



PEACEHAVEN TOWN COUNCIL

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DRAFT Minutes of the meeting of the Planning & Highways Committee held in the Anzac Room, Community House on Tuesday 29th November 2022 at 7.30pm

Present: Cllr Alan Milliner, Cllr Isobel Sharkey (Vice Chair), Cllr David Seabrook (Vice Chair of Council), Cllr Cathy Gallagher, Cllr Ron White, Cllr Emelia Simmons.

Officers: George Dyson (Deputy Town Clerk & Civic Officer), Vicky Onis (Committees and Assistant Projects Officer).

3 members of the public were in attendance.

1. PH1495 CHAIRMAN'S ANNOUNCEMENTS

The Chair opened the meeting at 19:30, welcomed everyone, and went through the building fire procedures.

2. PH1496 PUBLIC QUESTIONS

Seng Teng, a resident from Wellington Road, asked the following in relation to planning application LW/22/0694.

Regarding the proposed First Floor Plan,

3.1 - The proposed terrace sits on a small portion of the approved extension flat roof, but the actual drawing does not show it nor any dimension stated

5.1 - The proposed roof terrace measures 8.0m, is it the length and width?

6.1 - The roof terrace will have obscure glazed privacy screens to the north and south flanks, 1.5m high does not give me any privacy

I am approximately 1.4m apart from no 6, Wellington Rd. So anyone on the terrace can look into my glass conservatory, straight into the annexe and the garden.

I strongly object to the application and would be grateful if you will consider my concern.

Mike Gatti then also informed the Committee, in case they were unaware, that the Co-op at the Meridian Centre is due to close on 27th January 2024.

3. PH1497 TO CONSIDER APOLOGIES FOR ANY ABSENCES AND SUBSTITUTIONS

Apologies were received and accepted from Cllr Griffiths, and Cllr Paul.

Cllr Harris was also absent.

Cllr Simmons is substituting for Cllr Griffiths.

4. PH1498 TO RECEIVE DECLARATIONS OF INTERESTS FROM COMMITTEE MEMBERS

There were no declarations of interest.

5. PH1499 TO ADOPT THE MINUTES OF 1ST NOVEMBER 2022

Proposed by: Cllr Sharkey. Seconded by: Cllr White.

The minutes of the above meeting were **resolved and adopted**.

The Chair brought forward agenda item PH1504 whilst the residents interested in the item were present.

6. PH1504 TO COMMENT ON THE PLANNING APPLICATION LW/22/0694

The Chair suspended Standing Orders to allow Ms Teng to participate in the discussion.

There was a discussion about the application, including that a previous application had specified that the flat roof was not to be used as a balcony or terrace.

It was proposed that the Committee object to the application on grounds of overlooking and loss of privacy, the visual effect on a neighbouring property, as well as the fact that a previous application had prohibited some of the proposed use.

Proposed by: Cllr Gallagher Seconded by: Cllr Sharkey

The Committee **resolved** unanimously to this proposal.]

The Chair reinstated Standing Orders

2 members of the public left at this point

7. PH1500 TO RECEIVE AN UPDATE FROM CLLR GALLAGHER ON THE EMERGING NEIGHBOURHOOD DEVELOPMENT PLAN

Cllr Gallagher gave a brief update on the emerging Neighbourhood Development Plan Steering Group and shared the minutes of their most recent meeting and explained the proposed timetable for the plan going forward as well as a brief outline of some of the work still ongoing.

This report was **noted**.

8. PH1501 TO NOTE THE BUDGETARY UPDATE

Cllr Gallagher highlighted that some of the budgetary items have not had any expenditure this year – notably noticeboards, street furniture, and war memorial, and should this be earmarked for use next year.

Cllr Seabrook informed the Committee that the war memorial budget is earmarked each year for expenditure on a 3-yearly cycle already.

It was proposed that the unspent monies from noticeboards and street furniture also go into the earmarked reserve.

Proposed by: Cllr White Seconded by: Cllr Sharkey

The Committee **resolved** unanimously to this proposal.

9. PH1502 TO DISCUSS SOUTH EAST WATERS DRAFT WATER RESOURCES PLAN

There was a discussion on the plan.

The Committee **noted** the draft water resources plan.

10. TO COMMENT ON THE PLANNING APPLICATIONS AS FOLLOWS:-

PH1503 – LW/22/0721 14 Hairpin Croft

It was proposed that the Committee support this planning application.

Proposed by: Cllr Gallagher. Seconded by: Cllr Sharkey.

The Committee **resolved** unanimously to this proposal.

PH1505 – LW/22/0597 3 Edith Avenue

It was proposed that the Committee support this planning application.

Proposed by: Cllr Gallagher. Seconded by: Cllr White.

The Committee **resolved** unanimously to this proposal.

1 member of the public left at this point.

PH1506 – LW/22/0713 12C Lincoln Avenue

It was proposed that the Committee object to this planning application on the grounds of a lack of parking, and incongruent with the street scene, contrary to Lewes Local Plan Policy DM25 and against the emerging Neighbourhood Development Plan Neighbourhood Characteristics.

Proposed by: Cllr Gallagher. Seconded by: Cllr Seabrook.

The Committee **resolved** unanimously to this proposal.

PH1509 – LW/22/0651 51 South Coast Road

It was proposed that the Committee support this planning application.

Proposed by: Cllr Sharkey. Seconded by: Cllr Gallagher.

The Committee **resolved** unanimously to this proposal.

11. – TO NOTE THE FOLLOWING PLANNING APPLICATIONS

PH1507 – LW/22/0700 110 Arundel Road

PH1510 – LW/22/0757 25A Cornwall Avenue

PH1511 – LW/22/0749/CD Land Adjoining 138 Bramber Avenue

PH1512 – LW/22/0734 330 South Coast Road

PH1513 – TW/22/0097/TPO – 14 Anzac Close

The Committee **noted** these Planning Applications.

12. TO NOTE THE FOLLOWING PLANNING APPLICATION DECISIONS

PH1514 - LW/22/0328 6 Heathdown Close

The Committee **noted** this planning application decision.

13. PH1515 – TO REVIEW AND UPDATE THE P&H ACTION PLAN AND AGREE ANY ACTIONS REQUIRED

Cllr Seabrook gave a brief update on the Speed Activated Sign, following a recent public safety meeting – that there is a need to gather evidence to show that there is a problem before being able to proceed, and that the only real way to get the required evidence would be through a Community Speed watch.

The Committee discussed the following updates to be made to the action plan;

- The action plan item about Lamp Posts can be removed.
- The SDNPA CIL funding item can be updated to show that a steering group will be set up.
- The Sustainable Transport (Buses) TFG has now met its remit and can be removed from the Action Plan – there may be a need to have a Chalker's Rise TFG to replace this, which will be discussed at the next meeting of this Committee.

The next meeting of this Committee was confirmed for 10th January 2023.

There being no further business the meeting ended at 21:10.

Detailed Income & Expenditure by Budget Heading 04/01/2023

Month No: 9

Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
200 Planning & Highways							
4851 Noticeboards	0	650	650		650	0.0%	
4852 Monument & War Memorial	213	600	387		387	35.5%	
4853 Street Furniture	0	600	600		600	0.0%	
Planning & Highways :- Direct Expenditure	213	1,850	1,637	0	1,637	11.5%	0
4101 Repair/Alteration of Premises	9,438	700	(8,738)		(8,738)	1348.3%	9,312
4111 Electricity	366	1,092	726		726	33.6%	
4171 Grounds Maintenance Costs	474	500	26		26	94.9%	
4850 Grass Cutting Contract	8,864	8,864	0		0	100.0%	
Planning & Highways :- Indirect Expenditure	19,143	11,156	(7,987)	0	(7,987)	171.6%	9,312
Net Expenditure	(19,356)	(13,006)	6,350				
6000 plus Transfer from EMR	9,312						
Movement to/(from) Gen Reserve	(10,044)						
Grand Totals:- Income	0	0	0			0.0%	
Expenditure	19,356	13,006	(6,350)	0	(6,350)	148.8%	
Net Income over Expenditure	(19,356)	(13,006)	6,350				
plus Transfer from EMR	9,312						
Movement to/(from) Gen Reserve	(10,044)						

Agenda Item: PH1522

Committee: ALL

Date: January 2023

Title: Finance Report

Report Authors: Zoe Malone

Purpose of Report: To note and understand the finance position.

Summary of recommended actions

To understand the aims of the councils end of year financial position and make decisions with regards to earmarking funds carefully and with a purpose.

Introduction

At the financial year end on 31 March 2023, any remaining balance on the Current Year Fund will go into the council's general reserve (unless the council resolves to place some or all of it to an earmarked reserve). If the year-end figure is negative, the balance will be taken out of the council's general reserve.

It is recommended by our external auditors as per their report from the interim audit;

"The Joint Panel on Accountability and Governance (JPAG) Practitioner's guide states 'the generally accepted recommendation with regard to the appropriate minimum level of a smaller authority's general reserve is that this should be maintained at between three and twelve months of net revenue expenditure' (para 5.33)."

The general reserve balance is within the recommended range, but at the lower end and I recommend the council keeps this level under review.

Therefore as a council we need to try and build up the general reserve.

Earmarked reserves should be reserved when the budget set for a particular item has not been bought that financial year due to reasons outside of our control.

Please also note our financial regulations state;

- 1.1. Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

Analysis

If a committee wishes to earmark monies for the next financial year then the money earmarked should be for a purpose and that purpose agreed at committee.

Please ask yourselves these questions.

For example – To earmark noticeboards from current year budget.

- Do we already have earmarked reserves for this?
- What is it we want to purchase with earmarked monies?
- Have we received pricing for the item?
- Is the item needed?
- Could we purchase what is required before the end of this financial year?

We need to ensure that we are spending public money correctly but more importantly not unnecessarily.

Implications

The Town Council has a duty to consider the following implications:

<u>Financial</u>	Whilst a budget is set realistically to spend as it was agreed, we also need to build up our general reserve and therefore we need to make conscious decisions over the next few weeks to ensure we can put money into the general reserves as well as purchase what is required sensibly.
<u>Legal</u>	
<u>Environmental and sustainability</u>	
<u>Crime and disorder</u>	
<u>Climate</u>	

Appendices/Background papers

Governance Services
Department

Legal Services

[REDACTED] LLB (Hons)

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19th December 2022

When responding please contact:

[REDACTED] - Solicitor

Mobile: **[REDACTED]**

Email: **[REDACTED]**@eastsussex.gov.uk

our ref:

CE/CT510.161/AMR

your ref:

Dear Sir or Madam

Re: Application for an order to stop up highway adjoining 211 South Coast Road Peacehaven

East Sussex County Council, Legal Services, act for East Sussex County Council in a proposed application to the Magistrates Court for an order to stop up part of the highway adjoining 211 South Coast Road, Peacehaven.

You may have been contacted by Brighton & Hove City Council (then acting for East Sussex County Council) in 2019 concerning the same matter. Unfortunately, the application was not progressed at that time due to the pandemic.

It is proposed to now make the application under Section 117 Highways Act 1980 (the Act) as the owners of 211 South Coast Road have requested East Sussex County Council in its capacity as highway authority to make the application.

Under Section 116(3)(b) of the Act if the highway is in England, the council of the parish in which the highway is situated. The application cannot be made if within two months from the date of service of the notice the town council refuse consent to the making of the application.

Accordingly, please accept this letter as the notice required to Peacehaven Town Council under Section 116(3)(b) of the Act. A plan showing the area of highway in question coloured dark blue is enclosed.

It would be very helpful if you could advise whether or not Peacehaven Town Council consent to the proposed application.

Please let me know if you have any queries or would like any further information.

Contd/.....

Dear Vicky,

With reference to your query sent on 16 December, I have now received my client's comments. Please see my instructing officer's response below.

To clarify the ramp will still be available for use after a stopping up order, a large proportion of the ramp is already under the control of the land owner.

The purpose of a stopping up order is to remove public highway rights from an area. This would take away the public's right of access and transfers responsibility to the land owner. In this case the area in question hasn't been fully accessible to the public for around 15 years due to the presence of part of the building and a stopping up order would regularise the situation.

When the site at 211 South Coast Road was redeveloped, around 2005, a set of steps, part of the building and a ramp were built on the public highway without the consent of the Highway Authority. Normally the stopping up of the area would have been included as part of the planning application and dealt with via planning legislation at the time, but for some reason it wasn't in this case.

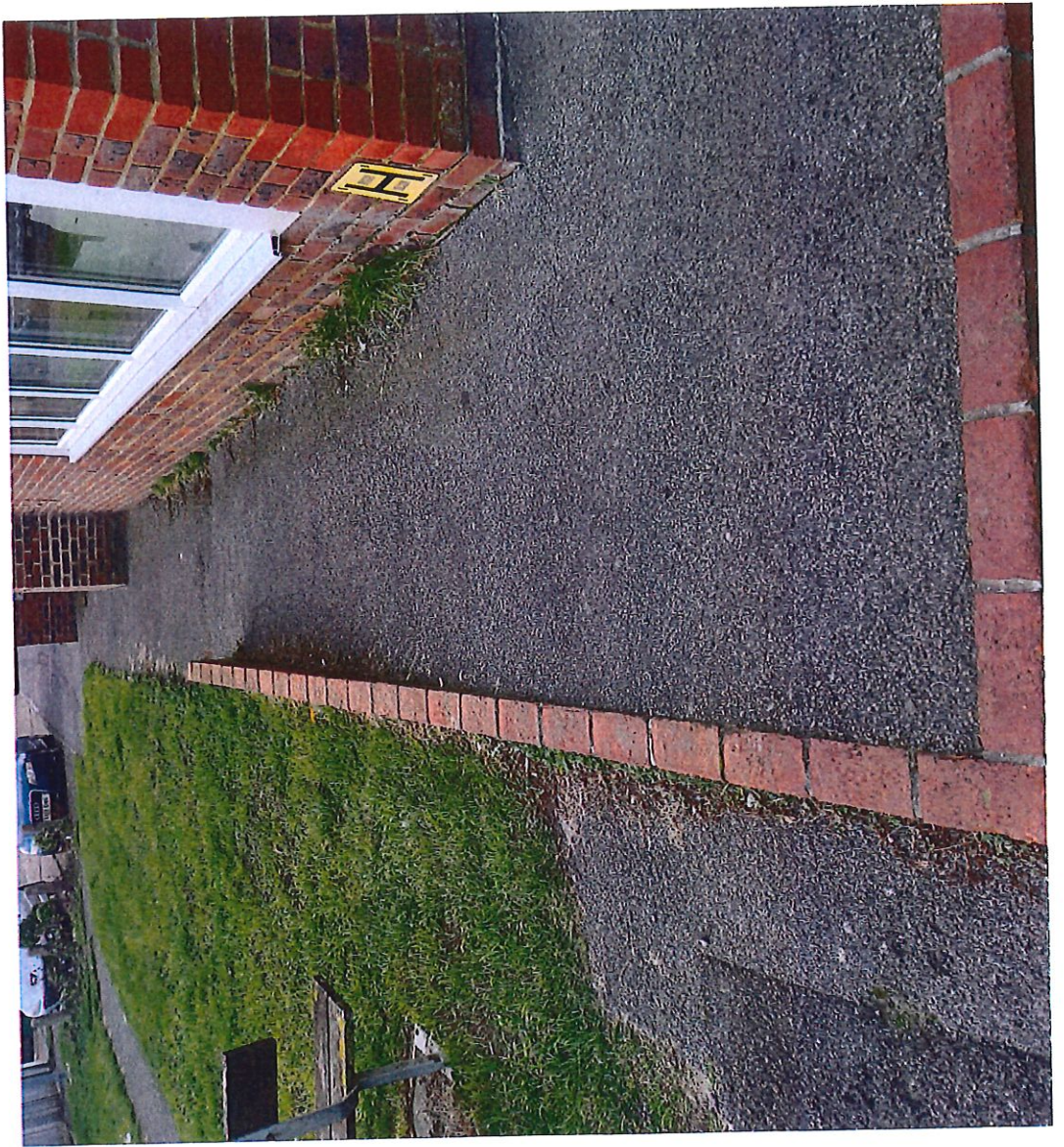
The attached plans shown the current and proposed extents of public highway. The area shaded blue shows the extent of the proposed stopping up. As the entire width of Dorothy Avenue is highway there would still be public access along the road which would be no different to how it has been for the last 15 years.

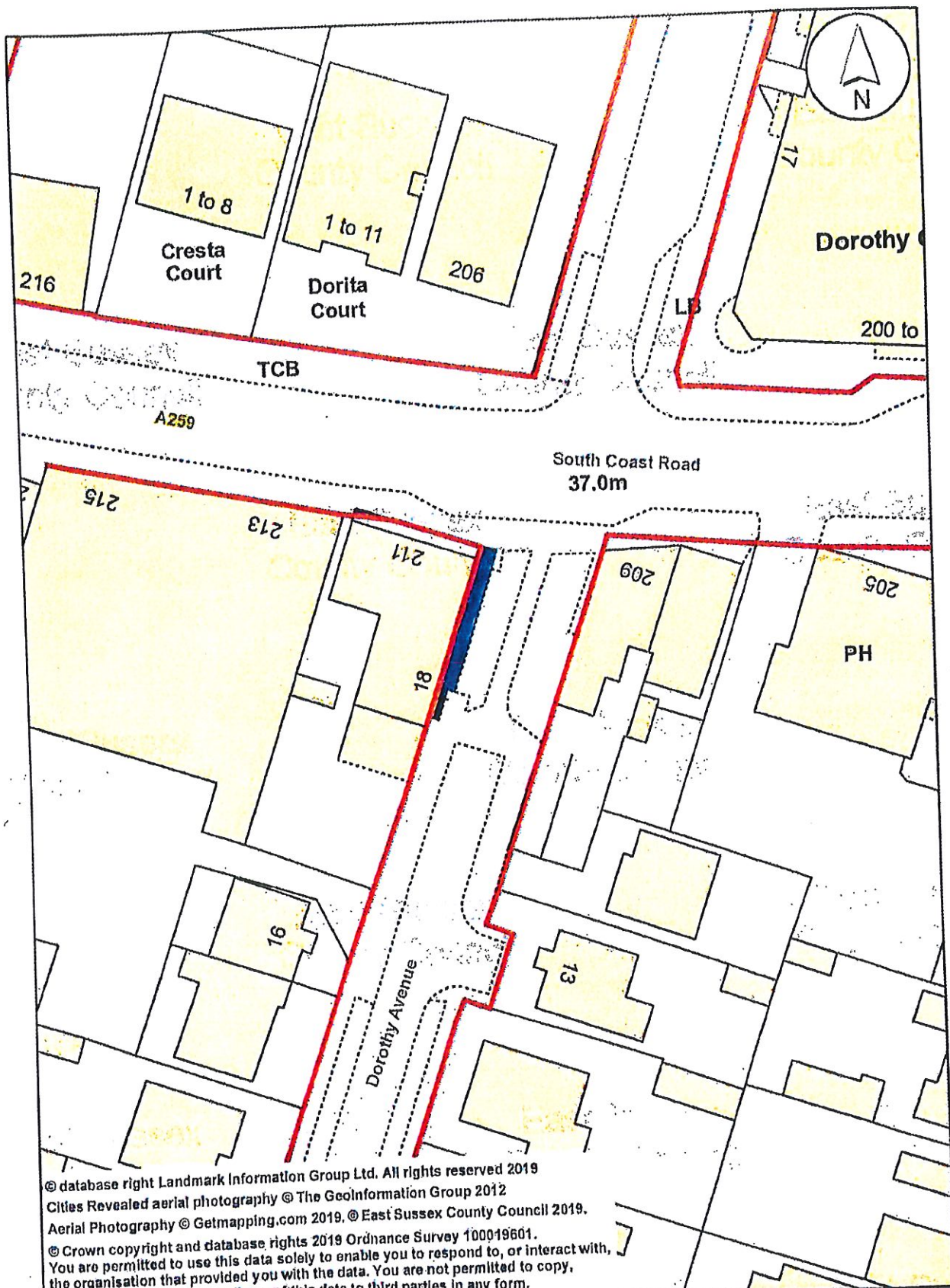
I hope this answers your query. Please let me know if you require any further information.

Kind regards,

[Redacted Signature]

[Redacted Name] | Solicitor | East Sussex County Council





Stopping Up Extent

Author:

Scale: 1:500

Date: 11/04/2019



CASE NUMBER	MEETING DATE	TASK	ACTION	PERSON RESPONSIBLE	UPDATE
1	03/09/2019	Public rights of way TFG - Concrete path from Lower Hodder Farm to Centenary Park.	Cllr Griffiths requested help from other councillors filling in evidence forms (extend of usage prior to 2005)	Cllr Griffiths - ongoing	<p>Cllr Griffiths noted that ESCC Officers had been asked for a simpler way of filling in evidence forms relating to the Hodder Farm to Centenary Park footpath 24/9/21</p> <p>Town Clerk to contact Barratts regarding this action point. 20/7/22</p> <p>Deputy Clerk has sent correspondence to Barratts. 08/08/2022.</p> <p>Discussed at Committee meeting 04/10/2022 - research needed into history of the path and to chase up Barratts as no reply received.</p> <p>Chased up again - 18/11/2022 & 16/12/2022. Queries around the ownership of the path from Barratts.</p>
2	17/05/2022	Infiltration basin			<p>01/06/2022 Cllr Collier has confirmed that planners are in the process of agreeing a proper fence around the pond (this will be a fence and not a knee rail).</p> <p>01/11/2022 - This item came on the P&H Agenda as a discharge of condition - Committee objected to proposal, currently with LDC planning.</p>
4	09/08/2022	Speed activated sign	For the Public Safety TFG to investigate, discuss, and liaise with Telscombe Town Council about the speed activated sign, and report back to the P&H Committee.	Admin Officer	<p>Planned to be discussed at next Public Safety Group meeting on 28/10/22.</p> <p>To be discussed on 25/11/2022 at Public Safety Group Meeting.</p> <p>Need more evidence before being able to progress further.</p> <p>Meeting with SDNPA Officers planned on 21/11/2022.</p>
5	01/11/2022	SDNPA CIL Funding Opportunities	To investigate options for CIL funding from SDNPA		Update - 29/11/2022. Steering group to be set up following meeting with representatives from SDNPA.
6	01/11/2022	Wildflower Verges	Ton conduct a survey via eNews and Social Media regarding possible locations for Wildflower verges in the town	DCCO	In discussion with Leisure, Amenities, and Projects Officer about getting out a survey - will likely be early in 2023.

