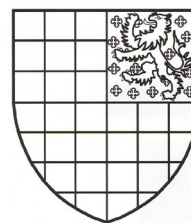


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**LEWES  
TOWN  
COUNCIL**

## **MINUTES**

Of the meeting of **Lewes Town Council**,  
held on **Thursday 14<sup>th</sup> May 2020**, online via Zoom Meetings at **7:30pm**.

**PRESENT** Cllrs J Baah; M Bird; R Burrows; S Catlin (*Deputy Mayor*); G Earl; R Handy; O Henman; J Herbert; J Lamb (*Mayor*); I Makepeace; Dr W Maples; Dr G Mayhew; R O'Keeffe; S Sains; J Vernon; R Waring and K Wood.

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

*Observing:* Ms L Zeyfert (*All Saints Centre Manager*); B Courage (*Town Ranger*) and Ms F Willis (*Reception/ Admin*)

**FC2020/01 QUESTION TIME:** There were 2 members of the public present, representing Cycle Lewes and Lewes Living Streets, who had asked questions on the topic 'Walking and Cycling and the Reallocation of Road Space in Lewes'. The questions, together with the answers given, are appended to these minutes. Some discussion ensued, with the Mayor's consent, and it was indicated that the subject would be welcomed as a topic at a proposed 'virtual' town meeting.

**FC2020/02 MEMBERS DECLARATIONS of INTERESTS:** There were none.

**FC2020/03 APOLOGIES FOR ABSENCE:**  
There were none. No message had been received from Cllr Milner.

**FC2020/04 MAYOR'S ANNOUNCEMENTS:**

- The Mayor noted that he had recently written to a range of charities, businesses and community groups in the town seeking contact to aid future collaborations.
- A virtual substitute for the annual Town Meeting was planned, and details would be released shortly.
- the annual 'Moving On' parade for schools, organized by the PATINA group, would not take place but an exciting online alternative was being prepared. The organizers would welcome Councillors engagement with this, and Members were encouraged to create avatars from cardboard tubes – Cllr Maples offered an example and could provide more information.

**FC2020/05 COVID-19 EMERGENCY MEASURES**  
Councillors considered report FC001/2020 (*copy in minute book*), that apprised Members of the Council's position and effects on governance with regard to emergency legislation established in response to the Covid-19 pandemic.

The *Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020* are emergency Regulations with effect for a temporary period up to and including 6 May 2021. They apply to meetings of specified bodies including Parish Councils and operate by temporary modification or disapplication of several statutes. The Regulations override existing Standing Orders and, as they are temporary, amendment to affected sections of adopted SO's was not required; a simple formal acknowledgement was sufficient. In summary, where applicable to parish councils, they:

- Make emergency provision allowing remote attendance by Members and clarify public and press access. (*Regulation 5*). This is the main regulation covering the holding of meetings without requiring Members to be physically present in a room. The 'place' at which the meeting is held may be a 'virtual' location (*eg* a web address or a telephone number.).

- Remove the requirement for a parish council to hold an Annual Meeting (traditionally, “Mayor-making” at Lewes TC) in May 2020. (*Regulation 6(c)*)
- Carry, by default, the current appointment of chairman on until the Annual Meeting in May 2021, although councils may elect a chairman at earlier meeting should they wish to (*Regulation 4 (2)*). This allows appointments normally made at an annual meeting to be continued until the next annual meeting or until such time as the authority determines. This covers the Chair (Mayor) as well as any Deputy (where appointed) and committee appointments *etc.*
- Modify the Public Bodies (Admission to Meetings) Act 1960 allowing for remote attendance by the press and public. (*Regulation 13*)

The relaxation, by these Regulations, of certain requirements was designed to alleviate administrative burdens on local councils and maintain continuity and consistency during the difficulties. The emerging picture nationally was one where most Councils were resolving to roll everything (Chairmanship; Committee appointments *etc.*) over for a year or until post-crisis stability can be fully assessed.

The simple options for LTC in this regard were:

- a. Hold the election for Mayor and appointment of Deputy and other business as normal.
- b. Adopt the default position created by the Regulations and continue existing elections; appointments, and duties until May 2021, by when normal rules are expected to be reinstated.

If adopted, this position may be revisited at any point during the year, as provided in Regulation 4(2). This was the recommended option.

- c. Adopt ‘option b’ (above) with a predetermined intention to review during the 2020/21 year.

Positive and negative perspectives were described and considered for each option.

Councillors and staff wished to record thanks to Cllr Lamb and his wife for the dedication and warmth exhibited in their roles as Mayor and Mayoress over the past year.

There followed some discussion and subsequently **it was resolved that:**

**FC2020/05.1** Under provisions afforded by *The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020*, - “the Regulations” - the following matters are resolved:

**FC2020/05.1.1** Council Resolution Covid-19/001/1, 24<sup>th</sup> March 2020 delegating responsibility for decisions is rescinded, in favour of meetings to be held remotely. (*standing Order 11 iro Rescission of previous resolutions, is suspended for this purpose, in accordance with SO32*)

**FC2020/05.1.2** The schedule of meetings of Council published in March 2020 will be followed, so far as possible, with meetings convened online.

**FC2020/05.1.3** It is recognized and acknowledged that the Regulations displace some sections of adopted Standing Orders – notably SO1; SO2; A1; A2 and Appendix 2 – where these have practical effect on meetings and public access.

**FC2020/05.1.4** Current roles and duties of individual Councillors are continued unchanged until May 2021, specifically the elected Mayor; appointed Deputy Mayor; and bank signature authorities. Membership of Committees, Working Parties, and Functional Panels will continue unchanged, and those bodies will consider appointments to the Chair as usual at their first meeting in 2020/21

**FC2020/06 MINUTES:**

**It was resolved that:**

**FC2020/06.1** Minutes of the Council meeting held on 27<sup>th</sup> February 2020 are received and agreed as an accurate record.

**FC2020/07 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) Audit Panel 11<sup>th</sup> March 2020.** Council considered the Minutes of this meeting (*copy in Minute book*).

*Routine financial monitoring:* Panel members had been furnished with detailed information following the end of the third quarter of the financial year:

*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 identified sources. Apparent variations were related to known events, such as specific payments in respect of works and purchases, or perceived 'overspend' which were attributable to Reserves when the final accounts are prepared at year-end. There were no items of concern.

There were general questions on the financial systems and accounting structure, to which TC gave detailed answers.

*Oversight as required by the Governance & Accountability Code of Practice:* TC had introduced the file of periodic bank reconciliations, for review of the scrutiny already conducted, and the Chairman had appended his signature to verify this.

*Criteria for 'major' grant requests:* The Panel considered report AP001/2019 (*copy in the Minute book*) which reminded members that Council had asked them to draft a clear set of criteria and assessment process, along similar lines to that employed by the Grants Panel, by which all applications for funding could be assessed if falling outside the established miscellaneous grants scheme. It was noted that:

The Grants Panel, when assessing smaller grants within the established Scheme, used a system whereby each panellist evaluates applications on their merits in five categories:

- i) Closeness of match to Lewes Town Council's grant scheme policy
- ii) Overall "robustness" of the proposal – *ie* general likelihood of success/sustainability
- iii) Financial planning exhibited – *ie* adequacy/prudence/appropriateness *etc.*
- iv) Scope and sustainability – *ie* beneficiaries; scale; thoroughness
- v) A personal, subjective, assessment; based upon any special insight or considerations.

Also considered were factors such as the balance or proportion of Council funding being sought, compared with other sources and the applicant's own funds, and other detail elements of a proposal.

The assessors recorded a score for each element according to their own judgement, and the resulting totals were entered into a spreadsheet which, on behalf of any absent or non-voting Panellists, applied a median average of the scores recorded by those present and aggregated the individual totals. This process was a first-stage and served to moderate any inherent 'high' or 'low' scoring tendencies among individual assessors. The final recommendations were achieved through consensus following a Panel discussion – informed by the relative 'ranking' of individual applications within the batch in terms of their total score and proportion of the theoretical maximum.

Requests to Council arose from time to time for financial support in larger sums, usually related to projects within the community that appeared to the applicant body to have some resonance with the aims of a parish council, and these were brought direct to Council or to a Committee or Working Party according to context. It was rare that these were received in batches, and so a system of comparative ranking (as described above) would be less relevant than a simple, structured, assessment that could be understood by both applicant and assessors. This could, however, follow the same principle of five equally-weighted elements and criteria ii) to v) above could be considered appropriate with no amendment; whilst criterion i) could be simply modified to assess "*closeness of match to the council's objectives*

and underlying values\*). \*These are inherent in the establishment of a parish Council and enhanced by published policies in specific areas of activity.

It was suggested that a template could be used at any meeting of Council; Committee or Working party, where applicants would be asked to submit their request in whatever form is appropriate to them, as now, and Members could then apply a score, with a moderated aggregate arrived at as described above. Council could set a minimum threshold score required before a request might be eligible for further consideration (say, 65%), and the matter then concluded following scoring and discussion.

There followed a detailed discussion on these suggestions, and Members were generally in favour of this approach and keen to ensure that the first criterion – closeness of match – should be clearly related to the ‘grouped’ themes in the United Nations Sustainable Development Goals which Council followed. There were questions as to whether a specific budget should be identified for such purposes, but TC advised on the principles of reserves and General Funds and noted that reservation of funds with no identified specific purpose would conflict with accounting rules. The nature of the requests envisaged would always involve a report or presentation and at the appropriate time financial considerations would be highlighted.

*In conclusion:* Members, having considered information on the Council’s financial status and management, found no items of concern.

In accordance with the national audit and governance guidelines: where member oversight is required, the Chairman of the Panel had signed to attest the veracity of reconciliation records presented.

Principles for ‘major’ grants assessment were agreed for recommendation to Council

**It was resolved that:**

**FC2020/07.1** The Minutes of the meeting of the Audit Panel (*copy in minute book*) held on 11<sup>th</sup> March 2020 are noted and;

**FC2020/07.2** The proposals of the Audit Panel with regard to principles of a ‘major’ grants assessment scheme are agreed, as described in the Minutes of the Panel meeting held on 11<sup>th</sup> March 2020.

**b) Personnel Panel 24<sup>th</sup> April 2020 (virtual):** Council were presented the Minutes of this meeting (*copy in Minute book*).

The meeting had begun with a range of questions. Members had raised questions as to current staff deployment and were keen to know that staff were supported with appropriate training opportunities. TC reminded everyone that the Council had a supportive and robust policy on training and all staff were aware of how they could raise requests or take advantage of opportunities. In answer to a specific question as to progress on the District Council’s review of Member Allowances; there had been no announcement of progress since an open meeting had been held in late January.

*Update on TC appraisal programme.* The Council’s consultant, Richard Penn, had presented a summary of the analysis of questionnaires returned by Councillors, staff, and outside contacts. There followed a lengthy discussion on the principles of this, and Mr Penn was asked to provide some additional analysis of the distribution of ‘scores’. There was discussion on the introduction of appraisal as a contractual obligation when recruiting a successor, in advance of the retirement of TC

*Matters re prospective retirement of staff.* The Panel had been tasked with an assessment of impacts on the Council arising from the number of staff eligible to retire in the next 2-3 years, and their roles. This was to begin with the assessment of the option to separate the functions of TC and Responsible Finance Officer, which may offer some advantages in recruitment of a successor to TC. Some illustrative examples of job descriptions for both

models had been collected from other 'larger' parishes by the Town Clerk and would be made available to Panel Members for their next meeting.

TC advised that he had scheduled a meeting with prospective retirees, to enquire whether any had yet made firm plans for their retirement, when the Covid-19 situation disrupted this plan. He reminded Members that eligibility did not mean that individuals would necessarily choose to retire, and this could not be enforced. TC would forward current Job Descriptions which the Panel could consider further at their next meeting.

*Training* Whilst not normally within the remit of the Panel, members considered that with the onset of a new municipal year and compromised working conditions, a review of training to assess what was delivered and how effective it was for councillors would be helpful. The Panel considered that it should ask Council to temporarily extend its mandate to look at training needs for 2020, especially given the needs for new or upgraded skills or understanding among members. An understanding for the Panel of current staff training needs and skill sets and what was also planned for staff would also help with work on any restructuring. The Panel would meet next in approximately one month's time

**It was resolved that:**

**FC2020/07.3** The Minutes of the meeting of the Personnel Panel (*copy in minute book*) held on 24<sup>th</sup> April 2020 are noted and;

**FC2020/07.4** The Personnel Panel is authorized to assess training needs for the 2020/21 year, and asked to formulate recommendations for Council, in due course.

**FC2020/08**

**STATUTORY AUDIT Year ended 31<sup>st</sup> March 2020.**

Councillors considered report FC002/2020(*copy in minute book*) regarding the statutory Audit programme for year-ended 31<sup>st</sup> March 2020.

*The Local Audit and Accountability Act 2014 s5* defines Lewes Town Council as a "smaller authority", and it is governed in its audit process by *The Accounts and Audit Regulations 2015 (SI 2015/234)*.

In response to the Coronavirus emergency, these Regulations had been amended by *The Accounts and Audit (Coronavirus) (Amendment) Regulations 2020 (SI 2020/404)*. The overall effect of these emergency Regulations being to allow a two-month delay in the normal statutory programme of audit.

This Statutory Instrument amends the deadline by which the Annual Governance Statement and Statement of Accounts (two components of the Annual Governance and Accountability Return [AGAR]) together with any certificate or opinion issued by the 'internal' auditor (a third AGAR component) must be published; from 30<sup>th</sup> September 2020 to 30<sup>th</sup> November 2020.

Previously there was a requirement for all smaller authorities to have a common period for the exercise of public rights\*; being the first 10 working days of July. Under the emergency amendments this prescription had been removed. It was still required to set a period for this purpose, but the only requirement is that the 30 working day period for the exercise of public rights should start on or before the first working day of September, *ie* on or before 1<sup>st</sup> September 2020. The latest possible dates to comply with the statutory requirements were between Tuesday 1<sup>st</sup> September – Monday 12<sup>th</sup> October 2020.

The authority itself (through its Responsible Finance Officer) informs the electorate of the inspection period by publishing the relevant (prescribed) Notice and Sections 1 & 2 of the approved AGAR at least the day before the period for public rights commences. 'Publishing' means inclusion on the website.

\*Public rights, in summary are:

- o With certain exemptions for items containing personal data, any person interested has the right to inspect and make copies of the accounting records for the financial year to which the audit relates and all books, deeds, contracts, bills, vouchers, receipts and other documents relating to those records must be made available for inspection

by any person interested.

Local government electors and their representatives also have:

- o The opportunity to question the appointed auditor about the accounting records; and
- o The right to make an objection which concerns a matter in respect of which the appointed auditor could either make a public interest report or apply to the court for a declaration that an item of account is unlawful. Written notice of an objection must first be given to the auditor and a copy sent to the authority.

The right to ask the external auditor questions is limited. The external auditor can only answer 'what' questions, not 'why' questions. The external auditor cannot answer questions about policies, finances, procedures or anything else unless it is directly relevant to an item in the accounting records. They are only able to respond during the allotted period.

The effect on Lewes Town Council was explained as:

For the past 18 years Lewes Town Council has conducted its end-of-year accounting procedures and arranged a final 'internal' audit in time for presentation to Council at a meeting in June. This allowed the programme described above to be adhered-to and all submissions to externally appointed auditors to be made in good time.

For the year ended 31<sup>st</sup> March 2020 the final internal audit, building upon and completing the interim process already reported to Council at mid-year, had been provisionally arranged for early June although this would be conducted 'remotely' by the retained auditors and flexibility had been built-in to allow for any unforeseen issues or change in circumstances. It was thought that the usual report and statutory documents may be brought to Council in June but might be deferred until July (meeting scheduled for 30<sup>th</sup>).

Until the internal audit is concluded TC would reserve his position on the dates for the exercise of public rights, but these would likely fall in August.

It was **resolved that:**

**FC2020/08.1** Report FC002/2020 (*copy in Minute book*) relating the effect of emergency regulations relating to the statutory audit programme for year-ended March 2020 is received and noted.

## **FC2020/09 UPDATE ON MATTERS IN PROGRESS**

In response to questions from Members, TC gave answers related to

- a) *Malling Community Centre* – The building contractors had begun work in early March but this had been halted within three weeks due to the Covid emergency. Following revised guidance to the industry from government, the work was restarted with only a 3-week hiatus and the contractor reported satisfaction with progress since then. The construction industry suffered major disruption in supply logistics, and social distancing requirements compromised many tasks on-site, but there was nonetheless steady progress. Regarding further discussions with Wave Leisure on future management of the Centre; this was to be considered at a meeting of the Buildings Working Party.
- b) *Town hall heating* – The consultant's supplementary report, requested by the Buildings Working Party to help refine their consideration of air-source heat pump technology, had been received just before 'Covid lockdown'. This also would be considered by the Buildings Working Party and the consultant's availability was being established.
- c) *Ash tree die-back* – Various questions arose following completion of the major tree clearance on Council land. TC would ask the District Council's Specialist Advisor (arboriculture), who had coordinated the project, for a summary report including the potential for replanting and other aspects.
- d) *Special Expenses levy* – A question arose as to whether Lewes District Council might be expected to refund Special Expenses charges, levied to cover maintenance of parks and open spaces in Lewes, should the actual cost of work be reduced due to Covid-19

restrictions. TC outlined the legislative framework which allowed and regulated Special Expenses. Special Expenses were calculated on estimated costs for a year. In the event that less cost was incurred, there was provision for the saving to be offset against the following year estimate, but current-year refunds were not made.

- e) *All Saints Centre* – A Member enquired what work was being carried out at the All Saints Centre, and TC listed a variety of tasks that had been undertaken while the building was closed to the public. It was acknowledged that staff were limited in what was possible under current circumstances, and TC noted his gratitude to those who were striving to contribute effort despite these difficulties.
- f) *Expenditure savings* – A Member asked if savings from the cancellation of the traditional Mayormaking reception could be redeployed. TC advised that there were likely to be several areas in which savings arose, but a comprehensive picture of the nett effect of lost income and savings would need to be formed and considered when setting the following year's Precept. Lost income would be significant and, whilst the Council's financial structure was robust and savings would offset losses to some degree, the environment in which future budget decisions would be taken would include many taxpayers suffering job-losses and business failures due to Covid-19. Any piecemeal redeployment of savings was inadvisable.

There were various other questions/answers on minor matters.

**FC2020/10 NOTICE of ITEMS IN PROSPECT**

*Members, asked to consider items arising from this meeting worthy of a Press Release, indicated:*

Continuance of Mayoralty and Deputy Mayoralty (with a note that Committees *etc* will consider the Chair role at their first meeting in the usual way).

*Dates to note* were given as:

- The next Council meeting will take place on Thursday 18<sup>th</sup> June 2020 at 7:30pm, with a deadline for agenda items to reach TC by noon on Monday 8<sup>th</sup> June.
- Meetings would be arranged shortly for: Personnel Panel; Buildings W/party; Landport Bottom Management C'ttee; Open Council W/party. (TC will contact Chairs to discuss.) Also; Grant Panellists would shortly be invited to discuss two recently-received support fund applications.

There being no further business the Mayor closed the meeting; thanked everyone for their contributions and invited all present to join him in the Mayor's Parlour for refreshments

*The meeting ended at 9.15pm*

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

## Public questions received for Council meeting

Thursday 14<sup>th</sup> May 2020 (virtual)



LEWES  
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### QUESTION RECEIVED:

From the Chair, Cycle Lewes  
12<sup>th</sup> May 2020

Specifically, I'd like ask this question:

Can the Council consider holding the virtual town meeting that happens every year by Zoom and have as its topic Walking and Cycling and the Reallocation of Road Space in Lewes as per government guidelines/recommended measures - outlined on 9th May 2020. £250 million is being allocated so important Lewes Town discusses this.

<https://www.gov.uk/government/publications/reallocating-road-space-in-response-to-covid-19-statutory-guidance-for-local-authorities/traffic-management-act-2004-network-management-in-response-to-covid-19>

### ANSWER:

The annual parish or town meeting for the electors of Lewes does indeed happen every year and is a legal requirement. This year, as part of the response to Covid-19, councils have been allowed to hold meetings by online videoconference and at the same time been excused from calling a parish meeting altogether. However, Lewes Town Councillors have expressed their desire to hold a virtual town meeting. As I explained on the phone, any matter may be raised, and this topic will no doubt be one of them in view of the emphasis the council is now placing on transport issues. The date and details of the meeting will be discussed with our Open Council Working Party and announced in due course.

The Government's reallocating road space initiative is to be welcomed and we would all wish that Lewes town benefits from the additional funding. The completion of the N90 cycle route, extension of the 20mph limit to Malling Hill, pop-up cycle lanes and more would all be of great benefit to the town. As a parish council we have no powers in these transport planning matters – these are issues that fall as responsibilities of the County and District Councils, who are themselves only at an early stage of responding to the government's very recent initiative. I would hope that they would seek to engage with parish councils, but it is unlikely this will be in the early stages, and there is no compulsion for them to do so. We do have some legal power to assist a Principal Council in execution of its functions, for example by financial contribution, and may have some influence by councillors making their views known.

Cllr John Lamb,  
Mayor of Lewes 2019/20

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