

## UNADOPTED

### POLEGATE TOWN COUNCIL

**Minutes** of the meeting of the **Town Council** held on **Monday 18<sup>th</sup> July 2005** in the Council Chamber, 49, High Street, Polegate at 7.15pm.

Present Cllrs. J. Harmer (Town Mayor from 8.33pm.), Mrs. M. Piper (Deputy Mayor - in the Chair from 7.15 to 8.35pm.) S. Barber, Mrs. C. Berry, G. Carter, Mrs. E. Coleman, M. Cunningham, M. FitzGerald, G. Gibbs, Mrs. D. Joy, R. Martin, Mrs. V. Morson, Mrs. J. Voyce, T. Voyce and B. Winn (from 7.25pm.)  
Nigel Harwood - Licensing Officer - Wealden DC  
Barry Knights - Town Co-ordinator 6 members of the public

**6809 Respect for the victims of the London Bombings and Cllr. John Vincent, Chair of Wealden DC who died suddenly last Monday evening**

Cllr. Mrs. Piper called on all present to stand for one minute in silence as a mark of respect for the victims of the London Bombings and in memory of Cllr. John Vincent, Chair of Wealden DC, who died suddenly last Monday evening.

Cllr. Martin then spoke briefly about the contribution made by Cllr. Vincent and about the type of man he was, and how sad it was that he had only just been elected Chairman, an honour which he had longed for.

**6810 Apologies for absence** were received from Cllrs. Harmer, Gatrill and Mrs. Scarborough

**6811 Declarations of interest in any items on the agenda**

Item 4 - Cllrs. Mrs. J. Voyce and T. Voyce - a personal interest

Item 7(d) - Cllr. Mrs. Coleman - a non prejudicial interest

Item 9 - Cllrs. Martin and Mr. and Mrs. Voyce - a personal interest

Item 12 - Cllrs. Mr. and Mrs. Voyce - a personal interest

**6812 Licensing Applications in Polegate**

Cllr. Carter proposed suspension of Standing Orders to enable Mr. Harwood to address the meeting. This was seconded by Cllr. Voyce and agreed by all.

**Standing Orders suspended**

Mr. Harwood introduced the changes brought about by the Licensing Act 2003 which is mostly to do with rationalising the licensing regime. He identified the timetable and the reasons for the recent spate of applications for variations to licenses submitted from licensed premises. He also identified that only "relevant" representations can be made with regard to the applications and that any representations must address the objectives identified in the Act, which are: -

- The prevention of Crime and Disorder
- Concerns for public safety
- Nuisance, and/or
- Protecting children from harm

Mr. Harwood said that there is an opportunity for mediation but the time scale for that is very tight.

Mr. Harwood stressed that it will be very difficult to make a representation on the basis of fear that something will happen, but that the new Act does allow for a review process.

Mr. Harwood then answered various questions from Members and ended with concerns over the new law relating to Temporary Event Licenses which replaces the Occasional License. He said that the District Councils were still waiting for Government guidance in this matter.

Cllr. Mrs. Piper thanked Mr. Harwood for a very interesting introduction to the new licensing provisions and re-instated standing orders.

#### **Standing Orders re-instated**

Members then considered the various applications for variations to existing licenses from The Royal British Legion Club, The Horse and Groom, Buddies and The Thoroughbred. Concerns were expressed about the application by the British Legion Club because there are existing concerns by residents about noise and nuisance at the current closing times. It was said that the club has grown and grown over the years and being in a residential area with no car park of its own, Victoria Road has become its car park. Cllr. Carter proposed that Standing Orders be suspended to enable residents from Victoria Road to comment on the issue. This was seconded by Cllr. Mrs. Joy and agreed by all.

#### **Standing Orders suspended**

One resident spoke on behalf of those present. She said that it is already bad at closing time. She said that local residents cannot go to bed before 11.30pm. now, and sometimes not before 11.45pm. This is because club members do make a noise leaving, taxis turn up to collect members and leave their engines running and make three point turns in the road with the associated nuisance of headlights shining into neighbouring houses.

#### **Standing Orders re-instated**

Members, in support of local residents believed that there should be no change to the hours operated by the British Legion Club. Members looked at the applications made by the other premises and concerns were expressed over the extended hours sought by some of them and the request for extended drinking up times. It was reiterated that there is a view that extended drinking up time allows customers to leave over the extended period, sober up a little and make use of toilet facilities etc. before leaving. After more discussion it was resolved by 8 votes to 3, with 2 abstentions, that the Council objects to an extension in hours for the Royal British Legion Club on the grounds of existing nuisance and disturbance to local residents and that all other premises in Polegate be restricted to closing at midnight except for public holidays, e.g. Christmas and New Year, and that drinking up time should be restricted to 20 minutes.

#### **6813 Emergency Plan for Polegate**

Cllr. Gibbs advised that the Emergency Plan has been approved by Wealden DC and the Police, however, he said that the likelihood of an emergency happening in Polegate was quite remote. Cllr. Gibbs reported that with the Council's approval he would like the Council to take part in an exercise in September, in which all Councillors would have a role. It was resolved to authorise Cllr. Gibbs to set up the exercise in September.

#### **6814 Minutes of the meeting of the Council held on Monday 20<sup>th</sup> June 2005**

The Town Clerk advised a change to minute 6783 which now states that Cllr. Mrs. Scarborough left the room after declaring a prejudicial interest in the matter. Noted. Cllrs. Mrs. Berry and FitzGerald reserved minute number 6794(d). As this is a confidential minute it was agreed to defer the adoption of the confidential section of

the minutes until later in the meeting. Cllr. Mrs. Joy queried the accuracy of minute 6773 and it was agreed that the minute accurately reflected the decision made. It was then resolved that the minutes of the non confidential part of the meeting be adopted as a correct record (subject to the addition previously reported).

**The Town Mayor arrived at this point and took the chair.**

**6815 Matters arising from the minutes**

- a) **Bus Shelters - Adshel** - The Town Clerk reported that the new planning applications are in, have been approved by the Planning Committee, and that the shelters should be provided soon after approval by the District Council. Cllr. Martin wished thanks to be passed on to the Council's handyman for the fine work done rebuilding the bus shelter on Hailsham Road and in cleaning up the relocated shelter at Nelson Terrace.
- b) **Final Accounts 2004/2005** - The Town Mayor confirmed that he and Cllr. Martin had reviewed the audit reports and confirmed that the Council could answer "Yes" to question 7 on the statement of assurance. The audit reports had been circulated to Councillors for information.
- c) **Eastbourne and District Preservation Society** - The Town Clerk circulated a letter from the Society thanking the Council for its generous grant towards the 40<sup>th</sup> anniversary celebration event for the restoration of Polegate Windmill.
- d) **Windsor Club License application** - The Town Mayor reported that as the Windsor Club only applied for a half hour extension to the existing license no objection was raised.
- e) **Polegate and Stone Cross Cricket Club** - The Town Clerk circulated a letter faxed by the Club today, together with a copy of the Club's accounts, making a formal application for a grant of £500 towards the renewal of their storage facilities. It was resolved to approve the grant of £500 on the understanding that the conditions placed on it at the last meeting were met.
- f) **Grass Cutting** - The Town Clerk confirmed that a review of the grass cut had been carried out and that it had been considered to be very good although it was noted that there were a few areas where grass had been left on footways and roads.

**6816 Financial Matters**

- a) **Report of the Accounts Panel** - Cllr. Cunningham reported that he had examined the financial records for the quarter ended 30<sup>th</sup> June 2005 and that everything was in order. Cllr. Martin reported that because of other commitments he had not been able to make a visit but planned to do so tomorrow. Noted.
- b) **Budget Monitoring Report for the quarter ended 30<sup>th</sup> June 2005** - The Town Clerk presented the monitoring report together with an explanation of the underspend reported. The Town Mayor raised a question relating to the disputed invoices from EDF Energy for street light power which was answered by the Town Clerk.
- c) **Review of Fees and Charges for the year commencing 1<sup>st</sup> April 2006** - Councillors considered the existing levels of fees and charges, and in light of the fact that all fees and charges were frozen last year resolved to increase fees and charges as follows: -  
**Cophall and Gosford Way Allotments** by 50p per rod (from 1<sup>st</sup> October 2006). Cllrs. Mrs. Berry and Martin voted against this proposal.

### **Wannock Road Recreation Ground**

Cricket and Football – by £3.00 per match

Stoolball – by £3.00 per match

This by 6 votes to 5. Cllrs. Mrs. Berry, Martin and Cunningham voted against this proposal. Cllrs. Carter and Mrs. Morson abstained from voting.

### **Brightling Road**

Model Engineering Club – by £10.00 p.a.

### **Council Offices**

Cllr. Carter declared a prejudicial interest in this item as Chair of the Residents' Association. It was resolved to make no changes to the charges for use of rooms in the Council Offices.

### **6817 Car Parking Review**

Cllr. Barber presented the findings of the car parking review group. The review group were congratulated on the work which they had done and it was resolved to forward the proposals to the County Council for consideration subject to the following amendments: -

Retain two hours in four in the High Street

Propose junction protection only in Victoria Road between Hailsham Road and Nelson Terrace

Add the re-introduction of double yellow lines on Station Road

### **6818 Wannock Road Recreation Ground – fencing etc.**

The Town Clerk presented a summary of the quotes received from 2 preferred fencing contractors. The two quotes were very close and the quote from Jackson's Fencing is recommended for the following reasons: -

- It is more vandal proof, having concealed connectors
- It has a 10 year guarantee
- It is stronger
- It will match the existing fencing around the children's play area

The Town Clerk advised that there will be some pre contract decisions to be made about pedestrian access if it is agreed to fence across the paved access to the Wannock Centre. The Town Clerk also advised that it would be possible to carry out the work in two halves, i.e. to do the car park side as soon as possible and to carry out the fencing to the children's play area after the summer holidays.

It was resolved: -

- To defer the provision of a barrier until the experience of the grounds being opened up by fencing has been assessed
- To fence across the paved access to the Wannock Centre
- To carry out the works in two stages, deferring the works to the play area until after the end of the school holidays
- To accept Jackson's Fencing's quote of £8773.23 subject to the necessary amendments for the deletion of the barrier and carrying out the works in two stages.
- To advise the Bernhard Gardens Residents' Association of the change in the plan of action

**6819 New Byelaws – review of clause 4 and new clause 41**

The Town Clerk thought that the Council may wish to review clause 4 (car parking times) in view of the proposals for Wannock Road. After some consideration it was resolved to keep clause 4 as drafted and to review if necessary at a later date. The Town Clerk also presented a draft of a “respect for neighbours” clause and it was resolved to adopt the recommended wording as presented.

**6820 Accesses onto Council Owned land**

The Town Clerk presented new legal advice from NALC and from the SLCC. Both agree that the Council cannot enforce any particular type of fencing arrangement on the boundary to be erected or to prevent a gate from being erected. The Council can protect its land by creating another barrier, e.g. a fence or shrubs or trees etc. The Council can also write to advise that any gate so provided does not give the resident any rights to use it and that if such a letter is sent, and is followed up every second year with another letter, any use made of the gate would be seen as unauthorised and would therefore, not give the resident any legal right over the land. It was resolved that the Town Clerk sends letters to all residents with gates onto Council Owned land advising that this does not give a right to access the land and to put this matter into the bring forward system to ensure that these letters are followed up on a bi-annual basis.

**6821 Adoption of minutes of Standing Committees**

a) **Planning of 27<sup>th</sup> June 2005** – Cllr. Voyce presented the minutes for perusal, and, there being no matters raised, proposed their adoption, which was agreed by all.

**6822 Communications from the Town Mayor**

The Town Mayor reported that he had been to Gournay en Bray with the Morris Dancers over the weekend. He also reported on the naming of the new ward at the DGH (Polegate Ward) and that he has been invited to open it, the Polegate and Stone Cross cricket match with the Australian touring side “The Primary Club”, and that he has been invited to the Windmill’s 40<sup>th</sup> Anniversary event and to Airbourne by the Chaseley Trust. Cllr. Mrs. Piper had opened the fete at the Victoria House Nursing Home on behalf of the Mayor.

**6823 Report from the Polegate Partnership**

A report on a recent meeting with Barry Knights was circulated which identifies that until the Healthcheck is completed and an Action Plan formulated the Steering Group is not fully operational. Cllr. Mrs. Voyce spoke to this and said that this has been causing some confusion about where responsibility for the proposals referred to The Partnership lie. Cllr. Martin said that it would be more beneficial if more members of the Steering Group attended meetings. It was then resolved to suspend Standing Orders to enable Barry to join the discussion.

**Standing Orders suspended**

Cllr. Mrs. Berry asked where the “Services” sign for the By Pass had got to? Barry said that he had been asked to “undo” this project, which was a concern to Cllr. Mrs. Voyce and the Town Clerk. The Town Clerk explained that there are various concerns over the signs and there may be more than one route to obtain one, but the Partnership is the best route for obtaining it. Barry agreed to take this up again. The other matter requiring a decision was that of the shrub beds on the A22, Hailsham Road. There was some concern expressed about the scheme and what would happen if sponsorship was not forthcoming. Cllr. Mrs. Voyce reported that the

matter is a decision for the Partnership at this time and that it would be a matter of back to the drawing board if sponsorship was not forthcoming. Barry confirmed that he has potential sponsors lined up. The proposed "deal" was approved but there was some concern that the proposed letter did not mention a cost. Barry said that the deal is very cheap advertising but the price would be discussed face to face with interested businesses, all of whom would be local businesses.

### **Standing Orders re-instated**

#### **6824 Review of Supported Bus Services**

The East Sussex CC consulted on the need for the supported bus services whose contracts are to expire in October. It was resolved to advise the County Council that all the buses serving Polegate are important and should continue to be supported. Concerns were expressed about the unreliability of the No. 18 bus, and although this is not a "supported" service it was agreed to seek clarification of this reasons for this and to seek the bus company's assurances that this matter will be addressed.

#### **6825 Notification of matters dealt with as urgent**

The Town Mayor reported that the roundabout at the Children's Play area at Wannock Road could not be repaired as two radial arms needed an extension welded on and that a welder has said the job can be done. Following consultation with lead councillors, the Town Mayor reported that he had authorised the employment of the welder who would also fit the spare parts. He said that there should be no significant difference in the cost. It was resolved to confirm the action taken by the Town Mayor.

#### **6826 Update from Working Groups/lead Councillors etc.**

- a) **Christmas Lights** – Cllr. Mrs. Coleman presented the proposals for Christmas lighting this year. It was resolved to support the proposals with the exception of giving a prize to traders. It was agreed that traders would receive a certificate. Cllr. FitzGerald said that he thought that there had been a proposal for a sign to be placed by the oak tree at the Harvester stating that the tree is lit by the Town Council. It was agreed to look into this.
- b) **Leisure, Allotments etc.** – Cllr. Gibbs reported that a meeting of the working group had been held last week but the lead Councillor (Cllr. Gatrill) has not yet approved them. Cllr. Gibbs also reported that the allotments will be judged at the end of August.

#### **6827 Town Clerk's Report**

- a) **Bring Forward Schedule** – Matters on the schedule were reviewed and commented upon. The Town Clerk was pleased to report that he had, today, received the Planning approval for the anti pollution signs for the level crossing. It was agreed to chase up the planned youth events, start work on the electricity cupboard at the Wannock Centre, using the Council's handyman if possible, take some positive steps on the web site and to add the Cricket Club's re-provision of their store shed to the schedule.
- b) **Vandalism Report** – The Town Clerk reported that there had been no major incidents involving Council property since the last meeting. Members, however, expressed some concerns over the lack of reported incidents on the Police incidents report which seemed to have missed some crime known to

Councillors. It was agreed to write to the Police and express these concerns and to express disappointment that the PCSO had not been asked to introduce himself to the Council. Cllr. Mrs. Joy also reported that she has been advised that there is no equestrian reason for not having an enclosed bridge which would prevent missiles being thrown from the bridges over the by pass.  
**Cllr. Barber left at this point**

**6828 Proposal and resolution**

Cllr. Mrs. Voyce proposed that as it is getting late the Council takes the important business in the confidential section, now, and this was so resolved. Cllr. Mrs. Voyce then proposed that owing to the confidential nature of the next items to be discussed the press and public be excluded from the rest of the meeting, and this was so resolved.

**6829 (note – for ease of filing etc. these minutes will be found at the end of the minutes)**

**6830 Correspondence requiring some action**

- a) **NALC – National Conference and Exhibition – Eastbourne** – Although this conference is being held locally it was resolved that no delegate be authorised to attend
- b) **Society of Local Council Clerk’s Conference 8<sup>th</sup> to 10<sup>th</sup> October** – The Town Clerk sought Council’s approval to authorise his attendance at the conference. The Town Mayor agreed that the conference agenda looks very interesting. Cllr. Gibbs proposed that the Town Clerk be authorised to attend and this was resolved by 7 votes to 0 (the balance abstaining). It was agreed that the Town Clerk should report back from the Conference.
- c) **Wealden DC – District/Parish Conference – 23rd November** – An invitation for up to 3 Town Councillors to attend has been received. The Council is also invited to suggest matters for the agenda. It was resolved that Cllrs. Carter, Mrs. Piper and Winn be authorised to attend the conference and that Councillors advise the Town Clerk if they think of an item they would wish to have covered at the conference. The Local Plan was mentioned as a possibility.

**6831 Correspondence for noting only**

- a) **defra – Clean Neighbourhoods and Environment Act 2005** – A letter outlining the consultation process for the new law was circulated. A letter was also received from Wealden DC explaining that the review of the Dogs (Fouling of Land) Act 1996 – re-designation of land review has been deferred in view of the impending new legislation which covers dog fouling.
- b) **Letter from a young resident relating to the lack of tennis courts in Polegate** – The letter was circulated and it was resolved to reply identifying the problems of provision of public tennis courts in a small town and advising on the closest courts to Polegate. It was agreed to also add that the Council would hope to gain some additional benefit from the development promised for Polegate.

**6832 Dates of the next cycle of meetings**

Full Council	19 <sup>th</sup> September 2005
Planning Committee	as and when necessary