



Minutes of the Parish Council Meeting held remotely on the Zoom platform on Thursday 6th August 2020, commencing at 6.30 pm

Councillors present: Cllr M Keller (Chair), Cllr T Bryant, Cllr P Hill, Cllr P Seeley, and Cllr D Wild

In attendance: County Cllr S Shing (Items C.261 – C.262); K Larkin (Parish Clerk); and D Picknell (Admin Officer)

There were five members of the public present.

Public Session

Licensing applications for The Tiger Inn: - two residents had objected to the applications to vary the licence of the Inn. The applications were not being made pursuant to the Covid-19 Business and Planning Act 2020 nor did they amount to an application for a temporary Pavement Licence under that Act to legalise the current arrangement of serving customers on the green. The obtaining of a licence was subject to conditions which had not been met, including public consultation and the removal of furniture for storage each evening. In any event, a registered village green - such as this - fell outside the scope of the Act.

Whilst there was recognition of the fact that the use of the green for serving customers was necessary in current circumstances to enable the inn to open and provide a facility to residents and visitors, there was concern that the encroachment of tables across the green had significantly impacted on the amenity of the green to the residents and the ambiance of the old village centre, and that the positioning of tables around the War Memorial was disrespectful. The council was also requested to consider the potential impact of late night drinking out of doors, in making any representations to the Licensing Committee. In particular, the council was urged to ensure that any concessions made in response to the Covid-19 lockdown were temporary and fully reversible.

The Chair thanked the residents for their statements, which would be borne in mind by the council, and advised that members of public could make representations direct to the Licensing Committee.

The Chair closed the Public Session and opened the meeting.

C.256 Acceptance of apologies for absence: - Cllr B Wheatley;
P Williamson (Tree Warden)

C.257 Declarations of Interests: - None

C.258 Minutes: - (a) The minutes of the ordinary council meeting held remotely on 2nd July 2020 were confirmed as a correct record for signature by the Chair; (b) the minutes

of the Extraordinary council meeting held remotely on 30th July 2020 were confirmed as a correct record for signature by the Chair.

C.259 Councillor Vacancies: - members took note that the three vacancies on the council were to be filled by election, currently scheduled for 6th May 2021.

C.260 Exceat Bridge Replacement Project

The Council considered responding to the consultation on this Project <https://consultation.eastsussex.gov.uk/economy-transport-environment/exceat-replacement-bridge-project/> [closing date 7th August 2020]. The Chair noted that the proposed design was probably suitable for the rural setting of the bridge. There would be pedestrian access on both sides, and viewing points at both ends. Most importantly, there would be two carriageways, removing the current bottleneck. It was agreed that as the consultation was about to close the Chair should respond on this basis. Other councillors could also respond individually if they so wished.

C.261 Business in Progress

The council took note of Report 7 by the Clerk on progress made since the July meeting. The following points were discussed:

- a) Financial implications of filling vacancies by election – members requested further information on the likely cost, for inclusion in the budget for 2021/22
ACTION: KL
- b) Friston Build-out – members welcomed the news from East Sussex Highways that the work should be done in mid-September. **ACTION: MK to provide information for the September parish magazine**
- c) Play area annual safety inspection – this was scheduled for 19 August. Members of the public had broken into the enclosure, which was currently locked, using a gap in the boundary hedge alongside The Drove. A quote had been obtained for the continuation of the 2m chain link fence for one bay, to close the gap: £320. It was agreed that this should be authorised from the General Maintenance budget and the work carried out soon after the inspection. The play area could then re-open with fresh signage on social distancing etc. The insurers had been asked to advise **ACTION: PH to order the fence work.**
- d) Suspension of bus services – the overhanging trees on the A259 had been cut back and double decker buses were running normally again, but the work had caused its own disruption.

The Chair suspended this item to enable the County Councillor to report:

C.262 Report of the County Councillor

County Cllr Shing reported and the following matters were discussed:

- a) Suspension of bus services – the tree work in Minute C.258d might have been done by East Sussex Highways contractors without notice
- b) Hedge at Exceat Bridge – it was noted that the overgrowth had been cut back

- c) Consultation on the Exceat Replacement Bridge Project – the county council would allow the parish council extra time in which to respond to the consultation, if required.
- d) Proposed closure of East Dean Surgery – no further information had been received
- e) Alfriston traffic problems – the Alfriston parish council had requested a 20 mph limit through the village and a weight restriction on vehicles. No decisions had yet been made.
- f) The Twitten (Footpath 25) – Highways had resurfaced the upper section of the path, which was classified as a highway footway, but not the lower half, which was classified as a right of way and was not within their remit. The remaining section needed resurfacing, and the parish council requested that this be done **ACTION: SS to investigate**
- g) Dutch Elm Disease – the elms along the Twitten which had previously been reported as diseased still had not been felled **ACTION: SS to press for this to be done.**

Members thanked Cllr Shing for his report.

RESOLVED - That the report of the County Councillor be noted, and action taken as discussed.

C.263 Business in Progress (resumed)

The following further items were discussed [see also minute C.261 above]:

- a) Footpath 8 – the hedge on one side of this path had been cut back by the resident and a stretch of fencing installed. The other landowner had received notice that if his side were not cut back the East Sussex Rights of Way Team would have authority to order the work and recharge the cost to the landowner. No work had yet been done. **ACTION: KL to notify ESCC on expiry of the notice period**
- b) Bracket for hanging baskets in the shopping precinct – it was reported that the existing brackets could be refurbished and this would be done at the end of the season.

RESOLVED - That the Progress Report be noted and action taken as discussed

C.264 Traffic Issues within the Village

The council took note of Report 8 by the Vice Chair, and welcomed the proposal to set up a Working Group to include councillors, residents and any other interested bodies, to deliver a traffic survey and other items recommended in the report. It was agreed that the Admin Officer should be allocated to work for the Group, and the chair should be Cllr Seeley (Lead Member for Highways and Rights of Way). Two other councillors should serve on the Group, and its further composition should be decided by its Chair. Members were pleased to note that preliminary reactions from residents had been very positive and a number had volunteered to serve, either on the Group or for Speed Watch. However, at least three more volunteers would be needed for a Speed Watch exercise. **ACTION: MK to publicise this again.**

Both East Sussex Highways and the South Downs National Park Authority had confirmed that the most useful contribution the parish could make would be to provide them with data. The cost of collecting traffic data (by black box radar attached to street furniture) would be £400 per site, with a possible discount for multiple sites. As yet the number of sites was not decided. There was no budget for such a survey in 2020/21, but it was agreed that the survey could be financed from the Neighbourhood Plan budget, as the Steering Group would eventually require the same data for their own purposes. The data should be collected at an appropriate time of year to illustrate the problems.

RESOLVED - To approve the setting up of a Working Group chaired by Cllr Seeley to include councillors, residents and any other interested bodies, to deliver the traffic survey and other items recommended in the report

RESOLVED – To approve in principle the financing of a traffic survey from the Neighbourhood Plan budget

C.265 Village Hall Trust

The council took note that the Chair *ex officio* should be nominated as the council's representative to serve on the Trust for the year beginning at the Trust AGM on 30 September 2020.

The Trust had requested regular users of the village hall to respond to a Covid-19 reopening questionnaire. The parish council would wish to return when feasible, but probably not before November 2020 at the earliest. No decision could yet be made

ACTION: MK to complete the questionnaire.

C.266 Local Government Association – Consultation on new draft Model Code of Conduct

The council considered Report 10 and the accompanying new draft Model Code of Conduct. The draft was generally welcomed, subject to the reservations already expressed by the National Association of Local Councils, and the Society of Local Council Clerks, i.e. that the draft should be amended to include detailed guidance specific to parish and town councils for it to be useful and practical. It was agreed to respond to the consultation by endorsing the points made by NALC and the SLCC

ACTION: KL to send this response.

C.267 Licensing application for The Tiger Inn

The council considered Report 11 and noted the submissions made in the Public Session, objecting to the variation of the current licence. Members recognised that Covid-19 had created an exceptional situation. There was general agreement that that the aim should be to keep the pub for the village, but not to lose the village green. There was concern at the proliferation of tables and the lack of clarity over the fundamental principle that any furniture placed on the green should be there for the use of all comers, regardless of whether or where they placed any business. Members appreciated the difficulty that the manager of the inn currently needed to be able to allow bookings, which conflicted with the principle that all tables should be open to all comers. The exceptional influx of visitors had exacerbated the problem.

However, it was also noted that there was cooperation between the businesses around the green, which were well aware of the need to respect public rights. It was suggested that space be left around the War Memorial, with two rows of tables being placed adjacent to the Inn and a further two rows adjacent to the barns (except where there were adjacent windows into holiday accommodation). Members also considered the issues that might arise as the evenings drew in, if business was still largely out of doors. It was argued that this should self-regulate for practical reasons e.g. lack of lighting at the top of the green. **ACTION: KL to respond to the Licensing Committee as discussed and cc the Gilbert Estate and The Tiger Inn.**

RESOLVED – That the Licensing Committee be informed that whilst the parish council recognised the need for exceptional measures during the Covid-19 emergency, the registered village green status of the land currently occupied by tables from The Tiger Inn must be recognised, protected and maintained in perpetuity, and current exceptional business activity should be subject to appropriate restrictions

C.268 Extension of Wealden’s current Public Spaces Protection Order

The council took note of Report 12, and the fact that this Order which prohibited dog fouling and imposed penalties had a limited three year life and would expire in November 2020 unless it were renewed un-amended for another three years.

RESOLVED - To support the renewal of the current PSPO for another three years

C.269 East Sussex County Council Grass Cutting Agreement

The council took note of Report 13: ESCC’s legal department had requested the parish to sign a replacement Agreement for 2020/21 due to an incorrect citation in the original.

RESOLVED - That the Chair and Vice Chair be authorised to sign the amended Agreement 2020/21

C.270 Payments and Receipts

The council considered Report 14 - the Schedule of Payments for August 2020 and receipts for July 2020. It was noted that a new Zoom Pro account had been purchased for the council at a cost of £11.99 per month. This could be paid for as an emergency item if necessary. *[Note: the complete Schedule is appended to these Minutes].*

RESOLVED – That the payments totalling £12,033.28 be approved and the clerk be authorised to make the payments

C.271 Reports:

- a) Chair of the Council – East Dean Surgery: the Chair had attended a remote meeting with Maria Caulfield MP; the Chair of the Residents’ Association; and the convener of the Community Watch, to discuss the proposed closure. The closure was currently on hold: the surgery had hoped to consolidate its activities on a new site in Seaford, but planning permission had been refused.

There was therefore renewed hope of keeping at least a nurse-led clinic in East Dean and pressure on the CCG must be maintained. **ACTION: DW to lobby the CCG; KL to supply previous correspondence.**

- b) Planning Committee – (i) the council took note of the draft minutes of the remote committee meeting held on 21 July 2020. (ii) The SDNPA had issued an update to the Technical Advice Note on policy SD31 Extensions and Replacement Dwellings which meant that the policy would no longer apply to larger dwellings within the settlement boundary. This would negate a key provision of the Village Design Statement and should be discussed by the Planning Committee at their meeting on 18th August.
- c) Finance – the council took note of the Budget Monitoring Report 16c for the period ended 31 July 2020. The bank balance was currently £74,503.31
- d) Rights of Way and Highways – (i) Replacement of East Dean bus shelter (south side): it was agreed that quotes should be obtained for this project which would be within budget for 2020/21 **ACTION: PH.** (ii) Friston Pond maintenance – quotes were also being obtained for clearance work at the Pond which was within budget for 2020/21. **ACTION: PH**
- e) Recreation Ground - The Lead Member reported that (i) work on moving the cricket square was scheduled to take place in the week beginning 17 August; (ii) the play area was being monitored as previously reported [Minute C.261c above] and its reopening was under consideration.
- f) Cuckmere Buses – the council took note of the Trustees Report and Accounts for 2019. The Tuesday service had resumed, but passenger numbers were so far low.

RESOLVED - That the Correspondence report be noted and action taken as discussed

C.272 Correspondence

The council took note of Report 17 on correspondence received since the July meeting, and the following points were discussed:

- a) Dog fouling – information had been placed on the website advising residents how to report offences to Wealden District Council under their Public Spaces Protection Order.
- b) Walking maps – these continued to be popular. Map 2 was being amended to take account of the closure of The Drove
- c) Footpath 32 - a resident had reported that increased cycle traffic had caused the surface of the path to degrade. **ACTION: DW to investigate**
- d) Overgrowth in Micheldene Road – this had been cut back
- e) Resurfacing on Friston Hill – once again a temporary closure of the A259 had severely impacted on the Downlands Estate and residents had complained of lack of notice, lack of signage, and poor management. This would be raised again at the next SLR (county liaison) meeting in October. There had been a

suggestion from county that damage caused to residential property could be claimed for, though there was no guarantee of success. **ACTION: KL to check details with ESCC**

RESOLVED - That the correspondence report be noted and action taken as discussed

Under Standing Order 3(d) the public were excluded from the meeting for the following item of business, by reason of its confidential nature:

C.273 Complaint from the Tree Warden

The council considered a complaint from the Tree Warden that he had suffered bullying and harassment from two named councillors and that the council had not followed due process in dealing with this.

After hearing a summary background to this complaint from the chair, the councillors named in the complaint withdrew and the details were then discussed in private by the remaining members, but with the Clerk and Admin. Officer in attendance.

After due consideration, members concluded that the complaint was unfounded. The two councillors had acted on behalf of the council, which took responsibility for their actions. There had been a hiatus in formal corporate activity between the imposition of the Covid-19 lockdown in March, and the passing of emergency legislation to legitimise remote meetings of local councils. In this period the Chair had issued instructions which were found to be consistent with the discussion recorded in minute C.208g of the technically informal council meeting held on 2nd April.

There had been subsequent email exchanges which had been robust on both sides, but not such as to justify an allegation that the Code of Conduct had been breached.

RESOLVED - That the complaint was unfounded

C.274 Date of next meeting: Thursday 1st October 2020 at 6.30 pm by remote means.

The parish council does not meet in September

There being no further business, the meeting closed at 9.10 pm

Signed..... (Chair)

Date.....