

## LINDFIELD PARISH COUNCIL

Minutes of the meeting of **LINDFIELD PARISH COUNCIL** held on **THURSDAY 10 NOVEMBER 2016** at the King Edward Hall, Lindfield

The meeting commenced at 8.00 p.m.

### **Present:**

Parish Councillors: Mr. W. Blunden (Chairman)  
Mr. M. Allen  
Mrs. J. Durrant (from 8.10 p.m.)  
Mr. A. Gomme  
Mr. S. Henton  
Mr. S. Hodgson  
Mr. R. Pickett  
Mr. R. Plass  
Mr. S. Shortland  
Mr. C. Snowling  
Mrs. V. Upton (Vice Chairman)

**Also present:** Councillor Mrs. C. Field (WSSC)  
1 member of the public

**In attendance:** Mrs. C. Irwin (Clerk)

**Not present:** Parish Councillor Mrs. M. Hersey

The Chairman welcomed those present to the meeting.

Before beginning the business of the meeting, a minute's silence was held in memory of Derrick Johnson, RIP, who had been a member of the Parish Council for fourteen years, serving as Vice Chairman of Council for 4 years and a combined total of 12 years as Chairman or Vice Chairman of the Finance and General Purposes Committee.

### **212. APOLOGIES AND REASONS FOR ABSENCE.**

212.1 Apologies for absence were received from Councillor Hersey and the reasons were accepted. Apologies for her anticipated late arrival had been received from Councillor Durrant.

### **213. DECLARATIONS OF INTEREST.**

213.1 There were no declarations of interest from Members in respect of any items on the Agenda.

### **214. MINUTES OF THE MEETING OF COUNCIL HELD ON 15 SEPTEMBER 2016**

214.1 The Chairman called for approval of the Minutes of the meeting of Council held on 15 September 2016. These were **AGREED** and the Chairman **SIGNED** the Minutes as being a true record of that meeting.

### **215. QUESTIONS/COMMENTS FROM MEMBERS OF THE PUBLIC.**

215.1 Proposed public toilets on the Common. Mr. N. Kerslake, having spoken with officers at MSDC stated that the Parish Council was being overly optimistic about the alternative site on the Backwoods Lane car park, in view of the sensitivity of that location, and discussions would need to be held with planning officers. He repeated his comments made at the Environment and Amenities Committee that in the eleven years since the previous toilets were closed there had been no complaints to MSDC and the footfall had been low when they were open. The Parish Council would therefore not be able to demonstrate that this is a viable project and it should be abandoned.

215.2 Mid Sussex District Plan. Mr. Kerslake stated that the indications were that the outlook for the District Plan was not looking good, in view of the Inspector's concerns regarding housing numbers. It was possible that the Inspector would impose numbers on MSDC and this would be bad for Lindfield which would be looking at large developments around the village going through on appeal.

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### 216. CHAIRMAN'S ANNOUNCEMENTS.

- 216.1 Bonfire Night. The Chairman reported that a letter had been received that morning from Wendy Box on behalf of the Bonfire Society thanking the Parish Council for help with Bonfire Night. It was **AGREED** to record congratulations to the Bonfire Society for putting on such a magnificent evening.
- 216.2 Mid Sussex Association of Local Councils (MSALC). The Chairman reported that he and Councillor Snowling had attended a recent meeting of MSALC at which concerns about lack of co-operation between District and Parish Councils had been discussed. There had once been a Protocol in place which, as it appeared, was no longer being observed. MSALC had agreed to try to promote a better working relationship between the tiers of local government.
- 216.3 Public toilets. Further to Mr. Kerslake's comments during the public session, the Chairman commented that, in another capacity, he and Councillor Plass had attended a meeting the previous evening in the King Edward Hall, when other attendees had asked when the toilets would be built.

### 217. REPORTS BY COUNTY COUNCILLOR / DISTRICT COUNCILLORS.

*Councillor Durrant joined the meeting during the course of this item (8.10 p.m.)*

Councillor Field (WSCC) reported as follows:

- 217.1 Town Hill. Councillor Field was aware that Parish Council representatives had met with Richard Speller (Highways Manager) to discuss safety improvements.
- 217.2 Traffic speeds in High Beech Lane - Speed Indicator Device. Residents of High Beech Lane had expressed concern about traffic speeds in that area several times over recent years. A temporary Speed Indicator Device (SID) was going to be placed there within the next few weeks to collect data as well as flashing the speeds at which oncoming vehicles were travelling. After the data had been collected, Councillor Field and Richard Speller would be meeting with residents and Parish Council representatives were welcome to attend if they wished.
- Councillor Gomme added that High Beech Lane was one of the areas targeted in the Traffic Survey and that the proposed development on land adjacent to that road had awakened residents' awareness.
- 217.3 School visits. Councillor Field would shortly be arranging to visit Lindfield Primary Academy and had already visited Oathall Community College the previous week.
- 217.4 Infrastructure. Although it had been announced that the second runway at Gatwick Airport was not going ahead, certain infrastructure issues were to be dealt with through devolution to address existing problems.
- 217.5 Public Health. Health service providers were doing all they could to manage the increased demand over the winter months. There was to be a communications campaign to try to help people go to the right place at the right time for what they needed and people were being encouraged to have their flu vaccinations.

### 218. ACTION LIST.

- 218.1 Allotment trees (Minute 205.2). The Chairman reported that the work on the trees had been done that week.

### 219. CONSULTATION DOCUMENTS

- 219.1 MSDC Public Consultation on the Draft Taxi and Private Hire Licensing Penalty Points Scheme. It was **AGREED** that no response should be submitted on this consultation.

### 220. FINANCE AND GENERAL PURPOSES COMMITTEE.

- 220.1 Local Government Pension Scheme Pooling Agreement. Councillor Henton reported that the F&GP Committee had agreed at its last meeting that the Council should remain in the West Sussex County Council Local

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Government Pension Scheme pooling arrangement, whereby the Council agreed to pool its pensions liabilities in the Fund for the purpose of setting employer contribution rates. This would maintain a more stable rate over the next few years and minimise the risk of volatility in contribution rates. The Council was required to sign the Pooling Agreement for this to take effect. Because this was a legal deed it had to be executed according to Standing Orders 22 a and 22 b: a resolution had to be passed to authorise execution of the deed and because the Council did not have a common seal, the deed was to be signed by any two Councillors, witnessed by the Proper Officer.

It was **PROPOSED** by Councillor Henton, **SECONDED** by Councillor Blunden and unanimously **RESOLVED**:

to confirm the decision of the Finance and General Purposes Committee on 29.09.16 (Minute 156.1) to agree to pool the Council's pensions liabilities in the West Sussex County Council Pension Fund for the purpose of setting employer contribution rates and to agree to enter into the Pooling Agreement setting out the terms of participation in the Small Scheduled Body Pool.

It was **PROPOSED** by Councillor Henton, **SECONDED** by Councillor Snowling and unanimously **RESOLVED**:

That Lindfield Parish Council hereby authorises the execution and signing of the West Sussex Local Government Pension Scheme Pooling Agreement by two Councillors, witnessed by the Proper Officer in accordance with Standing Order 22b.

The Agreement was duly signed by Councillors Blunden and Henton witnessed by the Clerk.

220.2 Minutes of the meeting of the Finance and General Purposes Committee held on 29 September 2016. **RESOLVED**: that the Minutes of the meeting of the Finance and General Purposes Committee held on 29 September 2016 be received and their recommendations confirmed.

220.3 Investment of funds. Councillor Henton reported that a Member of the F&GP Committee had raised concerns about the security of the Council's funds of over £200,000, currently held in one bank, exceeding the amount protected by the Financial Services Compensation Scheme (up to £75,000). The Finance and General Purposes Committee on 26 May 2016 had been evenly divided on the matter of splitting the cash deposit between different banks and the Chairman had been unwilling to use his casting vote on a matter of such importance, so this had been referred to Full Council. Councillor Henton had not been present at the subsequent meeting of Full Council and the matter had been deferred to this meeting without discussion.

During discussion the following points were made:

- Barclays Bank was considered to be one of the safest
- Setting up additional accounts to suit the Parish Council's needs and moving money between accounts in different banks could be complicated
- The future could not be predicted and history had shown that unexpected financial events could happen
- Several years previously, a number of Councils had run into difficulties because of where they had invested their funds.
- The Council should seriously consider spreading the risk even if it was not possible to get a better rate of interest at the present time.
- Active steps should be taken to identify other financial institutions where £75,000 could be deposited.
- The Council had a duty to safeguard public money.

It was **MOVED** by Councillor Snowling and **SECONDED** by Councillor Hodgson that the Council should take active steps to identify other financial institutions into which £75,000 could be deposited.

The motion was **CARRIED** by a majority of 8 votes with 3 abstentions.

Councillor Henton went on to report that Barclays Bank had notified Business Account customers that from 5 December interest would no longer be payable on deposit accounts. Requests to Barclays for information on whether they had any accounts offering interest had not been successful, however, from the information on Barclays website there appeared to be no accounts with deposits of less than million pounds available to the Council that offered interest after 5 December 2016.

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It was **NOTED** that it should be accepted that putting money on deposit was for safe keeping whether or not it earned interest.

Councillor Henton stated that he would be happy to assist with setting up an additional account with another bank but was not qualified to give investment advice about other types of financial institution.

It was **AGREED** to refer this matter back to the Finance and General Purposes Committee and to find out whether MSDC, WSCC and SSALC held lists of approved financial institutions that were considered to be reasonably safe.

- 220.4 Lindfield Parish Directory and Year Book: unpaid debt in respect of an advertising fee for the 2016 edition.  
*Financial Regulations 1.13: The council is not empowered...to delegate certain specified decisions. In particular any decision regarding....writing off bad debts...shall be a matter for the full council only.*

Councillor Henton reported that there was an outstanding debt of £90 for a half page advert in the 2016 edition of the diary. The trader concerned had been contacted by phone on 17 March, 10 June and 20 September. A follow-up email had been sent on 20 September with a reminder copy of the invoice and a letter had been sent in the post on 20 October with a final reminder copy of the invoice, advising that failure to receive settlement would result in the RFO having to take the matter to Full Council. In September this trader had expressed the wish to advertise in the 2017 edition but as payment had not been received, he had been advised in the October letter that the deadline had passed.

Discussion took place on the options to take proceedings through the courts or to write off the debt. Although it was acknowledged that the identity of the debtor should not influence the decision, it was **AGREED** to defer further discussion to the end of the meeting, to be taken in confidential session, so that it could be disclosed if there were any relevant mitigating circumstances. The decision is recorded at Minute reference 228.1.

- 220.5 Staffing. Since the appointment of Mrs. Ely as Responsible Financial Officer, the former RFO, Mrs. Kolien, had been retained in a supporting and advisory role and paid only for hours worked. Now that a full financial year had been completed since Mrs. Ely's appointment, Mrs. Kolien had confirmed that she could not foresee any further need to come into the office and was happy to be taken off the payroll.

It was **AGREED** to remove Mrs. Kolien from the payroll and to record the Council's thanks for her 21 years of excellent service as Clerk/RFO and for her continued support during the new RFO's first complete year in post.

- 220.6 Statements of Account / Budget Progress and Bank Reconciliation for the periods 01.09.16 to 30.09.16 and the quarterly Receipts and Payments Summary. The financial reports to 31 October 2016 were not yet available. The reports to 30 September 2016 were considered and **NOTED**:

- From the total in-year budget of £183,580, the sum of £73,498 had been spent
- from the F&GP budget of £131,780, £51,616 had been spent
- from the Administration budget of £115,780, £47,755 had been spent
- from the E&A budget of £51,600, £21,832 had been spent
- from the P&T budget of £200, £50 had been spent
- From the reserves, £1,341 had been spent from the General Reserve and £4,125 from the Traffic Study item.

- 220.7 List of cheques for approval. The list of cheques drawn since the meeting of Council held on 15.09.16 was tabled. **NOTED**: that there had been no expenditure during this period under the powers granted by Section 137 of the Local Government Act 1972 and that the Petty Cash balance as at 10.11.16 was £125.53.

It was **RESOLVED** to approve the list of cheques, numbers 105835 - 105853 inclusive totalling £26,965.16.

### 221. ENVIRONMENT AND AMENITIES COMMITTEE.

Councillor Blunden reported as follows, further to the meeting of the E&A Committee held on 6 October 2016:

- 221.1 Roadside posts by the Pond. The Clerk had subsequently met on site with the Highways Manager, Richard Speller, and he had accepted that any replacements must be like for like and would prefer to replace all the

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posts together if at all possible. He had pointed out that the need for traffic management would add to the cost. Mr. Speller would arrange for the job to be costed and would be looking into available funding. Meanwhile, it had come to light that Barratt Homes appeared to be going ahead with a modified plan featuring a crossing point outside the King Edward Hall, which was to be considered by the Planning and Traffic Committee at the meeting on 15 November. This work would include some rearrangement of the post and rail fencing which needed to be brought to Mr. Speller's attention.

- 221.2 WSSC street lights upgrade. Except for two pole-mounted lights in Denmans Lane which were understood to be on order, SSEC had completed the heritage embellishments.

Part-night lighting in Lewes Road. An email had been received earlier that day from Tony McCarthy, street lighting engineer from WSSC, about the lights in Lewes Road, which, since the upgrade, had been on part-night timing which he had stated was WSSC's policy for that classification of road. A resident on the corner of Eastern Road had requested all night lighting for Lewes Road, attributing two recent incidents, whereby vehicles had damaged his garden wall, to the lack of street lighting after midnight. Mr. McCarthy had asked whether the Parish Council had any evidence or views about the timings of these lights. It was **NOTED** that Lewes Road was a B road, as was the High Street which was on all night lighting, yet it was one of the main routes out of the village.

It was **AGREED** to inform Mr. McCarthy that the Parish Council could see no reason why Lewes Road should not be on all night lighting because it was a main road out of the village and particularly dark.

- 221.3 Wilderness Field. Further to the Clerk's action agreed at the meeting on 6 October, the Clerk had written to the Chief Executive of MSDC and this had been referred to the Council's Solicitor, Tom Clark, for reply. As the Council was already aware, the registration of the field had been delayed given some execution issues raised by the Land Registry but they were expecting to get the land registration completed in November. The Property and Legal teams would then be working on the possible transfer of the land to the Parish Council. Mr. Clark had added that those business areas were particularly busy at the moment but this matter would be dealt with.

The E&A Committee had noted that a formal agreement by Council would be required, to proceed with the transfer of ownership when the terms of the transfer and maintenance liabilities became known. Because of the length of time that had elapsed since the Council first expressed interest in ownership of the field, it had been agreed to make a recommendation to Council that this policy should be confirmed, subject to acceptable terms and conditions.

It was **PROPOSED** by Councillor Snowling, **SECONDED** by Councillor Upton and unanimously **RESOLVED** that Lindfield Parish Council should confirm that it remained the Council's policy that, subject to the conditions for the transfer being acceptable, the land known as The Wilderness Field should be transferred to the Parish Council as soon as possible.

It was also **PROPOSED** by Councillor Snowling, **SECONDED** by Councillor Plass and unanimously **RESOLVED** that the Council should confirm the decision of the E&A Committee to set up a small Working Group to report on how to secure the use of the land for the future.

- 221.4 Minutes of the meeting of the Environment and Amenities Committee held on 6 October 2016. It was **RESOLVED** that the Minutes of the meeting of the Environment and Amenities Committee held on 6 October 2016 be received and their recommendations confirmed.

## 222. PLANNING AND TRAFFIC COMMITTEE.

Councillor Gomme reported as follows, further to the meetings of the Planning and Traffic Committee held on 13 September, 3 October and 25 October 2016.

- 222.1 Planning Application DM/16/3450 – Malvern Cottage, Pondcroft Road (P&TC Minute 187.4). The Committee had felt unable to support the application for replacing the bay windows at this property, but the Conservation Officer had not raised objections.
- 222.2 Planning Application DM/16/3747 – Whitesands, Lewes Road (P&TC Minute 196.4). The Committee raised objections to this application which would change the appearance of this house, on the corner of Noahs Ark

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Lane and would not comply with Local Plan policies. Concerns had also been expressed about the extent of the proposed rendering to be painted white and would be prominent and stark in contrast to neighbouring properties. The decision by MSDC was still awaited.

- 222.3 Planning Application DM/16/1461 – The Palms, Lewes Road (P&TC Minute 197.1). This proposal to enlarge a bungalow into a four bedroom house had been refused permission by MSDC on the grounds of design and the subsequent appeal had been dismissed.
- 222.4 Planning Application DM/16/3285 – 94 The Welkin (P&TC Minute 197.2). MSDC had refused permission for the proposed replacement fence which would have enclosed the whole garden and would have been out of keeping with the open appearance of The Welkin estate. The refusal had been upheld on appeal.
- 222.5 Planning Application DM/16/1263 – Allens Wall, Black Hill (P&TC Minute 197.3). The application for a new dwelling to replace the existing house, which would have been stark in appearance, had been withdrawn.
- 222.6 Planning Application DM/16/3964 – Backwoods, Backwoods Lane (P&TC Minute 203.4). The Committee had raised objections to the application for two pairs of semi-detached dwellings and one detached dwelling in terms of road safety issues due to the likelihood of increased on-street parking and conflict between vehicles leaving the site on the bend and the pedestrians on this school route.
- 222.7 Planning Application DM/16/4132 – Swan Cottage, 3 Pondcroft Road (P&TC Minute 203.12). The P&T Committee had raised concerns about this proposed extension in terms of appearance and loss of parking.
- 222.8 Minutes of the meetings of the Planning and Traffic Committee held on 13 September, 3 October and 25 October 2016. It was **RESOLVED** that the Minutes of the meetings of the Planning and Traffic Committee held on 13 September, 3 October and 25 October 2016 be received and their recommendations confirmed.
- 222.9 Traffic Study. Councillor Gomme reported that since his progress report at the last Council meeting, Councillors Blunden and Gomme and the Clerk and Deputy Clerk had met with the Traffic Consultant from Creative Roads, Roger Harper. Mr. Harper's advice had been sought on how to prioritise his recommendations and identify available funds to carry out any work. Since that meeting some information had been issued about Section 106 funding, but there were caveats. It had been felt that the Lewes Road / High Street junction should be the first priority for consideration. Proposals made by Barratt Homes several years previously had not had the consensus of the village as there were concerns they might make the junction less safe. A possible alternative solution of installing traffic lights could be considered although it would increase street furniture and signage and would lead to queuing traffic, possibly encouraging more traffic onto other roads to avoid the junction. This solution could be modelled, but it had been suggested that a trial using temporary traffic lights and traffic counters would provide more trustworthy evidence on which to base a decision. Mr. Harper had been asked to investigate this as a possibility for the Council to consider.

The Deputy Clerk and Clerk had also met with a representative of a small group of local residents with an interest in traffic issues. They had briefed him about the work done so far and about the focus on the Lewes Road / High Street junction.

### 223. COMBER'S TRUST.

- 223.1 A letter had been received from the Secretary of Comber's Trust informing the Parish Council about a vacancy for a trustee due to the recent resignation of Councillor Margaret Hersey. The remaining trustees would like to help the process, if possible, by identifying someone for recommendation to the Council for consideration, while acknowledging that the Council was at liberty to select and appoint a successor of its choosing. The point was made that it would be good if a member of the Council were to take Councillor Hersey's place. It was **AGREED** to include this item on the agenda for the next Council meeting to be held on 19 January, in order to consider any candidates for appointment who came forward and in the meantime any members of the Council interested in being appointed could contact the Chairman of Trustees to find out more about what was.

### 224. MEETING DATES FOR 2017

- 224.1 The list of meeting dates for the 2017 calendar year, which had been circulated with the Agenda was **AGREED**.

**225. CLERKS' NETWORKING DAY.**

225.1 The Clerk reported on the main items raised at the SSALC Networking Day she had attended with the RFO on 1 November 2016:

- Information given in a legal briefing on Asset Transfer and Disposal would be useful when the details of the transfer of the Wilderness Field were being considered.
- There had been a presentation about research carried out on opportunities for Parish and Town Council involvement in Health and Wellbeing, in the context of NHS funding cuts, GP shortage, an ageing population, isolation and loneliness. Examples had been given of ways Parish Councils had supported initiatives to help the lonely.
- Sussex Police had given a presentation about Operation Signature through which the Police and Crime Commissioner and the Sussex Elders Commission were seeking to protect vulnerable people from scamming fraud. Representatives from Operation Signature were willing to attend a Council meeting to address Members about how Parish Councils could become involved in testing out measures in their communities.

**226. ANY OTHER BUSINESS,**

226.1 No other items of business were raised.

The public part of the meeting ended at 9.15 p.m.

**227. EXCLUSION OF THE PUBLIC [AND PRESS].**

227.1 In order to continue the discussion begun at Minute 220.4 and to disclose to Members any relevant personal details about the outstanding debtor, as requested, it was **PROPOSED, SECONDED** and **AGREED** in accordance with the Public Bodies Admission to Meetings Act 1960 Section 1(2) and the Parish Council's Standing Order 3 (d) that in view of the nature of the business about to be transacted it was desirable in the public interest that the public [and press] be excluded.

**228. LINDFIELD PARISH DIRECTORY AND YEAR BOOK: UNPAID DEBT IN RESPECT OF AN ADVERTISING FEE FOR THE 2016 EDITION.**

228.1 Further to the discussion begun at Minute 220.4, the identity of the debtor was disclosed and after further discussion it was **AGREED** to inform the debtor in writing that the Council would make a claim through the County Court unless payment in full was received within seven working days.

The meeting concluded at 9.20 p.m.