

LINDFIELD PARISH COUNCIL

Minutes of the meeting of **LINDFIELD PARISH COUNCIL** held on **THURSDAY 16 MARCH 2017** at the King Edward Hall, Lindfield.

Present:

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

Also present:

Councillor Mrs. C. Field, WSCC
Mr. C. Laming, Campaign and Media Officer, South East Water - } pre- meeting session
Mr. C. Love, Delivery Manager, South East Water } only
Mr. R. Speller, Mid Sussex Area Highway Manager, WSCC – until conclusion of (Minute
252.4)
3 members of the public (2 until conclusion of Minute ref 252.4).

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

Absent: Parish Councillors: Mrs. M. Hersey and Mr. S. Shortland

The Chairman welcomed all those present, made introductions and announced the emergency procedures for the King Edward Hall.

TEMPORARY ROAD CLOSURE - HIGH STREET (SOUTH EAST WATER)

Before declaring the meeting open for the Council business on the agenda, the Chairman invited the representatives of South East Water (Mr. Chris Laming, Campaign and Media Officer, and Mr. Chris Love, Delivery Manager) to address the Council about the forthcoming road closure and diversion route in order to complete works begun in 2014 at the north end of the High Street.

Mr. Love thanked the Council for the invitation to address the Council. He explained that the road closure for work in 2014 had not gone as smoothly as hoped and lessons had been learnt from those earlier mistakes so that the forthcoming road closure beginning on 24 April would be managed efficiently.

The work was to make two connections of the main into the network from phase 1. Because of the hard rock bed and the fact that the main supply pipe and sewer had been found to be at the same level, it had been necessary to lay a specially shaped piece of pipe outside Lindfield House. The actual road closure to put back a section of pipe would be between Lindfield House and Lindfield Place. There would also be two connections near the bridge. The system would be tested and chlorinated before bringing the new pipe into service. S E Water would then go off site because of the South of England Show, when work on the scheme would be carried out in the fields and then work would recommence in Park Lane.

Mr. Love acknowledged that the signage in 2014 had not been good and the importance of keeping the shops open had been underestimated. A number of measures had been taken to address the issues for the forthcoming road closure:

- Electronic VMS [Variable Message Signs] were to be used to enable messages to be changed, as well as the statutory diversion signs (black arrows on yellow background)
- The PR campaign had been far more extensive, with a letter drop to every property on the entire diversion route (17,000 letters) incorporating what had not been done well in 2014.
- There would be radio coverage and a full page in Lindfield Life magazine with updates over the next few months.
- All the shopkeepers, including the small business park to the north of the High Street, had been individually visited to talk about deliveries and the compensation scheme in case of loss of profit

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- The road closure was to be shorter than in 2014 and it was considered that fewer businesses would be affected
- If the work could be completed in a shorter period of time, it would be.
- There would be rotating supervisors from SE Water and Clancy Docwra who could be identified by red helmets (different from the rest of the team); they would be visible and approachable.
- The supervisors would assist when access was required for deliveries to properties
- There would be free and unfettered access for residents, however there would inevitably be some delays as the workmen would be digging a trench

In response to Members' questions, Mr. Love confirmed:

- for the work in Park Lane there would be a rolling closure with 100m closed at any one time
- the duration of the High Street road closure was subject to the difficulty of having to excavate 1.2 m through impenetrable rock near the surface at the high point in the road (the rock was not as close to the surface nearer to the stream).
- to accommodate the 850 runners taking part in the Village Run on 29 May, the section being worked on would be plated up and made safe, although it might be slightly narrower.
- a lot of effort had been made to engage with the traders and Helen Tucker would maintain contact with them throughout the period. She would be prepared to sit down with them to help with compensation claims. Not having detailed accounts would not prevent small traders from making a claim.

Richard Speller, WSCC Area Highways Manager, confirmed that the demand on 'road space' permits was very high, so road works programmes had to be tightly monitored or the space could be lost.

The Chairman expressed the Council's appreciation to Mr. Love and Mr. Laming for their presentation and for taking on board the issues and lessons learnt from the first phase and he hoped the works would go smoothly.

The Chairman opened the Council meeting at 8.15 p.m.

244. APOLOGIES AND REASONS FOR ABSENCE.

244.1 Apologies for absence were received from Councillors Hersey and Shortland and the reasons were accepted.

245. DECLARATIONS OF INTEREST.

245.1 Councillor Blunden declared a personal and prejudicial interest in Agenda item 10 ii because of his position as Chairman of the King Edward Hall Management Committee and President of the Lindfield Club Committee, both of which were license holders for premises next door to 22 High Street for which a response on the licensing application was to be considered.

Councillor Snowling stated that as a Trustee of the King Edward Hall he was a part owner of the building, but clarified that he had no involvement in the licensing of that property.

246. MINUTES OF THE MEETING OF COUNCIL HELD ON 19 JANUARY 2017.

246.1 An amendment to the first paragraph of Minute 238 [21 February replaced by 12 January] was **AGREED**. The Minutes as amended were **APPROVED** and the Chairman **SIGNED** the Minutes as being a true record of that meeting.

247. QUESTIONS/COMMENTS FROM MEMBERS OF THE PUBLIC.

247.1 Flooding issues in Savill Road. Mrs. D. Lynch spoke with reference to the report she had sent to the Council about the flooding issues affecting properties 20 – 48 Savill Road, including her own. Since moving into the house in 2007, there had been a lot of problems due to hydraulic overflow with water from the bottom of the adjacent field flowing through the garden; it was an annual worry at the onset of winter. A neighbour who was one of the first occupants in 1967 had experienced flooding ever since. This flooding also affected properties opposite. Mrs. Lynch had been from pillar to post trying seeking a remedy but had not made any progress until discussing the problem with Councillor Field and Mr. Speller who had suggested the possibility of a

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solution through Operation Watershed. The landowner was at risk of facing nuisance claims for allowing water to flow from high to low land, but Mrs. Lynch saw that as a last resort. Having noted the recommendation agreed by the Environment and Amenities Committee, Mrs. Lynch had provided more information about the history of the flooding and her endeavours to seek a remedy and hoped that the stage could be reached where something could be done.

- 247.2 Mid Sussex District Plan. Mr. N. Kerslake expressed disappointment that there were no MSDC Ward Members present to provide an update on the District Plan. He stated that there were three options: withdraw the Plan, which he considered would be a disaster, go to Judicial Review, which he thought unlikely or to get on with the Plan.

248. CHAIRMAN'S ANNOUNCEMENTS.

- 248.1 The Chairman informed Members that he had, that day, received a letter from the Deputy Clerk giving notice of his intention to retire in four weeks' time. This would add to the workload of the remaining staff.

249. REPORTS BY COUNTY COUNCILLOR / DISTRICT COUNCILLORS.

Councillor Field (WSCC)

- 249.1 Compass Bus. Councillor Field had been very pleased to receive the news that Compass Bus had decided to restore the bus route serving Backwoods Lane and Appledore Gardens – a small victory for people power. She congratulated the Clerk and those residents who had made the case for reinstatement.
- 249.2 County Local Committee. The meeting held the previous week had been the last meeting of the Central Mid Sussex CLC. From the new Council year, the area covered by the Central CLC was to be divided between the North and South CLCs with Lindfield and Haywards Heath to be in the South CLC. Councillor Field hoped that the CLC would continue to serve the community. The Community Initiative Fund allowance per member would remain the same, but there was some concern about the support the villages would continue to receive, although it did not mean that villages would be overshadowed by the towns: village community groups were to be encouraged to submit applications for funding.
- 249.3 Budget. The County Council was still reeling from the effect of the previous week's budget: although there would be some unexpected funding for education, there was uncertainty about the area of social care as to how funding would be applied and a lot of work was being done on this.
- 249.4 WSCC Election. The Council would be entering "purdah" from 27 March until the date of the election in May. During this period, no decisions or statements of a political nature could be made. Councillor Field announced that, with very mixed feelings, she had decided not to stand again for election. She had thoroughly enjoyed her term of office as Member for Lindfield and High Weald which had been an absolute privilege.

The Chairman stated that he had received this news with much sadness and thanked Councillor Field for her dedication in serving Lindfield so well, attending Parish Council meetings and listening to the views and concerns of residents; whoever was elected would find it hard to fill her shoes.

250. ACTION LIST.

- 250.1 The Action List was **NOTED**.

251. CONSULTATION DOCUMENTS.

- 251.1 There were no current consultations.

252. ENVIRONMENT AND AMENITIES COMMITTEE.

Councillor Blunden reported as follows, further to the meeting of the Environment and Amenities Committee held on 2 February 2017 and gave updates on other E&A matters .

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- 252.1 Posts on the Common (E&A Minute 209.1). MSDC had painted a number of posts on the Common and replaced a damaged one.
- 252.2 Picket fence, Lindfield Pond. MSDC had replaced the damaged fence at the Pondcroft end of the Pond. It was still to be painted and secured properly.
- 252.3 Footpath to rear of Bowling Green. The Clerk had been asked by Mark Hayler (MSDC's Civil Engineering Projects Officer) to seek the Council's views on the proposed footpath from the Bowls Club to the car park with an additional 10 m section linking with School Lane. The sketch had been circulated and Mr. Hayler had confirmed that MSDC were intending to use S 106 money for the path and that the Parish Council would not be expected to contribute towards ongoing maintenance. The Parish Council had previously supported the installation of this path in principle. It was **AGREED** to confirm the Council's support for the proposed path.
- 252.4 Operation Watershed: re. drainage issues to the rear of properties 20 – 48 Savill Road. (E&A Minute 207.1) The Environment and Amenities Committee had agreed to recommend that the Parish Council should not take responsibility for making an application for Operation Watershed funding for this project to redirect flood water from the field behind Savill Road as there were some concerns about the effect of draining the water into a pond on the Finches Gardens estate close to other properties; possible liability for ongoing maintenance and the capacity of the Parish Council staff to manage the project.

Mr. Speller (RS) was invited to explain the proposed solution and making an application for Operation Watershed funding.

- Operation Watershed had been around for a few years and was a rare opportunity to use public money for off road drainage issues.
- RS did not want to lose this opportunity to use this available money to fund a solution.
- RS had been liaising with the Finches Gardens Freeholders Association about draining into the pond within the estate. The existence of an outlet from the pond would have to be investigated.
- RS suggested that the first part of the application should be to get a professional survey carried out and to engage a surveyor to draw up a detailed design of the proposal for which he had prepared an outline sketch.
- RS believed the water may originally have gone into the Finches Gardens pond
- An alternative solution was to create a swale at the bottom of the field to hold up the water then taking it to the pond through a pipe.
- RS confirmed that community groups could submit applications on their own behalf. Operation Watershed was there to encourage community engagement with some involvement from their Parish Council.
- The Parish Council would not be taking on a huge project: a lot of the work had already been done and the scheme was nowhere near as complicated as one Albourne Parish Council was involved in.
- RS was willing to come to another meeting along with Community Officer Sue Furlong, who would be involved in the application, and to assist with completing the forms and finding suitable consultants.

Following discussion it was **AGREED** that the Parish Council should proceed on the basis of a two stage scheme and on the understanding that the Parish Council had limited capacity and knowledge in such matters:

Stage 1: to accept Mr. Speller's offer of assistance with preparing an application for Operation Watershed funding to pay for consultancy work and with the briefing and selecting of suitable consultants to carry out investigations and draw up detailed designs of the proposed solution

Stage 2: to consider separately whether to move forward with a further application to fund the solution having considered the results of the surveys and the detailed designs

Mr. Speller left the meeting on conclusion of this item.

- 252.5 Roadside posts by the Pond. It was **NOTED** that the Head of Highway Operations at WSCC had now agreed to replace 6 – 10 damaged posts which would be primed and the Parish Council had been asked to arrange for them to be painted with a top coat. Haywards Heath Town Council's CIC team would do this under their

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highway contract if the Parish Council paid for the paint which the E&A Committee had budgeted for in the current year.

- 252.6 Crossing outside King Edward Hall. It was **NOTED** that Councillor Field had looked into the proposal for the crossing outside the King Edward Hall and had been advised that if the Parish Council, community and developer agreed that they would like to spend the money on another measure (which would still need to be related to the development), then a variation of the Section 106 agreement could be sought. The first step would be to approach Mid Sussex as the planning authority. Any such variation to the S106 agreement would then need to be agreed with WSCC given that this relates to works in the highway. The Clerk had asked how long the money could be held for and whether this could be put on hold pending the outcome of the traffic study. Mr. Speller stated that S 106 money could usually be held for a long period of time.
- 252.7 Minutes of the meeting of the Environment and Amenities Committee held on 2 February 2017 and to confirm their recommendations. It was **RESOLVED** that the Minutes of the meeting of the Environment and Amenities Committee held on 2 February 2017 be received and their recommendations confirmed, save for the recommendation relating to Operation Watershed discussed at Minute 252.3 above.

253. PLANNING AND TRAFFIC COMMITTEE.

Councillor Gomme reported as follows on matters considered at the meeting held on 21 February and 14 March 2017, there being nothing to note from the meetings held on 10 January, 31 January:

- 253.1 DM / 15/2908 - Postmasters, 34 High Street (P&T Minute 251.4). Works carried out to this property in the Conservation Area had not been in accordance with the planning permission and this was a retrospective application to rectify matters. However the Committee had found the retrospective application to be unacceptable as it did not appear to seek to put right the matters which were wrong.
- 253.2 DM/17/0374 - Swan Cottage, Pondcroft Road (P&T Minute 251.7). The P&T Committee had been unable to support the proposals because the extension would fill in the space between houses and was therefore unneighbourly and out of keeping with the street scene; the proposal also would have the effect of removing a parking space.
- 253.3 DM/16/5648 – Land parcels at Gravelve Lane. The P&T Committee had noted that this second application for up to 130 dwellings had been approved. Meanwhile the outcome of the appeal for the first application was awaited: as to whether the Secretary of State would call it in or allow the appeal to proceed and whether the application would be withdrawn by the applicant.
- 253.4 Licence application: Tamasha (formerly The White Horse Public House), 22 High Street. Having declared a personal and perceivably prejudicial interest in this item as recorded in Minute 245.1, Councillor Blunden withdrew for the duration of this item. The Vice Chairman, Councillor Upton, took the chair and invited Councillor Gomme to continue to lead on this item under his Planning and Traffic Committee report.

Councillor Gomme summarised the points made at the Planning and Traffic Committee meeting on 14 March 2017 at which there had been concerns about the long hours being requested, particularly as applied to entertainment, which were similar to the hours at Tarana in Turners Hill; however that restaurant was in a different type of area whereas Tamasha was close to a number of residential properties. The Deputy Clerk had produced a comparison with other licensed establishments in Lindfield, all of which were licensed for shorter hours. Councillor Gomme read out the draft response drawn up by the Deputy Clerk following the P&T meeting.

It was **PROPOSED** by Councillor Upton, **SECONDED** by Councillor Plass and unanimously **AGREED** that the response, as drafted, should be submitted:

“Lindfield Parish Council is concerned that this application will seriously compromise one of the four objectives of the Licensing Act 2003, which is the prevention of a public nuisance. The premises are situated in a residential area within the Lindfield Conservation Area, and there must be potential for anti-social behaviour to occur late at night given the hours being requested. This would include noise from patrons leaving the premises, car doors banging, inconsiderate and boisterous conversation, and general traffic nuisance from arriving and departing cars. It is stated that the activities on the site (live

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music, recorded music, performance of dance) will be occasional, but there is no definition of what this means, and there is a concern that the activities will simply become regular or routine.

A further objective of the Act is to prevent “disorder” and there is a concern that anti-social behaviour could either escalate, or conflict between antagonists becomes disorderly. However, with appropriate control measures and strictly enforced conditions, these issues may be mitigated by agreeing hours of use, which are consistent with other licensed premises in Lindfield High Street, such as the Red Lion public house. It should also be stipulated that the consumption of alcohol should only take place within the restaurant indoor area, and so the definition of the licensed premises needs to be much more closely contained. The requirements of the Licensing Authority’s own guidance on the prevention of public nuisance should be closely observed, but it is not clear in the application, that this has been followed in its entirety in that a number of required policies are absent.

The Parish Council makes two further comments-

(1) The application appears to be premature in that the premises and internal reconstructions are far from completed, and there are significant planning issues to be overcome, before the premises can be re-opened in the form suggested by the licensing application.

(2) The Parish Council notes that there is a planning condition, which restricts the hours of opening of the premises “from midday to midnight - reason: to safeguard the amenities of neighbouring properties and to accord with Policy B3 of the Mid Sussex Local Plan”. The Parish Council appreciates that the licensing considerations and the planning considerations are different, but it is clearly important that there is a level of consistency.

In conclusion, the Parish Council feels that the hours of proposed use, particularly to 2.00 a.m. on the days stated, are excessive and unreasonable, and so it must strongly object to the application in its current form.”

Councillor Blunden re-joined the meeting and resumed the chair.

- 253.5 Minutes of the meetings of the Planning and Traffic Committee held on 10 January, 31 January and 21 February 2017. It was **RESOLVED** that the Minutes of the meetings of the Planning and Traffic Committee held on 10 January, 31 January and 21 February 2017 be received and their recommendations confirmed.

254. FINANCE AND GENERAL PURPOSES COMMITTEE.

Councillor Henton reported as follows on matters considered at the meeting held on 2 March 2017, for which the Minutes were not yet available.

- 254.1 Investment of funds. Councillor Henton reported on the research into splitting the Council's cash funds between two further banks so that deposits would be protected by the Financial Services Compensation Scheme. It had been hoped that a formal resolution would be on the agenda for this meeting but work on establishing adequate internal controls that were compatible with the requirements of the selected financial institutions was still not complete. Councillor Henton had spoken to the Internal Auditor the previous day and he was willing to look at the solution when a proposal had been drawn up. A formal resolution would be put to Full Council before the transfer of funds could be made.
- 254.2 Standing Orders. It was **NOTED** that because the order of the Accounting Statement and the Governance Statement in the Annual Return had been reversed, Standing Order 17 d ii needed to be amended to read: “to the full Council the accounting statements for the year in the form of Section 2 of the annual return,....” . This amendment was **AGREED**.
- 254.3 “Operation London Bridge” –protocol for marking the death of a senior national figure or local holder of high office. The protocol adopted by Mid Sussex District Council had been circulated to Parish Councils, with the suggestion that they might wish to consider adapting it to suit their own individual circumstances. The F&GP Committee had agreed that the Clerk and Chairman should go through it to extract actions appropriate to the Parish Council and produce a draft which was now considered for approval. It was considered that Members and staff should provide their own black ties and arm bands rather than keeping a supply in the Parish Office.

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The Protocol was **APPROVED** and it was **AGREED** that a suitable Book of Condolence should be purchased to keep in stock if there was one available at a reasonable price.

254.4 Statements of Account / Budget Progress and Bank Reconciliation for the periods 01.01.17 – 31.01.17. The financial reports to 31 January 2017 were considered and **NOTED**:

- From the total in-year budget of £183,580, the sum of £129,344 had been spent
- from the F&GP budget of £131,780, £94,709 had been spent
- from the Administration budget breakdown, £84,690 had been spent from the total of £115,780
- from the E&A budget of £51,600, £24,585 had been spent
- from the P&T Miscellaneous budget of £200, £50 had been spent and £6,397 from the reserve for the Traffic Study.

254.5 List of cheques for approval. The list of cheques drawn since the meeting of Council held on 19 January 2017 was tabled. **NOTED**: that the expenditure during this period under the powers granted by Section 137 of the Local Government Act 1972 was £2,664.50 and that the Petty Cash balance as at 16.03.17 was £179.10.

It was **RESOLVED** to approve the list of cheques, numbers 105896 – 105933 inclusive, totalling £24,812.74. *The signed list of cheques is appended to the signed copy of these Minutes as Appendix A*

255. REVIEW OF THE EFFECTIVENESS OF THE COUNCIL'S INTERNAL AUDIT AND CONTROLS

255.1 Councillor Plass reported that he had carried out the annual review and submitted a report which had been circulated. He was pleased to report that all systems and procedures were robust and effective. It was **NOTED** that because of the changing situation regarding the new bank accounts being set up, Councillor Plass would carry out an interim review at an appropriate time to ensure that the procedures were still effective.

It was **NOTED** that the Internal Auditor had carried out an interim review the previous day and submitted his report which would be presented to the Finance and General Purposes Committee and then Full Council at their next meetings. Councillor Henton reported that he had spoken to the Internal Auditor during his visit and he had confirmed that Lindfield Parish Council's systems were considerably better than a lot of other Councils he audited and there was no cause for concern.

256. HIGH STREET ROAD CLOSURE (SOUTH EAST WATER).

256.1 Further to the presentation by SE Water representatives before the start of this meeting, it was **AGREED** that the Council's signs purchased during phase 1 of this work, stating that the High Street businesses were open as usual, would be put up if the SE Water signs were not effective in this respect.

Members were pleased to note the reassurances given about the consultation SE Water had conducted with retailers, particularly as the important matter for them was their day-to-day business, rather than compensation.

257. BACKWOODS LANE CAR PARK ON THE COMMON: RESURFACING.

257.1 Mark Hayler (Civil Engineering Projects Officer, MSDC) had asked for the Parish Council's views on a proposal to resurface the "logs" car park with a solid surface he considered to be sympathetic (similar to that used in the Bowls Club car park); the loose stone surface required constant maintenance: a regular and wasteful expenditure. It was **AGREED** to support the use of the proposed material to resurface the car park and that the colour should match the natural shade of the Bowls Club car park which appeared to be "Cotswold".

A Member pointed out that the improved surface was likely to encourage more residents living nearby to park their vehicles there and MSDC may have to consider imposing suitable restrictions. The Chairman agreed to raise this at the next Liaison Meeting with MSDC officers.

258. PROPOSED PUBLIC CONVENIENCES ON THE COMMON

- 258.1 Councillor Plass reported on the site visit with Planning Officer Joseph Swift, attended by himself and the Clerk on 13 March. Councillor Plass had explained the outline proposal for two possible sites: the area north of the Bowls Club car park and the site close to the main road, next to the “logs” car park. Mr. Swift had taken photographs and would be discussing these sites with the Conservation and Trees Officers. Mr. Swift had stated that his report would be sent in five to six working days after that. The next step would be for the Working Group to meet to consider the report and how to take the project forward.

259. ANY OTHER BUSINESS.

- 259.1 Resignation of Councillor Gomme. The Chairman reported that at the Planning and Traffic Committee meeting on 14 March, Councillor Gomme had announced his intention to resign as Lindfield Parish Councillor due to health and personal reasons. The Chairman thanked Councillor Gomme personally and on behalf of the Parish Council for all he had done during his time as a Parish Councillor: he had picked up the Neighbourhood Plan baton when it was not progressing, brought it back to life and engineered and mastered it throughout the process leading to its approval. He had spent a huge number of hours on this alone and had been instrumental in encouraging people to take part. The Parish Council owed him a lot for his part in this. He had also become known as Mr. Infinity for bringing Infinity Broadband into Lindfield years ahead of schedule, having been very persuasive in gathering support from members of the public. He had also served very well as Chairman of the Planning and Traffic Committee, which at times was a difficult role to fill. Councillor Gomme would not be leaving Lindfield Parish Council without having made his mark.

Councillor Gomme stated that he had thoroughly enjoyed his time as Councillor, particularly with the work described by the Chairman and especially when there was feedback from the community. With the help of Councillor Spooner of Lindfield Rural Parish Council, he had set up four Focus Groups with around eighty people in the room at the workshop. Councillor Gomme stated that projects such as the Neighbourhood Plan needed more than one person and that he could not speak too highly of Councillor Spooner who had only been a Councillor for two months when he joined the Neighbourhood Plan Steering Group. Councillor Gomme concluded by saying that he had enjoyed all he had done for the Parish Council and had been pleased to make a contribution.

Councillor Gomme’s letter of resignation was duly received by the Chairman, at which point it took effect.

The meeting concluded at 9.35 p.m.