

BARCOMBE PARISH COUNCIL

Minutes of a Meeting of Barcombe Parish Council held at the Church of St Francis of Assisi, High Street, Barcombe on Tuesday 21st July 2009 at 7.30 p.m.

1295. Present: Councillors A J MacGillivray, D J Lloyd, C M Arbenz, J C Cornwell, J O Cornwell, N Gant, R Hepple, N C Lear, D Skan and R A Williams.
Also in attendance were PCSO Alan Ash and Paul Crawford, Parking Manager, ESCC

1296. To receive apologies for absence: Received from District Councillor D Mitchell

1297. Confirmation and signature of the last Minutes of the Council: The Minutes of the Meeting of the Council held on Tuesday 19th May 2009 as recorded by minutes 1182 to 1203 having previously been circulated were confirmed as a true record and signed by the Chairman.

1298. Declarations of Interest: Cllr N C Lear over minute 1303(iii)(a)

1299. Urgent Business Pursuant to Standing Order No.16: There was none.

1300. Public Question Time: (i) PCSO Ash introduced himself and reported on recent incidents. He is an experienced PCSO and will be teamed with PCSO Read. His number is 0870 6070999 x 19020 and e mail is alan.ash@sussex.pnn.police.uk .
(ii) Mr P Crawford, Parking Manager from ESCC updated the meeting on the experimental parking order as the consultation period has now ended. Confusion over what was to be implemented had not been helped by the fact that the maps delivered to County Cllr R St.Pierre by Mr Crawford in November 2008 had not been shared with the parish council. He confirmed that the scheme was intended to meet the needs of the whole community, not just High Street residents. He confirmed the start time for restrictions had been amended to 8.00 a.m. and other adjustments will be considered including the bays outside the Rectory, Ballards Cottage, extension of double yellow lines to the southern entrance to School Path and the height of the sign poles. The experimental order remains that for a further period where modifications can be made as needed to refine the final scheme. He explained the difficulties of exempting Barcombe from the other affected areas in Lewes District in respect of Bank Holiday enforcement, but exceptions can be made for special village events if at least a weeks notice is given and a good case made.
A revised map will be sent to the Clerk in due course.

1301. Questions from Councillors: Cllr N Gant felt a reasonable balanced solution for parking was in sight. Cllr J O Cornwell asked if the Sussex Ouse Conservation Society could use the Barcombe Mills car park for their open day on 13th September – agreed.

1302. Report from Chairman: This had been circulated in advance together with a paper on the Sustainable Communities Act and they are attached as appendices 1 and 2 respectively. The Chairman also paid homage to two recently deceased Barcombe residents who had left their mark on the parish; – Brenda Jamieson, who had been parish clerk in the 1980's and John Sants, husband of former Parish Council Chairman, Anne Sants, who had lived in the original property known as "The Grange" in the High Street..
He will circulate a paper from SALC on action to be taken in the case of traveller or gypsy encroachments.

1303. Reports of Committees:

(i) Transport and Highways: : After being proposed by Cllr J C Cornwell, seconded by Cllr R Williams, the Minutes of the Meeting held on 7th July 2009 as recorded by minutes 1222 to 1240 were adopted. **(a) Parking** – see 1300 above **(b) Strengthening Local Relationships and Highways** – the next meeting is at 9.00 am on Tuesday 8th September in the sports pavilion **(c) Deans Meadow car parking** – District Councillor D Mitchell reported in advance by e mail that he had discussed this with Gordon Stevenson, the Council Engineer. He is unwilling to get involved in an argument with the occupier of the adjacent house about his use of a parking space but will put a hard surface on the grass patch at the far end of the area. He will look at the site again to assess once again if anything else can be done to increase the space available for parking. He wondered if it would be appropriate for the P.C. to have a word with the occupier of the end house. It was agreed the Clerk should respond that this was a matter for the District Council to resolve **(d) Cycle races** – the Clerk reported has contacted the clerks at Cuckfield, Newick, Plumpton, Wivelsfield, Chailey and Ditchling – five have replied so far (Ditchling awaited) and none have similar concerns

(ii) Recreation Ground: After being proposed by Cllr D J Lloyd, seconded by Cllr D Skan, the Minutes of the Meeting held on 7th July 2009 as recorded by minutes 1241 to 1256 were adopted.

(a) grant applications and Wild About Barcombe – the Clerk has begun a draft of the full application for Biffaward and Cllr N Gant will extract any helpful data from the Action Plan Questionnaire for inclusion

(b) caretaker – the clerk has written a letter of thanks as requested and is awaiting a full list of tasks so an advert for a replacement can be issued

(c) Barcombe School and the pavilion – Cllr D J Lloyd reported that agreement had been reached with the school over use of the pavilion as a contingency site while building work was underway – standard rental charges will apply, the school will address any above average increases in electricity and water costs and will cover additional caretaking costs. These arrangements were confirmed.

(d) pavilion use – concern was expressed over some cases of misuse involving extended use and alcohol by some users. It was agreed a formal lettings policy should be explored.

(iii) Planning and Community Services: After being proposed by Cllr C M Arbenz, seconded by Cllr R Williams, the Minutes of the Planning Application Sub Committee held on 19th May, 2nd, 9th, 30th June and 9th July 2009 as recorded by Minutes 1175 to 1181, 1204 to 1210, 1211 to 1216, 1216(a) to 1221 and 1257 to 1263 respectively were adopted

After being proposed by Cllr N C Lear, seconded by Cllr R Williams, the Minutes of the Meeting held on 9th July 2009 as recorded by Minutes 1264 to 1282 were adopted.

(a) Affordable housing – (i) a letter has been sent as required. **(ii)** the Clerk has advised ESCC that the parish council opposes street lighting. The developers have suggested low level bollard lights could be installed if required. The Clerk has asked for details to be provided and it was agreed to consider what was on offer although the general feeling was against any lighting. **(b) Barcombe School Community governor** – no councillor expressed any interest in the role **(c) Village Action Plan** – it was agreed not to undertake any further house to house collections and rely on the data already returned. Cllr N Gant will begin analysis. **(iv) Finance and General Purposes:** After being proposed by Cllr Hepple, seconded by Cllr N C Lear, the Minutes of the Meeting held on 9th July 2009 as recorded by Minutes 1283 to 1294 were adopted.

1304. Anchor Inn – footpaths and access to the river: Cllr N C Lear reported he had visited the site. Tempers seem to have cooled and there should still be public access to the river. ESCC Rights of Way team are looking at the footpaths issue.

1305. Lewes District Association subscriptions: The clerk reported on a request from the Association for an annual subscription payment of £30 – the request was agreed

1306. Correspondence: (i) A personal letter from Ringmer Parish Council's planning chairman about Wealden DC's housing options plans at Isfield had been circulated. It was agreed to support his conclusions and the clerk should write to Wealden DC to argue that building 1500 houses at Isfield was a poor way to try to justify reinstatement of the Lewes/Uckfield rail link **(ii)** SALC reported on a meeting on 11th August 2009 in Lewes regarding the National Park – Cllr J O Cornwell will attend and other councillors are welcome to attend.

1307. Accounts for payment: The following payments were approved:
P & G Trower Ltd - £518.65 – playground painting
LDALC - £30 – contribution to running costs

1308. Outstanding action points: These will be updated

1309. Date time and place of next meeting: The Chairman announced the next meeting will be held on Tuesday 22nd September 2009 at 7.30 p.m. in the Sports Pavilion, Barcombe

1310. Close of meeting: There being no further business to discuss the chairman closed the meeting at 9.35 p.m.

Appendix 1

Barcombe Parish Council: Chairman's Report July 2009

Training. SALC is again laying heavy emphasis on attendance by both councillors and clerks at its training courses. Whilst the courses designed to support the new Power of Well Being have generated much response, there are mixed results in interest in the more routine events. Of the 270 parish/town clerks the same 70

regularly attend courses covering updates and new initiatives. Regarding councillor training events there are large gaps in the responses by parish councils in particular. The majority of the smaller councils have not sent members for the past 3 years. Barcombe is little better having had only one attendee in the past 3 years and zero attendance during the time of the present council elected in 2007 (Lewes TC is in precisely the same boat, if it is of any consolation). Unfortunately Barcombe is prominent in the SALC listings as we are at the top of the alphabetical ordering for East Sussex. The District Associations have been asked to circulate a questionnaire asking for training requirements. LDALC has insisted that copies of previous training programmes should accompany such mailings to councils.

Review of Code of Practice with Lewes DC. Amendments to the existing document have been made both by LDALC and the DC Chief Executive. The latest draft is back with the Chief Executive and we await a response.

South Downs National Park. Concern is being shown over the effects of the creation of the National Park on the future of planning in the Lewes District. As John Cornwell has reported, DEFRA insist that legally the National Park Authority will not be able to delegate planning powers to the present to the present local authorities. However, it was reported at the Lewes SCA Panel by members of the DC Working Party that the NPA has such powers and is considering their position.

Sustainable Communities Act (SCA). The background, purpose and intent of this radical legislation are detailed in the accompanying report together with the implementation scheme used by Lewes DC. When this report was considered at the June meeting of LDALC, angry responses to the Act and its local implementation came from those present. I was asked to send a strong statement to Lewes DC, SALC, NALC and Norman Baker MP on LDALC's views although it was realised that the SCA exercise was well under way in the District. The points to be emphasised were as follows: the Act ignores parish/town councils as local decision makers and recipients of ideas, problems and issues from their communities; the lack of adequate information on the Act available to parish/town councils from national and local sources (SCA was a Private Member's Bill with no White/Green Paper consultation etc.); the selection of the District Panel as an unelected body dealing in community matters (3 members allegedly close associates of the Co-ordinator, one a daughter; 3 from Transition Town Lewes; 2 members pursuing personal agendas including advocating changes to parish councils and parish meetings); Matthew Bird (former Lewes DC Sustainability Officer) appointed Panel Chairman in his absence - he subsequently resigned in protest at Lewes DC's efforts to implement the Act; the time spent by the Panel clarifying Panel member's views and proposals, e.g. on parish councils; lack of information on the process to be used by Lewes DC in dealing with the proposals identified by the Panel from the 700 submissions received.

Norman Baker has taken our concerns up with Lewes DC Chief Executive who has responded in a fairly angry and dismissive manner. A robust response on behalf of the parish and town councils in the District has now been sent to the MP and Chief Executive.

From three separate meetings the Panel has reduced the number of proposals to 50, then 27 and then 18 prior to meeting the DC SCA Working Group to discuss the

selection further. The final list of proposals (see below) will be subject to scrutiny for legal, financial and other party considerations. I am assured that any proposals relating to our tier of local government will be subject to appropriate consultation (? NALC, SALC, LDALC ?).

Parish councils, in particular, have been heavily criticised for non-attendance at the 3 public meetings in May. This has led to a robust debate with the now Chairman of the Panel, Sharon Clifford, regarding the causes and reasons for our opposition and apparent lack of interest. It was agreed that a statement should be prepared by the Panel (written by one of our stoutest critics) for distribution to parish/town councils but no draft has appeared as yet.

Commendably perhaps the Panel has been critical of its own formation, composition and purpose and these considerations have brought to light Lewes DC's pursuit in involving the public in decision making. On the back of the SCA Panel exercise the DC in conjunction with the Lewes LSP is proposing to establish a Comprehensive Community Engagement Strategy (CCES) so "that representatives of local persons are involved and engaged in the decision making processes in providing public services".

The final local stage occurs at the full Lewes DC meeting on 22 July when the Council is asked to approve the proposals from the SCA Panel and Working Group.

Conclusion. The passion and dedication for the SCA shown by councillors on the DC SCA Working Party suggest that the DC intends to establish "participatory decision making" (use of citizens panels etc.) to accompany "representative decision making" (parish, district councils etc.). It may be that this is another example of initiatives from on-high which our tier has to work with somehow to further our own activities on behalf of our communities. Much will depend on the number of proposals from the SCA exercise nationally which are accepted by the LGA and Government; at local level there is much to be criticised regarding the functions of SCA Panel, e.g. open-ended system allowing personal agendas to be pursued ad infinitum.

I have discussed these issues with SALC who are in an awkward position since our colleagues in Wealden and Rother know nothing of these SCA activities. Wealden DC has not adopted the Act as yet and, whilst Rother has, it is doing so using a citizens panel only. From these discussions has come the idea that "Community Empowerment" (a major Government interest) be the main topic of the 2009 Annual Town/Parish Council Conference in October so that Lewes DC can have the opportunity to describe its own agendas involving SCA and CCES.

AJMacG
July 2009

Final Ideas for Submission to the LGA, as agreed between the SCA Working Group and the SCA Panel on Monday 13th July, Southover House.

1 That the Secretary of State takes the power (or gives local authorities the power) to levy non domestic rates on all those car parking spaces - with a power for the council to allow discounts (perhaps up to 100%) if the supermarket or other store, sources a stated percentage of goods for sale locally.

2 Devolve from Central Government to the Local Authority all funds held for the purpose of enterprise support

3 Local Authorities should be able to set a rate up to 200% of standard rate of council tax for houses kept solely as a second home by a single family and/or used as holiday lets

4 Central Government to set up legislation to require The Highways Agency and Authority to link the footpaths and cycle ways in the Local Authority area.

5 The Waste Collection Authority to have the power to levy a charge to cover the cost of disposal of excess waste and to decide how the waste is disposed of in an environmentally friendly way

6 That The Secretary of State develops a strategy to enable Councils to promote local energy schemes and in particular review the requirements regarding private wire systems.

7 The National Curriculum should include education about government structures and local democracy, designed to encourage participation in local issues and a feeling of inclusivity in Secondary schools. Support for education to be as practical and participatory as possible e.g. to elect a young mayor within the citizenship modules.

8 Review of areas that do not have a Parish Council. To look at the governance of the area and in particular to examine the creation of Parish Councils in those areas. *(Discussion on the content and wording of this proposal continues unabated long after the meeting with the LDC Working Group as the originators have realised that a number of their ideas have been excluded, e.g. review of local government at parish level doubtless advocating compulsory councillor training and Quality Council status etc. Feels like damage limitation at times.)*

Appendix 2

COMMENTARY ON SUSTAINABLE COMMUNITIES ACT

The SCA became law in October 2007 after a campaign led by a Local Works coalition of 90 organisations (including NALC) with the aim of changing the highly centralised form of government in the country. *"It changes our system of governance by setting up a new process where local communities and their principal local authorities can drive central government policy and action on reversing community decline and promoting local sustainability."* It should be noted that the legislation

came from a Private Member's Bill (with all party support) and was not part of the Government's programme for Community Empowerment.

The Act directs Government to invite principal local authorities to submit proposals to improve local community life gathered from residents through public meetings, web-sites etc. At the discretion of the SoS the exercise may be repeated on a yearly basis. Adoption of the Act is discretionary for the local authorities but once agreed a District Council is committed to a process of forming a *"Panel of representatives of local persons - a balanced selection of individuals, groups and organisations the DC considers likely to be affected by or have an interest in the proposal"*. Every effort should be made to include *"under-represented groups"*.

No further prescribed format is given in the legislation for the panel in, say, its number of members (Lewes Panel = 9). Local Works include parish and town councils in their suggested membership list.

The proposals must represent (i) new approaches to promote sustainability of communities through economic, social, environmental or democratic means and (ii) require government action to be achieved, e.g. new or amended laws or regulations, transfer of function or funding.

Local Panel decides which proposals should be considered by the DC. DC is required to *"try to reach an agreement"* with Panel (*"citizen's panel"*) on those proposals to be put to Government through the SCA Selector, the LGA. Reaching such an agreement is seen as the core of the Act since it is a commitment in law and does not mean conventional consultation; the Act's supporters see this as a selling-point in the delivery of the Act's intentions.

The LGA then prioritises the proposals received prior to transfer to Government. Government is also under a duty to try to reach an agreement with the LGA on the proposals to be pursued and to give an explanation for those rejected at the end of the annual exercise.

Comments.

- At present no direct involvement of T/PCs in the implementation of the Act; T/PCs removed from final draft by DCLG civil servants (Local Works).
- But NALC/Local Works pursuing a Private Member's Bill to allow T/PCs to present proposals under the Act directly to the LGA via their County Associations.
- Hence, in terms of representing community views implementation of the Act effectively by-passes T/PCs and allows non-elected individuals or groups to make proposals regarding their communities; this is a very fundamental change in community decision making.
- Act also places new responsibilities on DCs regarding changes in communities but through negotiation with a "citizens panel".
- Local Works sees two types of proposals: (i) those suitable for consideration by Government; (ii) those to be dealt with locally (by LSP/Area Partnerships ?)
- Recommend that T/PCs be part of local SCA process, e.g. on local Panel
- Recommend that any development of SCA implementation should involve existing organisations rather than create new bodies/groups unless there is a specific need, e.g. Sustainability Forum for District.
- processes at the "filtering step" unknown at LDC level; LGA has published detailed guidance on its handling of proposals with each having to be presented on a 16 page form
- Suggest T/PCs could use Act to further changes in their own areas, e.g. planning/development control; electoral process/funding, future of parish meetings

- ESCC has yet to adopt the Act; Brighton using an officer-led approach; Hastings using web-site; Wealden yet to adopt Act; Rother has adopted but no details

Approach by Lewes DC.

2009 implementation described by Panel Chairman as “a faltering start” due to very short timescale allowed and minimal publicity

Leaflets distributed in District asking for (i) volunteers to form Panel; (ii) ideas to improve life under 3 headings - home life, working life and environment (why not the 4 areas from SCA ?) but no indication given that only proposals for Government attention required.

3 public meetings held in May 2009

- Seaford (30 attended)
- Chailey (disastrous turnout)
- Lewes (30 people - interesting meeting; how many from Transition Town Lewes ?)

Panel met on 10 July to consider the 600+ submissions received from the current exercise. LDC Officers had listed these under various headings, e.g. youth, elderly, environment etc. After much discussion it was agreed to start considering appropriate proposals from a 50+ list selected from the 600+ ideas by LDC Officers with the proviso that the Panel could sift through the bulk in their own time for other topics. Possible that the bulk of proposals under headings could be forwarded to appropriate body (DC, LSP, PCT etc.) It is essential that in this exercise duplication or re-inventing the wheel is avoided and hence the Panel has had to be updated on existing facilities/ backgrounds/processes before a decision on most proposals to date. Only some 50% of the list was covered on 10 June and we meet again on the 17th. to complete the task.

LDALC - informed members that I had put myself forward for the Panel

- circulated report on selection meeting for Panel and dates of public meetings.

T/PCs (particularly latter) criticised for lack of attendance. Discussed issues (timescale, publicity etc. leading to lack of impact on T/PCs) with Panel. Do better next year.

Conclusions.

Early days of a new process intended to improve community life through a complex bottom-up approach

Process at present appears very open-ended at local level

AJMacG

June 2009