



UCKFIELD TOWN COUNCIL

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Town Clerk – Holly Goring

**YOU ARE HEREBY SUMMONED TO A MEETING OF
UCKFIELD TOWN COUNCIL**

**in
The Council Chamber, Civic Centre
on
Monday 30th July 2018 at 7.00pm**

AGENDA

1.0 DECLARATIONS OF INTEREST

Members and Officers are reminded to make any declarations of personal and/or prejudicial interests that they may have in relation to items on this Agenda. Should any Member consider that they require a dispensation in relation to any prejudicial interest that they may have, they are asked to make a written application to the Clerk well in advance of the meeting.

Notice should be given at this part of the meeting of any intended declaration. The nature of the interest should then be declared later at the commencement of the item or when the interest becomes apparent.

**2.0 STATEMENTS FROM MEMBERS OF THE PUBLIC ON MATTERS ON THE
AGENDA AT THE MAYOR'S DISCRETION**

**3.0. TO RECEIVE REPORTS FROM EAST SUSSEX COUNTY COUNCIL AND
WEALDEN DISTRICT COUNCIL**

4.0 APOLOGIES FOR ABSENCE

5.0 MINUTES

5.1 To **RESOLVE** that the minutes of the meeting of Full Council on 18th June 2018 be taken as read, confirmed as a correct record and signed by the Town Mayor.

5.2 Action list – For information only
(Attached)

6.0 COMMITTEE MINUTES

- 6.1 To note the acts and proceedings of the following committee meetings:-
- (a) Plans Committees 25th June and 16th July 2018
 - (b) Environment and Leisure Committee 23rd July 2018
 - (c) General Purposes Committee 9th July 2018

7.0 TO RECEIVE REPORTS FROM REPRESENTATIVES TO OUTSIDE BODIES

- (i) The Uckfield Town Centre Regeneration Joint Committee
(the minutes of this meeting are not yet available)
- (ii) Neighbourhood Plan Steering Group
(Attached)
- (iii) Gatwick Airport Consultation Group
(Nothing to report)

8.0 TO RECEIVE REPORTS FROM WORKING GROUPS

- (i) Civic Centre Working Group
(to be reported under confidential business)
- (ii) Dementia Friendly Working Group – Uckfield Dementia Forum
(Attached)
- (iii) Uckfield Events Working Group - Celebrate
(Attached)

9.0 QUARTERLY PROGRESS UPDATE ON UCKFIELD TOWN COUNCIL'S ANNUAL PRIORITIES FOR 2018-19 (Q1)

(Attached)

10.0 TO CONSIDER AN UPDATE ON UCKFIELD'S NEW TOWN CRIER

(Attached)

11.0 TO NOTE THE CONSULTATION FOR PROPOSED PARKING AND WAITING RESTRICTIONS FOR UCKFIELD HIGH STREET (EXPERIMENTAL TRAFFIC REGULATION ORDER)

(Attached)

12.0 TO CONSIDER A NEW PROCEDURE FOR HANDLING SURPLUS LAND – TO FORM AN APPENDIX TO THE ASSET MANAGEMENT PLAN 2018-23

(to be deferred)

13.0 TO REVIEW THE STANDING ORDERS IN LINE WITH THE RECENT RELEASE OF NEW MODEL STANDING ORDERS FROM NALC

(Attached)

14.0 TO NOTE THE END OF YEAR STATEMENT OF COMMUNITY INFRASTRUCTURE LEVY FUNDING FOR 2017/18

(Attached)

- 15.0 TO SIGN AND SEAL THE LEASE FOR THE SMALL HALL (CHAPEL)
ADJACENT TO FORESTERS HALL
(Attached)**
- 16.0 TO SIGN AND SEAL THE LICENCE BETWEEN THE LEAGUE OF
FRIENDS OF UCKFIELD COMMUNITY HOSPITAL AND UCKFIELD TOWN
COUNCIL
(Attached)**
- 17.0 TO SIGN AND SEAL THE LICENCE FOR A TEMPORARY ACCESS
BETWEEN VICTORIA PLEASURE GROUND AND ST. PHILIP'S
CATHOLIC PRIMARY SCHOOL
(Attached)**
- 18.0 TO NOTE THE MAYOR'S ENGAGEMENTS
(Attached)**
- 19.0 SIGNING OF GRAVE CERTIFICATES AND TO NOTE TRANSFERS OF
DEEDS OF GRANT**
- 20.0 QUESTIONS BY MEMBERS PREVIOUSLY NOTIFIED
(Attached)**
- 21.0 TOWN CLERK'S ANNOUNCEMENTS**
- 22.0 CHAIRMAN'S ANNOUNCEMENTS**
- 23.0 CONFIDENTIAL BUSINESS**
To consider whether to **RESOLVE** to exclude the press and public (pursuant to the Public Bodies (Admission to Meetings) Act 1960) during consideration of the following confidential business to be conducted:-
- 23.1 Update on CCTV Installation
(Attached)**
- 23.2 Update from Civic Centre Working Group
(Attached)**



Town Clerk
24th July 2018

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Meeting of Full Council

Monday 30th July 2018

Agenda Item 7.0 (ii)

TO RECEIVE REPORTS FROM REPRESENTATIVES TO OUTSIDE BODIES: NEIGHBOURHOOD PLAN STEERING GROUP

Members of the Neighbourhood Plan Steering Group last met for their monthly meeting on Thursday 24th May 2018 and have a meeting booked in on Thursday 26th July 2018.

This part of the neighbourhood planning process is filled with report writing and has taken a great deal of time to pull together the relevant evidence from previous workshops and consultation, a SWOT analysis (strengths, weaknesses, opportunities and threats), reviewing existing planning policy frameworks and the gaps within these and the evidence to support the draft policies that the group have created for the following themes:

- Environment and Health;
- Local Economy;
- Infrastructure and Recreation;
- Transport and Access.

The next main report is the Character Assessment of Uckfield which pulls together a summary of a number of areas across the town and presents information on the setting, landuse, layout, vehicular and pedestrian routes, key spaces, building styles, landmarks, natural features and views into and out of these areas. Members of the group walked these areas, taking notes and photographs and now this is being compiled into one report.

The other main report is that of 'Local Green Spaces.' Any spaces listed in the 'local green spaces report' would be designated to protect them. There were three key criteria that had to be assessed for each green space:

- (1) Close proximity to community;
- (2) Demonstrably special to the local community (by beauty, history, recreation, tranquillity and wildlife) – although it was added that there needed to be a strong case and evidence available;
- (3) Extensive tract of land – if the site was extensive it could not be included in the list.

All of the above documents sit alongside a detailed town profile developed by Action in Rural Sussex and build a strong case for the first scoping report which will be sent to key statutory consultees to consider before the group continues with fine tuning the details of the draft plan and further consulting with residents. The group will also be considering whether further information is required such as statistics, data and mapwork.

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Meeting of Full Council

Monday 30th July 2018

Agenda Item 8.0 (ii)

TO RECEIVE REPORTS FROM FULL COUNCIL WORKING GROUPS: 'UCKFIELD DEMENTIA FORUM'

The most recent meeting of the Uckfield Dementia Forum took place on Wednesday 18th July 2018.

A range of partners attended and it was a useful meeting. Partner agencies provided an update on their areas of work.

Home Instead Senior Care and Sussex Support advised members that they were now midway through their programme of 'Saturday Social's' – fun afternoons for people living with dementia and other care needs to come with their carers and family members in a supportive, safe and caring environment. The programme was a 10-week pilot, and due to end in October/November. Local organisations were asked to help promote this programme of activities.

A representative from Freedom Leisure promoted the activities they ran in Uckfield Leisure Centre with people living with dementia or other care needs. Their Accessible Swim sessions were particularly good for the wellbeing of individuals and were dementia-friendly. Forum members were asked to spread the word.

Forum members discussed a range of potential future activities that could be run within the town which included dementia friendly film screenings and the idea of having outdoor/gardening type activities (such as a sensory garden/man-shed). Members also discussed creating local initiatives such as Uckfield-based stickers that businesses who had staff who had undertaken the dementia awareness training could place in their windows to say that they were '*working with the Dementia Action Alliance to make our community dementia friendly.*' The businesses that signed up to the campaign could then be listed on the Town Council's website or key place of interest.

It was agreed that an action plan would be pulled together for the group to agree and work on. The next meeting would take place at the end of September and would be hosted by Hurstwood View Care Home in Five Ash Down.

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Meeting of Full Council

Monday 30th July 2018

Agenda Item 8.0 (iii)

TO RECEIVE REPORTS FROM FULL COUNCIL WORKING GROUPS: 'EVENTS WORKING GROUP – CELEBRATE'

It's nearly here! Final preparations are underway for the 'Weald on the Field' event taking place on Saturday 4th August 2018 from 10am to 8pm on Luxford Field, Uckfield, TN22 1AL.

The day will see a fantastic collection of stalls selling local produce, crafts, streetfood, pop-up bars and there will be children's entertainment, along with live music from midday to 8pm.

Following their well-received performance at last year's event, local band Red Butler return with their Red Butler Music School Showcase – introducing some of their talented students and with some awesome tutors we know you'll be in for a treat. Other acts performing on the day include:-

Calum Taylor – a talented local young singer and guitar player.

The Violet Jive – sponsored by Richard Green Funeral Services – a cool three-piece band with original songs and unique covers in a fresh yet distinctly retro 'spy-esque' swing/alternative guitar-driven sound. Be ready for a bit of Latino, swing and rock and roll.

Acoustic Management – sponsored by Back on Track - Local duo Mike and Dudley will be playing a selection of acoustic favourites mostly from the 60s and 70s.

The Tom Fitzpatrick Band – sponsored by EMC, Uckfield - one of the most versatile and engaging acts to hit the music scene. They'll play some legendary swing tunes and their unique versions of modern classics. The members of the band have worked with artists such as the legendary Jack Jones, Dave Stewart, Gwen Stefani, Pixie Lott, The Proclaimers, Buddy Greco and The Drifters. Their young and hip style of jazz, swing and big band tunes has them in constant high demand.

The working group are planning the final logistics and details of the day and liaising with stallholders to ensure they are up to speed.

Following the event, work will commence on the next key event in the diary – Uckfield Revival - the Classic Vehicle Parade on Saturday 6th October 2018.

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Meeting of Full Council

Monday 30th July 2018

Agenda item 9.0

QUARTERLY PROGRESS UPDATE ON UCKFIELD TOWN COUNCIL'S ANNUAL PRIORITIES FOR 2018-19 (Q1)

1.0 Summary

- 1.1 This report provides a quarterly update on the Town Council's priorities for 2018-19 and the progress that had been made by the end of the first quarter (June 2018).
- 1.2 The priorities identified for delivery in 2018-19 consist of initiatives which are often additional to the day to day responsibilities of the Town Council, but demonstrate by working together with colleagues and partner agencies, we can achieve a great deal for the town and its residents.
- 1.3 Organisations often spend time producing plans or lists of priorities, but do not review progress until the end of the year.
- 1.4 With this paper, the Town Clerk provides an update to members to explain the progress being made to deliver these priorities.

2.0 Quarter 1 – 2018-19 (April to June) – Progress Update

- 2.1 Of the 13 priorities, one is already complete, seven are on schedule for completion and five have seen some progress in the first quarter of 2018-19. It should be noted that all priorities have seen some progress which is excellent only three months into the year.





3.0 Recommendations

- 3.1 Members are asked to review this progress report, and note the work undertaken to date.




Appendices: Appendix A - Q1 2018-19 (Apr - Jun) Progress Report




Contact Officer: Holly Goring




Key:




 = Progress behind schedule	 = Some progress has been made
 = On schedule for completion	 = Completed

APPENDIX A – Q1 2018-19 Progress Update

Priority	Status	Notes	Lead Committee	Lead Officer
<p>1. COMMUNITY GRANTS We will award up to £41,285 of community grant funding to local groups and charitable organisations for the period 2018/19.</p>		<p>On 13th September 2017, Finance Sub-Committee reviewed 25 applications for community grant funding as part of the council's annual community grants programme. A total of £41,285 was recommended and approved by General Purposes Committee to be given to community groups and organisations in 2018/19. The first payments were made in April 2018.</p> <p>The application process for receiving grant funding in 2019/20 is also open. The deadline for applications is the end of August 2018 and members of Finance Sub-Committee will be reviewing all applications at their Grants meeting on Wednesday 12th September 2018.</p>	General Purposes Committee (Finance Sub)	Assistant Town Clerk
<p>2. HEALTH AND WELLBEING We will map the town's open spaces and footways, and introduce a number of initiatives to increase the use of these spaces and encourage greater physical activity.</p>		<p>The Town Council has been working closely with the GIS team at Wealden District Council to map the green spaces within Uckfield. The Town Council has provided a list of key facilities for each green space so that when snapshots of the green spaces are presented (zoomed into) members of the public can find out information on the areas such as parking, sports or play area equipment, whether dogs are allowed on or off a lead, accessibility etc.</p> <p>Further work will commence in the autumn months to start to map our twittens and alleyways.</p>	Environment and Leisure Committee	Town Clerk
<p>3. ENGAGEMENT AND ACCESSIBILITY We will expand on the Uckfield Dementia Forum to encourage Uckfield to be an accessible town; supportive of varying health conditions.</p>		<p>The Uckfield Dementia Forum is making great progress and in the last few weeks seen new members come on board such as Hurstview Care Home, Copper Beech, Heringtons etc.</p> <p>Forum members have been reviewing the needs of those living with dementia in the town and looking at ways of meeting their needs whilst increasing awareness in businesses and organisations.</p> <p>As the group work on activities to build on the above, they will be involving people with other health conditions and looking at how they can expand their remit.</p>	Full Council	Town Clerk

Priority	Status	Notes	Lead Committee	Lead Officer
<p>4. CIVIC CENTRE EVENTS We will deliver a greater variety of events within the Civic Centre to attract a broad range of age groups and households</p>		<p>The Civic Centre has added to its events programme for 2018-19 with a range of productions, which have and will include:</p> <p>Red Butler - April Bye Bye Baby - June An Evening with Burnside - September Snow Queen – October Italian Opera Dinner - October Miss Holiday Swing and afternoon tea - November Jack and the Beanstalk Pantomime – December Rave On - A Tribute to Buddy Holly - March Events still to be booked for possibly January and February.</p> <p>This is in addition to bookings made by other parties such as the Uckfield Singers, Uckfield Festival and Uckfield Blues and Roots Festival.</p>	Full Council	Hospitality Manager
<p>5. PUBLIC EVENTS IN THE TOWN We will work alongside the local business community and local community groups to deliver two free public events within the town; Weald on the Field and Uckfield Revival</p>		<p>Preparations for Weald on the Field are well underway for the event which is taking place on Saturday 4th August 2018.</p> <p>This year the Town Council have worked with Food Rocks, Uckfield Chamber of Commerce and Wealden District Council to organise the event. The event is supported by Uckfield FM, Tesco Bags of Help scheme and our fantastic sponsors – Back on Track, CPJ Field, EMC - Uckfield, Richard Green Funeral Services and Uckfield Garage.</p> <p>The Farmers Market will form part of the event and this year, the Town Council introduced a new initiative to the field called the 'Bizbox.' This is to enable local businesses to promote their products and services for free in a tent at the event.</p>	Full Council	Town Clerk
<p>6. NEIGHBOURHOOD PLAN We will support the Neighbourhood Plan Steering Group to prepare a draft Uckfield Neighbourhood Plan</p>		<p>The Town Council has provided administrative support to the group and been working on compiling the information that the steering group members have collected and produced into the key reports required to help build the draft Neighbourhood Plan.</p>	Full Council	Town Clerk

Priority	Status	Notes	Lead Committee	Lead Officer
<p>7. TOWN COUNCIL BUILDINGS We will improve the condition and decoration of Town Council owned buildings, and assess how these buildings could be better utilised.</p>		<p>Work is in progress to improve the decoration of the Town Council's buildings. Decorating began to Foresters Hall early 2018, and works will continue in the next few months to the rear areas of the building. Any works in Foresters Hall are carried out around hall bookings and often takes place in the holidays.</p> <p>Decorating is near completion to the first floor of the Civic Centre and will commence on the ground floor in the summer holidays. A quote has also been obtained to re-carpet the main corridors and two stairwells. Ceiling tiles have been replaced in the foyer area and bar area.</p> <p>Plans have been drawn up to consider the reconfiguration of internal space at West Park Pavilion to increase usage of the facility.</p>	<p>General Purposes Committee</p>	<p>Town Clerk</p>
<p>8. CELEBRATING GREEN INITIATIVES We will work with the Horticultural Association to encourage the conservation of water on allotment plots and run an allotment competition to celebrate attractive and resourceful plot management.</p>		<p>An article was placed in a recent edition of the Voice which promoted the allotment competition and techniques for good plot management.</p> <p>Judging has now been carried out for this year's allotment competition. The results of the judging will be announced at this year's allotment conference which is due to take place on Tuesday 11th September 2018.</p>	<p>Environment and Leisure Committee</p>	<p>Assistant Town Clerk</p>
<p>9. SAFETY Work will run campaigns to encourage safety and speed reduction; using speed indicator devices and educate school pupils about safety.</p>		<p>The Town Council held its annual road safety day on Wednesday 20th June, which saw over 200 school children attend and learn about the importance of road safety, and safety when walking or cycling on the roads, near the railway and the cliffs. Children were educated via interactive tasks and activities.</p> <p>The Speed Indicator Device Working Group have been making good progress and the Town Council agreed in this year's budget to support the Community Speedwatch campaign by contributing to the cost of the community speedwatch equipment.</p>	<p>Environment and Leisure Committee</p>	<p>Town Clerk/ Assistant Town Clerk</p>

Priority	Status	Notes	Lead Committee	Lead Officer
<p>10. PAVEMENTS AND HIGHWAYS We will work with partner agencies to push for improvements to accessibility and safety on our pavements and highways</p>		<p>Work continues in liaison with East Sussex Highways to review the issues that the Town Council has raised about the access corridors into the town. East Sussex Highways commissioned a number of surveys to be carried out in June, which will be analysed and feed into the feasibility of these corridors.</p>	<p>Full Council</p>	<p>Town Clerk</p>
<p>11. IMPROVING FOOTWAY LINKS We will work with partner agencies/landowners to explore how footway links could be improved throughout the town.</p>		<p>Discussions have re-commenced with Welbeck Strategic Land to discuss the proposed footway links between the new development at Ridgewood Farm and Victoria Pleasure Ground.</p>	<p>Full Council/ Environment and Leisure Committee</p>	<p>Town Clerk/ Assistant Town Clerk</p>
<p>12. PUBLIC CONVENIENCE We will work with partner agencies to investigate whether a suitable location can be found for a public convenience and the associated costs of contributing towards installation and maintenance</p>		<p>This is being investigated in association with East Sussex County Council/East Sussex Highways.</p>	<p>Full Council</p>	<p>Town Clerk</p>

Priority	Status	Notes	Lead Committee	Lead Officer
<p>13. COMMUNICATION We will increase public awareness of the Town Council's activities and increase engagement with residents.</p>		<p>Improvements have been made to the monthly edition of the Voice in the Uckfield Matters magazine. More frequent posts are being placed on social media. Two new noticeboards are due to be put up at Elizabeth Gardens and Harlands (Mallards Drive) shortly.</p>	Full Council	Town Clerk

Meeting of Full Council

Monday 30th July 2018

Agenda Item 10.0

TO CONSIDER AN UPDATE ON UCKFIELD'S NEW TOWN CRIER

1.0 Summary

- 1.1 Further to interviews and the announcement made at the meeting of Full Council on 9th April 2018, the new Town Crier, Mr Ian Bedwell, is now in post and ready to assist the town of Uckfield.
- 1.2 At Full Council, members acknowledged that to ensure the new Crier had the appropriate outfit and become a member of the Ancient and Honourable Guild of Town Crier's, a budget would need to be made available.
- 1.3 At the meeting of Full Council on 9th April 2018, members resolved to:
FC.113.04.18 *After some discussion, members RESOLVED to set aside a budget from general reserves of up to £1,000 to provide suitable clothing and accessories, and membership to the Guild for the new role of Town Crier.*
- 1.4 This report seeks to update members on the progress to date and the proposed plans for the Town Crier, going forward.

2.0 Clothing

- 2.1 A great deal of research was undertaken to find a suitable company to make and supply an outfit for the new Town Crier. Although styles vary slightly around the country, there are a handful of companies who have experience in creating outfits for Town Criers.
- 2.2 Three companies were recommended. The prices of two of these companies were in the region of £2-2.5k and therefore too expensive for this new role within the town. The Town Clerk agreed to work with 19th Century Tailoring and the new Town Crier visited them in Bournemouth to be measured up.
- 2.3 The full outfit was received on Friday 29th June 2018 and the Town Crier purchased the hat and shoes separately for which he will be reimbursed. The total expenditure to date is as follows:

Item	Expenditure
Town Crier Coat	£425.00
Long fronted vest	£195.00
Breeches	£125.00
Frill front shirt	£ 65.00
Shoes	£ 50.00
Hat	£ 26.99
Scroll	Nominal – made by hand.
TOTAL EXPENDITURE TO DATE:	£886.99
Still to pay:	
- Reimbursement of mileage to Bournemouth	TBC
- Application to Ancient and Honourable Guild of Town Criers	£50.00

3.0 Promoting the Town Crier in their new role

3.1 The day after the outfit was delivered, the Town Crier had to make his first announcement. This was to help promote the activities taking place the following weekend as part of the Uckfield Festival. A further two cries were carried out on Thursday 12th July and Saturday 14th July 2018.

3.2 Although there was some pointing by members of the public, stopping and talk with children about Mr Bedwell's announcements and role as the new Town Crier, it was noted that at present, we haven't attracted the crowds to a particular spot to receive and listen to the announcements being made. To date the Town Crier has made both of his Saturday announcements at 12noon from outside Hartfields and then followed by outside Bridge Cottage but without the regularity or information that he will be there, local residents will not know.

3.3 At present, bookings have been made on an ad hoc basis, with interest shown by the Uckfield Festival, Weald on the Field group, Bridge Cottage and Uckfield Bonfire & Carnival Society.

3.4 It has therefore been suggested that a more regular programme of announcements be put in place through the summer months (*June, July and August including the first weekend of September for carnival day*) and the Town Crier visit the High Street to make announcements on say the first and third Saturday of the month (fortnightly basis). A press release can then be issued at the end of July to inform the public of this, for this year.

4.0 Recommendations

4.1 Members note the above information provided;

4.2 Members are asked to consider the above suggestion for setting a more regular programme of Town Crier announcements and requested to visit the High Street on these dates to support the Town Crier in their new role.

Meeting of the Full Council

Monday 30th July 2018

Agenda Item 13.0

TO REVIEW THE STANDING ORDERS IN LINE WITH THE RECENT RELEASE OF NEW MODEL STANDING ORDERS FROM NALC

1.0 Summary

1.1 At the meeting of Full Council on 11th June 2018, it was resolved to review the procedure for electing the Mayor and Deputy Mayor at the Annual Statutory meeting of Full Council:

FC.25.06.18 *Members **RESOLVED** to adopt the proposal to alter the standing orders to request nominations for the position of Mayor and Deputy Mayor prior to the annual statutory meeting of Full Council, with a short paragraph on their background, and desires for the town. An additional caveat would apply, that if no nominations are received prior to the meeting, that nominations could then be requested at the meeting itself.*

1.2 Although this is a procedural matter and a note can be placed in the Town Mayor's Policy, it was although thought helpful to make reference to this in the standing orders. An addition has therefore been added in section 5.2 (The Council's Proper Officer shall do the following), paragraph 5.2.4.

1.3 In Spring, the National Association of Local Councils also published new model standing orders. These replaced their previous model standing orders from 2013. Over the years, the Town Council, has made a number of changes to the standing orders it works to, to reflect local matters and the make up of the Town Council here in Uckfield, but there are sometimes legislative changes that need to be updated in the standing orders used across the country.

1.4 This report highlights those changes in red and advises members where changes may be required.

2.0 What's new in the NALC Model Standing Orders?

2.1 The new standing orders reflect changes in the following legislation

- Amendments to the Public Bodies (Admission to Meetings) Act 1960;
- Amendments to the Local Government Act 1972;
- The Local Government (Transparency Requirements) (England) Regulations 2015 which requires councils in England with a gross annual income and expenditure (whichever is higher) that exceeds £200k;
- The Public Contracts Regulations 2015;
- Utilities Contracts Regulations 2016;
- Changes to data protection legislation (GDPR).

3.0. Recommendations

- 3.1. Members are note the above report;
- 3.2 Members are asked to approve the addition at paragraph 5.2.4 to request the Proper Officer to seek nominations for the Mayor and Deputy Mayor prior to the Annual Statutory Meeting of the Council;
- 3.3 Members are asked to approve the changes within the attached Standing Orders at appendix A, proposed in line with NALC’s Model Standing Orders and legislative changes.

Contact Officer: Holly Goring

Appendices: Appendix A: Copy of Standing Orders with relevant amendments

UCKFIELD TOWN COUNCIL



STANDING ORDERS

Issue No.	Date Agreed	Details of amendments
1	2 nd May 2006	Reissued in new format
2	25 th March 2008	General Purposes (GP.070.03.08)
3	28 th April 2008	Full Council (FC.096.04.08)
4	6 th July 2009	Full Council (FC.018.07.09)
5	10 th January 2011	Complete reissue of document at Full Council in accordance with revised NALC Model Standing Orders. (FC.049.01.11)
6	16 th May 2011	Annual Statutory Meeting – Review of SO 34.2
7	11 th November 2013	Full Council (FC.55.11.13) Comprehensive amendments following introduction of Localism Act 2011
8	7 th July 2014	Amendments to start times of meetings.
9	20 th April 2015	FC - General review and update
10	4 th July 2016	FC – General review and update
11	22 nd August 2016	FC – Minor amendment to 9.3. Plus amendments to Section 34 (Financial Matters) following update to financial regulations approved by GP Committee on 15 th August 2016.
<u>12</u>	<u>30th July 2018</u>	<u>Refresh in line with NALC Model Standing Orders</u>

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STANDING ORDERS

Standing Orders set out how all committees, sub-committees and associated groups of the Council conduct their business and should be read in conjunction with the Council's

- Financial Regulations
- Code of Conduct Policy (No. 43).

Reference to the masculine gender should also be construed as a reference to the feminine gender except where the context suggests otherwise.

Reference to, 'the Mayor', should also be construed as reference to the Chairman of any committee or sub-committee, except that of Full Council.

1.0 ROLE OF STANDING ORDERS

- 1.1 The Town Clerk shall provide a copy of the Council's Standing Orders to a Councillor upon delivery of his declaration of acceptance of office.
- 1.2 The Chairman's decision as to the application of Standing Orders at meetings shall be final.
- 1.3 A Councillor's failure to observe Standing Orders more than three times in one meeting may result in him being excluded from the meeting in accordance with Standing Orders.

2.0 VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

- 2.1 Any or every part of these Standing Orders except those printed in **bold type** may be suspended by resolution in relation to any specific item of business. Standing Orders printed in **bold type** cannot be altered.
- 2.2 A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

3.0 MEETINGS

Timing and Business

- 3.1 Meetings shall not take place in ~~premises~~**rooms**, which at the time of the meeting, are used for the supply of alcohol unless no other ~~rooms~~**premises** are available free of charge or at a reasonable cost.
- 3.2(a) ~~Full Council - When calculating the three clear days for notice of a meeting to Councillors and the public~~**the minimum three clear days for notice of a meeting does not include, the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning shall not count.**
- 3.2(b) ~~Committee meetings - the minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice OR (the minimum three clear days' public notice of a meeting does not include the day on which the notice was issues or the day of the meeting)~~

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- 3.3 The duration of all Council committee or sub-committee meetings shall not exceed two hours, unless before this period is exceeded a proposal to suspend this Standing Order for a nominated length of maximum time receives a majority vote from those present. After this time the meeting shall be adjourned and any business not completed shall be completed at a resumed meeting to be notified by the Clerk; such resumed meeting shall be held before the next scheduled meeting. At the resumption, only the business not completed at the previous meeting shall be considered.
- 3.4 Meetings of the Council and its committees shall be held at the Uckfield Civic Centre normally from 7.00 pm on such dates as the Council may direct.

Questions by the Public

- 3.5 **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion by means of the following resolution:-**
- "That in view of the special or confidential nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw in accordance with the Public Bodies (Admission to Meetings) Act 1960".*
- 3.6 Subject to Standing Order 3.5 above, members of the public are permitted to make representations, ask questions and give evidence in respect of any item of business included in the agenda.
- 3.7 The period of time which is at the Mayor's discretion shall not exceed fifteen minutes.
- 3.8 Subject to Standing Order 3.6 above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than three minutes.
- 3.9 In accordance with Standing Order 3.6 above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- 3.10 In accordance with Standing Order 3.9 above, the Mayor may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an employee for a written or oral response.
- 3.11 A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- 3.12 A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Mayor may at any time permit an individual to be seated when speaking.
- 3.13 Any person speaking at a meeting shall address his comments to the Mayor.

3.14 Only one person is permitted to speak at a time. If more than one person wishes to speak, the Mayor shall direct the order of speaking.

Press and public attending and reporting on meetings

3.15(a) ~~Subject to standing order 3.5, a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To "report" means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to the persons not present.~~

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3.15(b) ~~A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.~~

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3.15(b) ~~Filming~~ Filming and recording of all Council, committee and sub-committee meetings open to the public is welcomed but restrictions do apply to protect confidential information and those individuals who do not wish to be recorded. The Town Council will provide assistance to anyone who wishes to carry out any recording in accordance with its Recording of Meetings Policy. (No. 72)

3.16 ~~In accordance with Standing Order 3.5 above,~~ the press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.

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Members' conduct at meetings

3.17 Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Mayor may in his absence be done by, to or before the Deputy Mayor.

3.18 The Mayor, if present, shall preside at a meeting. If the Mayor is absent from a meeting, the Deputy Mayor, if present, shall preside. If both the Mayor and the Deputy Mayor are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.

3.19 When a Member speaks at Full Council, and the Town Council's standing committees (General Purposes, Environment & Leisure and Plans), they must address the meeting through the Chairman and use the microphone. If more than one Member indicates that they wish to speak, the Chairman will ask one to speak and the others must wait in the order in which they notified the Chairman of their intention to speak, unless in the case of paragraph 8.16 when a Councillor wishes to interrupt on a point of order.

3.20 Subject to Standing Order 3.26 below, all questions at a meeting shall be decided by a majority of the Councillors ~~and non-councillors with voting rights~~ present and voting thereon.

3.21 The Mayor may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.

3.22 Members shall vote by a show of hands or, if at least two Councillors so request, by signed ballot. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present

and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.

3.23 The minutes of a meeting shall record the names of Councillors present.

3.24(a) ~~————~~ The Code of Conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.

3.24(b) A councillor or a non-councillor with voting rights who has a disclosable prejudicial interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.

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3.25 An interest arising from the Code of Conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes.

3.26 Five Members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.

(For a quorum relating to committees, sub-committees and other meetings, please refer to Standing Order 19.1.9)

3.27 If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be completed at a resumed meeting to be notified by the Clerk; such resumed meeting shall be held before the next scheduled meeting. At the resumption, only the business not completed at the previous meeting shall be considered.

4.0 THE ANNUAL STATUTORY MEETING

4.1 In an election year, the Annual Meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.

4.2 In a year which is not an election year, the Annual Meeting of the Council shall be held on such day in May as the Council may direct.

4.3 The Annual Meeting of the Council shall take place at 7.00pm.

4.4 In addition to the Annual Meeting of the Council, at least five other ordinary meetings shall be held in each year on such dates and times as the Council directs.

4.5 The election of the Mayor of the Council shall be the first business completed at the Annual Meeting of the Council.

4.6 The Mayor, unless he has resigned or becomes disqualified, shall continue in office and preside at the Annual Meeting until his successor is elected at the next Annual Meeting of the Council.

- 4.7 **The Deputy Mayor of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Mayor at the next Annual Meeting of the Council.**
- 4.8 **In an election year, if the current Mayor has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Mayor has been elected. The current Mayor shall not have an original vote in respect of the election of the new Mayor but must give a casting vote in the case of an equality of votes.**
- 4.9 **In an election year, if the current Mayor has been re-elected as a member of the Council, he shall preside at the meeting until a new Mayor has been elected. He may exercise an original vote in respect of the election of the Mayor and must give a casting vote in the case of an equality of votes.**
- 4.10 Following the election of the Mayor of the Council at the Annual Meeting of the Council, the order of business shall be as follows.
- 4.10.1 **To receive the Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received.**
- 4.10.2 To elect a Deputy Town Mayor.
- 4.10.3 **In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.**
(Co-option Policy No. 44)
- 4.10.4 **To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.**
- 4.10.5 To appoint committees, sub-committees and other groups as necessary.
- 4.10.6 To appoint representatives to outside bodies.
- 4.10.7 To inspect any deeds and trust instruments in the custody of the Council as required.
- 4.10.8 To read and consider the minutes, provided a copy has been circulated to each Councillor not later than the day of issue of the summons to attend the meeting, the minutes may be taken as read.
- 4.10.9 **After consideration, to approve the signature of the minutes as a correct record by the person presiding.**
- 4.10.10 **Business as specified in the summons including:-**
- 4.10.11 **To deal with business expressly required by statute to be done.**
- 4.10.12 To dispose of business, if any, remaining from the last meeting.
- 4.10.13 To receive such communications as the person presiding may wish to lay before the Council.
- 4.10.14 To answer previously notified questions from Councillors.

- 4.10.15 To receive the minutes and consider reports and recommendations of committees.
- 4.10.16 To consider resolutions or recommendations in the order in which they have been notified.
- 4.10.17 To receive and consider reports from officers of the Council.
- 4.10.18 To authorise the sealing of documents.
- 4.10.19 Councillors may request an item to be placed on an agenda of the relevant committee at least seven days prior to the publication of the agenda supported by a written report. Questions do not require a seconder but the Chairman of the committee would use their discretion as to the inclusion of an item.
- 4.10.20 Any other business specified in the summons.

5.0 PROPER OFFICER

- 5.1 The Council's Proper Officer shall be either:
- (i) the Clerk or such other employee as may be nominated by the Council from time to time or
 - (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence.

The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in Standing Orders.

- 5.2 The Council's Proper Officer shall do the following.
- 5.2.1 **Sign and serve on Councillors electronically if agreed, by delivery or post at their residences a signed summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least three clear days before the meeting.**
 - 5.2.2 **Give public notice of the time, date, venue and agenda at least three clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them).**
 - 5.2.3 Subject to Standing Orders 6.1 – 6.5 below, include in the agenda all motions in the order received unless a Councillor has given written notice at least five days before the meeting confirming his withdrawal of it.
 - 5.2.4 **Convene a meeting of Full Council for the election of a new Mayor of the Council, occasioned by a casual vacancy in his office, in accordance with Standing Order 5.2.1 above.**

To request nominations for the position of Mayor and Deputy Mayor prior to the Annual Statutory Meeting of Council. Any nominations put forward

must include a short paragraph on why they would be suitable i.e. their background, desires etc.

If no nominations are received prior to the meeting, nominations are entitled to be put forward at the Annual Statutory meeting of Council.

If during the Municipal Year, the office of Town Mayor becomes vacant, then the Deputy Mayor will normally become Mayor for the remainder of that year.

- 5.2.5 **Make available for inspection the minutes of meetings.**
- 5.2.6 **Receive and retain copies of byelaws made by other local authorities.**
- 5.2.7 **Receive and retain declarations of acceptance of office from Councillors.**
- 5.2.8 Retain a copy of every Councillor's register of interests and any changes to it and keep copies of the same available for inspection.
- 5.2.9 Keep proper records required before and after meetings.
- 5.2.10 Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
- 5.2.11 Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- 5.2.12 Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- 5.2.13 Arrange for legal deeds to be sealed using the Council's common seal.
- 5.2.14 Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's Financial Regulations.
- 5.2.15 Record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose.
- 5.2.16 Refer any planning application received by the Council outside the normal Plans Committee cycle to the Chairman or in their absence the Vice chairman of the Plans Committee for consideration in accordance with the Council's Late Planning Applications Policy. (No. 74)
- 5.2.17 Retain custody of the seal of the Council which shall not be used without a resolution to that effect.
- 5.2.18 Action or undertake activity or responsibilities instructed by resolution or contained in Standing Orders.

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6.0 MOTIONS REQUIRING WRITTEN NOTICE

- 6.1 Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the agenda by the Town Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Town Clerk at least seven clear days before the next meeting of the Council.
- 6.2 The Town Clerk shall date every motion on notice when received by him, shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every member of the Council.
- 6.3 The Town Clerk shall insert in the summons for every meeting, all notices of motion or recommendation properly given in the order in which they have been received unless the Councillor giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.
- 6.4 If a resolution or recommendation specified in the summons is not moved either by the Councillor who gave notice of it or by any other Councillor, it shall unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- 6.5 If the subject matter of the resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Mayor, if they consider it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- 6.6 Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties, which affects its area.

7.0 MOTIONS NOT REQUIRING WRITTEN NOTICE

- 7.1 Motions in respect of the following matters may be moved without written notice.
 - 7.1.1 To appoint a Chairman of the meeting.
 - 7.1.2 To approve the absences of Councillors.
 - 7.1.3 To approve the accuracy of the minutes of the previous meeting.
 - 7.1.4 To correct an inaccuracy in the minutes of the previous meeting.
 - 7.1.5 To dispose of business, if any, remaining from the last meeting.
 - 7.1.6 To alter the order of business on the agenda for reasons of urgency or expedience.
 - 7.1.7 To proceed to the next business on the agenda.
 - 7.1.8 To close or adjourn debate.
 - 7.1.9 To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
 - 7.1.10 To appoint a committee or sub-committee or any Councillors (including substitutes) thereto.

- 7.1.11 To receive nominations to a committee or sub-committee.
- 7.1.12 To dissolve a committee or sub-committee.
- 7.1.13 To note the minutes of a meeting of a committee or sub-committee.
- 7.1.14 To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
- 7.1.15 To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- 7.1.16 To authorise legal deeds to be sealed by the Council's common seal and witnessed.
- 7.1.17 To authorise the payment of monies in accordance with Financial Regulations.
- 7.1.18 To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- 7.1.19 To extend the time limit for speeches.
- 7.1.20 To exclude the press and public for all or part of a meeting.
- 7.1.21 To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
- 7.1.22 To give the consent of the Council if such consent is required by Standing Orders.
- 7.1.23 **To suspend any Standing Order except those which are mandatory by law.**
- 7.1.24 To adjourn the meeting.
- 7.1.25 To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- 7.1.26 To answer questions from Councillors.

8.0 RULES OF DEBATE

- 8.1 Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
- 8.2 Subject to Standing Orders 6.1 - 6.5 above, a motion shall not be considered unless it has been proposed and seconded.
- 8.3 Subject to Standing Order 5.2.3 above, a motion included in an agenda not moved by the Councillor who tabled it, may be treated as withdrawn.
- 8.4 A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be

reduced to writing and handed to the Chairman who shall determine the order in which they are considered.

- 8.5 A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- 8.6 Any amendment to a motion shall be either:
 - 8.6.1 to leave out words;
 - 8.6.2 to add words;
 - 8.6.3 to leave out words and add other words.
- 8.7 A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- 8.8 Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- 8.9 Subject to Standing Order 8.8 above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
- 8.10 Pursuant to Standing Order 8.8 above, the number of amendments to an original or substantive motion, which may be moved by a Councillor, is limited to one.
- 8.11 If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- 8.12 If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- 8.13 The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding three minutes.
- 8.14 Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- 8.15 Subject to Standing Orders 8.13 and 8.14 above, a Councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another Councillor or to make a point of order or to give a personal explanation.
- 8.16 During the debate of a motion, a Councillor may interrupt only on a point of order or a personal explanation and the Councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the Standing Order which he considers has been breached or specify the irregularity in the meeting he is concerned by.
- 8.17 A point of order shall be decided by the Chairman and his decision shall be final.

- 8.18 With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A Councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- 8.19 Subject to Standing Order 8.15 above, when a Councillor's motion is under debate no other motion shall be moved except:
- 8.19.1 to amend the motion;
 - 8.19.2 to proceed to the next business;
 - 8.19.3 to adjourn the debate;
 - 8.19.4 to put the motion to a vote;
 - 8.19.5 to ask a person to be silent or for him to leave the meeting;
 - 8.19.6 to refer a motion to a committee or sub-committee for consideration;
 - 8.19.7 to exclude the public and press;
 - 8.19.8 to adjourn the meeting;
 - 8.19.9 to suspend any Standing Order, except those which are mandatory.
- 8.20 In respect of Standing Order 8.19.4 above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived.

At the end of any speech a Councillor may, without comment, move "*that the question be now put*", "*that the debate be now adjourned*" or "*that the Council do now adjourn*". If such motion is seconded, the Mayor shall put the motion but, in the case of a motion "*that the question be now put*", only if they are of the opinion that the question before the Council has been sufficiently debated. If the motion "*that the question be now put*" is carried, they shall call upon the mover to exercise or waive their right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

9.0 CODE OF CONDUCT

- 9.1 **All Councillors shall observe the Code of Conduct adopted by the Council.**
(Policy No. 43)
- 9.2 All Councillors shall undertake training in the Code of Conduct within 6 months of the delivery of their declaration of acceptance of office.
- 9.3 **Councillors with a disclosable prejudicial (pecuniary) interest in relation to any item of business being transacted at a meeting must declare the existence and nature of that interest as soon as it becomes apparent to them unless it is a sensitive interest as previously disclosed in which case only**

the existence of that interest should be declared. In all cases the Councillor must leave the room and not take part in any debate or vote unless a dispensation has been authorised by the Clerk.

- 9.4 An interest arising from the Code of Conduct shall be recorded in the minutes.**
- 9.5 The Clerk, may authorise a dispensation for Councillors under the Code of Conduct, in accordance with Section 33 of the Localism Act 2011 where:-
- 9.5.1 without the dispensation, the number of Councillors or co-opted Councillors prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business; or
 - 9.5.2 without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business; or
 - 9.5.3 granting the dispensation is in the interests of persons living in the authority's area; or
 - 9.5.4 it is otherwise appropriate to grant a dispensation.
- 9.6 A dispensation granted under Section 33 of the Localism Act 2011 must specify the period for which it has effect, and that period may not exceed four years.

10.0 ALLEGATIONS OF BREACHES OF THE CODE OF CONDUCT

- 10.1 On receipt of a notification that there has been an alleged breach of the Code of Conduct, the Clerk shall refer this to Wealden District Council's Monitoring Officer who will review the complaint and will make a decision as to whether it merits formal investigation.

10.2 Upon notification by the District Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.

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11.0 QUESTIONS

- 11.1 A Councillor may seek an answer to a question concerning any business of the Council provided seven clear days notice of the question has been given to the Proper Officer.
- 11.2 Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- 11.3 Every question shall be put and answered without discussion.

12.0 MINUTES

- 12.1 If a copy of the draft minutes of a preceding meeting has been circulated to Councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.

12.2 No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with Standing Order 7.1.4 above.

12.3 Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.

12.4 Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes of the meeting shall be destroyed.

13.0 DISORDERLY CONDUCT

13.1 No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.

13.2 If, in the opinion of the Chairman, there has been a breach of Standing Order 13.1 above, the Chairman shall express that opinion and thereafter any Councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.

13.3 If a resolution made in accordance with Standing Order 13.2 above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

14.0 RESCISSION OF PREVIOUS RESOLUTIONS

14.1 A resolution (whether affirmative or negative) of the Council shall not be reversed within six months except either by a proposal, the written notice whereof bears the names of at least five members of the Council, or by a resolution moved in pursuance of the report or recommendation of a Committee.

14.2 When a resolution moved under the provision of Standing Order 14.1 above has been disposed of, no similar motion may be moved within a further six months.

14.3 Any resolution passed by a committee reporting to Full Council may be placed on the next Full Council agenda for discussion in its own right if so requested in writing by at least five members of the Council. Once such a request has been received, further activities, clarification and information gathering excepted, shall cease on the original resolution

15.0 VOTING ON APPOINTMENTS

15.1 Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.

15.2 The Mayor and Deputy Mayor should not serve longer than three complete consecutive municipal years in their respective offices.

15.3 Chairmen of committees and sub-committees should not serve as Chairmen longer than three consecutive years. Nor should any member of the Council be Chairman of more than one committee or sub-committee at any one time.

15.4 Neither shall the Mayor or Deputy Mayor be Chairman of a full committee.

16.0 EXPENDITURE

16.1 Any expenditure incurred by the Council shall be in accordance with the Council's Financial Regulations.

16.2 **The Council's Financial Regulations shall be reviewed once a year.**

16.3 **The Council's Financial Regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.**

17.0 RESOLUTIONS ON EXPENDITURE

17.1 A resolution, by any committee, which would increase the expenditure upon any service which is under the management of that committee, or which would reduce the revenue at the disposal of the Council, or which would involve capital expenditure, shall be referred to the General Purposes Committee for decision.

18.0 EXECUTION AND SEALING OF LEGAL DEEDS

18.1 A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.

18.2 **In accordance with a resolution made under Standing Order 18.1 above, the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two members of the Council who shall sign the deed as witnesses.**

19.0 COMMITTEES AND SUB-COMMITTEES

19.1 The Council may at its Annual Statutory Meeting, appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:-

19.1.1 Shall not appoint any member of a committee so as to hold office later than the next Annual Statutory Meeting.

19.1.2(a) Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.

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19.1.2(b) The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council. May appoint persons other than members of the Council to any committee.—Such appointed members will have no voting rights.

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19.1.2(c) Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.

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19.1.3 May, subject to the provisions of Standing Order No.14, at any time dissolve or alter the membership of a committee.

- 19.1.4 Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice-chairman who shall hold office until the next Annual Statutory Meeting of the Council.
- 19.1.5 In the event of the ballot failing to determine the Chairman and Vice-chairman because of an equality of votes the candidate or candidates to be elected from those having an equal number of votes shall be determined at the first committee meeting which will be chaired by the Mayor. Any tie may then be settled by the Chairman's casting vote.
- 19.1.6 The Chairman of a committee or the Mayor of the Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a third of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.
- 19.1.7 Each committee may appoint working groups or steering groups for purposes to be specified by the committee. Sub-committees will be appointed by Full Council.
- 19.1.8 The Chairman, or in their absence the Vice-chairman of the committee shall be members of every sub-committee reporting to it unless they signify that they do not wish to serve.
- 19.1.9 Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be three or one-third of its members, whichever is the greater.
- 19.1.10 The Standing Orders on rules of debate, (except those parts relating to standing and speaking more than once), and the Standing Order on interests of Councillors in contracts and other matters shall apply to committees, sub-committees.

20.0 WORKING GROUPS AND STEERING GROUPS

- 20.1 Any committee may create working or steering groups, whose name and number of members and the bodies to be invited to nominate members shall be specified.
- 20.2 The working and steering groups will conduct their business in accordance with Working Group Policy No. 39 and Steering Group Policy No. 57.
- 20.3 Working and steering groups may make recommendations and give notice thereof to the parent committee.
- 20.4 Working and steering groups may consist wholly of persons who are not members of the Council.

21.0 EXTRAORDINARY MEETINGS

- 21.1 **The Mayor of the Council may convene an extraordinary meeting of the Council at any time.**
- 21.2 **If the Mayor of the Council does not or refuses to call an extraordinary meeting of the Council within seven days of having been requested to do so**

by two Councillors, those two Councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two Councillors.

22.0 ACCOUNTS AND FINANCIAL STATEMENT

22.1 All payments by the Council shall be authorised, approved and paid in accordance with the Council's Financial Regulations.

22.1 **The statement of accounts of the Council, which is subject to external audit, shall be presented to the Council for formal approval.**

23.0 ESTIMATES AND PRECEPTS

23.1 **The Council shall review the estimates not later than the end of January each year and shall fix the precept to be levied for the ensuing financial year. The Responsible Financial Officer shall supply each Councillor with a copy of the approved estimates.**

23.2 Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than the end of November each year.

23.3 The annual capital and revenue expenditures shall form the Council's budgets and the basis of financial control for the ensuing year.

24.0 INTERESTS

24.1 **If a Councillor has a personal interest as defined by the Code of Conduct (Policy No. 43) then they shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required which shall be recorded in the minutes of the meeting.**

24.2 **If a Councillor who has declared a personal interest then considers the interest to be a disclosable interest, they must withdraw from the room during consideration of the item to which the interest relates unless a dispensation has been authorised by the Clerk in advance of the meeting.**

24.3 **The Clerk may be required to compile and hold a register of Councillors' interests in accordance with any agreement with the Monitoring Officer of Wealden District Council and/or as required by statute.**

24.4 If a candidate for any appointment under the Council is to their knowledge related to any Councillor or the holder of any office under the Council, they and the person to whom they are related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do, shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. Where relationship to a Councillor is disclosed, Standing Orders No. 24.1 and 24.2 shall apply. The Clerk shall make known the significance of this Standing Order to every candidate.

25.0 CANVASSING OF AND RECOMMENDATIONS BY COUNCILLORS

25.1 Canvassing Councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Clerk shall disclose the requirements of this Standing Order to every candidate.

- 25.2 A Councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; however any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- 25.3 This Standing Order shall apply to tenders as if the person making the tender were a candidate for an appointment.

26.0 INSPECTION OF DOCUMENTS

- 26.1 Subject to Standing Orders to the contrary or in respect of matters which are confidential, a Councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by Councillors.

27.0 UNAUTHORISED ACTIVITIES

- 27.1 Unless specifically authorised to do so by the Council or relevant committee or sub-committee by a resolution, no individual Councillor shall in the name or on behalf of the Council, a committee or a sub-committee:

27.1.1 inspect any lands or premises which the Council has a right or duty to inspect;

27.1.2 issue orders, instructions or directions

28.0 CONFIDENTIAL BUSINESS

- 28.1 **No member of the Council or of any committee, sub-committee, working or steering group shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee, sub-committee, working or steering group as the case may be.**
- 28.2 **Any Councillor in breach of the provisions of paragraph 28.1 of this Standing Order shall be removed from any committee, sub-committee, working or steering group of the Council by the Council and reported to the Standards Committee.**

29.0 GENERAL POWER OF COMPETENCE

- 29.1 **Before exercising the General Power of Competence, a meeting of the Full Council shall have passed a resolution to confirm that it has satisfied the prescribed statutory criteria required to qualify as an eligible Council. The prescribed statutory criteria are:-**

29.1.1 **the number of ordinary members of the Council that have been declared to be elected, whether at ordinary elections or at a by-election, is equal or greater than two-thirds of the total number of members of the Council;**

29.1.2 **the Clerk to the Town Council holds an appropriate qualification;**

and

29.1.3 the Clerk to the Town Council has completed the relevant training, unless such training was required for the purpose of obtaining a qualification of a description mentioned in paragraph 29.1.2.

30.0 MATTERS AFFECTING COUNCIL EMPLOYEES

- 30.1 If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council, committee or sub-committee, (as the case may be), has decided whether or not the press and public shall be excluded pursuant to Standing Order 3.5 above.
- 30.2 Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
- 30.3 The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- 30.4 Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- 30.5 Only persons with line management responsibilities shall have access to employee records referred to in Standing Orders 30.3 and 30.4 above if so justified.
- 30.6 Access and means of access by keys and/or computer passwords to records of employment referred to in Standing Orders 30.3 and 30.4 above shall be provided only to The Town Clerk, Responsible Financial Officer and Civic Centre Manager.

31.0 ~~FREEDOM OF INFORMATION ACT 2000~~ HANDLING REQUESTS FOR INFORMATION

- 31.1 ~~In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme (policy no. 54) and respond to requests for information held by the Council. All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling as per the Council's policy requests under the 'Handling Access to Information' requests Freedom of Information Act 2000, (Policy No. 16)~~
- 31.2 ~~The Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements)(England) Regulations 2015. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Town Clerk to the Chairman of the General Purposes Committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under Standing Order 5.2.10 above.~~

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32.0 RELATIONS WITH THE PRESS AND MEDIA

- 32.1 All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media. (Policy No 26)

33.0 LIAISON WITH DISTRICT AND COUNTY COUNCILLORS

33.1 An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Councillors of the District and County Council representing their electoral wards.

33.2 When requested, letters ordered to be sent to the County or District Council shall be transmitted to the County Councillors for the division or to the District Councillors for the ward as the case may be.

34.0 FINANCIAL MATTERS

34.1 The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:

34.1.1 the accounting records and systems of internal control;

34.1.2 the assessment and management of financial risks faced by the Council;

34.1.3 the work of the internal auditor and the receipt of regular reports from the internal auditor, which shall be required at least annually;

34.1.4 the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments;

34.1.5 procurement policies (subject to Standing Order 34.2 below) including the setting of values for different procedures.

34.2 For any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value between £10,000 but not exceeding £25,000, the Town Clerk shall invite quotations from at least three appropriate firms from a preferred list of contractors as set out in the Financial Regulations.

34.3 For expenditure which is valued ~~in excess of at £25,000 or more but less than the relevant thresholds in 34.0 (financial regulations) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.~~ the Council shall comply with the relevant requirement of the The Public Contracts Regulations ("the Regulations"). The Regulations require the Council to use the Government's Contracts Finder website to advertise contract opportunities, set out the procedure to be followed in awarding new contracts and to publicise the award of new contracts.

34.4

~~Where the value of a contract is likely to exceed in excess of £18164,302476 (which may change from time to time) for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU. the full requirements of The Regulations, as applicable, shall be followed in respect~~

~~of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in the Regulations set by the Public Contracts Directive 2014/24/EU.~~

34.5 A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract, or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

35.0 TRAINING

35.1 All Councillors appointed to the Council will attend appropriate training courses.

35.2 Chairmen shall be expected to undertake appropriate training courses.

36.0 URGENT BUSINESS

36.1 If a matter is deemed "urgent" and if outside scheduled committee meetings or Full Council and with the consent of the Mayor and Chairman of committee, it can be agreed by the use of an Urgent Consultation Panel. The Panel will consist of the Mayor, the Deputy Mayor and Chairmen of committees. All decisions agreed by the panel will be reported to Full Council or the appropriate standing committee at the earliest opportunity.

37.0 MANAGEMENT OF INFORMATION

37.1 See also standing order 31.0

The Council shall have in place and keep under review, technical and organizational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.

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37.2 The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).

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37.3 The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.

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37.4 Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.

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38.0 RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

38.1 The Council shall appoint a Data Protection Officer.

38.2 The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.

38.3 The Council shall have a written policy in place for responding to and managing a personal data breach.

38.4 The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.

38.5 The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.

38.6 The Council shall maintain a written record of its processing activities.

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Meeting of the Full Council

Monday 30th July 2018

Agenda item 14.0

TO NOTE THE END OF YEAR STATEMENT OF COMMUNITY INFRASTRUCTURE LEVY FUNDING FOR 2017/18

1.0 Summary

- 1.1 This report provides an update to members of the funds received through Community Infrastructure Levy in the financial year 2017/18.
- 1.2 The Town Council is required each year to report on the funds received and the proposed way in which the funds are due to be spent. This information then has to be formally provided to Wealden District Council prior to the month of December in the following financial year. So in this instance, by December 2018.
- 1.3 Previously the Town Clerk sought advice on what the funding could be spent on. It was advised that any funds received should be spent on:

“The meaningful proportion of CIL monies given to the local parish and town councils can be spent on anything which will help to mitigate the impact of the development on the town or parish – considered to be a form of infrastructure.

Specific advice given by the government on the way in which CIL must be used, states:

“The levy can be used to fund a wide range of infrastructure, including transport, flood defences, school and education facilities, hospitals (medical facilities), and other health and social care facilities (as per section 216(2) of the Planning Act 2008.

The definition allows the levy to be used to fund a very broad range of facilities such as play areas, parks and green spaces, cultural and sports facilities, academies and free schools, district heating schemes and police stations and other community safety facilities. This flexibility gives local areas the opportunity to choose what infrastructure they need to deliver their relevant Plan.

The levy is intended to focus on the provision of new infrastructure and should not be used to remedy pre-existing deficiencies in infrastructure provision unless those deficiencies will be made more severe by new development.

The levy can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure, if that is necessary to support development.

2.0 Recommendation

2.1 Members are asked to:

- (i) note the income received in 2017/18 through Community Infrastructure Levy Funding;
- (ii) identify projects that this funding could contribute towards, which are related to infrastructure;
- (iii) make any additional comments.

Contact Officer: Holly Goring

Appendices:

Appendix A: Community Infrastructure Levy Statement 2017/18

APPENDIX A

Community Infrastructure Levy Statement 2017/18

Details	Note No *	£
CIL Receipts for reported year Cash	1	14,319.27
Total CIL receipts for reported year	1	
Details of any notices received in accordance with regulation 59E, including;		
<ul style="list-style-type: none">The total value of CIL receipts subject to the aforementioned notices during the reported year	2	NIL
<ul style="list-style-type: none">The total value of CIL receipts subject to the aforementioned notices in any year that has not been paid to the relevant charging authority by the end of the reported year	2	NIL
Total value of CIL receipts subject to aforementioned notices for reported year		
<ul style="list-style-type: none">Total CIL receipts for reported year retained at end of the year	3	14,319.27
<ul style="list-style-type: none">CIL receipts from previous years retained	3	NIL
Total amount of CIL receipts retained for reported year		
<ul style="list-style-type: none">Expenditure on infrastructure	4	NIL
Total CIL expenditure during the reported year including:		
<ul style="list-style-type: none">The amount of CIL to which an infrastructure payment relates (list each payment individually)	5	NIL
<ul style="list-style-type: none">The item of infrastructure to which the above payment relates	5	NIL

Notes

1. Regulation 62A 2(a) of the Community Infrastructure Levy Regulations 2010 (as amended) requires a local authority to report the total CIL receipts for the reported year,
2. Regulation 62A 2(d) of the Community Infrastructure Levy Regulations 2010 (as amended) requires a local authority to report details of any notices received in accordance with Regulation 59E¹, including;
 - a. The total value of CIL receipts subject to notices served in accordance with Regulation 59E during the reported year;
 - b. The total value of CIL receipts subject to a notice served in accordance with Regulation 58E in any year that has not been paid to the relevant charging authority by the end of the reported year.
3. Regulation 62A 2(e) of the Community Infrastructure Levy Regulations 2010 (as amended) requires a local authority to report details of the total amount of:
 - a. CIL receipts for the reported year retained at the end of the reported year; and
 - b. CIL receipts from previous years retained at the end of the reported year.
4. Regulation 62A 2(b) of the Community Infrastructure Regulations 2010 (as amended) requires a local authority to report the total CIL expenditure for the reported year.
5. Regulation 62A 2(c) of the Community Infrastructure Regulations 2010 (as amended) requires a local authority to provide a summary of CIL expenditure during the reported year including;
 - a. The items to which CIL has been applied; and
 - b. The amount of CIL expenditure on each item.

¹ Regulation 59E covers notices served by Wealden District Council (WDC) of the Town or Parish Council requiring it repay some or all of the CIL receipts where WDC believes some or all of the CIL received by the Town or Parish Council has not been spent in accordance with the regulations to support the development of its area within 5 years of receipt or has been applied not in accordance with the regulations as stated at Regulation 59C.

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Meeting of the Full Council

Monday 30th July 2018

Agenda Item 15.0

TO SIGN AND SEAL THE LEASE FOR THE SMALL HALL, HARCOURT ROAD (CHAPEL) ADJACENT TO FORESTERS HALL

1.0 Summary

- 1.1 At the meeting of General Purposes Committee on 29th May 2018, members agreed to renew the existing lease for these premises with the current tenant for a further five years.

GP09.06.18 *Members subsequently **RESOLVED** to request that the Town Clerk seek to renew the existing lease with the current tenant for a term of five years with a slight increase proposed to the current rental figure. No commercial estate agent would be appointed on the basis that this was a non-commercial lease agreement.*

- 1.2 Contact was made with the Town Council's solicitors and although the existing lease agreement was not due to end until 18th April 2019, the solicitor advised that there is no reason why the Town Council should not enter into a new lease at the present time as the new Lease would contain a provision that the new Lease would not be valid if the existing lease is terminated before 18th April 2019.

- 1.3 The lease is in the same form as the previous lease.

- 1.4 Please note that the plan has some yellow colouring on the area on which cars can be parked. However there is no colouring on the plan that the Solicitor has in their possession. The lease agreement does refer to a right to park cars on the land shaded in yellow.

2.0. Recommendation

- 2.1. Members are asked to confirm if they are happy to renew the lease agreement with the Trustees of the Gospel Standard Strict Baptist Church in the same form as the existing agreement for a further five years, and if satisfied with the details, ask for two councillors to sign and seal the licence agreement.

Contact Officer: Holly Goring

Background papers: Copy of existing lease agreement presented to members at the meeting of General Purposes Committee on 29th May 2018.

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Meeting of the Full Council

Monday 30th July 2018

Agenda Item 16.0

TO SIGN AND SEAL THE LICENCE BETWEEN THE LEAGUE OF FRIENDS OF UCKFIELD COMMUNITY HOSPITAL AND UCKFIELD TOWN COUNCIL

1.0 Summary

1.1 At the meeting of Environment and Leisure Committee on 11th June 2018, it was resolved that the Town Council enter into a licence agreement with the League of Friends of Uckfield Community Hospital regarding the access road to Uckfield Hospital:

EL.006.06.18 It was **RESOLVED** to approve the Licence subject to the addition of the words "and their successors in title" under item 7. Determination.

1.2 The changes were made to the draft licence agreement and a draft copy has been attached for members' reference in appendix A.

2.0. Recommendation

2.1. Members are asked to confirm if they are happy with the attached licence agreement and if satisfied with the details, ask for two councillors to sign and seal the licence agreement.

Contact Officer: Holly Goring

Appendices: Appendix A

**LICENCE BETWEEN THE LEAGUE OF FRIENDS OF UCKFIELD COMMUNITY HOSPITAL
AND UCKFIELD TOWN COUNCIL**

This LICENCE is made this day of.....BETWEEN

1. Uckfield Town Council ("the Owner") and
2. The League of Friends of Uckfield Community Hospital (CIO number 1164592) ("the Licensee")

NOW IT IS AGREED as follows: -

1. Grant

In consideration of the League of Friends of Uckfield Community Hospital providing additional parking facilities at Uckfield Community Hospital the Owner grant to the Licensee and all users of such parking licence to pass and re-pass over the access road from the public highway B2102 (Framfield Road/Bird -In -Eye Hill) **as shown red on the attached plan** annexed to this agreement, at all reasonable times and for all purposes connected with the use of the said parking area.

2. Payment

The Licence shall be without charge.

3. Maintenance

There will be no obligation on the Licensee to contribute towards the maintenance of the access road.

4. Nuisance

The Licensee must not do anything on the road which may cause a nuisance, damage, disturbance, inconvenience, discomfort or annoyance to the Owner or any user of the road.

5. Accident Liability

The Owner is not liable for any accident, loss or damage suffered by the Licensee using the Land.

6. Indemnity

The Licensee must indemnify the Owner against all actions, proceedings or claims by any third party arising from misuse of the Road.

7. Determination

This Licence shall subsist all the while the League of Friends **and their successors in title** provide parking facilities for the benefit of staff and/or visitors to Uckfield Community Hospital or is terminated by the Town Council.

8. Relationship

Nothing contained in this Licence is to create the relationship of landlord and tenant.

For The League of Friends of Uckfield Community Hospital:

Trustee:.....

Trustee:.....

Date:.....

Date:.....

For Uckfield Town Council:

Councillor:.....

Councillor:.....

Map of area



Access road to Uckfield Community Hospital

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Meeting of the Full Council

Monday 30th July 2018

Agenda Item 17.0

TO SIGN AND SEAL THE LICENCE FOR A TEMPORARY ACCESS BETWEEN VICTORIA PLEASURE GROUND AND ST. PHILIP'S CATHOLIC PRIMARY SCHOOL

1.0 Summary

1.1 Members will be aware that Environment and Leisure Committee have been liaising with St. Philip's Catholic Primary School to agree a way forward for the temporary access arrangement between Victoria Pleasure Ground and the primary school.

1.2 At the meeting of Environment and Leisure Committee on Tuesday 2nd January 2018, members resolved to:

EL 99.01.18 It was **RESOLVED** that the access from Victoria Pleasure Ground to St Philips Catholic Primary School becomes permanent subject to:

i) the gate always being locked when school has finished;

ii) that we formally review the operation of the access each year;

iii) the Town Council to give notice to rescind the agreement if terms of the licence are not met.

1.3 The Town Council's solicitors have been corresponding with the solicitors acting for the Diocese. A final copy of the licence agreement was received on 4th July 2018, for execution on behalf of Uckfield Town Council.

1.4 The licence continues the right of the School to use the pedestrian access between the points marked A and B on Plan 1. The right to use the access can be terminated by the School by giving seven days notice or by the Council giving 12 months written notice, unless there is a breach not remedied when 28 days notice can be given. No reason for termination needs to be given in respect of the 12 month notice period.

1.5 There is an obligation to keep the gate locked at the end of each day and there is an indemnity against any liability incurred by the Town Council relating to the use of the access by the School. The terms of the Licence mirror that of the short term licence previously granted.

2.0. Recommendation

2.1. Members are asked to confirm if they are happy with the content of the attached licence agreement, and if satisfied with the details, ask for two councillors to sign and seal the licence agreement.

Contact Officer: Holly Goring

Appendices: Appendix A: Copy of the Licence for Temporary Access

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DATED: 2018

Uckfield Town Council

and

The Arundel and Brighton Roman Catholic Diocesan Corporation Limited

Licence for a Temporary Access



DMH Stallard

www.dmhstallard.com

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THIS LICENCE is made the day of 2018

BETWEEN

- (1) UCKFIELD TOWN COUNCIL whose offices are at Council Offices Civic Centre Uckfield East Sussex TN22 1AS (**the Licensor**).
- (2) THE ARUNDEL AND BRIGHTON ROMAN CATHOLIC DIOCESAN CORPORATION LIMITED incorporated and registered in England and Wales with company number 00946255 whose registered office is at Bishops House The Upper Drive Hove East Sussex BN3 6NB at the direction of THE RIGHT REVEREND CHARLES PHILLIP RICHARD MOTH THE REVEREND JONATHAN SEAN MARTIN THE REVEREND CANON KIERON JAMES O'BRIEN and THE REVEREND JONATHAN MICHAEL HOW Clerks in Holy Orders and BERNADETTE ANNE BRITAIN ANTHONY CAMPBELL MICHAEL CHARLES THOMS EDWARD BARTRAM TOTMAN THOMAS WILLIAM ALLEN and CAROLINE JAYNE WALSH all care of Bishop's House The Upper Drive Hove East Sussex BN3 6NB being the trustees of the Arundel and Brighton Diocesan Trust a registered charity with charity number 252878 ("the Trustees") (**the Licensee**).

AGREED TERMS

1. INTERPRETATION

The following definitions and rules of interpretation apply in this licence.

1.1 Definitions:

Competent Authority: any statutory undertaker or any statutory public local or other authority or regulatory body or any court of law or government department or any of them or any of their duly authorised officers.

Licence Fee: one peppercorn (if demanded).

Licence Period: the period from and including 2018 until the date on which this licence is determined in accordance with clause 4.

Licensee's Property: the property at St Philips Roman Catholic Primary School registered at HM Land Registry under title number ESX326734 referred to above and each and every part of it.

Licensor's Property: the property at Victoria Pleasure Ground shown edged red and registered at HM Land Registry under title number ESX298632 referred to above and each and every part of it.

Permitted Route: the pedestrian access 3 metres wide on land forming part of the Licensor's Property which passes between the points marked A and B on Plan 1 and shown coloured blue on Plan 1.

Permitted Use: to pass and repass on foot only over and along the Permitted Route at all times to gain access to and egress from the Licensee's Property for all purposes connected with the use of the Licensee's Property as a school and as a church.

Plan 1 and Plan 2: the plans so numbered attached to this licence.

VAT: value added tax chargeable under the Value Added Tax Act 1994 and any similar replacement tax and any similar additional tax.

- 1.2 Clause headings shall not affect the interpretation of this licence.
- 1.3 A **person** includes a natural person, corporate or unincorporated body (whether or not having separate legal personality).
- 1.4 Unless the context otherwise requires, words in the singular shall include the plural and in the plural shall include the singular.
- 1.5 Unless the context otherwise requires, a reference to one gender shall include a reference to the other genders.
- 1.6 A reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time.



Notes

- 1. CONSTRUCTION AT CHECK ALL DIMENSIONS
- 2. ON SITE DIMENSIONS SHALL NOT BE REPRODUCED
- 3. UNLESS OTHERWISE SPECIFIED



Revisions

Drawing
 PROPOSED TEMPORARY GATED
 PEDESTRIAN ACCESS TO
 ST PHILIP'S SCHOOL

FORMER ST MICHAEL'S
 CONVENT SITE,
 NEWTOWN, URBANFIELD
 T1622 50J

Scale 1:100 @ A1

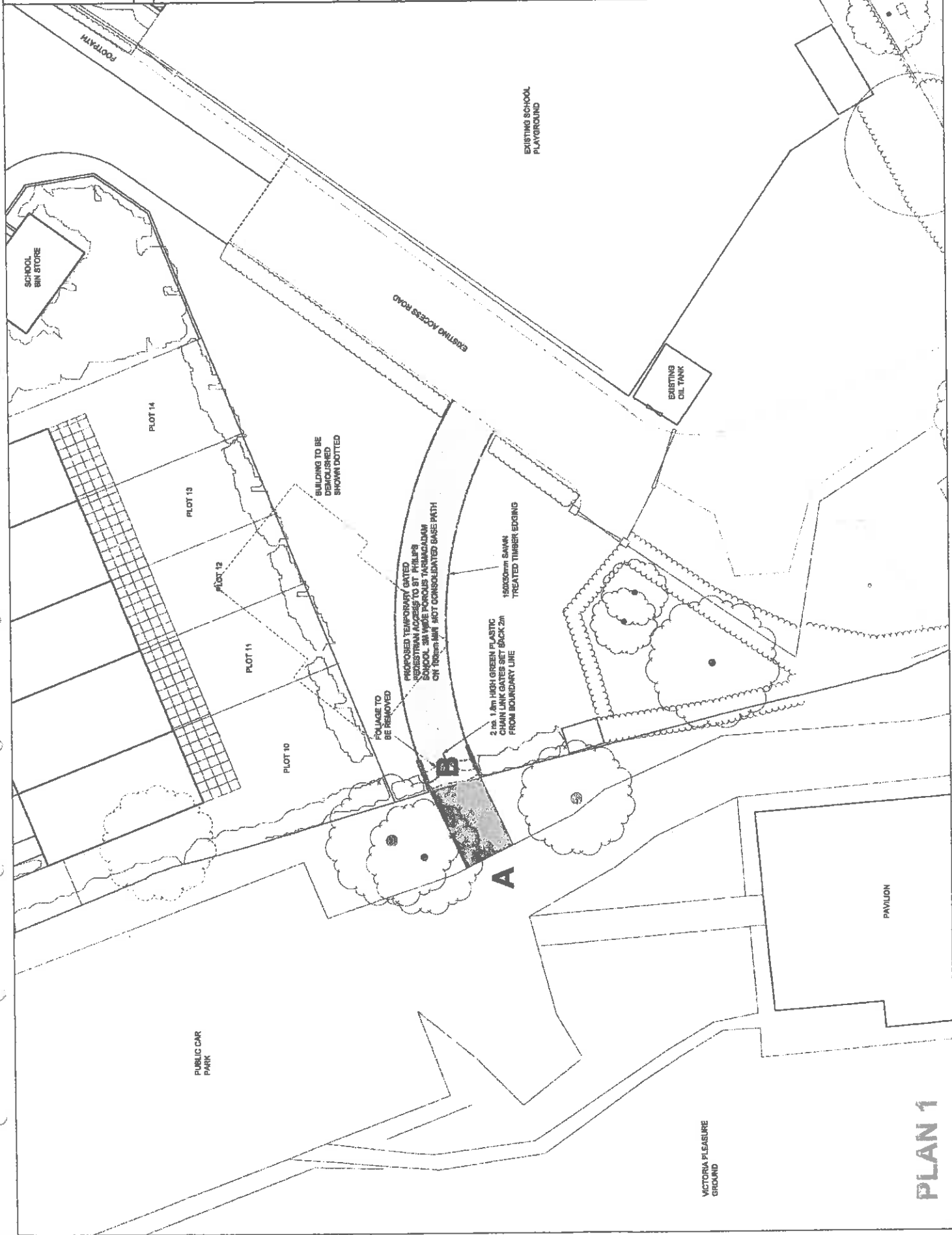
Scale 1:200 @ A3

Date June 2014

Drawn

TOMEI AND MACKLEY
ARCHITECTS
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 NSW 1590
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 E. info@tomeiandmackley.com.au

Drawing Number	Revision
2755-111	



PLAN 1

VICTORIA PLEASURE GROUND

PUBLIC CAR PARK

PAVILION

A

BUILDING TO BE DEMOLISHED SHOW DOTTED

EXISTING ACCESS ROAD

EXISTING SCHOOL PLAYGROUND

EXISTING OIL TANK

PROPOSED TEMPORARY GATED PEDESTRIAN ACCESS TO ST PHILIP'S SCHOOL. 3M WIDE POROUS TARMACADAM ON 100mm MIN. MOT CONSOLIDATED BASE PATH

2m x 1.5m HIGH GREEN PLASTIC SAFETY BARRIERS SET BACK 2m FROM BOUNDARY LINE

150x50mm SAWN TREATED TIMBER EDGING

PACKAGE TO BE REMOVED

PLOT 14

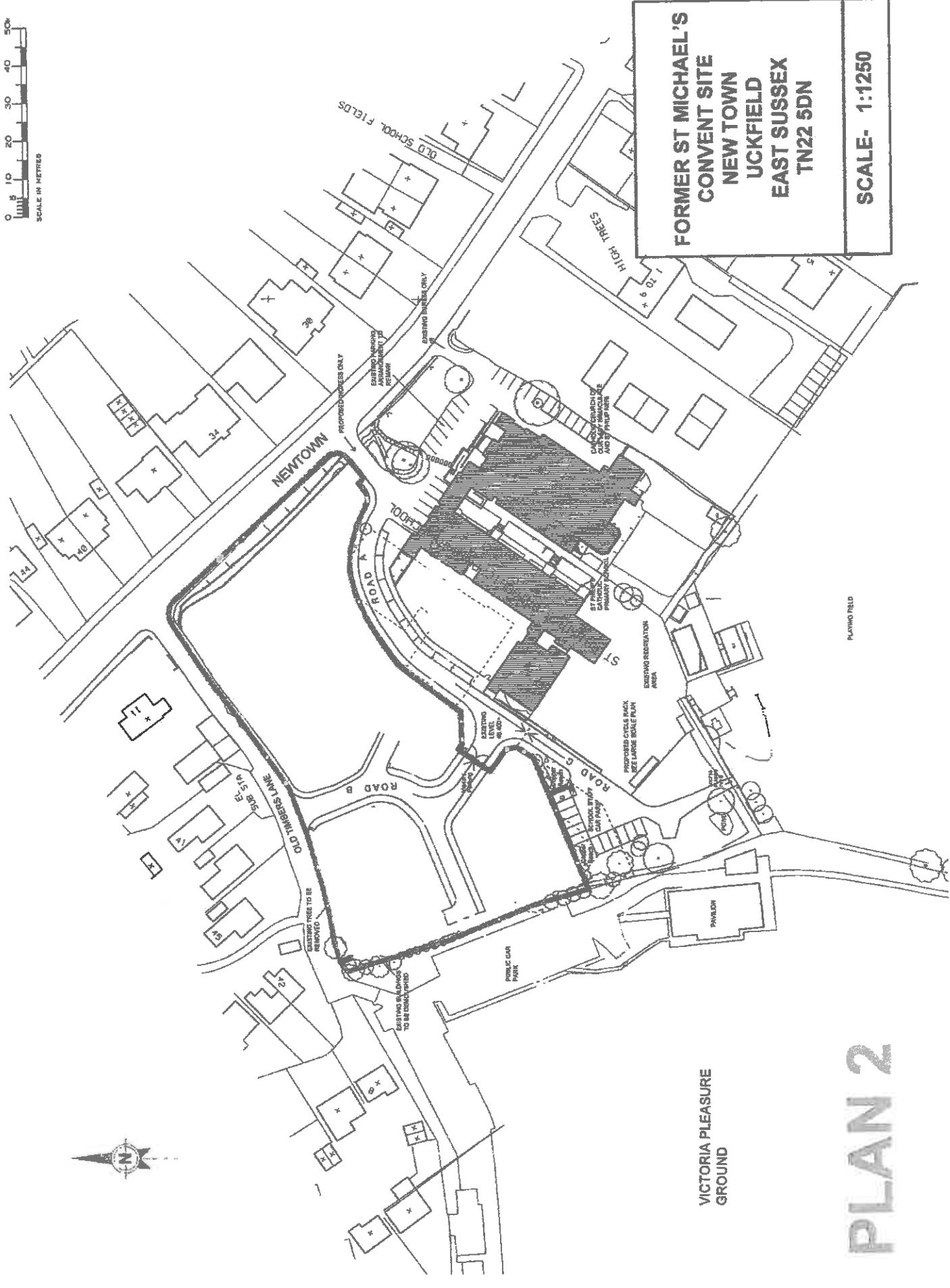
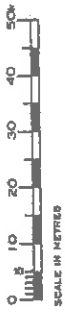
PLOT 13

PLOT 12

PLOT 11

PLOT 10

SCHOOL BIN STORE



**FORMER ST MICHAEL'S
CONVENT SITE
NEW TOWN
UCKFIELD
EAST SUSSEX
TN22 5DN**

SCALE- 1:1250

VICTORIA PLEASURE
GROUND

PLAN 2

- 1.7 A reference to a statute or statutory provision shall include all subordinate legislation made from time to time under that statute or statutory provision.
- 1.8 A reference to **writing** or **written** excludes faxes and e-mail.
- 1.9 Any obligation on a party not to do something includes an obligation not to allow that thing to be done and to use best endeavours to prevent that thing being done by another person.
- 1.10 References to clauses are to the clauses of this licence.
- 1.11 Any words following the terms **including**, **include**, **in particular**, **for example** or any similar expression shall be construed as illustrative and shall not limit the sense of the words, description, definition, phrase or term preceding those terms.
- 1.12 A **working day** is any day which is not a Saturday, a Sunday, a bank holiday or a public holiday in England.

2. LICENCE TO USE

- 2.1 Subject to clause 3 and clause 4, the Licensor permits the Licensee to use the Permitted Route for the Permitted Use for the Licence Period under the terms of this written licence in common with the Licensor and all others authorised by the Licensor (so far as is not inconsistent with the Licensee's use of the Permitted Route for the Permitted Use).
- 2.2 The Licensee acknowledges that:
- 2.2.1 the Licensee shall use the Permitted Route as a licensee and not as of right;
- 2.2.2 the Licensee shall use the Permitted Route as a licensee and that no relationship of landlord and tenant is created between the Licensor and the Licensee by this licence; and

2.2.3 the Licensor retains control, possession and management of the Permitted Route and the Licensee has no right to exclude the Licensor from the Permitted Route.

2.3 This licence is personal to the Licensor and the Licensee and neither of them may assign or otherwise transfer the benefit of it.

3. LICENSEE'S OBLIGATIONS

3.1 The Licensee agrees and undertakes:

3.1.1 to pay to the Licensor the Licence Fee when demanded;

3.1.2 not to use the Permitted Route other than for the Permitted Use;

3.1.3 not to do or permit to be done on the Permitted Route anything which is illegal or which may be or become a nuisance (whether actionable or not), annoyance, inconvenience or disturbance to the Licensor or any owner or occupier of neighbouring property;

3.1.4 not to cause or permit to be caused any damage to:

(a) the Licensor's Property or any neighbouring property; or

(b) any property of the owners or occupiers of the Licensor's Property or any neighbouring property.

3.1.5 not to obstruct the Permitted Route or deposit any waste, rubbish, soil or other material on any part of the Licensor's Property or in any other way interfere with, or disturb, the Licensor or any others authorised by the Licensor to use the Permitted Route;

3.1.6 not to authorise any other person to use the Permitted Route except the Licensee's employees or the Licensee's invitees to the Permitted Route;

- 3.1.7 to keep the gate leading to the Permitted Route closed and locked at the end of each day;
- 3.1.8 To indemnify the Licensor and keep the Licensor indemnified against all losses, claims, demands, actions, proceedings, damages, costs, expenses or other liability in any way arising from:
- (a) this licence;
 - (b) any breach of the Licensee's undertakings contained in clause 3; and/or
 - (c) the exercise of any rights given in clause 2.

4. TERMINATION

- 4.1 This licence shall end on the earliest of:
- 4.1.1 Expiry of not less than 28 days written notice given by the Licensor to the Licensee in the event of the Licensee failing to remedy any breach of the terms of this Licence within 14 days written notice of the breach being given to the Licensee;
 - 4.1.2 Expiry of not less than 12 months' written notice given by the Licensor to the Licensee for any reason other than for the Licensee's breach; and
 - 4.1.3 Expiry of not less than one weeks written notice to terminate given by the Licensee to the Licensor.
- 4.2 Termination is without prejudice to the rights of either party in connection with any antecedent breach of any obligation subsisting under this licence.

5. NOTICES

5.1 Any notice or other communication given under this licence shall be in writing and shall be delivered by hand or sent by pre-paid first-class post or other next working day delivery service to the relevant party as follows:

5.1.1 to the Licensor at: Council Offices, Civic Centre, Uckfield, East Sussex, TN22 1AS and marked for the attention of the Town Clerk; and

5.1.2 to the Licensee at: Bishop's House, The Upper Drive, Hove, East Sussex, BN3 6NB and marked for the attention of Sarah Kilmartin,
or as otherwise specified by the relevant party by notice in writing to each other party.

5.2 Any notice or other communication given in accordance with clause 5.1 will be deemed to have been received:

5.2.1 if delivered by hand, on signature of a delivery receipt or at the time the notice or other communication is left at the proper address; or

5.2.2 if sent by pre-paid first-class post or other next working day delivery service, at 9.00 am on the second working day after posting.

5.3 A notice or other communication given under this licence shall not be validly given if sent by e-mail.

5.4 This clause does not apply to the service of any proceedings or other documents in any legal action or, where applicable, any arbitration or other method of dispute resolution.

6. COSTS

On completion of this Licence, the Licensee shall pay to the Licensor on a full indemnity basis all costs, fees, charges and expenses and disbursements of the Licensor and their professional advisors incurred in relation to the negotiation and completion of this licence, plus an amount equivalent to VAT on them except to the extent that the Licensor is able to recover that VAT.

7. NO WARRANTY OF CONDITION

7.1 The Licensor gives no warranty that the Permitted Route is in a safe condition and fit for the uses specified in clause 2.

7.2 The Licensee acknowledges that it does not rely on, and shall have no remedies in respect of, any representation or warranty (whether made innocently or negligently) that may have been made by or on behalf of the Licensor before the date of this licence as to any of the matters mentioned in clause 7.1.

7.3 Nothing in this clause shall limit or exclude any liability for fraud.

8. LIMITATION OF LICENSOR'S LIABILITY

8.1 Subject to clause 8.2, the Licensor is not liable for:

8.1.1 the death of, or injury to, the Licensee [r the Licensee's employees or the Licensee's invitees to the Permitted Route;

8.1.2 any damage to any property of the Licensee or, that of the Licensee's employees or the Licensee's invitees to the Permitted Route;

8.1.3 any losses, claims, demands, actions, proceedings, damages, costs or expenses or other liability incurred by the Licensee or the Licensee's employees or the Licensee's invitees to the Permitted Route in the exercise or purported exercise of the rights granted by clause 2; or

8.1.4 any loss or damage suffered by the Licensee or the Licensee's employees or the Licensee's invitees to the Permitted Route as a result of any cause beyond the Licensor's control that prevents the Licensee from using the Permitted Route.

8.2 Nothing in clause 8.1 shall limit or exclude the Licensor's liability for:

- 8.2.1 death or personal injury or damage to property caused by negligence on the part of the Licensor or its employees or agents; or
- 8.2.2 any matter in respect of which it would be unlawful for the Licensor to exclude or restrict liability.

9. THIRD PARTY RIGHTS

A person who is not a party to this licence shall not have any rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this licence.

10. GOVERNING LAW

This licence and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England and Wales.

11. JURISDICTION

Each party irrevocably agrees that the courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim arising out of or in connection with this licence or its subject matter or formation (including non-contractual disputes or claims).

This licence has been entered into on the date stated at the beginning of it.

Signed by
for and on behalf of
UCKFIELD TOWN
COUNCIL

.....

Meeting of the Full Council

Monday 30th July 2018

Agenda Item 18.0

TO NOTE THE MAYOR'S ENGAGEMENTS

1.0 Summary

1.1 The report sets out the engagements of the Town Mayor.

20 th June	Presentation of certificates to winners of Road Safety competition
21 st June	2530 ATC Squadron AGM/BBQ
8 th July	Start Lions Fun Run – Uckfield Rugby Club
9 th July	ESCC Chairman's Summer Reception
13 th July	Official opening of car park at Uckfield Hospital
16 th July	St. Philip's School Year 6 performance
21 st July	Uckfield Singers Concert

TO NOTE THE DEPUTY MAYOR'S ENGAGEMENTS

15 th June	Opening of Bridge Arts Exhibition
21 st June	2530 ATC Squadron AGM/BBQ
24 th June	Uckfield Fire Station 150 year celebrations
8 th July	Start Lions Fun Run and presentation of medals
28 th July	Uckfield First Responders Fete – Ridgewood

Councillor S. Mayhew
Town Mayor

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Meeting of the Full Council

Monday 30th July 2018

Agenda Item 20.0

QUESTIONS BY MEMBERS PREVIOUSLY NOTIFIED

1.0 Summary

1.1 The Town Clerk received the following question from a Town Councillor on 16th July 2018 to be put before Full Council on Monday 30th July 2018.

1.2 The question asked:

"It is widely accepted that to achieve the best for your Town and the residents, all three levels of local government should be working together in an effective manner.

We have two County Councillors and five District Councillors representing Uckfield and they are all invited to full Town Council meetings to present an update and answer questions. Their attendance over the past four years, apart from some attendance by Councillors Claire and Chris Dowling, has been poor. If they are unable to attend in person, it would be appreciated if they could submit a short written update.

Is Uckfield Town Council willing to accept this unsatisfactory state of affairs or do they wish to take some positive action to improve the situation?"

2.0 Recommendation

2.1 Members are asked to note the question submitted and advise how they wish to proceed or respond to the question submitted.

Contact Officer: Holly Goring

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