers Association

*(report FC011/2018 attached page 21)*

**11. UPDATE ON MATTERS IN PROGRESS**

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

**12. NOTICE of ITEMS IN PROSPECT**

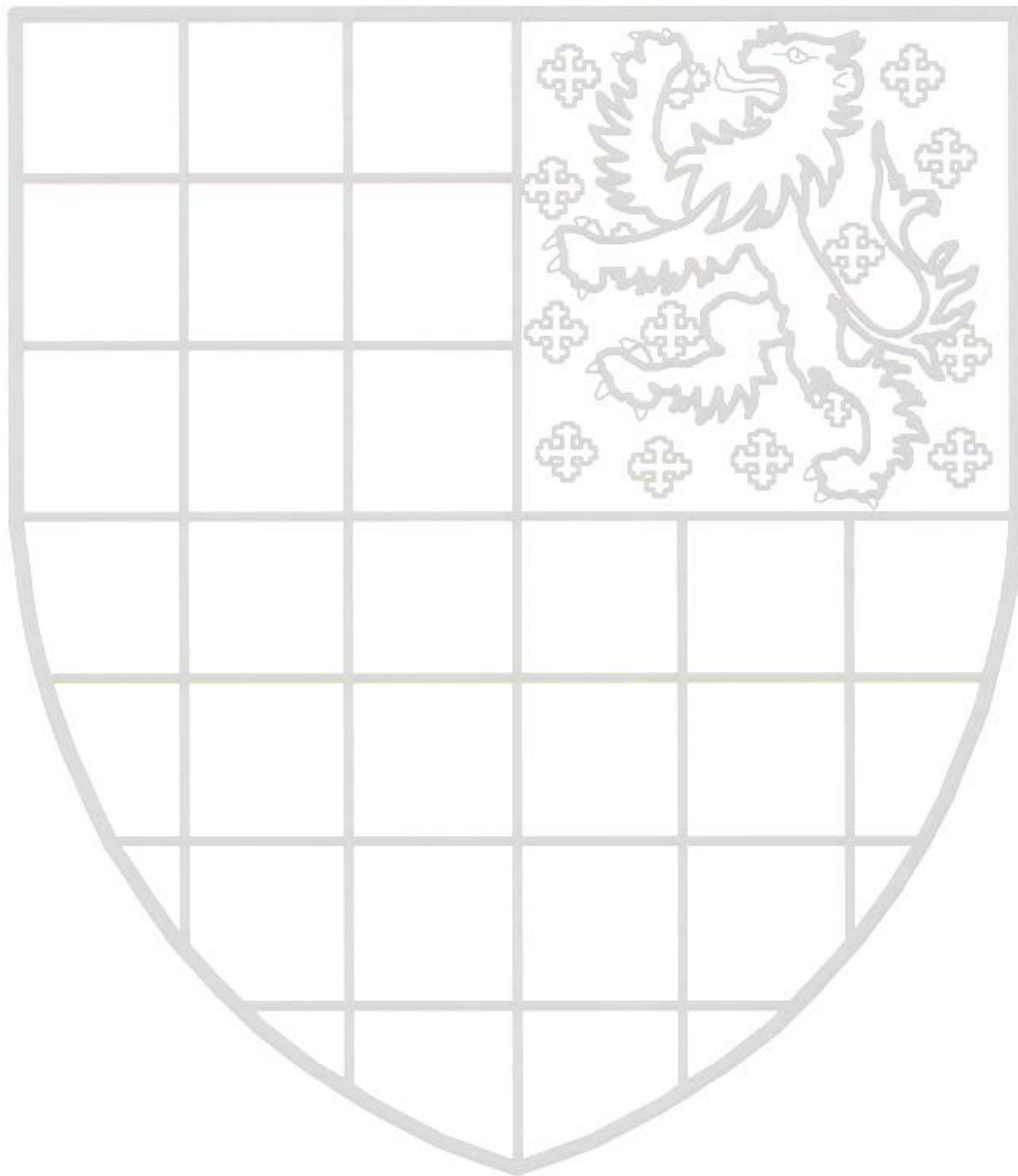
*(Oral report by Town Clerk)*

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

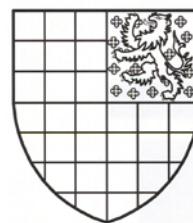
This agenda and supporting papers can be downloaded from [www.lewes-tc.gov.uk](http://www.lewes-tc.gov.uk) Copies are available from the Town Hall

**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 26<sup>th</sup> July 2018**, in the **Council Chamber, Town Hall**, Lewes at **7:30pm**.

**PRESENT** Councillors A Ashby; J Baah (*Mayor*); S Catlin (*Wischhusen*); M Chartier; J Lamb; I Makepeace, Dr G Mayhew, M Milner; R Murray; S Murray (*Deputy Mayor*); R O’Keeffe and C Renton.

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

*Observing:* Mr B Courage (*Town Ranger*) and Ms V McLachlan (*Finance and Admin. Officer*).

The Council’s Chaplain, Canon Richard Moatt, offered a few words before the meeting. He related recent experiences whilst on holiday in a remote area of Scotland, that illustrated the many contrasts and great variety to be found in the world and which were faced by anyone attempting to address the needs within a community.

**FC2018/29 QUESTIONS:** There were none.

**FC2018/30 DECLARATIONS of INTEREST:** There were none.

**FC2018/31 APOLOGIES FOR ABSENCE:** Apologies had been received from Cllr Barker who was working; Cllr Watts was ill, and Cllr Jones was attending to a family member who was unwell. Cllr Rowell had registered his apologies but offered no reason. No message had been received from Cllrs Burrows or Elliott. (*A message was belatedly received from Cllr Burrows, who had a family commitment*).

**It was resolved that:**

**FC2018/31.1** The reasons submitted for absence from this meeting are noted.

**FC2018/32 MAYOR’S ANNOUNCEMENTS:**

a) The Mayor sadly announced the recent deaths of Mrs Birthe Rutley, a former Mayoress; Mr Rod Wilson, who was a past Councillor, and Mr Tim Fogden who had served as Council Chaplain in the past. The Council’s sympathies were extended to all their families.

b) Councillors wished Councillor Annabella Ashby many happy returns of the day, as it was her birthday.

**FC2018/33 MINUTES:**

The minutes of the meeting held on 21<sup>st</sup> June 2018 were received and signed as an accurate record, subject to a clarification regarding interests declared by Cllr Lamb (regarding a grant application, not as a bonfire society member) and a correction of two typographical errors in the draft.

**FC2018/34 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) Policies Review Working Party 19<sup>th</sup> June 2018:** Council considered the minutes of this meeting (*copy in minute book*):

Members had been provided with copies of current policies.

These were not all statutory and some were included simply to take advantage of the opportunity for scrutiny. Council had other 'policies' (eg Farm animal welfare statement) but these did not require review.

Most of these documents required simple updating and it was simply good practice to review and confirm they remained current and fit for purpose, whilst there were one or two that needed minor updating and some recent legislative changes to incorporate.

With regard to Standing Orders and Financial Regulations, LTC conventionally followed the models produced by the National Association of Local Councils (NALC) and tailored these to local need. These were periodically reviewed by sector specialist lawyers and updated as required. New model SO's had been published in April 2018, and these were provided to Members.

The remainder could be considered as generally up-to-date, although Members suggested several minor practical amendments such as removal of references to 'Lead Members'; which Council no longer mandated.

The working party reviewed and discussed in detail each policy which, in summary, have the effect of:

1. *Standing Orders* to be updated to account for areas newly-introduced or updated in the 2018 national model, and to remove outdated references (eg Lead Members).
2. *Financial Regulations* updates/insertions to align with NALC latest model, revise values, and incorporate Council's payments procedure (currently a separate document).
3. *Investments and Reserves policy* minor administrative update needed.
4. *Freedom of Information Act publication scheme* minor administrative update needed.
5. *Anti-fraud policy* no change required.
6. *Code of Conduct for Members* no change.
7. *Communications policy* revise to remove outdated references. Introduce note regarding letters written by Mayor at Council request, and explain treatment of direct incoming questions. Communications Working Party may wish to review Social Media appendix.
8. *Complaints policy* revise to remove outdated references, and add/clarify role of Mayor.
9. *Dignity at Work policy (staff discipline; grievance, etc)* add option of Mayor to 'first steps', update as required to reflect ACAS 2015 Code of Conduct (current is based upon 2009 CoC).
10. *Equality policy* no change
11. *Equal opportunities statement* introduce 'sex' to lists, as distinct from 'gender'.
12. *Health & Safety at Work policy* no change

Revised policies would be prepared, and submitted to Council in due course.

#### *Miscellaneous decisions:*

At the beginning of each new County and District administration, local Members elected to those authorities will be contacted and advised that Town Council Agenda are routinely sent to their respective Chief Officers, and are available through them.

Policies containing references to post-holders will have references to '(s)he' inserted where appropriate.

Data Protection legislation will be incorporated as appropriate, as it evolves.

#### **It was resolved that:**

**FC2018/34.1** The Minutes of the Policies Review Working Party, held on 19<sup>th</sup> June 2018 (*copy in minute book*) are noted.

**b) Buildings Working Party 3<sup>rd</sup> July 2018:** Council considered the minutes of this meeting (*copy in minute book*)

The meeting considered plans prepared by LA Architects according to various factors

discussed and comments recorded from users of the Malling Community Centre; at previous meetings and in correspondence.

These had been prepared to the standard required for submission in support of an application for planning consent and for tender invitations, and were accepted as representing all the features previously discussed and agreed.

Delta Green Environmental Design had compiled the option appraisal for the sustainable systems as agreed at the last meeting, and would shortly need formal instruction to develop tender information for pricing to cover the Employers Requirements for mechanical, electrical and public health. This could be issued once planning consent was ascertained.

**It was resolved that:**

**FC2018/34.2** The Minutes of the Buildings Working Party held on 3<sup>rd</sup> July 2018 (*copy in minute book*) are noted.

**c) Transport Working Party 18<sup>th</sup> July 2018:** Councillors considered the minutes of this meeting (*copy in minute book*).

Cllr Makepeace joined the meeting at this point.

*Priorities for supporting local transport:* Cllrs Murray (S) and Catlin had recounted a meeting they had held with Community Transport in the Lewes Area (CTLA) at the request of the Working Party. CTLA had submitted some proposals as:

*i)* Funding one whole day per week of the current Lewes Dial-a-Ride (DaR) which would release CTLA funds to invest in more services and vehicles to increase sustainability of the overall project.

The current rate per day for the three days per week funded by ESCC was given as £130.31, therefore to fund this over 52 weeks would cost £6,776.12. This, together with the recent grant by the Town Council, would mean that CTLA would self-finance about 65% of the remaining day out of their own funds. By the end of 2017/2018 CTLA had carried 2,160 passenger-trips on the Lewes DaR service – an average of 190 passenger-trips per month.

*ii)* LTC to fund free travel to English National Concessionary Bus Pass Holders on the Lewes DaR service. This would be complicated to achieve as it would need the approval of ESCC who are responsible for reimbursing operators of approved services through the MCL managed Concessionary Fares Scheme. Negotiations would have to be undertaken between LTC and ESCC to determine the reimbursement rate from LTC to ESCC. It was thought likely that ESCC would be reluctant to proceed even if the scheme was 'budget-neutral' to them as this would set a precedent and encourage users of other DaR services to demand the same. However if LTC wished to pursue that, it could be investigated further but would likely be a complex and contracted process if it was not turned down immediately.

*iii)* Fund a study into the feasibility of a Voluntary Car Scheme serving Lewes residents to complement the DaR. This could be undertaken in-house by CTLA staff with some support where appropriate from external sources over a 5 month period at a cost of £6,000, with the recommendations forming the basis of a business case and subsequent bids from CTLA to various funding bodies, including Lewes TC, for a possible scheme start in the 2019-20 financial year.

*iv)* Purchase of an additional electronic ticket machine. This had not been discussed at the meeting but was something CTLA would like to put forward for consideration. The current weekday town service 131 and the Sunday town service 132 both increased the opportunity for Lewes residents to get out, access local goods and services and lead more independent lives with social interaction also reducing loneliness and deteriorating mental and physical health, which often goes hand-in-hand with isolation. CTLA had two electronic ticket machines which capture data about passenger travel and also operate the real time information signs where they exist. These were funded by ESCC with CTLA being responsible for ongoing support and maintenance costs. Existing commitments

kept the two machines occupied and CTLA were unable to extend the benefits these machines bring to the 131 service or to provide a spare machine to cover for breakdowns on the Sunday 132 service. They aspired to purchase a third ticket machine and have it installed to avoid these issues but currently could not fund the initial purchase and installation costs of £3,850.

The Working Party were most interested to develop the dial-a-ride and/or voluntary car services; considering that these could provide the most direct benefit and value. A member of the public, who was a volunteer driver for the Red Cross service in Lewes, offered some insight into the imminent closure of current Red Cross volunteer car schemes across the country, and it seemed sensible to suggest that CTLA might avoid much of the work and cost of a local feasibility study if they could assimilate any redundant volunteers and perhaps access Red Cross administrative information for the service in this area. CTLA would also be asked for any statistics they were able to provide on the current uptake of their DaR bus service. Cllrs Murray and Catlin were asked to meet again with CTLA and put across these points.

*Compass bus services:* Malling residents had been monitoring the supported services operated by Compass Travel, and reliability of these was observed to be improved.

*Real-time information system:* It was reported that the real-time information (RTI) displays were failing in important areas – sometimes giving completely erroneous information. Brighton & Hove Buses had taken notice of complaints and indicated that at some locations, including Lewes bus station, the cause was power failure.

*Bus shelters:* A licence had recently been issued by East Sussex Highways, with apologies for a delay of almost 2 years, to site a bus shelter on the pavement serving the stop at Fitzroy House. This had originally been requested on behalf of local residents who identified significant demand for a shelter at this location. An appropriate design of shelter would cost approximately £8,000 and Members agreed that this should be recommended to Council.

A shelter had been requested in Crisp Road, Landport, adjacent the electricity sub-station. The footway was narrow in that spot and it was thought that this may be a constraint; but the necessary agreements were being researched, for consideration in due course.

Developers of land off Southdown Road had been granted planning consent subject to 's106' conditions that required the installation of two bus shelters and associated works. They had been advised that the Town Council may be prepared to adopt these once installed, on agreement of a commuted sum which would provide for additional insurance; occasional repairs, and routine cleaning/sanitizing *etc.* This had been established at around £500 per shelter, which allowed for several years' routine costs and a nominal amount towards possible need for replacement glazing. Council would be recommended to agree these arrangements. It was noted that a similar arrangement was expected to arise from developments at Sussex Police HQ, where a nearby bus shelter had been identified as a potential 's106' benefit.

*Bench seats:* A bench that had been donated *in memoriam* by the Rotary Club and sited outside the entrance to Lewes Station had been removed by the station management and relocated to a platform, allegedly with the agreement of Rotary. This had been discussed before by the Working Party, and the bench had been an occasional point of contention with the Station operators. In this instance, it was agreed that if Rotary had raised no objection then the matter should be left to lie.

The matter of an additional bench immediately adjacent the bus stop on the Southbound side of the road had been stalled following the costs quoted by Network Rail for a license. This was still being pursued, but it was agreed that the prices quoted would make the provision disproportionately expensive and the removal of the bench at the entrance would affect demand. This would be revisited in due course.

*5<sup>th</sup> November road closures etc:* Councillors expressed concern at the approach being exhibited by the Tactical Support Group (TSG), representing emergency services and

partners, regarding arrangements for Lewes Bonfire. Proposals for road closures and rail station restrictions were considered too draconian and inappropriate to a Monday evening event. It was noted that the Council had expressed a view recently, and that Brighton and Sussex Universities had protested that they had not been consulted or advised. The working party asked if comparative figures for injuries and other crowd-related incidents over the past ten years might be obtained. The TSG would be asked to provide background to their reasoning.

*Electric car use:* It was agreed to write a letter of support to Lewes District Council for their initiative to research and encourage greater use of electric cars.

*20mph speed limit:* Members near Southover agreed to monitor compliance with the speed limit along Southover High Street.

*Parking Shop closure:* The closure of the Lewes Parking Shop was noted. Leaflets and posters were being distributed by the parking scheme operator and East Sussex County Council explaining new arrangements for obtaining permits *etc.* online or at Lewes Library. Members observed that whilst ‘teething troubles’ were to be expected with any change, arrangements for trade day-permits seemed to have become a problem. It was considered that the system was not fit-for-purpose, and it should be simple to obtain scratch-cards at the library counter. Cllr O’Keeffe undertook to pursue these issues with ESCC’s Lead Member. She would also make enquiries as to the current rules applicable to the erection of scaffolding in the High Street which, it was believed, should be restricted to weekends.

Further to the minutes of the Working Party meeting:

It was noted that new roundels had been painted on the road surface in Southover High Street to mark the 20mph speed limit.

Some members queried the validity of statistics provided in support of the proposed railway station closures on 5<sup>th</sup> November.

With regard to the closure of the Parking Shop: it was understood that Lewes Library offered a “computer buddy” service for those who needed assistance obtaining services online, although this must be booked in advance.

After discussion **it was resolved that:**

**FC2018/34.3** The minutes of the Transport Working Party held on 18<sup>th</sup> July 2018 (*copy in Minute book*) are noted.

**FC2018/34.4** Cllrs Murray (S) and Catlin are asked to meet again with Community Transport in the Lewes Area (CTLA) to pursue further the matter of on-demand transport services.

**FC2018/34.5** That a letter be written by the Mayor to the Head of the Fire and Rescue Service and to the Home Office Minister regarding the Council’s objections to proposals for closure of roads and rail stations on the 5<sup>th</sup> November 2018.

**FC2018/34.6** The purchase of a bus shelter, and installation adjacent to Fitzroy House is approved, at an estimated cost of £8000.

**FC2018/34.7** Cllr R Murray had requested a seat on the Transport Working Party and this is agreed.

**d) Personnel Panel 19<sup>th</sup> July 2018:** Councillor Ashby gave an oral report on this, having been elected to take the chair of the panel. Minutes would be available at the next meeting of Council.

The meeting had been convened as part of the agreed appraisal process for the Town Clerk (TC). Panellists had received a report on the Town Clerk’s role and performance in achieving the Council’s objectives. Mr Richard Penn, the Council’s retained consultant, had been present and had produced an analysis of responses to the questionnaire completed by staff, Councillors, and selected local stakeholders. The agreed appraisal scheme was an ongoing process, and the Panel would meet again in six months’ time. It was decided that the Panel would find it useful for the questionnaire to be reissued to Town Councillors and analysed in advance of that meeting to monitor progress. The panel had discussed the future of the Council and, in particular, the key staff who were

likely to retire in the next few years. TC was asked to prepare a report that offered a vision for presumed priorities and future structure of the Council.

**It was resolved that:**

**FC2018/34.8** That the oral report of the Personnel Panel held on 19<sup>th</sup> July 2018 is noted.

**e) Audit Panel 19<sup>th</sup> July 2018:** Councillors considered the Minutes of this meeting (*copy in Minute book*). The Panel had been provided with detailed information (*copies in minute book*) following the end of the first quarter of the financial year 2018/19:

*Budget monitoring update* – this showed actual expenditure and income values as posted to the Council's Sage accounting system for all transactions processed in the period. There had been some discussion on salient points of detail, and TC responded with reference to the identified sources. There were no items of concern.

*Oversight as required by the Governance & Accountability Code of Practice:* The file of periodic bank reconciliations was reviewed to verify the routine scrutiny already conducted. The Chairman appended his signature to verify this in each instance.

**FC2018/34.9** The Minutes of the Audit Panel meeting held on 19<sup>th</sup> July 2018 (*copy in Minute book*) are noted.

**FC2018/35**

**CCTV CAMERA REPLACEMENT:**

Members considered Report FC007/2018 (*copy in Minute book*) which presented a request by Sussex Police with regard to replacement of one town centre CCTV camera.

In 1999 the Town Council, in partnership with the District Council, Sussex Police Authority, and local business, had undertaken to provide a system of closed-circuit television cameras (CCTV) in Lewes. This formed part of a county-wide network, with local councils typically paying for the provision and maintenance of cameras and operating infrastructure, and the police providing management, monitoring and strategic aspects of the service. There were three cameras in Lewes town, forming part of a network of over 500 installations in Sussex. The system was considered a leader in its field and was the envy of many other Police areas.

Camera 3312, which gives coverage of Lewes Railway Station, was not operating and had been declared beyond economic repair.

As part of a new partnership with the Metropolitan Police, the Sussex Police system manager has been given several CCTV cameras to be used in Sussex. These were used but in excellent condition, and one could be deployed to replace camera 3312. Installation cost would fall to the Council, at approximately £600 to £700.

Alternatively, an option was offered to consider upgrading the device at this location to a High-Definition camera, with an estimated the cost in the region of £4,500 to £5,000 (Sussex Police estimate).

The cost of redeployment of a used camera could be accommodated within existing agreed budgets. Council does not currently hold any financial Reserve appropriate to the expense of an HD upgrade, which would therefore need to be funded from the General Fund (*balance b/fwd at 1<sup>st</sup> April 2018: £122,981*).

After debate, **it was resolved that:**

**FC2018/35.1** Lewes Town Council requests the deployment of a used camera to replace camera no 3312 in the Sussex Police CCTV network, as described in report FC007/2018 (*copy in Minute book*).

Members who wished to visit the Sussex Police CCTV Monitoring Centre should advise TC, who would investigate opportunities.

**FC2018/36**

**UPDATE ON MATTERS IN PROGRESS**

a) *Annual Plan update distributed:* An update on progress with the Annual Plan was distributed (*copy in minute book*). It was commented that the earlier decision to engage with architects regarding the Pells kiosk was not described; this would be addressed in future updates. It was noted that Councillor's 'mini-biographies' – intended for the



new website - were still awaited from 14 Members. Members were reminded that this need only comprise a short paragraph to accompany their photograph.

b) *Devolution of Landport Bottom:* TC advised that the transfer of Lewes District Council's part-ownership was completed, and the Town Council was now the sole owner of the land. A Land Registry confirmation regarding the allotment area was still awaited, but this was a minor detail. There followed from this several issues to be addressed: Council would wish to consider how to manage Landport Bottom in the future as, hitherto, a Joint Committee with Town and District Councillors had this function. TC would prepare a report in due course. It would be appropriate to revisit policy regarding the allotment site to align it with the Council's other sites, as it was no longer subject to an "Article 4" direction which had prohibited sheds. TC advised that it would be an ideal opportunity for a small Working Party to review several aspects of the Council's allotments function in general; and services provided to tenants.

Accordingly, **it was resolved that:**

**FC2018/36.1** 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.

**FC2018/37**

### **NOTICE of ITEMS IN PROSPECT**

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

- Landport Bottom
- Bus Shelter adjacent Fitzroy House
- Bonfire Train Service position
- Visitor parking scratchcards (Cllr O'Keeffe to provide details to TC)

b) Reports would be prepared on the position with regard to General Data Protection Regulations and implications for email and office systems; options for the future management of Malling Community Centre, and options for the future management of Landport Bottom.

*Dates to note* were given as:

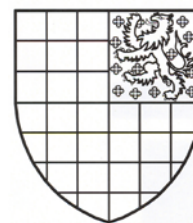
- d) The next Members' Surgery was scheduled for Tuesday 7<sup>th</sup> August – 10:00am - 12.00pm in the Corn Exchange – Cllr Chartier had volunteered to attend.
- e) The next meetings of the Planning Committee would take place on Tuesday 7<sup>th</sup> and 28<sup>th</sup> August at 7:00pm
- f) The next Council meeting would take place on Thursday 30<sup>th</sup> August at 7.30pm, with a deadline for agenda items to reach TC by noon on Monday 20<sup>th</sup> August.
- g) Meetings to be arranged were Verges Working Party; Diversity Working Party; Pells Land Working Party, Buildings Working Party and All Saints Steering Group.

There being no further business the Mayor closed the meeting.

*The meeting ended at 8:30 pm*

Signed: .....

Date: .....



## **MINUTES**

of the **Personnel Panel** held on **Thursday 19<sup>th</sup> July 2018**, in the **Council Chamber, Town Hall, Lewes** at **2:00pm**

**PRESENT:** Cllrs A Ashby; A Barker; R Burrows; M Chartier; Dr G Mayhew and C Renton

**In attendance:** S Brigden (*Town Clerk*); Richard Penn (*retained Consultant*); F Garth (*Civic Officer & Asst Town Clerk*)

**PersPan2018/09 ELECTION OF CHAIRMAN:** Cllr Ashby was elected Chairman of the Panel for the remainder of the 2018/19 municipal year, Cllr Barker having stepped-down prior to the meeting.

**PersPan2018/10 QUESTIONS:** There were none.

**PersPan2018/11 APOLOGIES FOR ABSENCE:** There were none.

**PersPan2018/12 DECLARATIONS OF INTEREST:** There were none.

**PersPan2018/13 MINUTES OF PREVIOUS MEETING:** The minutes of the meeting held on 30<sup>th</sup> May 2018 were agreed and signed as an accurate record.

**PersPan2018/14 EXCLUSION of the PRESS and PUBLIC:** As this Panel was to discuss information personal to individual, identifiable employees the Chairman moved before proceeding, and consequently **it was resolved that:**

**PersPan2018/14.1** "In view of the confidential nature of the business to be transacted during the remainder of the meeting - which is detail personal to individual employees; pursuant to the Public Bodies (Admission to Meetings) Act 1960 s1(2); any members of the press or public present be excluded and instructed to withdraw".

**PersPan2018/15 BUSINESS OF THE MEETING:**

The meeting had been convened as part of the agreed appraisal process for the Town Clerk (TC). Mr Penn reminded Members of his commission to contribute an impartial viewpoint and act as facilitator to future assessment of TC's performance, and how the 'two-stage' approach operated. He explained the process of the appraisal in that it was a two-way discussion and that the focus should be on the Town Clerk's report, supplemented by Mr Penn's independent analysis of questionnaire responses. The questionnaire had been administered confidentially by Mr Penn, as agreed, and he had prepared a report and would advise on appropriate outcomes. Mr Penn mentioned that the questionnaire had assumed a more prominent role than he would normally expect. This he attributed to the differences in working environment between the Principal councils he was familiar with and a parish council. It was suggested that the meeting was held in two parts, and that for the first part Panellists should consider Mr Penn's report whilst TC and Mr Penn leave the meeting room to consider the report separately. This was agreed.

Prior to leaving the meeting Mr Penn explained his report and his analysis of the responses. The questionnaire had been sent to all town councillors, town council staff and selected stakeholders nominated by the Personnel Panel. The response rate had been high with 16 (of the 18) town councillors, 8 town council staff and 9 partners/stakeholders returning questionnaires. The numerical scores were one element of the results and the written comments on the questionnaires that respondents had been invited to make about TC's performance during 2017/18 were another element. These comments had been anonymised in his report but were presented as comments by members of each of the three respondent groups.

Mr Penn reminded the Panel that the purpose of performance appraisal is not only to objectively assess the performance of the postholder concerned against SMART targets but also to flag up areas for improvement related to the questionnaire survey as part of the personal development of the postholder. The results of subsequent questionnaire surveys could then be used to establish whether there has been genuine improvement in those areas. Members may want to indicate what improvement is required and in which specific areas.

Everyone was reminded that absolute confidentiality must be strictly observed in matters personal to members of staff. Councillor Chelsea Renton recused herself at this point, before discussions took place, and agreed that she would take no further part in the process.

Mr Penn then distributed copies of his report, and he and TC left the meeting whilst the Panel read and digested the report. A candid, open and robust discussion followed in their absence. The Town Clerk and Mr Penn were asked to return to the meeting, and discussion continued at length.

Panellists raised various points gleaned from the report and discussed various issues and their perspectives on these. The discussion was frank and positive; focussed upon any issues perceived to affect the stability or corporate health of the organization, and resulted in recommendations for the Town Clerk to consider in particular in relation to his interaction with members of the Council.

TC's own report (*PersPan001/2018 copy in the Minute book*) on his role in achievement of the Council's objectives was noted. The Council's plan of 'major' projects and initiatives had been progressed and salient matters were routinely reported to Council at each meeting via the standard agenda item "Update on matters in progress". All statutory responsibilities had been completed, with the Council's financial and governance systems and procedures once again noted as "a model of good practice" by the Council's independent auditor. TC had attended and administered 61 formal/structured meetings of the Council or associated bodies in the year: 43 in the evening and 18 during office hours.

Falling outside 'usual' daily business, or projects shown on the annual plan, particular attention had been required by a number of factors detailed in the report.

**PersPan2018/16 CONCLUSIONS:** The Town Clerk was thanked for the services he provides and his wide range of skills was recognized and appreciated. It was agreed that the Town Clerk should produce a 'visioning report' for the future to include issues such as future staffing structure and delegation, in anticipation of his planned retirement in 2021 and the likelihood of other key staff retiring within a short time of one another shortly thereafter. The agreed appraisal scheme was an ongoing process, and the Panel would meet again in six months' time. It was decided that the Panel would find it useful for the questionnaire to be reissued to Town Councillors and analysed in advance of that meeting to monitor progress. In the meanwhile all parties would reflect upon the matters discussed.

**PersPan2018/17** There being no further business, the Panel thanked Mr Penn and the Chairman declared the meeting closed.

*The meeting closed at 4.54pm*

Signed ..... Date.....

**Agenda Item No:** 7

**Report No:** FC008/2018

**Report Title:** Lewes Community Athletics Track replacement of lighting

**Report To:** Full Council

**Date:** 30<sup>th</sup> August 2018

**Report By:** S Brigden, Town Clerk

**Purpose of Report:** To apprise members of the background to a request by Lewes Athletic Club for financial assistance (*a letter from the club is appended*).

**Recommendation(s):**

Council is asked to decide on payment of the requested grant.

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**Information:**

**1 Please also see attached letter from the Chairman of Lewes Athletic Club.**

**2 General background:**

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. Photos below illustrate the popularity of these, and particularly the events for young people.

**3 The track:** 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, which had a capital cost of £660,000, 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 College and the Lewes Athletic Club.

In summary the financial contributions were as follows.

- o Lewes Athletic club -£35,000
- o Lewes District Council -£50,000
- o Lewes Town Council -£20,000
- o East Sussex County Council -£10,000
- o Priory School -£13,000
- o Sussex Downs College (As Lewes Tertiary College) -£10,000
- o Sport England Grant -£522,000

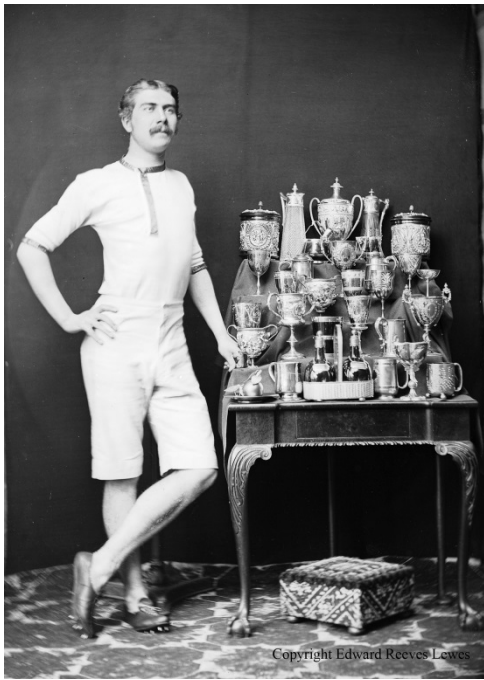
The operation of the track has been managed by a joint management group representing the Club; Lewes District Council; East Sussex County Council; Priory School; and Sussex Downs College, and funded by annual grants from those partners. The club is acting on behalf of the managing partners in initiating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

The club is 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 has contributed £10,000 (in 2014) toward resurfacing, in a similar initiative. Contractors have submitted cost estimates for the lighting replacement, and the preferred contractor has agreed to hold their £83,000 as a fixed price.

It is requested that the Town Council contribute £5,000.

*S Brigden*

*20<sup>th</sup> August 2018*



Copyright Edward Reeves Lewes

*Lewes's Tom Mantell – literally a forerunner of modern athletics*

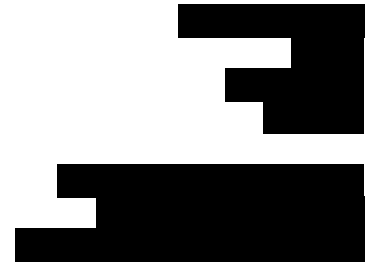
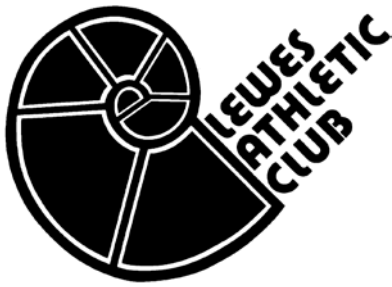


*Nearly 2,000 runners at Lewes Athletic Club Easter Monday festival and Fun Run 2018*



*“Star Track” programme, August 2018*





19, August 2018

Steve Brigden  
Town Clerk – Lewes Town Council  
Town Hall  
High Street  
Lewes  
East Sussex BN7 2QS

Dear Mr Brigden,

### **FLOODLIGHTS AT THE LEWES COMMUNITY ATHLETICS TRACK**

The purpose of this letter is to ask the Lewes Town Council to contribute towards the renewal and replacement of the floodlights at the Lewes Community Track.

In making this request this letter outlines the history of the track and how it was funded. The letter also sets down the current situation with regard to raising £83,000 that is required to renew and replace the flood lights.

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 the work undertaken by the Lewes Athletic Club to raise £660,000 to enable a community athletics track to be located in Lewes.

The track since completion continues to be managed through a partnership arrangement between Lewes Athletic Club, the Sussex Downs College, Priory School and Lewes District Council via Wave Leisure and East Sussex County Council. It is a community track and a major resource for residents of Lewes. Each year there are over 45,000 individual users of track from schools, sports clubs, the two universities and individuals.

Each of the partners contributes financially towards the £40,000 that is required each year to undertake the day to day management and maintenance of the track and track equipment. A small amount from this annual amount is placed in a reserve account to help with large maintenance and renewal tasks. The annual maintenance budget enables all the normal maintenance work to be carried out plus covering larger items of equipment renewal. These larger items might include individual sums of around £5,000 to replace or upgrade items such as the high jump and pole vault beds, hammer nets and the like.

Whilst annual maintenance tasks are covered there are insufficient funds to cover large items such as resurfacing the track or replacing the out worn floodlights.

As the track was completed in 1999 and with the extensive use it was necessary prior to 2015 to raise funds to repair and resurface the track. 10 years is the recognised time for track to be resurfaced but by careful management and use the track surface lasted for 15 years.

The Athletics Club again led the efforts to raise the funds to undertake the repair and resurfacing work. This was successfully completed and £158,000 of cash and professional contributions were by raised by the club to undertake the work. The contributions including a generous grant from the Town Council of £10,000 were as follows.

- East Sussex County Council - £7,000
- Lewes Athletic Club (Cash £34,000 – Professional input £15,000) - £49,000
- Priory School - £10,000
- Sussex Downs College - £7,000
- Lewes Town Council - £10,000
- Wave Leisure - £2,500
- Track Maintenance Account Reserve Fund - £27,000
- Sussex County Athletics Association - £5,000
- England Athletics - £40,500

The resurfacing work was successfully completed in 2015 and officially 'opened' in November by Ian Cumming a club member and a finalist in one of Britain's most popular TV shows The Great British Bake Off. Ian provided a specially baked cake for the occasion.

The current fund raising exercise by the club is now specifically focused on replacing and updating the track flood lights. These were installed at the time of the track construction in 1999 and now require urgent attention.

Investigations have been undertaken into what would be the best way forward. The advice we have been given is that the installation of LED lighting will be both environmentally positive and save money in the longer term. Climate change objectives will also be met. The lighting would be much more focused with little overspill beyond the track. The cost of the new lights will be £83,000.

In anticipation that the floodlights will require to be replaced the club has undertaken some fundraising and has carefully husbanded its financial resources so as to make a significant contribution towards the cost of renewing the lights.

At this stage the club has put together a funding package to meet the required sum. To meet the total target sum a financial contribution from the Town Council is being requested.

The club has led the work to identify and negotiate with lighting providers. The club on behalf of the partners have agreed with Abacus Lighting and DHG lighting that the contract will be on a fixed price basis and will not exceed £83,000. Whilst the precise timing of the works has yet to be determined we are looking to enable the works to be carried out as soon as possible.

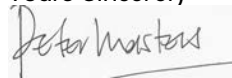
The breakdown of the proposed funding package to meet the £83,000 cost of renewing and replacing the floodlights is as follows

- Lewes Athletic Club - £20,000 grant
- Lewes Athletic Club - £20,000 loan to the joint track management Committee to be repaid over time from the annual maintenance fund
- Track maintenance account reserve fund - £20,000
- East Sussex County Council - £10,000
- Sussex County Athletics Association - £8,000
- Lewes Town Council - £5,000

I hope that you will realise from this letter that great efforts have been made over the years by the Lewes Athletic Club to provide and maintain a community athletics track for Lewes and the wider area. The club appreciates the help that the Town Council has given over the years to support the provision of the track and for the support towards maintaining it as a significant community asset.

On behalf of the partners to the track I am asking the Town Council to make a £5,000 contribution towards the renewal and upgrading of the flood lights at the Lewes Community Track.

Yours Sincerely



Peter Masters  
Chair Lewes AC

Agenda Item No: 8

Report No: FC009/2018

Report Title: Peace Garden project ('the Magic Circle')

Report To: Full Council

Date: 30<sup>th</sup> August 2018

Report By: S Brigden, Town Clerk

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**Purpose of Report:** To apprise 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.

**Recommendation(s):**

- 1 That Council notes this report.
- 2 That 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*).

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**Information:**

1. This project, with the working title of 'The Magic Circle', arose 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. The photograph below, from the Edward Reeves archive, was taken in 1916. Over time it came into public use and for decades has been part of the short-cut down the steps into Castle Ditch Lane. It became overgrown and the water feature was removed. Vandalism badly damaged the parts of the original structures that remained.



*Reproduced by kind permission of Edward Reeves Photography, Lewes*

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

5. The earmarked Reserve has 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 is available.
6. 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 28th 1919, and took force on January 10th 1920.
7. 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.
8. A plan has since evolved, to deliver the project within that £85,000 budget. FoL will 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 have 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.
9. The plan is 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 is not realistic, but there are resin bonded products available now that can 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 will be no screen either built or planted between the Maltings car park and the new plan, the idea is 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 will 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.
10. Provisional cost estimates for the principal elements of the work have been tested and agreed valid at around £60,000.
11. Lewes Town Council is asked to agree the principles of the scheme and to release the funds held in the earmarked Reserve to facilitate commencement of the project. 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.

S Brigden 16<sup>th</sup> August 2018

**Agenda Item No:** 9

**Report No:** FC010/2018

**Report Title:** Malling Community Centre future management

**Report To:** Full Council

**Date:** 30<sup>th</sup> August 2018

**Report By:** S Brigden, Town Clerk

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**Purpose of Report:** To prompt consideration of options for management of the Malling Community Centre, following refurbishment.

**Recommendation(s):**

- 1 That Council notes this report.
- 2 That Members authorize a Working Party to explore these issues in greater detail and bring forward recommendations.

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**Information:**

1. *Early history:* Malling Community Centre was built in 1977 and a 21year lease granted to the Town Council. A Trust was set up to operate the Centre, comprising Councillors and members of the Malling Residents Association, which took an underlease. The building has been extended twice: once in the mid 1980's, on the West elevation to accommodate sports facilities, and in the 1990's on the East elevation, providing an extended social club and bar facility. On each occasion the projects were partnerships between the residents and the Council, with funding including National Lottery grants, accrued reserves and fundraising.

The freehold of the building was 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), primarily to demonstrate the security of tenure necessary to satisfy criteria for grant which funded the social club extension. In 1998 the Town Council assisted the Association in obtaining independent advice on commercial licensed trade operations and the Centre was largely supported, for several years thereafter, by the income generated by this popular facility which operated under contract with a brewery.

With a national decline of pubs and similar establishments the use of the social club waned, and the Association eventually ceased its operation in 2008 and left the annexe unused. A number of points of contention over rent and responsibilities had begun to arise over the years, and notes of a liaison meeting in June 2009 record that the recently-elected new executive group for the MCA reported a number of problems. These included declining membership; loss of the 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 agreed to commission a full structural survey and, in recognition of the 'reconstituted' MCA's attempts to restore equilibrium, significant rent arrears were waived. This was, effectively, the beginning of the project to refurbish the building.

The survey 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 the MCA conducted a 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 was 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.

2. *Recent history:* By mutual consent, the MCA 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. By this point there were very few members of the Association remaining, yet; 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 10% of hire fees. This arrangement, which depends upon hirers and users to look after themselves and conduct themselves appropriately when on the premises, will cease upon closure of the Centre for commencement of building works.

3. *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.
- Adjacent play-area and recreation ground improvements, arising from a major share of >£1million s106 agreement *in* 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.
- Local catchment will increase when North Street Quarter is occupied and accessible via proposed new footbridge.
- 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.
- 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.

4. *Basic options for management model (order not indicative of priority):*

The options below are simplified summaries only, and the list is 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.

**Summary:**

5. Each option has very different financial implications, and there are many non-financial aspects to be considered. There are potential and ancillary issues already known which will affect the Centre and its likely user-profile, both in the foreseeable future and longer-term. Some exploration of possible options has already been undertaken, and detailed assessment will take more time than is reasonable for a Council meeting. It is therefore recommended that a Working Party be tasked with this, and asked to formulate recommendations.

S Brigden

14<sup>th</sup> August 2018

**Agenda Item No:** 10

**Report No:** FC011/2018

**Report Title:** Landport Bottom – Ramblers Association claimed Rights of Way

**Report To:** Full Council

**Date:** 30<sup>th</sup> August 2018

**Report By:** S Brigden, Town Clerk

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**Purpose of Report:** To apprise members of the 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.

**Recommendation(s):**

- 1 That Council notes this report.
- 2 That Council considers its response to the application, with respect to routes crossing its land.

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**Information:**

1. Earlier this year, the ‘Don’t Lose Your Way Group - Sussex’ began 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.
2. The group includes members of Mid Sussex Bridleways Group, the Open Spaces Society, the Ramblers Association, the Trail Riders Fellowship, and the South Downs Society.
3. The survey 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.*”
4. Following this survey, formal notice has been served by the Ramblers Association on landowners regarding claimed rights, and two of these cross the land at Landport Bottom, owned by the Council. The Notice of Application is appended to this report, and shows the routes on a map. The Council is formally asked to consider dedication of the routes labeled A-B and A-D.

**Background and points for consideration:**

5. Lewes District Council and Lewes Town Council jointly purchased Landport Bottom in 1992. The intended use of the land was for a public recreation site, for free access to the public and for the land to be protected from development. When the Councils purchased the land it was being used as agricultural ‘set-aside’. The Councils, in 1992/3, ploughed and reseeded the land with a grass downland mixture and the land became part of the South Downs Environmentally Sensitive Area Scheme. The land is grazed by sheep and used by the public for general recreation such as horse riding, walking and sightseeing. Sole ownership was acquired by the Town Council in June 2018. It should be remembered that this is not “public land”, but is private land which is owned by a public body. Public use is, technically, by invitation.
6. There are routes already defined as Public Rights of Way which cross the land. These are shown below on an extract from the Definitive Map.
7. 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 is 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.
8. *Public rights of way* are rights across land exercisable by the public, and which allow them to pass along them at any time they choose. Some rights of way also allow travel by other means, eg by horse,

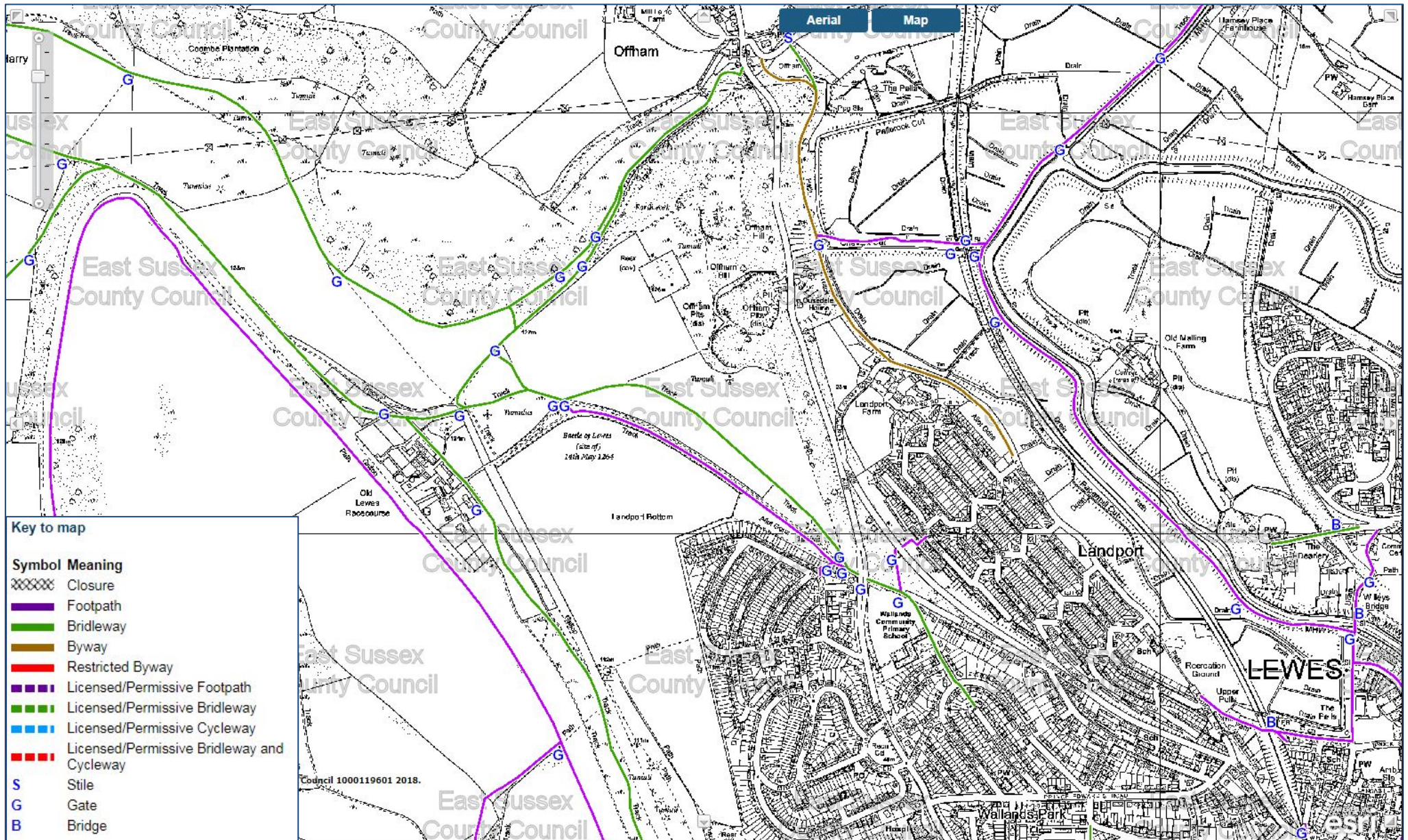
bicycle or car. A record is kept by the local Highway Authorities of the status of public highways, whether they are classified as footpaths, bridle paths, *etc.* Some local authorities have been classified as Surveying Authorities and have the special task of recording public rights of way on maps known as Definitive Maps.

9. *Permissive Paths* are unofficial rights of way provided by private landowners, often following an agreement by a local authority, charitable company or countryside body such as the Forestry Commission. They are identified by a sign, placard or similar. It is important to know that the landowner can divert or stop the path whenever it suits him and that the public have no right or say in such a matter.
10. *Open Access Land* - The Countryside and Rights of Way Act 2000 (CROW) provided for many areas of Open Access Land, particularly over common land and in upland areas. The Act provides for access by foot only to the entire area, provided it is accessed from designated access areas. Some of these areas may be restricted from access during certain dates that are designated by the Act. Whilst access is freely provided the owner of the land may make restrictions on how the land is used, although as a general rule they are not of any serious consequence and are often temporary. Open Access Land is not 'common land'.
11. The District Council's Community Ranger, who is tasked with day-to-day oversight of Landport Bottom on behalf of the Town Council, has raised the matter of operational flexibility; notably the occasional deployment of sheep to graze particular areas of the site which requires temporary fencing. Should this impact upon unfettered use of a defined Public RoW, special permission must be obtained for temporary closure. Similarly, the area adjoining the path shown as A-B is 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.
12. East Sussex County Council have not yet notified the Town Council of the application, nor have they initiated their statutory assessment. They have indicated that this will be a low priority for them, and may take some time.

S Brigden 14<sup>th</sup> August 2018



Extract from ESCC Definitive Map of Public Rights of Way @ August 2018:



**FORM OF NOTICE OF APPLICATION FOR MODIFICATION ORDER  
SECTION 53(5) OF, AND SCHEDULE 14 TO, THE WILDLIFE AND COUNTRYSIDE ACT 1981  
EAST SUSSEX COUNTY COUNCIL DEFINITIVE MAP AND STATEMENT**

To: LEWES TOWN COUNCIL  
of Town Hall,  
Lewes BN7 2DQ

I Christopher Smith, for and on behalf of the Ramblers Association, of 2nd Floor Camelford House, 87-90 Albert Embankment London SE1 7TW hereby give notice that on 10/8/18 I made application to the East Sussex County Council of County Hall, St. Anne's Crescent, Lewes, East Sussex that the definitive map and statement for the area be modified by adding;

A footpath from point A at a junction with Lewes Bridleway 22b at grid reference 540239 110958 to point C at grid reference 540075 111427

A footpath from point A at a junction with Lewes Bridleway 22b at grid reference 540239 110958 to point D at grid reference 539904 111427

A footpath from point B at grid reference 540093 11382 to point D at grid reference 539904 111427

A footpath from point D at grid reference 539904 111427 to point E at grid reference 539935 111576

A footpath from point E at grid reference 539935 111576 to point G at grid reference 540001 111846

A footpath from point G at grid reference 540001 111846 to point H at a junction with Hamsey bridleway 16a at grid reference 539998 112089

A footpath from point F at grid reference 540006 111752 to point J at grid reference 539966 111845

A footpath from point G at grid reference 540001 111846 to point K at grid reference 539904 111782

A footpath from point E at grid reference 539935 111576 to point K at grid reference 539904 111782

A footpath from point K at grid reference 539904 111782 to a junction with Hamsey bridleway 31a at point M at grid reference 539639 111652



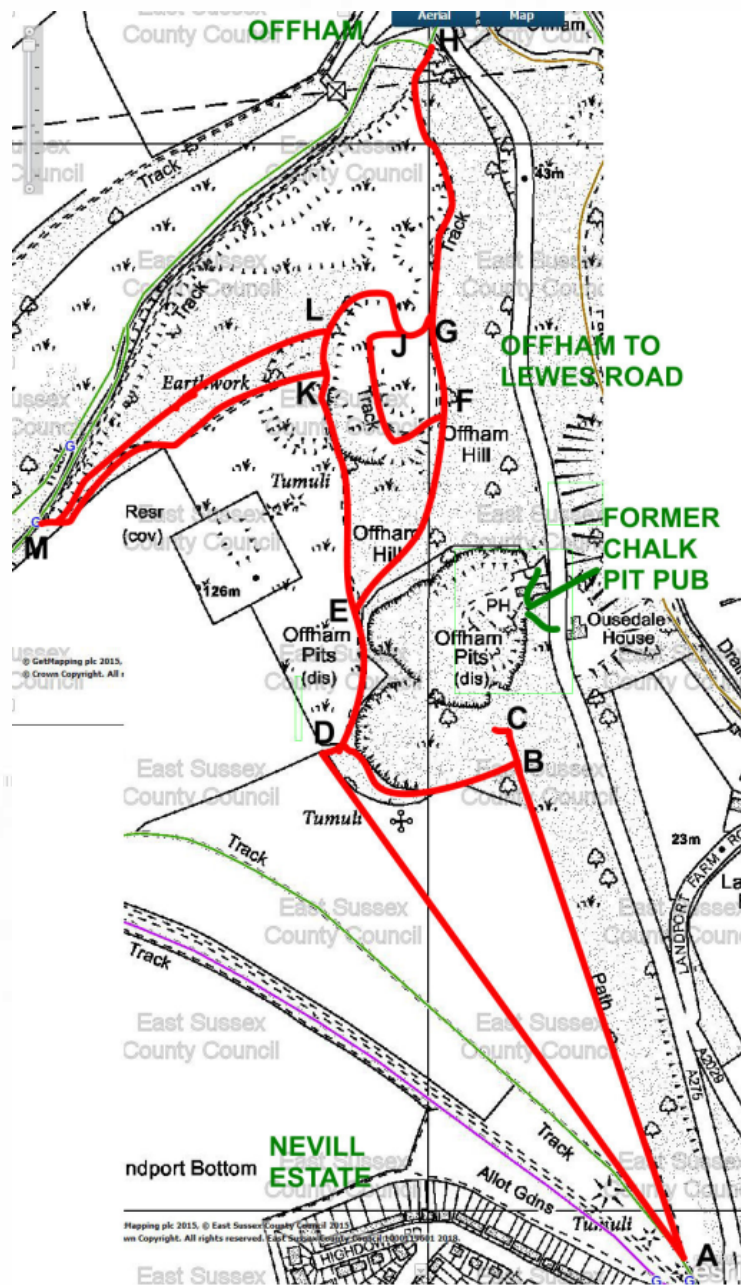
A footpath from point J at grid reference 539904 111782 to a junction with Hamsey bridleway 31a at point M at grid 9639 111652

Signed [Redacted] 53 Dated 10/8/18

**Note and map- not part of the notice.**

This application asserts that there is an existing right of way between these points. Your land may be affected.

For further information please contact East Sussex Council. The person there dealing with the application is Natalie Mclean who can be contacted at Communities Economy & Transport, East Sussex County Council, County Hall West B, Lewes, BN7 1UE, telephone 01273 482628 or 0345 60 80 193 Email [Natalie.mclean@eastsussex.gov.uk](mailto:Natalie.mclean@eastsussex.gov.uk). It may be useful to quote our reference which is Lewes N



<b>COUNCIL PLAN 2018/19</b>		Lewes Town Council proposes to initiate and complete (where possible and practical), or continue, the following major areas of work in the year 1 <sup>st</sup> April 2018 to 31 <sup>st</sup> March 2019.			
<b>Status update</b>		These are in addition to various projects and initiatives itemised in the Council's budgets and accounts, and represent larger-scale activities deserving special attention.			
		<b>STATUS</b>		<b>STATUS</b>	
<b>Project</b>	<b>description</b>	<b>at June 2018</b>	<b>at July 2018</b>	<b>at August 2018</b>	
1	<b>Town Hall repairs &amp; conservation</b>	Major roof repairs/replacement to Assembly Room and Com Exchange Works required for safety and integrity of building.	Roof repairs will be completed shortly. Next requirement is survey and development of a new redecorations/refurbishment programme.	Continues	Continues
2	<b>Pells Lake ecology project</b>	Improvements to water quality. Introduction of aquatic plants W/Party remit to consider structural integrity of lake perimeter. partially completed – specialist report obtained	Continues	Continues	Continues
3	<b>Pells Recreation Ground and kiosk/café development (with Santon Group and others)</b>	Engagement with Santon Group and others to improve the “urban realm” in the area as an integral component of necessary flood-defence works; taking the opportunity to replace children’s play equipment and introduce equipment for a wider age-range, and to provide an enhanced café facility for the swimming pool, recreation ground, and surrounding parkland.	Working Group met March 2018. Designs refined in light of market test for indicative costs, and planning application submitted April 2018 for discharge of pre-commencement conditions iro NSQ works	Planning applications for discharge of conditions: decision awaited.	Planning matters in progress. Santon North St Ltd advise that approvals for all 'phase 1' reserved matters are expected late August/early Sept. Pells Pool Community Association considering priorities following Council resolution to engage architects in preliminary design work for kiosk/ cafe project.
4	<b>Malling (Bridgeview) Community Centre refurbishment</b>	To carry out a comprehensive refurbishment of the community centre, with modern heating and lighting, with improved facilities for community use, including more flexible interior spaces and better integration of the sports changing-rooms with the adjoining sports pitches and recreation ground.	Working Party considered heating system options April 2018, and agree design should include Ground Source Heat Pump + Photo-voltaic panel array to maximum feasible area. Architects produced planning-quality drawings June 2018. Working party TBC re agreement to proceed to tender.	Working Party 3rd July agreed drawings for planning application.	Planning application submitted -awaiting validation by Planning Authority.
5	<b>Commemorations:</b>	To engage with, and inspire, appropriate community recognition of National commemoration of the Centenary of the outbreak of the first World War (2014). Research commission re additional names for War memorial – ongoing; end date 2018 Centenary of the signing of the Treaty of Versailles (2019)	Continues	Continues	Continues
6	<b>Neighbourhood Plan (with Community partners)</b>	Development of a Neighbourhood Plan for Lewes under provisions of the Localism Act 2011	Draft Plan approved by Council for submission to Planning Authority for 'Regulation 16' public consultation. Consultation runs six weeks 11th June to 23rd July.	Regulation 16 consultation ended 23rd July. Planning Authority have appointed Examiner.	Examiner provided with all consultation material - examination in progress.
7	<b>Continuing programme of environmental enhancements and specific site improvements</b>	Engage with appropriate projects arising from third-party initiatives (eg highway safety/traffic management). Continuing improvements to own assets (eg allotment sites)	Continues	Continues	Continues
8	<b>Devolution of assets &amp; services</b>	Provide for transfer of ownership of various assets/services from Lewes District Council. (currently subject to ongoing negotiation)	Transfer documents for Landport Bottom executed 16th May 2018. Awaiting counterparty completion. Pending Council policy decisions - report to Council 21st June 2018	Landport Bottom transfer completed. Council position re future devolution established at meeting 21st June 2018. Further discussions with LDC pending.	Further discussions with LDC pending.
9	<b>New council website</b>	New website to be researched – Council resolution FC2016/19.4 (16th June 2016) refers.	Nearing completion. Personal profiles awaited from 14 members.	Personal profiles still awaited from 14 members. General final details in process - launch imminent.	Personal profiles still awaited. Final details being refined. Launch early September.
10	<b>General Data Protection Regulations</b>	Legislation still in progress through Parliament, but anticipated that the General Data Protection Regulations will take effect May 2018. Implications for working practices and future Data Regulation structure.	Data audit conducted and DPO engaged for 2018/19. Assessment of IT services; email protocols etc ongoing. Quotations for network upgrade awaited; report to Council anticipated July 2018	Preliminary estimates of network upgrade requirements received. Comprehensive report to Council August 2018.	Consideration of network upgrade proposals in hand. Some elements to be clarified. Report to Council 4th October 2018