

COUNCIL
19th April, 2007

PRESENT – The Mayor; Councillors Armstrong, Baldwin, Mrs. Brown, Copeland, Dixon, Flowers, Foster, Francis, Galletley, Harker, Mrs. Hart, Haszeldine, Holmes, Hughes, Johnson, B. Jones, Mrs. D. Jones, Lewis, Long, D.A. Lyonette, J.M. Lyonette, Maddison, Maybrey, McEwan, Nutt, Reynolds, Richmond, F.S. Robson, S. Robson, Ruck, A.J. Scott, Mrs. H. Scott, Stenson, Mrs. Swift, Thistlethwaite, Vasey-Smith, J.C. Vasey, L. Vasey, Walker, Wallis, Williams and Wilson. (43)

APOLOGIES – Councillors Bristow, Hartley, Heaney, Hutchinson, S. Jones, Lawton, Lee, Newall, Roberts and Swainston. (10)

98. DECLARATIONS OF INTEREST – Councillor McEwan declared a personal and non-prejudicial interest in Minute 102 (1) below, in relation to the Children’s Services Portfolio Report. Councillor Ruck declared a personal and non-prejudicial interest in Minute 102(1) below, in relation to the Consumer and Environmental Services Portfolio Report.

99. MINUTES – Submitted – The Minutes (previously circulated) of the meetings of this Council held on 1st, 8th and 21st March, 2007.

RESOLVED – That the Minutes be approved as correct records.

100. ANNOUNCEMENTS – (1) Death in Service – The Mayor reported the death in service of Mr. John Middleton, who died following a short illness, on 8th April 2007. Mr. Middleton was employed by the Council as part of the Markets Team in the Development and Environment Department.

RESOLVED - That the deepest sympathy of the Council be conveyed to the family of Mr. Middleton for the sad loss they have sustained.

(2) Acknowledgement of Service – The Mayor announced that the following Councillors would not be standing as candidates in the Borough Council Elections on 3rd May, 2007 :-

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| Councillor Hutchinson, | with 44 years service; |
| Councillor Mrs. Brown, | with 41 years service; |
| Councillor F. Robson, | with 28 years service; |
| Councillor Wilson, | with 16 years service; |
| Councillor Flowers, | with 12 years service; |
| Councillor Bristow, | with 10 years service; |
| Councillor Holmes, | with 4 years service; and |
| Councillor Vasey-Smith, | with 4 years service. |

A total of 159 years service.

RESOLVED – That the cordial thanks of the Council be extended to these Councillors for the valuable service they have rendered to the Borough during their terms of office.

101. ORDER OF SEALING DOCUMENTS – Presented – The Register showing the documents, which had been sealed since the last meeting of Council.

RESOLVED – That the Register of Documents, which had been sealed since the last meeting of the Council, be signed by the Mayor.

102. CABINET RECOMMENDATIONS AND REPORTS – (1) Overview Reports of Cabinet Members – The Leader and Cabinet Members each gave a report (previously circulated) on the main areas of work undertaken under their relevant portfolio during the previous cycle of meetings.

Discussion ensued on the content of the reports and Cabinet Members answered questions thereon.

RESOLVED – That the reports be received.

(2) Questions - In accordance with notice duly given, Councillor Galletley asked a question of Councillor Williams, and received a response thereon.

(3) Affordable Housing Supplementary Planning Document – The Director of Development and Environment submitted a report (previously circulated) requesting adoption of the Affordable Housing Supplementary Planning Document as part of the Local Development Framework.

The submitted report outlined the contents of the proposed supplementary planning document on affordable housing, highlighted the key changes from an earlier consultation draft paper, and recommended that this Council adopted the document as part of its emerging Local Development Framework.

RESOLVED – (a) That the Affordable Housing Supplementary Planning Document, as appended to the submitted report, be adopted as part of the Council’s emerging Local Development Framework.

(b) That the adopted Supplementary Planning Document, together with a report outlining the findings of the Sustainability Appraisal Report and the Equalities Impact Assessments, and how these have been taken into account, and the statements specified in Regulation 19 of the Town and Country Planning (Local Development)(England) Regulations 2004, be published on the Council’s website, made available for inspection during normal opening hours at the Town Hall and the Crown Street, Cockerton and mobile libraries, and sent to those people who asked to be notified of adoption.

(c) The adopted Supplementary Planning Document takes immediate effect as the basis for decision making where affordable housing is required as part of new development, subject to the transitional arrangements set out in this report.

REASONS – (a) To provide greater certainty to developers and others about the scale and nature of this Council’s expectations regarding the provision of affordable housing in new housing developments.

(b) To meet the statutory requirements for preparing supplementary planning documents, and the requirements of this Council’s Statement of Community Involvement.

(4) Cabinet Urgent Decisions - The Corporate Management Team submitted a report (previously circulated) detailing five decisions taken by the Cabinet as a matter of urgency and to which the procedure for call-in could not be applied.

The submitted report outlined the procedure to be followed if decisions were taken under the Urgency Rule.

RESOLVED – That the urgent decision taken by Cabinet be noted.

REASON - To comply with the Council's Constitution.

103. SCRUTINY REPORTS – (1) Overview Reports - The five Scrutiny Committee Chairs each gave a report (previously circulated) on the main areas of work undertaken by their relevant Scrutiny Committee during the last cycle of Committee meetings.

RESOLVED – That the reports be received.

(2) Annual Reports 2006/07 - The five Scrutiny Committees Chairs each gave a report (previously circulated) on the main areas of work undertaken by their relevant Scrutiny Committee during the Municipal Year 2006/07.

RESOLVED – That the reports be received.

104. PROPOSED EASTBOURNE ACADEMY PROCURING A DESIGN AND BUILD CONTRACTOR – The Director of Development and Environment submitted a report (previously circulated) to outline the process for procuring a design and build contractor for the proposed Eastbourne Academy and requesting that Members waive this Council's Contract Procedure Rules.

The submitted report highlighted the ongoing work that is taking place to submit an Outline Business Case for the proposed Eastbourne Academy, and outlined the timetable for the programme to enable to new Academy building to be ready for September 2009.

RESOLVED – That the relevant Council's Contract Procedure Rules be waived to enable the appointment of a design and build contractor for the proposed Eastbourne Academy.

REASON – The Department for Education and Skills requires the Council to adopt their appointment procedure in return for the funding to build the proposed Academy.

105. PROPOSED BYELAWS IN RESPECT OF SKATEBOARDING AND BALL GAMES – The Director of Development and Environment submitted a report (previously circulated) requesting approval for the adoption of byelaws designed to prohibit skateboarding and ball games within the Pedestrian Heart.

The submitted report stated that the Council had received a number of complaints from members of the public concerned that skateboarding was becoming very common in the Pedestrian Heart, and that this activity caused nuisance, damage and carried the risk of injury to town centre users. The submitted report also identified an ongoing issue around the grassed area and fountain on the intersection of Bull Wynd and Houndgate, and an increase in the number of ball games in the Pedestrian Heart.

The submitted report outlined the proposed byelaws and the process for adopting those byelaws.

RESOLVED – (a) That the adoption of the byelaws, as appended to the submitted report, be approved.

(b) That the Borough Solicitor be authorised to carry out the remaining statutory process to bring the byelaws into force.

REASONS – (a) Action is required to protect members of the public going about their business in the town centre.

(b) The adoption of these byelaws would prohibit the nuisance activities and allow the Council to take enforcement action against those who flout the law.

106. MEMBERSHIP CHANGES – There were no membership changes reported at the meeting.

107. POLICE AUTHORITY QUESTIONS – There were no questions to the nominated member of the Police Authority in accordance with Section 20 of the Police Act 1996.