

COUNCIL
24 May 2023

Minutes of the Council meeting held at the Town Hall on Wednesday 24 May 2023 at 6:30pm.

Committee Members present: Councillors J. Barnes (MBE), Mrs M.L. Barnes, C.A. Bayliss, A.E. Biggs, S. Burton, T.J.C. Byrne, F.H. Chowdhury, C.A. Clark, S.J. Coleman, Mrs V. Cook, B.J. Coupar, C.A. Creaser, G.R.M. Delany, B.J. Drayson, K.M. Field, A.E. Ganly, N. Gordon, T.O. Grohne, P.J. Gray, A.P. Hayward, A.K. Jeeawon, T.M. Killeen (MBE), Mrs E.M. Kirby-Green, M.C. Legg, C.R. Maynard, R.A. McCourt, S.B. McGurk, A.S. Mier (Vice-Chairman), D.B. Oliver, P.N. Osborne, C. Pearce, S.M. Prochak, MBE, A. Rathbone Ariel, J. Stanger, R.B. Thomas and H.L. Timpe.

Advisory officers present: Chief Executive, Deputy Chief Executive, Director – Place and Climate Change, Democratic Services Manager and Democratic Services Officer.

Also present: 7 members of the public in the Council Chamber and 14 members of the public via the live webcast.

K.M. HARMER IN THE CHAIR

C23/1. **TO RECEIVE APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors L. Hacking and C.J. Winter.

C23/2. **ELECTION OF CHAIR**

The Chair of Council called for nominations for the Chair of Council for the Council Year 2023/24.

On the Motion of Councillor Field, duly seconded, it was

RESOLVED: That Councillor Mrs V. Cook be elected as Chair of the Council for the ensuing year.

Councillor Mrs Cook read and signed the Declaration of Acceptance of Office and thanked the Council for her election.

COUNCILLOR MRS V COOK IN THE CHAIR

C23/3. **APPOINTMENT OF VICE-CHAIR OF THE COUNCIL**

The Chair of Council called for nominations for the Vice-Chair of Council for the Council Year 2023/24.

On the Motion of Councillor Prochak, duly seconded, it was

RESOLVED: That Councillor Richard Thomas be appointed as Vice-Chair of the Council for the ensuing year.

Councillor Thomas read and signed the Declaration of Acceptance of Office and thanked the Council for his appointment.

C23/4. **MINUTES**

The Chair was authorised to sign the minutes of the Council meeting held on 20 February 2023 as a correct record of the proceedings.

C23/5. **CHAIR'S COMMUNICATIONS**

The Chair made the following announcements:

- She thanked all for their confidence in her to fulfil the prestigious role as First Citizen of Rother to the very best of her ability.
- She knew many present had experienced her no nonsense chairing of meetings and her sense of fairness in allowing everyone to speak in their turn and she was grateful that the Chief Executive was there to support her in that. She reminded new Members, and experienced Members too, that all comments must be made through the Chair, and at full Council meetings Members, when called to speak, should stand if they were able and that they should adhere to the time limit on speaking.
- She was delighted that the Dean of Battle, the Very Reverend Lee Duckett had agreed to be her Chaplain, he had been very supportive of her as Chairman of Battle Town Council and Town Mayor during this last extraordinary year and had offered St Mary's Church for a Civic Service for all Councillors, of all faiths and none, to publicly re-declare themselves on Sunday 17 September at 14.00 with a small reception of tea and cake afterwards in the church centre.
- She would like to attend as many Parish meetings and ward events as possible but she could not promise to attend every event and function but she was pleased that Councillor Thomas would be supporting many of those she could not.

C23/6. **VOTE OF THANKS**

On the Motion of Councillor Mrs Cook, duly seconded, it was

RESOLVED: That the Council record its gratitude to K.M. Harmer for her conscientious and impartial discharge of the duties of the Chair during her term of office.

C23/7. **REPLY TO THE VOTE OF THANKS**

The former Chair, Kathy Harmer, replied to the vote of thanks and thanked Members and key officers for their support during her time as Chair of Council.

She also took the opportunity to pay tribute to Malcolm Johnston, Chief Executive who would be retiring from the authority at the end of the month after 15 years of service, along with the Executive Assistant, Jane McCullough who had worked at the Council for over 40 years.

C23/8. **APPOINTMENT OF THE LEADER OF THE COUNCIL**

The Chair of the Council called for nominations for the Leader of the Council which would be for a term of office of four years.

On the Motion of Councillor Prochak, duly seconded, it was

RESOLVED: That Councillor D.B. Oliver be appointed Leader of the Council for the four year term of the Council, expiring on the day of the Annual Council meeting following the next ordinary elections in May 2027.

C23/9. **APPOINTMENT OF DEPUTY LEADERS OF THE COUNCIL**

The Leader of the Council confirmed that, in accordance with the Executive Arrangements, he had appointed Councillors Bayliss and Prochak as Deputy Leaders of the Council.

RESOLVED: It be noted that Councillors Bayliss and Prochak had been appointed Deputy Leaders of the Council for 2023/24.

C23/10. **APPOINTMENT OF OTHER CABINET MEMBERS AND ALLOCATION OF PORTFOLIOS**

The Leader of the Council confirmed that, in accordance with the Executive Arrangements, the Cabinet had been appointed by the Leader and would comprise the Leader and the following nine other Members with the following portfolios:

RESOLVED: It be noted that Councillors C.A. Bayliss, T.J.C. Byrne, S.J. Coleman, K.M. Field, A.K. Jeeawon, R.A. McCourt, S.M. Prochak, A. Rathbone Ariel and H.L. Timpe had been appointed to the Cabinet by the Leader of the Council for the ensuing year with the following portfolios:

COUNCILLORS	PORTFOLIOS
D.B. Oliver (Leader)	Corporate Policy, Communications, Improvement, Devolution, HR and Strategic Issues
C.A. Bayliss (Deputy Leader)	Regeneration and Economic Development

S.M. Prochak (Deputy Leader)	Planning and Member Training and Development Champion
T.J.C. Byrne	Digital Transformation and Customer Services and Armed Forces Champion
S.J. Coleman	Wellbeing, Equalities and Age Friendly Communities
K.M. Field	Environmental, Licensing, Community Safety, Joint Waste Contract and Climate Strategy
A.K. Jeeawon	Finance and Governance
R.A. McCourt	Housing
A. Rathbone Ariel	Cross-Cutting Climate Change
H.L. Timpe	Neighbourhood Services, Tourism and Joint Waste Contract

C23/11. **APPOINTMENT OF COUNCIL REPRESENTATIVES - JOINT WASTE AND RECYCLING COMMITTEE**

The Leader of the Council confirmed that Councillors K.M. Field and H.L. Timpe had been appointed as the Council's representatives on the Joint Waste and Recycling Committee with Councillors S.M. Prochak and A. Rathbone Ariel as substitutes.

RESOLVED: That the appointments of Councillors K.M. Field and H.L. Timpe had been appointed as the Council's representatives on the Joint Waste and Recycling Committee and Councillors S.M. Prochak and A. Rathbone Ariel as substitutes be noted.

C23/12. **CABINET SPOKESPERSONS / CHAMPIONS**

RESOLVED: That the appointments of Councillor C.A. Clark and P.J. Gray as Cabinet Spokesperson / Champion for Older Persons and Promoting Liveable Neighbourhoods (Cycling/Walking) respectively be noted.

C23/13. **APPOINTMENT OF MEMBERS TO THE PROPERTY INVESTMENT PANEL**

The Leader of the Council confirmed that Councillors C.A. Bayliss, T.J.C. Byrne, A.K. Jeeawon, D.B. Oliver, P.N. Osborne and R.B. Thomas had been appointed as Members of the Property Investment Panel.

RESOLVED: It be noted that Councillors C.A. Bayliss, T.J.C. Byrne, A.K. Jeeawon, D.B. Oliver, P.N. Osborne and R.B. Thomas had been appointed as Members of the Property Investment Panel.

C23/14.

CONSTITUTION OF REGULATORY AND OVERVIEW AND SCRUTINY COMMITTEES

It was moved, seconded and

RESOLVED (nem con): That:

- 1) the following Regulatory and Overview and Scrutiny Committees of the Council be constituted and approved for the ensuing year;
- 2) the Membership of each as set out below be approved for the ensuing year; and
- 3) the terms of reference for the Regulatory and Overview and Scrutiny Committees and the scheme of delegations, as set out in Articles 6, 8 and 9, as amended, and Part 3 – Responsibility of Functions of the Constitution be approved.

Audit and Standards Committee

Councillors J. Barnes, A.E. Biggs, S. Burton, B.J. Drayson, A.P. Hayward, S.B. McGurk, C. Pearce and R.B. Thomas.

Human Resources Committee

Councillors S.J. Coleman, L. Hacking, A.K. Jeeawon, Mrs E.M. Kirby-Green, M.C. Legg, D.B. Oliver and S.M. Prochak (MBE).

Substitutes: Councillors C.A. Creaser, T.O. Grohne, A. Mier and H.L. Timpe.

Licensing and General Purposes Committee

Councillors B.J. Coupar, G.R.M. Delany, K.M. Field, L. Hacking, Mrs E.M. Kirby-Green, R.A. McCourt, S.B. McGurk, A. Rathbone Ariel, J. Stanger, R.B. Thomas, H.L. Timpe and C.J. Winter.

Substitutes: Councillors A.E. Biggs, P.J. Gray, A.P. Hayward, M.C. Legg and A.S. Mier.

Overview and Scrutiny Committee

Councillors J. Barnes, Mrs M.L. Barnes, S. Burton, C.A. Clark, Mrs V. Cook, B.J. Coupar, C.A. Creaser, T.M. Killeen (MBE), M.C. Legg, C.R. Maynard, S.B. McGurk and P.N. Osborne.

Substitutes: Councillors F.H. Chowdhury, N. Gordon, P.J. Gray, C. Pearce, J. Stanger.

Planning Committee

Councillors Mrs M.L. Barnes, C.A. Bayliss, T.J.C. Byrne, F.H. Chowdhury, C.A. Creaser, B.J. Drayson, A.E. Ganly, N. Gordon, P.J. Gray, T.O. Grohne, T.M. Killeen (MBE), A.S. Mier, C. Pearce and J. Stanger.

Substitutes: Councillors J. Barnes, S.J. Coleman, K.M. Field, A. Rathbone Ariel and H.L. Timpe.

C23/15. **REPORT OF THE CHIEF EXECUTIVE, AS RETURNING OFFICER**

It was moved by Councillor Oliver and seconded that the report of the Chief Executive, as Returning Officer, on the results of the District and Parish Ordinary Elections held on 4 May 2023 be received.

RESOLVED: That the report be received.

C23/16. **DECLARATIONS OF INTEREST**

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

Maynard Agenda Item 30 – CB22/91 Personal Interest as an elected Executive Member of East Sussex County Council.

Thomas Agenda Item 30 – Personal Interest in CB22/77 as Chair of the Council’s Housing Company.

C23/17. **REPORT OF THE CABINET ON MATTERS FOR DETERMINATION BY COUNCIL**

1. It was moved by Councillor Oliver and seconded that the report of the meetings of the Cabinet held on 27 February and 27 March 2023, as set out in the Agenda, be approved and adopted.

2. The Chair of the Council having called over the reports, the following Minutes were reserved for discussion:

27 March 2023 CB22/89, CB22/90 and CB22/91

3. On the Motion of the Chair of the Council, duly seconded, the Council approved and adopted the following reports:

CB22/77 – Capital, Investment and Treasury Management Strategy 2023-24

C23/18. **RESERVED MATTERS**

Cabinet – 27 March 2023

CB22/89 – RECOMMENDATIONS OF THE ANTI-POVERTY TASK AND FINISH GROUP

CB22/90 – CHANGING PLACES TOILETS FOR PEBSHAM COMMUNITY CENTRE AND CAMBER CENTRAL TOILETS

CB22/91 – ELECTRIC VEHICLE CHARGING POINTS IN COUNCIL OWNED CAR PARKS

RESOLVED: That Minutes CB22/89, CB22/90 and CB22/91 be approved and adopted.

(When it first became apparent, Councillor Maynard declared a personal interest in this matter as an elected Member of East Sussex County Council and in accordance with the Members' Code of Conduct remained in the meeting for consideration thereof).

C23/19. **REPORT OF THE HEAD OF PAID SERVICE ON DECISIONS TAKEN BY CABINET AS MATTERS OF URGENCY**

It was moved by Councillor Oliver and seconded that the report of the Chief Executive, detailing the executive decision taken by Cabinet as a matter of urgency at its meeting held on 27 March 2023 be received.

RESOLVED: That the report be received.

C23/20. **REPORT OF THE AUDIT AND STANDARDS COMMITTEE**

1. It was moved by Councillor Drayson and seconded that the report of the Audit and Standards Committee held on 20 March 2023, be approved and adopted.
2. The Chair of the Council having called over the reports no Minutes were reserved for discussion.
3. On the Motion of the Chair of the Council, duly seconded, the Council approved and adopted the following reports:

AS22/51 – Proposed Code of Conduct

AS22/52 – Amendment to the Constitution – Delegations to Officers

C23/21. **REPORT OF THE CHIEF EXECUTIVE ON THE APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES**

RESOLVED: That:

- 1) it be noted that an appointment was no longer required for the Bexhill Chamber of Commerce and Tourism and that this organisation be removed from the list;
- 2) connecting Hastings and Rother Together be removed from the list from 1 July 2023 due to cessation of the project on 30 June 2023;
- 3) Members be reminded of the need to report annually via the Members' Bulletin on the outside bodies to which they are appointed; and
- 4) appointments be made to the following outside bodies for a term of one year except where stated otherwise, and attendance be designated as an approved duty:

OUTSIDE BODY	APPOINTMENT
Battle Abbey Liaison Group (formerly the Battle Abbey Advisory Group).	Mrs Cook
Battle Area Sports Centre Management Committee	Mrs Cook and Pearce Substitutes: Burton and Prochak
Bexhill Museum Limited (formerly Society of Bexhill Museums) (SLA)	Thomas Substitute: Gray
Combe Valley Community Interest Company	Pearce
Connecting Hastings and Rother Together, Local Action Group	Coleman Substitute: Mrs Cook
Dungeness Power Station Site Stakeholders Group	McGurk Substitute: Osborne
East Sussex Health and Wellbeing Board	Killeen
East Sussex Health Overview and Scrutiny Committee	McGurk Substitute: Coupar
Harbour of Rye Advisory Committee	McGurk and Osborne
Hastings Advice and Representation Centre (HARC) (SLA)	Coleman Substitute: Mier
Hastings and Bexhill Renaissance Limited (SEASPACE)	Jeeawon
Hastings Furniture Service (SLA)	Coupar
Hastings and Rother Mediation Service (SLA) (4-year appointment)	Thomas Substitute: Coupar
Local Government Association – Coastal Issues Special Interest Group	Mier Substitute: Osborne
Pevensy and Cuckmere Water Level Management Board	Thomas
Police and Crime Commissioner Panel (4-year appointment)	Drayson Substitutes: Bayliss and Jeeawon
Romney Marshes Area Internal Drainage Board	Mier, Creaser, Osborne, Prochak, Mr Hoggart, Mr Lovejoy and Mr Oliver
Romney Marsh Partnership	Mr Guy Harris
Rother District Citizens Advice Bureau (SLA) (4-year appointment)	Gray Substitute: Timpe
Rother Voluntary Action (SLA) (4-year appointment)	Mrs Cook Substitute: Delany
Rural Rother Trust	Chair of the Council, Vice-Chair of the Council, Mrs Cook, Ganly, Mrs Kirby-Green, Mier and Prochak
Rye Chamber of Commerce	Bayliss
Rye Harbour Nature Reserve Management Committee (SLA)	Mr Guy Harris and Mr Lloyd Substitute Mr Hoggart
Rye Partnership	Bayliss
Rye Sports Centre Advisory Committee	Creaser and McGurk

OUTSIDE BODY	APPOINTMENT
(4-year appointment)	
Safer Rother Partnership (4-year appointment)	Stanger
Team East Sussex (TES)	Bayliss

5) the following reserved appointments be confirmed, as indicated:

OUTSIDE BODY	APPOINTMENT
1066 Country Member Liaison Group (R)	Timpe
A21 Reference Group (R)	Field / Osborne
Action in Rural Sussex (SLA) (R)	Field Substitute Prochak
De La Warr Pavilion (R)	Prochak / Timpe
District Councils' Network (DCN) (R)	Oliver
East Sussex Strategic Partnership (R)	Prochak Substitute Oliver
Hastings and Rother Task Force	Oliver Substitute Prochak
High Weald AONB Forum / Joint Advisory Committee (R)	Mier
Local Government Association (R)	Oliver
Rother Local Strategic Partnership (R)	Prochak
South East Employers (R)	Oliver Substitute Coleman
The Sussex Local General Panel (formerly known as the AmicusHorizon Area Panel) (R)	McCourt
Tourism South East (R)	Timpe Substitute: Creaser

C23/22. MEMBER DEVELOPMENT TASK GROUP ANNUAL REPORT

It was moved by Councillor Prochak and seconded that the Annual report of the Member Development Task Group as set out within the Agenda be received.

RESOLVED: That the report be received.

C23/23. OVERVIEW AND SCRUTINY COMMITTEE ANNUAL REPORT

It was moved by Councillor Osborne and seconded that the Annual Report of the Overview and Scrutiny Committee as set out within the Agenda be received. In accordance with Article 6, paragraph 6.3 (d) of the Constitution, the Overview and Scrutiny Committee was required to report annually to Council on its workings, make recommendations for

future work programmes and amended working methods as appropriate. Members paid tribute to the Chair, Councillor Paul Osborne for his inclusive and fair style of chairmanship.

RESOLVED: That the report be received.

C23/24.

APPOINTMENT OF AN INTERIM CHIEF EXECUTIVE

The Council's Chief Executive was retiring at the end of May and the recruitment process to find a replacement was underway. In the interim it was recommended that Lorna Ford, Deputy Chief Executive be designated as Interim Chief Executive and fulfil the statutory roles of Head of Paid Service, Returning Officer and Electoral Registration Officer until a new Chief Executive had been appointed.

RESOLVED: That Lorna Ford, Deputy Chief Executive be appointed on an interim basis to the role of Chief Executive and Head of Paid Service until a substantive appointment is made and be also appointed as Returning Officer and Electoral Registration Officer for the same interim period.

CHAIR

The Council rose at 8:04pm