

Minutes of the Council meeting held at the Town Hall, Bexhill on Monday 17 December 2018 at 6:30pm.

Present: Councillors: J.M. Johnson (Chairman), S.D. Elford (Vice-Chairman), Lord Ampthill, J. Barnes (MBE), Mrs M.L. Barnes, R.K. Bird, G.S. Browne, J.J. Carroll, R.C. Carroll, C.A. Clark, G.C. Curtis, K.P. Dixon, P.R. Douart, Mrs D.C. Earl-Williams, R.V. Elliston, K.M. Field, A.E. Ganly, I.R. Hollidge, Mrs B.A. Hollingsworth, Mrs J.M. Hughes, I.G.F. Jenkins, G.P. Johnson, B. Kentfield, M.J. Kenward, Mrs E.M. Kirby-Green, C.R. Maynard, M. Mooney, D.B. Oliver, P.N. Osborne, J. Potts, Mrs S.M. Prochak, C.J. Saint, G.F. Stevens and M.R. Watson.

Advisory officers present: Executive Director (MJ), Executive Director (AL) and Democratic Services Manager.

Also present: 4 members of the public and 1 member of the local press.

Prior to the commencement of the meeting, the Council stood for a minutes' silence in honour of Councillor Stuart Earl who had recently passed away.

C18/47. MINUTES

The Chairman was authorised to sign the minutes of the Council meetings held on 17 September and 15 October 2018 as correct records of the proceedings.

C18/48. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A.K. Azad, T.W. Graham and Mrs S. Hart.

C18/49. DECLARATIONS OF INTEREST

Declarations of interest were made by Councillors in the Minutes as indicated below:

Carroll, JJ	Agenda Item 7 (CB18/40) - Personal Interest in so far as he is a landlord.
Elford	Agenda Item 7 (CB18/40) - Personal Interest in so far as he is a landlord.
Ganly	Agenda Item 7 (CB18/40) - Personal Interest in so far as he is a landlord.
Johnson, JM	Agenda Item 7 (CB18/40) - Personal Interest in so far as he is a landlord.

Johnson, GP	Agenda Item 7 (CB18/40) - Personal Interest in so far as she is a landlord.
Kentfield	Agenda Item 7 (CB18/42) - Personal Interest in so far as he is a Council appointed Director of the De La Warr Pavilion Charitable Trust.
Osborne	Agenda Item 7 (CB18/40) - Personal Interest in so far as he is a landlord.
Mrs Prochak	Agenda Item 9 (CB16/75) - Personal Interest in so far as she is a landlord.

C18/50. **CHAIRMAN'S COMMUNICATIONS**

The Chairman made the following announcements:

- 1) The Chairman and other Members paid tribute to Stuart Earl who had served on the District Council for many years, as well as a County Councillor since 2015. During his time he had served on a number of Committees and for a spell as Cabinet Portfolio Holder responsible for Regeneration and Employment. He had undertaken his duties as a Councillor in a professional manner at all times and had been a great ambassador for the Council. His loyalty and devoted service to the Council, the residents of Rother and in particular Bexhill and his own Ward residents, would be missed.
- 2) At the end of September along with many other Councillors the Chairman attended the Mayors' Civic Service at St. Peters in Bexhill Old Town.
- 3) Mid October and another Church Service, this time at the beautiful Church in Winchelsea for the High Sherriff's service also known as the Judges Service.
- 4) Early November the Chairman was invited to a reception and briefing by the Army Engagement Team at the White Rock Theatre, Hastings.
- 5) The next day, back in Bexhill at the new Mosque off Station Road he attended the lunchtime service and afterwards received a guided tour of the new Mosque. The Chairman thanked Mo Khan and Councillor Azad, the Mayor for the kind invite and hospitality.
- 6) November 11, Remembrance Sunday and all the fabulous displays of handmade poppies. The Chairman attended the service at Pett Church and the commemoration of the new War Memorial, to which Rother made a contribution through the Community Grants Scheme.
- 7) A week later the Chairman had his civic service at the lovely little church in Udimore nestled amongst apple and pear orchards. The Church was filled to capacity and all were blessed with beautiful autumnal weather.
- 8) In early December the Chairman attended the Big Smile at the De La Warr Pavilion. 250 school children from 6 local primary schools all singing their hearts out and their heads off – a very enjoyable and competent performance.

- 9) On 7 December the Chairman was fortunate to be invited for the second year to the Rye Conservation Society's annual Christmas reception at the Town Hall in Rye.
- 10) The following evening and another return invitation, this time to the Bexhill Choral Society's Christmas recital at St Augustine's Church. An amazing performance.
- 11) Last Wednesday the Chairman attended East Sussex County Council's Chairman's reception at the De La Warr Pavilion and finally last Friday, an early start saw the Chairman at the Bexhill Post Office at 7.30am to see first-hand how the sorting office works and wish the "posties" a Merry Christmas.
- 12) Agenda Item 9, the report of the Audit and Standards Committee was in Members' Wallets.

C18/51. PUBLIC QUESTION TIME

1. Pursuant to Paragraph 10 of the Council Procedure Rules the following question was put by Mr William Bullin and answered by Councillor Lord Ampthill.

Question - Council Tax Reduction Scheme (CTRS) – To what extent has Rother District Council and its Cabinet seriously investigated and considered the likelihood that this cruel and ideological, vindictive and Dickensian pantomime of a policy will only serve to pour well-deserved opprobrium on its own head as it saves pennies merely to waste thousands of pounds with muddled and conflicting policies, pushing two hundred struggling Rother families currently surviving on the margins, into invidious choices between eating, heating and debt this winter; all of this risking increasing Council Tax debt, evictions and the likelihood of householders being labelled 'intentionally homeless' while Rother itself becomes England's twenty-first century Scrooge Council delivering the meanest of all Christmas presents six months before it faces fresh Council elections?

Answer - The proposed changes to Rother's Working age CTRS are intended to meet the challenges being faced in the administration of CTRS and the collection of Council Tax because of the roll out of universal credit. They are not intended to make savings from the scheme itself, therefore extensive modelling of all the different scenarios has taken place in order to limit where possible any financial impact on the residents. However, as has been made clear there will still be some winners and losers.

Therefore, as part of the new scheme is it proposed that the current provision of an Exceptional Hardship fund be maintained, whereby residents experiencing exceptional hardship can apply for additional discounts. It is also intended that officers will be contacting all those residents the Council is aware of who are adversely affected by the proposed scheme to explain the changes and inform them of the exceptional hardship fund.

Supplementary Oral Question - Will the Council defer making a decision this evening so that it can discover more of the facts that this policy, if voted through tonight, will bring to those families that the

Council itself has identified as being the poorest and most in need and yet will carry a heavy burden in terms of the financial difficulties that we all face and the uncertainties that 2019 will bring.

Answer – I would not want to predict what Members may decide later this evening but in the meantime, can I say that the full submission by the Homeless Unity Group in response to the consultation is continuing to be studied. I have seen the figures relating to rough sleepers and of course, they are horrifying. In addition, the UK homelessness figure is in the order 24,000, one quarter of whom are in London. Helping to create this despairing number is the fact that 1% of new homes built in 2017 were Government funded for social rent. Five times as many are sold under the “Right to Buy”, this is a strange imbalance. But these are matters for Parliament – and they have to pick up the pieces, we have to pick up the pieces as best we can. The Groups’ response refers to promotion of equality; well I have to say that part of the DNA of this authority and the general search for fairness is what this authority is all about. Dependence on the private rented sector can create difficulties in respect of housing benefit, who receives the money should it be the claimant or the landlord; again these are not really matters for us. Whether Universal Credit is a flawed arrangement is a matter for Parliament. If they close their eyes to this awful current muddle, the point is made that a hard Brexit will lead to food price increases. What everybody needs is certainty and a level playing field.

C18/52.

REPORT OF THE CABINET ON MATTERS FOR DETERMINATION BY COUNCIL

1. It was moved by Councillor Maynard and seconded that the report of the meetings of the Cabinet held on 5 November and 3 December 2018 as set out in the Agenda be approved and adopted.
2. The Chairman of the Council having called over the report, the following Minutes were reserved for discussion:

Cabinet 5 November 2018 CB18/32

Cabinet 3 December 2018 CB18/40
CB18/41

3. On the Motion of the Chairman of the Council, duly seconded, the Council approved, adopted and received the following report, with the exception of the minutes reserved for discussion:
 - De La Warr Pavilion Trust – Pensions (CB18/42)

C18/53.

RESERVED MATTERS

Cabinet – 5 November 2018

CB18/32 – Statement of Community Involvement – Adoption

Cabinet – 3 December 2018

CB18/40 – Council Tax Reduction Scheme 2019/20

CB18/41 – Appointment of Contractor for Joint Waste and Recycling Contract

RESOLVED: That Minutes CB18/32, CB18/40 and CB18/41 be approved and adopted, as submitted.

C18/54. **REPORT OF THE HEAD OF PAID SERVICE ON DECISIONS TAKEN BY CABINET AS MATTERS OF URGENCY**

It was moved by Councillor Maynard and seconded that it be noted that no urgent decisions had been taken by Cabinet at its meetings held on 5 November and 3 December 2018.

RESOLVED: That the report be noted.

C18/55. **REPORT OF THE AUDIT AND STANDARDS COMMITTEE**

1. It was moved by Councillor Curtis, Chairman of the Audit and Standards Committee, and seconded that the report of the Audit and Standards Committee held on 10 December 2018 be approved, adopted and received.
2. The Chairman of the Council having called over the report the following Minute was reserved for discussion.

Audit and Standards Committee
10 December AS18/22

3. On the Motion of the Chairman of the Council, duly seconded, the Council approved, adopted and received the following reports, with the exception of the minute reserved for discussion:
 - Code of Conduct Complaints Monitoring (AS18/23)
 - The Committee on Standards in Public Life's Review of Local Government Ethical Standards (AS18/24)
 - Revised Procurement Procedure Rules (AS18/25)
 - Housing Benefits Subsidy Certification (AS18/26)
 - Internal Audit Report to 30 September 2018 (AS18/27)
 - Treasury Management Update (AS18/28)
 - Annual Risk Management Update (AS18/29)
 - UK Exit from the European Union (BREXIT) (AS18/30)
 - Work Programme (AS18/31)

C18/56. **RESERVED MATTERS**

Audit and Standards – 10 December 2018

AS18/22 – Ombudsman Complaints Monitoring and Annual Review

RESOLVED: That Minute AS18/22 be received, as submitted.

REPORT OF THE EXECUTIVE DIRECTOR ON POLITICAL GROUPS AND BY-ELECTION

Members received and considered the report of the Executive Director that set out consequential matters as a result of the change to the political make-up of the Council and the current vacancy in Bexhill St Marks Ward following the death of Councillor Stuart Earl.

Councillor I.G.F. Jenkins had given formal notice of his wish to join the Association of Independents Group. Members noted that the by-election for Bexhill St Marks Ward was scheduled to be held on Thursday 10 January 2019. Therefore, it was agreed that delegated authority be given to the Executive Director to undertake a review of the allocation of committee seats following the Bexhill St Marks Ward by-election and agree necessary adjustments and appointments of Members to committee seats in accordance with the relevant Group Leaders' wishes.

It was confirmed that the consequential revision of Membership of Political Groups on the Council was as follow:

Conservative	30
Liberal Democrats	3
Association of Independents	3
Non Group Member	1
Vacancy (Bexhill St. Marks Ward)	1

RESOLVED (nem con): That:

- 1) the revised political make-up of the Council be noted;
- 2) the consequential changes to the membership and appointments to Committees be approved as set out below:

Audit and Standards Committee

Councillors J. Barnes, Mrs M.L. Barnes, R.K. Bird, R.C. Carroll, **G.C. Curtis (Chairman)**, K.P. Dixon, S.D. Elford and I.G.F Jenkins.

Licensing and General Purposes Committee

Councillors Lord Amptill, A.K. Azad, R.K. Bird, G.S. Browne, P.R. Douart, Mrs. D.C. Earl-Williams, S.D. Elford, K.M. Field, Mrs S. Hart, **Mrs J.M. Hughes (Vice-Chairman)**, J.M. Johnson (ex-officio), M. Mooney and **C.J. Saint (Chairman)**.

Overview and Scrutiny Committee

Councillors J. Barnes, G.S. Browne, C.A. Clark, Mrs D.C. Earl-Williams, S.D. Elford, R.V. Elliston, J.M. Johnson (ex-officio), **M. Mooney (Vice-Chairman)**, **P.N. Osborne (Chairman)**, J. Potts, Mrs S.M. Prochak, G.F. Stevens and M.R Watson.

Planning Committee

Councillors A.K. Azad, **Mrs M.L. Barnes (Vice-Chairman)**, G.C. Curtis, P.R. Douart, Mrs D.C. Earl-Williams, R.V. Elliston, A.E. Ganly, Mrs B.A. Hollingsworth, Mrs J.M. Hughes, J.M. Johnson (ex-

officio), **B. Kentfield (Chairman)**, D.B. Oliver, Mrs S.M. Prochak, G.F. Stevens and M.R. Watson.

- 3) the Executive Director be granted delegated authority to undertake a review of the allocation of committee seats following the Bexhill St Marks Ward by-election and to agree any necessary adjustments and appointments of Members to committee seats in accordance with the relevant Group Leaders' wishes.

C18/58. **NOTICE OF MOTION – BUSINESS RATE RELIEF TO EXTERNAL ATMS**

In accordance with Council Procedure Rule 12 consideration was given to the following Motion for Council; it was moved by Councillor Field and seconded that:

Council Motion – This Council will give serious consideration to granting Business Rate relief to external ATMs where the machine is the only one in the High Street. There will be a presumption in favour where the community has been deprived of a machine by a bank.

It was moved by Councillor Elford and seconded by Councillor Kenward that the Motion be amended by the addition of the following words at the end of the first sentence of the Motion:

“.....the only one in the High Street, subject to the outcome of the Valuation Office Agency's current appeal to the Supreme Court. There will be a presumption.....”

The Amendment on being put was declared **CARRIED**.

RESOLVED: That the substantive Motion (as amended) be approved and adopted.

The Chairman concluded the meeting by wishing all Members a Merry Christmas and prosperous new year.

CHAIRMAN

The Council rose at 7:38pm

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