

## Minutes of the Extra Ordinary Parish Council Meeting Held Monday 28 September 2020

7.30pm, via the 'Zoom' video conferencing platform<sup>1</sup>

Agenda Item	Description	Resolved
<b>Present:</b>	Parish Councillors Ian Dawson, Edward Pascoe, Bernard Rust, Ian Haffenden and Harriet Martin. Liz Gander (Clerk).	
<b>Open Forum:</b>	No members of the public were present at the meeting, so an open forum was not required.	
<b>1</b>	<b>Apologies for Absence</b> None.	
<b>2</b>	<b>Declarations of Members' Interests</b> a To receive declarations of interest from Councillors on items on the agenda b To receive (and grant if appropriate) written requests for dispensations for disclosable pecuniary interests	None noted.
<b>3</b>	<b>Planning Matters</b> a <u>Update on the situation regarding the former Beer Piper site – Lewes District Council's (LDC) legal team has been looking at this matter since the last meeting and reviewing any action to be taken. The Head of Planning has been liaising with the developer to see whether they would be willing to stop work on the 26 unit scheme, in order to bring the 14 unit one back to the table. The Council had had an informal chat with a planning solicitor who felt that the Council had no legal recourse to challenge the original application for 26 units, as the time had passed for launching a judicial review. His view had been that LDC's approach of trying to negotiate revisiting the 14 unit scheme was a sensible and pragmatic one. The Parish Council remained concerned however about what incentive the developer would have to bring forward a 14 unit scheme, unless they can be sure that it would be both approved and more lucrative than 26 bedsits and 1 bedroom flats.</u> b <u>To agree a response to Lewes District Council's suggestion of trying to negotiate with the developer to bring forward a 14 unit scheme, in place of the 26 unit proposal currently being pursued.</u> Discussion took place as to whether the Council should try to take some sort of legal action against LDC for the errors clearly made in processing LW/18/0900. The Clerk noted that LDC's solicitor's advice was that there was some merit in allowing the negotiations with the developer to take their course. She further pointed out that the costs of launching potentially expensive legal action had to be weighed against the benefits. Unless there was a good chance of forcing the 26 unit project to stop (which it appears there isn't), then legal action could simply cost the tax payer money twice (once through the Parish Council having to fund legal representation using the precept, the second because LDC would have to spend tax payers' money defending it), without tangible benefits. Whilst it would be good to know that LDC have learned lessons from this experience and will put in place measures to prevent an issue like this from arising again, to pursue legal action for the sake of proving	

<sup>1</sup> In accordance with the The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

		<p>some kind of maladministration, would not seem to be a prudent use of money.</p> <p>The Council therefore resolved to write a strongly worded letter to LDC about the issues, seeking explanations as to how they arose, what actions are being taken and assurances about what will be done differently going forwards. In the event of an unsatisfactory response, the Council will consider reporting LDC to the Local Government Ombudsman.</p>	
<b>4</b>	<p>a</p> <p>b</p> <p>c</p> <p>d</p>	<p><b>Village Hall Improvement Project</b></p> <p><u>To approve the increase in fees proposed by RLF, as a result of the additional work required as compared with when the original scope of their involvement was quoted for in 2018.</u> Whilst the Council recognised the increased scope of work, it felt that the new fees proposed were quite high. The Clerk to liaise with the Management Committee to see if they were aware of this increase and then seek to negotiate with RLF.</p> <p><u>To note the number of tenders received</u> – eight tender submissions had been received.</p> <p><u>To confirm the submission of two CIL bids to help fund the later phases of the Hall Improvement Project, following the successful expressions of interest</u> – following discussion at the last meeting, LDC has allowed an extension of time for submitting the financial elements of the CIL application forms, but have asked that the bulk of the forms and supporting paperwork are submitted in time for the 30 September deadline. This will be done, and the figures provided by 15<sup>th</sup> October, by which time we hope to have decided upon a contractor and therefore have accurate figures for inclusion.</p> <p><b><u>Exclusion of the Press and Public</u></b></p> <p>By virtue of the confidential nature of the business to be transacted, the Council resolved to exclude the press and public for the following item (Public Bodies - Admission to Meetings - Act 1960).</p> <p><u>To undertake a quality scoring exercise of tenderers' technical submissions, to be collated with those from the Management Committee, Architect and Project Management team.</u></p> <p>The Council undertook the scoring exercise, using the quality assessment questions previously agreed. As one contractor had failed to provide a technical submission against which to be scored, scores were assessed for the remaining seven. The results were recorded and will be submitted to RLF as project manager on 29<sup>th</sup> September by means of a virtual meeting which the Chair and Clerk will attend.</p>	
<b>5</b>		<p><b>Items for Noting or Inclusion on Next Agenda</b></p> <p>None noted.</p>	
<b>6</b>	a	<p><b>Date of Next Meeting</b></p> <p>Monday 5 October 2020 – Parish Council Meeting</p>	