

# **HAILSHAM TOWN COUNCIL**

**NOTICE IS HEREBY GIVEN OF a meeting of the HAILSHAM TOWN COUNCIL to be held in the JAMES WEST COMMUNITY CENTRE, BRUNEL DRIVE, HAILSHAM, on**

**Wednesday, 30<sup>th</sup> January 2019 at 7.30 p.m.**

1. **APOLOGIES FOR ABSENCE:** To receive apologies for absence of council members
2. **DECLARATIONS OF INTEREST:** To receive declarations of disclosable pecuniary interests and any personal and prejudicial interest in respect of items on this agenda.
3. **PUBLIC FORUM:** A period of not more than 15 minutes will be assigned for the purpose of permitting members of the Public to address the Council or ask questions on matters relevant to responsibilities of the Council, at the discretion of the Chairman.
4. **CHAIRMAN'S UPDATE**  
To receive a verbal update from the Chairman of Hailsham Town Council
5. **CONFIRMATION OF MINUTES**  
To resolve that the Minutes of the Hailsham Town Council Meeting held on 21st November 2018 and the Extraordinary Meeting held on 9<sup>th</sup> January 2018 may be confirmed as a correct record and signed by the Chairman.
6. **COMMITTEE RECOMMENDATIONS TO COUNCIL**  
To consider the following recommendations made by committees, which are outside of their terms of reference or otherwise were resolved as recommendations to full council:
  - 6.1 **Strategic Projects Committee 12/12/2018 – Hailsham Cemetery**
7. **NEIGHBOURHOOD PLAN COMMITTEE**
  - 7.1 To note the minutes of the Neighbourhood Plan Committee Meeting 13/12/2018
  - 7.2 To approve the Neighbourhood Plan Committee's delegated authority up to the next Town Council meeting
8. **FOOTBALL PROVISION IN HAILSHAM**  
To receive a verbal update regarding a recent meeting held with local football clubs to discuss football provision in Hailsham.
9. **REPORT OF THE INDEPENDENT WEALDEN PARISH REMUNERATION PANEL 2019/20**  
  
To consider the recent report and recommendations of the Wealden Parish Remuneration panel and their implications for Hailsham Town Council

**10. TWINNING**

To consider a request from Hailsham and District Twinning Association to officially twin with Remshalden, Germany.

**11. CHRISTMAS LIGHTING CONTRACT**

To reconsider the recommendation from the Council's Communities Committee, as deferred from the Town Council's Meeting on 26<sup>th</sup> September 2018.

**12. HAILSHAM BONFIRE SOCIETY**

To consider a proposal from Hailsham Bonfire Society to use the Western Road Recreation Ground for the bonfire event

**13. GRIT BOX**

To consider a request for the town council to provide and fund an additional grit box.

**14. MOTION 164**

To consider the following motion as submitted to the Town Clerk in accordance with Standing Order No. 2 by Councillor Gavin Blake-Coggins, who proposes the motion that:

*Since the recent confirmation by Wealden District Council that the original site allocation in Reef Way for a sixth form college has been reallocated:*

- a) Hailsham Town Council now fully supports Hailsham Forward's and Hailsham Active's proposal that a sixth form for Hailsham Community College is established on the former Firstfields/ambulance station site in London Road*
- b) Hailsham Town Council formally writes to both Wealden District Council as planning authority and East Sussex County Council as land owner of the proposed site and education authority to request that the site is preserved for the future use as a sixth form college for Hailsham.*

The motion is seconded by Councillor Alexa Clarke.

**15. DEED OF RELEASE –**

To resolve that the council executes and signs a legal deed of release

**16. CONFIDENTIAL BUSINESS**

**To resolve** that the press and public are temporarily excluded during the discussion on the **next four items (17, 18, 19 & 20)** of the agenda as they concern: The terms of tenders and proposals and counter proposals in negotiation for contracts; The preparation of cases in legal proceedings and Engagement, terms of Service

in accordance with the Council's Standing Orders No. 1E.

**17. WESTERN ROAD RECREATION GROUND – CONFIDENTIAL (Terms of tenders & contracts)**

To discuss the possible project to develop Western Road Recreation ground

**18. CHANGING PLACES – CONFIDENTIAL (Terms of tenders & contracts)**

To further discuss the potential for the installation of Changing Places Facilities

**19. TRANSFER OF LAND – CONFIDENTIAL (Terms of tenders and contracts and Legal proceedings)**

To receive an update on the proposal for transfer of land to Hailsham Town Council

**20. RECOMMENDATION: FINANCE, BUDGET, RESOURCES AND STAFFING COMMITTEE 23.01.2019 – CONFIDENTIAL (Engagement, Terms of Service)**

To discuss a recommendation from the Finance, Budget, Resources & Staffing Committee regarding the terms of the council's Communications and Public Information officer.

**21. PRECEPT 2019-2020**

To consider the recommendations of the Finance, Budget, Resources and Staffing Committee (9<sup>th</sup> January 2019) and any additional resolutions or budget pressures that will affect the budget for 2019-2020.

To resolve the precept for the financial year April 2019 to March 2020 to be requisitioned from Wealden District Council



JOHN HARRISON  
Town Clerk

**Report to:** Hailsham Town Council

**Date:** 30<sup>th</sup> January 2019

**By:** John Harrison, Town Clerk/Michelle Hagger, Finance Officer

**Title of report:** REPORT OF THE INDEPENDENT WEALDEN PARISH  
REMUNERATION PANEL 2019-20

**PURPOSE:**

To consider the recent report and recommendations of the Wealden Parish Remuneration panel and their implications for Hailsham Town Council

**BACKGROUND.**

The Report of the Independent Wealden Parish Remuneration Panel 2018-19 was received by the Council on 4<sup>th</sup> December 2018. The report is attached as an appendix to this report below

**KEY POINTS MADE IN THE REPORT**

The Panel recommends:

- Allowances should be paid in accordance with three bands, Levels 1 to 3.
- Hailsham Town Council remains assigned to Level 3.
- There be a 2% increase to all Basic and Chairman's Allowances from that previous recommended for 2018-2019 by banding as follows;

<b>2017/18</b>	<b>LEVEL1</b>	<b>LEVEL2</b>	<b>LEVEL 3</b>
Basic Allowance	£163	£403	£1286
Chairman's Allowance	£281	£633	£1776

- The policy to fix Travelling Allowances in line with HM Revenue & Customs 'Approved Mileage Allowance Payment' rates be re-affirmed.
- That the Subsistence Allowances remain unchanged from last year;
- That the recommendations set out above are all proposed for implementation at the commencement of the financial year 2019/20. However, Town and Parish Councils can choose what level of allowances to implement; and
- The Panel notes with regret that it is still not possible under the current legislation to recommend a Carers' Allowance for Parish/ Town Councillors, but would wish for all Parish and Town Councils to consider adopting a basic allowance to enable Parish/Town Councillors to use this to cover care costs where need be to attend meetings.

## FINANCIAL IMPLICATIONS

### Previous recommendation and resolution:

The report for 2018-2019 was considered at the full council meeting on 24<sup>th</sup> January 2018. The recommendations in that report were to increase the member's allowance by 2% from £1236 to £1261. **The Council resolved to accept the Report of the Independent Remuneration Panel for 2018/19. (HTC 17/4/217.2)**

The report for 2017-2018 was considered at the full council meeting on 25<sup>th</sup> January 2017. The recommendations in that report were to increase the member's allowance by 1% from £1224 to £1236. The council resolved to accept the recent report and recommendations of the Wealden Parish Remuneration Panel at Level 3 – Basic Allowance of £1,236 and Chairman's Allowance of £1,706 per annum. (Minute Ref HTC/16/5/234.1)

The report for 2016-2017 was considered at the full council meeting on 30<sup>th</sup> March 2016. The recommendations in that report were to increase the member's allowance by 1% from £1212 to £1224. The council resolved not to accept the increase in councillors' allowances as recommended in the report of the Independent Wealden Parish Remuneration Panel 2016-17. (Minute Ref HTC/15/9/299.2)

In the previous year, the council also resolved not to accept the suggested increase as recommended for 2015-2016 (Minute Ref HTC/15x/2/152.3). Therefore the councillors' allowance remained at the 2014-2015 level of £1200 for members and £1655 for the chairman throughout the 2015-2016 and 2016-2017 financial years.

HTC has usually awarded 23 X the Basic Allowance, plus the Chairman's Allowance to form these amounts. However, during this council term there have been co-opted members who are not entitled to the allowance as determined by legislation.

It should be noted that from May 2019 these amounts will be reduced to 17 X the Basic Allowance and the Chairman's Allowance.

For 2018-2019 the recommended levels, raised the total budget to £30,744.00 ( $23 \times £1261 = £29,003 + £1741.00 = £30,744.00$ ), although this does not account for co-opted councillors who are not entitled to the allowance and therefore the actual payments were less.

**For 2019-2020 the recommended levels, if accepted, would result in this total being £23,638 ( $17 \times £1286 = £21,862 + £1776 = £23,638.00$ ) – assuming all council members are elected and none co-opted.**

**If not accepted, and the current amount maintained, this amount would be £23,178. ( $17 \times £1261 = £21,437 + £1741 = £23,178$ ) – assuming all council members are elected and none co-opted.**

## CONSIDERATIONS.

Council is asked whether to accept the recommendations of the report – that is whether to accept the full rise as recommended in the report, a variation of the recommendation or no rise at all.

## Report of the Wealden Parish Remuneration Panel on Town and Parish Councillor Allowances for 2019/2020

### Introduction

This is the report of the Parish Remuneration Panel for 2019/20. The Panel is established by Wealden District Council under Regulation 27 of the Local Authorities (Members' Allowances) (England) Regulations 2003, for the Town and Parish Councils in its area (full list of Town and Parish Councils to which the report applies is attached at Appendix A).

### Summary

The Panel recommends:

That allowances should be paid in accordance with three bands, Levels 1 to 3;

That there be a 2% increase to all Basic and Chairman's Allowances rounded to the nearest pound.

2019/20	LEVEL 1	LEVEL 2	LEVEL 3
Basic Allowance	£163	£403	£1,286
Chairman's Allowance	£281	£633	£1,776

That  
the  
policy  
to fix

Travelling Allowances in line with HM Revenue & Customs 'Approved Mileage Allowance Payment' rates be re-affirmed;

That the Subsistence Allowances remain unchanged from last year;

That the recommendations set out above are all proposed for implementation at the commencement of the financial year 2019/20. However, Town and Parish Councils can choose what level of allowances to implement; and

The Panel notes with regret that it is still not possible under the current legislation to recommend a Carers' Allowance for Parish/ Town Councillors, but would wish for all Parish and Town Councils to consider adopting a basic allowance to enable Parish/Town Councillors to use this to cover care costs where need be to attend meetings.

### Membership of Panel and Meetings

The Panel consists of three members – Mr Edward Stone (Chairman), Mr Michael Kettell, and Mr Clive Mills.

The Panel met on Tuesday 27 November 2018. The Panel subsequently dealt with the preparation of this report through discussion and advice from officers by email.

### Panel Remit

The Panel produces a report in relation to the members of the town and parish councils for which the Wealden District Council is the responsible authority and in respect of which it is established, making recommendations, in accordance with the provisions of regulation 29 of the Local Authorities (Members' Allowances) (England) Regulations 2003 as to:

- a) the amount of parish basic allowance payable to members of such town and parish councils;

- b) the amount of travelling and subsistence allowance payable to members of such town and parish councils;
- c) whether parish basic allowance should be payable only to the Mayor or Chairman of any such town and parish council or to all of its members; whether, if parish basic allowance should be payable to both the Mayor or Chairman and the other members of any such town and parish council, the allowance payable to the Mayor or Chairman should be set at a level higher than that payable to the other members, and, if so, the higher amount so payable (Chairman's Allowance); and
- d) the responsibilities or duties in respect of which members should receive parish travelling and subsistence allowance.

### **Parish Basic and Chairman's Allowances**

As in previous years, the Panel has examined information in order to assist in determination of a recommendation on parish/town council basic allowance and whether it should be payable to both the Mayor or Chairman and the other elected members of a town or parish council.

The Panel has considered last year's report to Town and Parish Councils recommending allowances for 2018/19. The Panel had carried out a review of the level of allowances last year and had recommended a 2% increase.

The Clerk to the Panel had invited all Town and Parish Clerks to provide any comments on the allowance scheme. Six Parish/Town Councils had responded and a summary is set out below:

- a. The basic allowance is insufficient to cover the costs of undertaking the role of a councillor and would not attract new blood; however most councillors are in that role because of their community spirit – it is not about the remuneration.
- b. Better to state that no fee is paid, but that all expenses are reimbursed.
- c. Present level covers the costs of ink, paper and travelling costs.
- d. Unfair that no allowance is paid to co-opted members.
- e. The allowance is too low to cover cost of all expenses, such as telephone calls (particularly at peak time).
- f. The categorisation into three levels of Council bears no relation to the time, effort or expertise put in by councillors. Wrong to imply that the Chairman of a town council works harder than the Chairman of a small parish council.
- g. Workloads depend upon how a councillor conducts their duties and some are more proactive than others. Perhaps better to have attendance allowance.
- h. The Chairman's reimbursement is probably not enough considering the number of functions they have to attend.
- i. One councillor felt aggrieved that they could not claim because of their Council's agreement not to adopt the allowances recommended.

The Panel notes that the last full election for all Town and Parish Councils was May 2015, but there were a number of Parishes where Councillors had stepped down and further elections had been held. The Panel is aware that it is common practice to co-opt Parish Councillors to vacancies. It noted the request that allowances should be given to co-opted members, but confirmed that this was not allowed under the Regulations.

However, the Panel emphasised that it is keen to see all Parish and Town Councils adopt a scheme of some sort, even if it is normal practice not to claim. This is to ensure that no potential candidate should be put off standing due to the costs of working as a local councillor, and to ensure that Parish and Town Councillors could choose to claim an allowance should they need to do so.

Given the rise in the cost of living, it was agreed that a recommended 2% increase in all the basic allowances for levels 1-3 is appropriate, rounded to the nearest £1. This is in line with the Panel's recommendations for Wealden District Council.

Regulation 29(2) requires that recommendations be expressed not only in cash terms but also as a percentage of the amount recommended by the Independent Remuneration Panel as the Basic Allowance for Wealden District Councillors. The Panel is recommending that the allowance is increased for District Councillors to £4,611 per annum for the financial year 2019/20. Based on that figure, the percentages have been incorporated into the attached Appendix A.

### **Chairman's Allowance**

As indicated in previous reports, individual Town and Parish Councils are free to decide whether an allowance should be payable only to the Mayor or Chairman and/or to all of its members. The Chairman's Allowance as recommended by this report is intended to be paid as a substitute for the Basic Allowance rather than in addition to it, but this is at the discretion of each Town and Parish Council.

Town and Parish Councils are reminded that the Chairman's Allowance (again detailed in the attached Appendix A) is an allowance personal to the Parish/Town Councillor elected Mayor or Chairman. It is entirely separate to the allowance under the Local Government Act 1972, Sections 15(5) and 35(5), which is payable as the Parish/Town Council thinks fit to reasonably meet the expenses of the office of Mayor or Chairman.

The Panel **recommends** an increase to all Chairman's Allowances in Levels 1 to 3 on the same basis as increases to Parish/Town Council Basic Allowances, as detailed in Appendix A attached.

### **Travelling Allowance**

The Panel wanted to clarify that under Regulation 26, Town and Parish Councils may pay travelling and subsistence allowances, including an allowance in respect of travel by bicycle or by any other non-motorised form of transport, undertaken or incurred in connection with the performance of any duty within one or more of the categories set out in that Regulation.

Councillors can receive up to a tax-free approved amount when using their own vehicles in carrying out their duties. These payments are known as Approved Mileage Allowance Payments (**AMAP**), and as from 6 April 2011 the following rules apply:

Car or Van – 45p per mile for the first 10,000 miles and 25p per mile thereafter;

Motor Cycle – 24p per mile (all miles);

Cycle – 20p per mile (all miles); and

A 5 pence per mile per passenger supplement for up to four passengers.

The Panel **recommends** that the policy to fix Travelling Allowances in line with AMAP be re-affirmed.

## **Subsistence Allowance**

The Panel **recommends** that the current level of subsistence rates remain for 2019/20, as follows:

Breakfast	£6.50	When away from home on approved Parish/ Town Council business before 8 am.
Lunch	£8.50	When away from home on approved Parish/ Town Council business between 12 noon and 2 pm.
Tea	£4.50	When away from home on approved Parish/ Town Council business between 5 pm and 7 pm.
Evening Meal	£10.50	When away from home on approved Parish/ Town Council after 7 pm.

In addition, subsistence for overnight absence other than London or specified conferences should remain at £85, and for London or specified conferences should be £95.00.

It was confirmed that payment should still be subject to Parish/ Town Councillors certifying that they had actually and necessarily incurred the amount being claimed.

## **Co-opted Members**

As set out above under the relevant legislation, co-opted members of Town and Parish Councils are not eligible to be paid Parish/Town Council Basic Allowances nor Chairman's Allowances, but may claim Travelling and Subsistence Allowances. It is not in the Panel's remit to make any recommendations that this change.

## **Communication of Allowances**

On receipt of this report, Town and Parish Councils must advertise receipt of the report in line with Regulation 30 (2003 Regulations).

In setting the levels of allowances, Town and Parish Councils must show they have regard to the IRP's recommendations, but it is entirely up to each Town and Parish Council what scheme of allowances is adopted. The Panel has expressed its preference that an allowance scheme is adopted by all Councils, even if not claimed by individual Councillors. When adopting a scheme, Parish and Town Councils must under the Regulations publish its scheme by public notice.

The Panel asks that Parish and Town Clerks ensure that all Parish/Town Councillors are made aware of what level of allowance is available and what other expenses can be claimed.

## **Other Business**

The Panel did not consider that it was appropriate to make a recommendation for more than one year.

The Panel would like to express its thanks to the Parish and Town Councils and Officers who had assisted it in its work and the preparation of this report.

**Mr Edward Stone**  
**Chairman**

**Appendix A**

	<b>LEVEL1</b>	<b>LEVEL2</b>	<b>LEVEL3</b>	
<b>Basic Allowance</b>	£163	£403	£1,286	
<b>Chairman's Allowance</b>	£ 281	£633	£ 1,776	
<b>PARISH</b>	<b>No. of Councillors</b>	<b>Maximum Basic Allowance</b>	<b>Maximum Chairman's Allowance</b>	<b>% of Recommended District Basic Allowance</b>
<b><u>Level 1</u></b>				
Alciston	n/a	n/a	n/a	n/a
Little Horsted	n/a	n/a	n/a	n/a
Selmeston	n/a	n/a	n/a	n/a
Cuckmere Valley	7	£163	£281	3.54%
Berwick	7	£163	£281	3.54%
Wartling	7	£163	£281	3.54%
Long Man	7	£163	£281	3.54%
Hooe	7	£163	£281	3.54%
Arlington	7	£163	£281	3.54%
Laughton	7	£163	£281	3.54%
Isfield	7	£163	£281	3.54%
Chiddingly	9	£163	£281	3.54%
Hellingly	15	£163	£281	3.54%
Hadlow Down	7	£163	£281	3.54%
Fletching	9	£163	£281	3.54%
Warbleton	11	£163	£281	3.54%
Frant	11	£163	£281	3.54%
Alfriston	7	£163	£281	3.54%
East Hoathly/Halland	9	£163	£281	3.54%
Chalvington/Ripe	7	£163	£281	3.54%
Horam	11	£163	£281	3.54%
East Dean/Friston	9	£163	£281	3.54%
Framfield	11	£163	£281	3.54%
Hartfield	13	£163	£281	3.54%
Ninfield	9	£163	£281	3.54%
Danehill	9	£163	£281	3.54%
Buxted	15	£163	£281	3.54%
Withyham	13	£163	£281	3.54%
Herstmonceux	11	£163	£281	3.54%
Mayfield/ Five Ashes	15	£163	£281	3.54%
Maresfield	14	£163	£281	3.54%
Rotherfield	13	£163	£281	3.54%
Westham	13	£163	£281	3.54%
Pevensy	13	£163	£281	3.54%
Wadhurst	15	£163	£281	3.54%
<b><u>Level 2</u></b>				
Forest Row	15	£403	£633	8.74%
Willingdon/Jevington	19	£403	£633	8.74%
Polegate	15	£403	£633	8.74%
Heathfield/Waldron	21	£403	£633	8.74%

<b><u>Level 3</u></b>				
<b>Hailsham</b>	24	£1,286	£1,776	27.89%
<b>Uckfield</b>	15	£1,286	£1,776	27.89%
<b>Crowborough</b>	16	£1,286	£1,776	27.89%

**2003 No. 1021**

**LOCAL GOVERNMENT, ENGLAND**

**The Local Authorities (Members' Allowances) (England)  
Regulations 2003**

<i>Made - - - -</i>	<i>7th April 2003</i>
<i>Laid before Parliament</i>	<i>7th April 2003</i>
<i>Coming into force</i>	<i>1st May 2003</i>

**ARRANGEMENT OF REGULATIONS**

PART 1

*General*

1. Citation, commencement and application
2. Interpretation
3. Application of these Regulations

PART 2

*Allowances*

4. Basic allowance
5. Special responsibility allowance
6. Special responsibility allowance for members of the Association of London Government
7. Dependants' carers' allowance
8. Travelling and subsistence allowance
9. Co-optees' allowance

PART 3

*Schemes*

10. Requirements for schemes
11. Pensions
12. Transitional provisions for revocation of allowance schemes
13. Elections to forgo allowances
14. Claims and payments
15. Records of allowances
16. Publicity
17. Transitional provisions

PART 4

*Independent remuneration panels*

18. Application of this Part

19. Duty to have regard to recommendations
20. Independent remuneration panels
21. Recommendations of panels
22. Publicity for recommendations of panels
23. Transitional provisions for independent remuneration panels

## PART 5

### *Parish councils*

24. Application of this Part
25. Parish basic allowance
26. Parish travelling and subsistence allowance
27. Parish remuneration panels
28. Recommendations of parish remuneration panels
29. Levels of allowances
30. Publicity in respect of reports of parish remuneration panels
31. Records of parish allowances
32. Elections to forgo parish allowances

## PART 6

### *Transitional provisions, revocation and disapplications*

33. Revocation
34. Disapplication

The First Secretary of State in exercise of the powers conferred on him by sections 18 and 190(1) of the Local Government and Housing Act 1989<sup>(a)</sup> and sections 100 and 105(2), (3) and (4) of the Local Government Act 2000<sup>(b)</sup>, and of all other powers enabling him in that behalf, and having carried out such consultation as is required by section 100(5) of the Local Government Act 2000, hereby makes the following Regulations—

## PART 1

### GENERAL

#### **Citation, commencement and application**

1.—(1) These Regulations may be cited as the Local Authorities (Members' Allowances) (England) Regulations 2003 and shall come into force on 1st May 2003.

(2) These Regulations apply in England only<sup>(c)</sup>.

#### **Interpretation**

2. In these Regulations—

“the Association of London Government” means the body known by that name and established on 1st April 2000 as a joint committee by the London borough councils and the Corporation of the City of London;

“basic allowance” has the same meaning as in regulation 4 of these Regulations;

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(a) 1989 c.42; section 18 is amended by paragraph 37 of Schedule 4 to the Police and Magistrates Court Act 1994 (c.29), paragraph 97 of Schedule 37 to the Education Act 1996 (c.56) and section 99 of the Local Government Act 2000 (c.22).

(b) 2000 c.22.

(c) The Secretary of State's functions under sections 18 and 190 of the Local Government and Housing Act 1989, so far as exercisable in relation to Wales are transferred to the National Assembly for Wales by article 2 of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672); *see* the entry in Schedule 1 for the Local Government and Housing Act 1989 and *see* section 106(3) of the Local Government Act 2000. *See* also section 100(7) of the Local Government Act 2000 for the power of the National Assembly for Wales to make regulations in relation to allowances. The Secretary of State's functions under the Local Government and Housing Act 1989, so far as exercisable in relation to Scotland, are now functions of the relevant Scottish minister by virtue of the Scotland Act 1998 (c.46).

- “co-optees’ allowance” has the same meaning as in regulation 9 of these Regulations;
- “dependants’ carers’ allowance” has the same meaning as in regulation 7 of these Regulations;
- “independent remuneration panel” means a panel or joint panel established under regulation 20 of these Regulations;
- “local government elector” means a person entitled to vote as an elector at a local government election in accordance with section 2 of the Representation of the People Act 1983**(a)**;
- “parish basic allowance” has the same meaning as in regulation 25 of these Regulations;
- “parish remuneration panel” means a panel or joint panel established under regulation 27 of these Regulations;
- “parish travelling and subsistence allowance” has the same meaning as in regulation 26 of these Regulations;
- “political group” means a group constituted in accordance with regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990**(b)**;
- “proper officer” shall be construed in accordance with section 270(3) of the Local Government Act 1972**(c)**;
- “recommendation” means a recommendation made by a panel in accordance with regulations 21 and 28;
- “the scheme” means the scheme for the payment of allowances made in accordance with Parts 2 and 3 of these Regulations;
- “special responsibility allowance” has the same meaning as in regulation 5 of these Regulations;
- “travelling and subsistence allowance” has the same meaning as in regulation 8 of these Regulations;
- “unitary county council” means a county council for an area for which there is no district council; and
- “year” means—
- (a) the period beginning on the date of the coming into force of these Regulations and ending on 31st March 2004; and
  - (b) any period of 12 months ending on 31st March in any year after 2004.

### **Application of these Regulations**

**3.**—(1) Any reference in this Part and Parts 2 and 3 of these Regulations to an authority shall, unless otherwise specified be construed as a reference to a body of one of the following descriptions—

- (a) a district council;
- (b) a county council;
- (c) a London borough council;
- (d) the Council of the Isles of Scilly;
- (e) a fire authority constituted by a combination scheme under the Fire Services Act 1947**(d)**;

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**(a)** 1983 c.2; section 2 was substituted by section 1(1) of the Representation of the People Act 2000 (c.2).  
**(b)** S.I. 1990/1553, amended by S.I. 1991/1398.  
**(c)** 1972 c.70.  
**(d)** 1947 c.41.

- (f) a joint authority established by Part IV of the Local Government Act 1985**(a)**;
  - (g) the London Fire and Emergency Planning Authority**(b)**;
  - (h) the Broads Authority**(c)**;
  - (i) a National Park authority**(d)**; and
  - (j) a conservation board of an area of outstanding natural beauty**(e)**;
- (2) For the purposes of section 18 of the Local Government and Housing Act 1989—
- (a) the bodies referred to at sub-paragraphs (h) and (j) of paragraph (1) are hereby designated as relevant authorities**(f)**; and
  - (b) any member of an authority listed in paragraph (1) shall be treated as if he were a councillor**(g)**.

## PART 2

### ALLOWANCES

#### Basic allowance

- 4.—(1) An authority shall—
- (a) make a scheme in accordance with these Regulations which shall provide for the payment of an allowance in respect of each year to each member of an authority, and the amount of such an allowance shall be the same for each such member (“basic allowance”); and
  - (b) pay basic allowance and any other allowance permitted by these Regulations only in accordance with such a scheme.
- (2) In relation to basic allowance, the scheme shall—
- (a) specify the amount of entitlement by way of basic allowance in respect of any year to which it relates; and
  - (b) provide that where the term of office of a member begins or ends otherwise than at the beginning or end of a year, his entitlement shall be to payment of such part of the basic allowance as bears to the whole the same proportion as the number of days during which his term of office as member subsists bears to the number of days in that year.
- (3) The scheme may specify that where a member is suspended or partially suspended**(h)** from his responsibilities or duties as a member of an authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, the part of basic allowance payable to him in respect of the period for which he is suspended or partially suspended may be withheld by the authority.

#### Special responsibility allowance

5.—(1) A scheme made under this Part may provide, in accordance with paragraph (2), for the payment for each year for which that scheme relates of an allowance (“special responsibility allowance”) to such members of the authority as have such special responsibilities in relation to the authority as are specified in the scheme and are within one or more of the following categories—

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- (a) 1985 c.51.
  - (b) Established by Part VII of the Greater London Authority Act 1999 (c.29).
  - (c) Established by the Norfolk and Suffolk Broads Act 1988 (c.4).
  - (d) As established by the Environment Act 1995 (c.25). Under paragraph 11 of Schedule 7 to that Act, a National Park authority is a relevant authority for the purposes of section 18 of the Local Government and Housing Act 1989.
  - (e) *See* section 86 of and Schedule 13 to the Countryside and Rights of Way Act 2000 (c.37) for provisions as to the establishment of conservation boards.
  - (f) Section 18(5)(b) of the Local Government and Housing Act 1989 provides that Regulations made under section 18 may apply to a body on which any relevant authority within the meaning of that section is represented and which is designated a relevant authority.
  - (g) Section 18(6) of the Local Government and Housing Act 1989 provides that any reference to a councillor in that section includes a reference to a member of the authority concerned who, in accordance with regulations made under that section, is to be treated as if he were a councillor.
  - (h) *See* section 83(7) to (10) of the Local Government Act 2000.

- (a) acting as leader or deputy leader of a political group within the authority;
  - (b) acting as a member of an executive where the authority are operating executive arrangements within the meaning of Part II of the Local Government Act 2000;
  - (c) presiding at meetings of a committee or sub-committee of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such a joint committee;
  - (d) representing the authority at meetings of, or arranged by, any other body;
  - (e) acting as a member of a committee or sub-committee of the authority which meets with exceptional frequency or for exceptionally long periods;
  - (f) acting as the spokesman of a political group on a committee or sub-committee of the authority;
  - (g) acting as a member of an adoption panel within the meaning of the Adoption Agencies Regulations 1983(a);
  - (h) acting as a member of any committee or sub-committee that deals with any function arising under any enactment authorising the authority to license or control the carrying on of any activity;
  - (i) carrying out such other activities in relation to the discharge of the authority's functions as require of the member an amount of time and effort equal to or greater than would be required of him by any one of the activities mentioned in sub-paragraphs (a) to (h) (whether or not that activity is specified in the scheme).
- (2) Any scheme making such provision as is mentioned in paragraph (1) shall—
- (a) specify the amount of each special responsibility allowance, which need not be the same;
  - (b) provide that, where—
    - (i) members of an authority are divided into at least two political groups; and
    - (ii) a majority of members of the authority belong to the same political group (“the controlling group”),
 a special responsibility allowance shall be paid to at least one person who is not a member of the controlling group and has special responsibilities described in paragraph (1)(a) or (f); and
  - (c) provide that where a member does not have throughout the whole of a year any such special responsibilities as entitle him to a special responsibility allowance, his entitlement shall be to payment of such part of the special responsibility allowance as bears to the whole the same proportion as the number of days during which he has such special responsibilities bears to the number of days in that year.

(3) The scheme may specify that where a member is suspended or partially suspended from his responsibilities or duties as a member of an authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, the part of special responsibility allowance payable to him in respect of the responsibility or duties from which he is suspended or partially suspended may be withheld by the authority.

### **Special responsibility allowance for members of the Association of London Government**

- 6.—(1) For the purposes of regulation 5—
- (a) references to an authority shall include the Association of London Government(b), which is hereby designated for the purposes of section 18 of the Local Government and Housing Act 1989;
  - (b) references to members shall, in relation to that body, be references to its members who are also members of London borough councils; and

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(a) S.I. 1983/1964, as amended by S.I. 1997/649 and 2001/2237.

(b) See section 18(5)(b) of the Local Government and Housing Act 1989 which provides that Regulations made under section 18 may apply to a body on which any relevant authority within the meaning of that section is represented and which is designated a relevant authority.

- (c) references in regulation 5 to a scheme made under this Part shall, in relation to the Association of London Government, be construed as references to a scheme established by the Association of London Government for the payment of special responsibility allowance only, in accordance with regulation 5 and the Association of London Government is hereby authorised to make such a scheme in accordance with these Regulations.
- (2) Where the Association of London Government pays special responsibility allowance to such members—
- (a) Part 3 of these Regulations shall apply to that body in respect of its payments of special responsibility allowance as it applies to an authority; and
  - (b) Part 4 of these Regulations shall apply to that body as it applies to an authority as regards an independent remuneration panel established by regulation 20(1)(c).

### **Dependants' carers' allowance**

7.—(1) A scheme may provide for the payment to members of an authority of an allowance (“dependants' carers' allowance”) in respect of such expenses of arranging for the care of their children or dependants as are necessarily incurred in—

- (a) the attendance at a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body;
- (b) the attendance at any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and at least one other local authority within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee, provided that—
  - (i) where the authority is divided into two or more political groups it is a meeting to which members of at least two such groups have been invited; or
  - (ii) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
- (c) the attendance at a meeting of any association of authorities of which the authority is a member;
- (d) the attendance at a meeting of the executive or a meeting of any of its committees, where the authority is operating executive arrangements;
- (e) the performance of any duty in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened;
- (f) the performance of any duty in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- (g) the performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 of the Education Act 1996 (approval of non-maintained special schools)(a); and
- (h) the carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the authority or any of its committees or sub-committees.

(2) For the purposes of this regulation, “authority” means an authority of any description specified in sub-paragraphs (a) to (c) of regulation 3(1).

### **Travelling and subsistence allowance**

8.—(1) A scheme may provide for the payment to members of an authority of an allowance in respect of travelling and subsistence (“travelling and subsistence allowance”), including an allowance in respect of travel by bicycle or by any other non-motorised form of transport,

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(a) 1996 c.56; section 342 was substituted by paragraph 82 of Schedule 30 to the School Standards and Framework Act 1998 (c.31).

undertaken in connection with or relating to such duties as are specified in the scheme and are within one or more of the following categories—

- (a) the attendance at a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body;
- (b) the attendance at any other meeting, the holding of which is authorised by the authority, or a committee or sub-committee of the authority, or a joint committee of the authority and one or more local authority within the meaning of section 270(1) of the Local Government Act 1972, or a sub-committee of such a joint committee provided that—
  - (i) where the authority is divided into two or more political groups it is a meeting to which members of at least two such groups have been invited, or
  - (ii) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
- (c) the attendance at a meeting of any association of authorities of which the authority is a member;
- (d) the attendance at a meeting of the executive or a meeting of any of its committees, where the authority is operating executive arrangements;
- (e) the performance of any duty in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened;
- (f) the performance of any duty in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises;
- (g) the performance of any duty in connection with arrangements made by the authority for the attendance of pupils at any school approved for the purposes of section 342 (approval of non-maintained special schools) of the Education Act 1996, and
- (h) the carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the authority or of any of its committees or sub-committees.

(2) A scheme may specify that where a member is suspended or partially suspended from his responsibilities or duties as a member of an authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, any travelling and subsistence allowance payable to him in respect of the responsibilities or duties from which he is suspended or partially suspended may be withheld by the authority.

(3) For the purposes of this regulation—

- (a) a member of a committee or sub-committee of an authority is to be treated as a member of an authority; and
- (b) an authority includes, in addition to those bodies referred to in regulation 3(1), the following bodies—
  - (i) an authority established under section 10 of the Local Government Act 1985 (waste disposal authorities)<sup>(a)</sup>; and
  - (ii) a joint board upon which a body referred to in regulation 3(1)(a) to (h) is represented.

### **Co-optees' allowance**

9.—(1) The scheme may provide for the payment of an allowance for each year to a member in respect of attendance at conferences and meetings (“co-optees’ allowance”).

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<sup>(a)</sup> 1985 c.51. Section 10 was amended by paragraph 26 of Schedule 15 to the Environmental Protection Act 1990 (c.43).

- (2) In relation to co-optees' allowance, the scheme shall—
- (a) specify the amount of entitlement by way of co-optees' allowance in respect of any year to which it relates; and
  - (b) provide that where the appointment of a member begins or ends otherwise than at the beginning or end of a year, his entitlement shall be to payment of such part of the co-optees' allowance as bears to the whole the same proportion as the number of days during which his term of office as member subsists bears to the number of days in that year.

(3) The scheme may specify that where a member is suspended or partially suspended from his responsibilities or duties as a member of an authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, any co-optees' allowance payable to him in respect of the responsibilities or duties from which he is suspended or partially suspended may be withheld by the authority.

(4) The amount of co-optees' allowance payable to any member who presides at a meeting of an overview and scrutiny committee, where that committee's functions under section 21 of the Local Government Act 2000 relate wholly or partly to any education functions which are the responsibility of the authority's executive, shall not be less than the minimum amount of any special responsibility allowance payable under that authority's scheme to a person who presides at meetings of any other other authority's committees or sub-committees.

(5) For the purposes of paragraphs (1) to (4) of this Regulation, "member" means a person who is not a member of the authority but who is a member of a committee or sub-committee of an authority.

### PART 3

#### SCHEMES

##### **Requirements for schemes**

**10.—**(1) Before the beginning of each year, an authority shall make the scheme required by regulation 4(1)(a) for the payment of basic allowance for that year.

(2) The scheme shall also make provision for the following allowances if an authority intends to make such payments in respect of the year—

- (a) special responsibility allowance;
- (b) dependants' carers' allowance;
- (c) travelling and subsistence allowance; and
- (d) co-optees' allowance.

(3) Subject to regulation 12 the scheme may be amended at any time but may only be revoked with effect from the beginning of a year.

(4) A scheme may make provision for an annual adjustment of allowances by reference to such index as may be specified by the authority and where the only change made to a scheme in any year is that effected by such annual adjustment in accordance with such index the scheme shall be deemed not to have been amended.

(5) Where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the independent remuneration panel established in respect of that authority on the application of an index to its scheme.

(6) Where an amendment is to be made which affects an allowance payable for the year in which the amendment is made, the scheme may provide for the entitlement to such allowance as amended to apply with effect from the beginning of the year in which the amendment is made.

(7) A scheme may provide that where payment of any allowance has already been made in respect of any period during which the member concerned is

- (a) suspended or partially suspended from his responsibilities or duties as a member of the authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part;
- (b) ceases to be a member of the authority; or
- (c) is in any other way not entitled to receive the allowance in respect of that period,

the authority may require that such part of the allowance as relates to any such period be repaid to the authority.

(8) Where the scheme is revoked in accordance with this regulation or regulation 12, an authority shall before the revocation takes effect make a further scheme for the period beginning with the date on which the revocation takes effect and ending at the end of the year in question.

(9) A scheme must make provision to ensure that where a member of an authority is also a member of another authority, that member may not receive allowances from more than one authority in respect of the same duties.

### **Pensions**

**11.—**(1) A scheme made by a district council, county council or a London borough council shall set out—

- (a) which members of the authority are to be entitled to pensions in accordance with a scheme made under section 7 of the Superannuation Act 1972<sup>(a)</sup>; and
- (b) whether the basic allowance or the special responsibility allowance, or both, may be treated as amounts in respect of which such pensions are payable in accordance with a scheme made under section 7 of the Superannuation Act 1972.

(2) In making such provision an authority may only include someone who has first been recommended by the independent remuneration panel established in respect of that authority for such entitlement under regulation 21.

### **Transitional provisions for revocation of allowance schemes**

**12.** Where an independent remuneration panel has produced a report in accordance with regulation 21, a district, county or London borough council may, notwithstanding regulation 10(3), revoke an allowance scheme at any time once that council has begun to operate—

- (a) executive arrangements, where they are being operated in place of existing alternative arrangements;
- (b) alternative arrangements, where they are being operated in place of existing executive arrangements; or
- (c) different executive arrangements which involve an executive which takes a different form.

### **Elections to forgo allowances**

**13.** The scheme shall provide that a person may, by notice in writing given to the proper officer of the authority, elect to forgo his entitlement or any part of his entitlement to allowances.

### **Claims and payments**

**14.—**(1) The scheme shall specify a time limit from the date on which an entitlement to each of the following allowances arises during which a claim for such allowances must be made by the person to whom they are payable—

- (a) dependants' carers' allowance;
- (b) travelling and subsistence allowance; and
- (c) co-optees' allowance.

(2) Nothing in paragraph (1) shall prevent an authority from making a payment where the allowance is not claimed within the period specified in the scheme.

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<sup>(a)</sup> 1972 c.11. See also the Local Government Pension Scheme Regulations 1997 (S.I. 1997/1612), as amended by S.I. 1997/1613, 1998/1238, 1998/2118, 1999/1212, 1999/3438, 2000/1005, 2000/1164, 2000/3025, 2001/770, 2001/1481, 2001/3401, 2002/206 and 2002/819.

(3) The scheme may provide for payments of allowances to be made at such times as may be specified in it, and different times may be specified for different allowances.

### **Records of allowances**

**15.**—(1) An authority shall keep a record of the payments made by it in accordance with a scheme.

(2) Such a record shall—

- (a) specify the name of the recipient of the payment and the amount and nature of each payment;
- (b) be available, at all reasonable times, for inspection and at no charge—
  - (i) where it is kept by an authority specified in regulation 3(1)(a) to 3(1)(d), by any local government elector for the area of that authority; and
  - (ii) where it is kept by any other authority, by any local government elector of any authority specified in regulation 3(1)(a) to 3(1)(d) in whose area that other authority exercises functions; and
- (c) be supplied in copy to any person who requests such a copy and who pays to the authority such reasonable fee as it may determine.

(3) As soon as reasonably practicable after the end of a year to which the scheme relates, an authority shall make arrangements for the publication within the authority's area of the total sum paid by it in the year under the scheme to each recipient in respect of each of the following—

- (a) basic allowance;
- (b) special responsibility allowance;
- (c) dependants' carers' allowance;
- (d) travelling and subsistence allowance; and
- (e) co-optees' allowance.

### **Publicity**

**16.**—(1) An authority shall, as soon as reasonably practicable after the making or amendment of a scheme, make arrangements for its publication by—

- (a) ensuring that copies of the scheme are available for inspection by members of the public at the principal office of the authority, at all reasonable hours; and
- (b) publishing in one or more newspapers circulating in its area, a notice which—
  - (i) states that the authority has made or amended a scheme and specifies the period of time for which the scheme has effect;
  - (ii) describes the main features of the scheme and specifies the amounts payable in respect of each allowance mentioned in the scheme;
  - (iii) describes any responsibilities or duties specified in the scheme in accordance with regulations 5(1) and 8(1) in relation to special responsibility allowance and travelling and subsistence allowance;
  - (iv) confirms that in making or amending the scheme, the authority complied with any duty arising under regulation 19 to have regard to the recommendations of an independent remuneration panel;
  - (v) describes the main features of that panel's recommendations and specifies the recommended amounts of each allowance mentioned in its report for that authority;
  - (vi) states that copies of the scheme and copies of a record kept in accordance with regulation 15(1) and (2) are available at the principal office of the authority for inspection by members of the public at such times as may be specified by the authority in the notice; and
  - (vii) specifies the address of the principal office of the authority at which such copies are made available.

(2) An authority shall ensure that a notice in the form required under sub-paragraph (b) is published in one or more newspapers circulating in its area as soon as possible after the expiration

of twelve months after the previous publication of such a notice, irrespective of whether the scheme has been amended during that twelve month period.

(3) An authority shall supply a copy of the scheme to any person who requests a copy and who pays to the authority such reasonable fee as the authority may determine.

### **Transitional provisions**

**17.**—(1) Notwithstanding regulation 33, any scheme made by an authority in accordance with the Local Authorities (Members' Allowances) regulations 1991<sup>(a)</sup> as amended shall continue in force up to and including 29th September 2003 or until a new scheme in accordance with these Regulations is made by the authority, if sooner.

(2) An authority shall make a scheme in accordance with these Regulations on or prior to 30th September 2003.

(3) Where an authority first makes a scheme in accordance with these Regulations it shall revoke any previous scheme for the payment of allowances and ensure that the scheme made in accordance with these Regulations takes effect on the date that the revocation of the previous scheme takes effect.

(4) Subject to paragraph (5), any scheme made by an authority in accordance with these Regulations between the coming into force of these Regulations and 30th September 2003 may make provision for any allowance payable in accordance with such a scheme to be payable as if the scheme had been in force with effect from 1st May 2003.

(5) Any provision made in accordance with paragraph (4) shall not permit a member to receive a greater amount in total under the provisions of that scheme and any previous scheme, in respect of any duty carried out between the coming into force of these Regulations and the making of a scheme in accordance with these Regulations, than he would have received had the scheme been in effect from the 1st May 2003.

## **PART 4**

### **INDEPENDENT REMUNERATION PANELS**

#### **Application of this Part**

**18.** Any reference in this Part to an authority, unless otherwise specified, shall be construed as a reference to a body of one of the following descriptions—

- (a) a district council;
- (b) a county council; and
- (c) a London borough council.

#### **Duty to have regard to recommendations**

**19.**—(1) Before an authority referred to in regulation 3(1)(a), (b), or (c) makes or amends a scheme, the authority shall have regard to the recommendations made in relation to it by an independent remuneration panel.

(2) Before an authority referred to in regulation 3(1)(e), (f), (g), (h), (i) or (j) makes or amends a scheme that authority shall have regard to the recommendations made by any independent remuneration panels in relation to any authority of a description referred to in regulations 3(1)(a), (b) or (c) by which any of its members are nominated.

#### **Independent remuneration panels**

**20.**—(1) An independent remuneration panel shall be established in respect of each authority by one of the following means—

- (a) by an authority in which case that panel shall exercise the functions specified in regulation 21 in respect of that authority;
- (b) jointly by any authorities in which case that panel shall exercise the functions specified in regulation 21 in respect of the authorities which established it; or

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<sup>(a)</sup> S.I. 1991/351, as amended by S.I. 1995/553, S.I. 1996/469, S.I. 2000/622, S.I. 2000/623 and S.I. 2001/1280.

(c) by the Association of London Government in which case that panel shall exercise the functions specified in regulation 21 in respect of any London borough councils, but there shall not be more than one panel which makes recommendations in respect of an authority.

(2) An independent remuneration panel shall consist of at least three members none of whom—

(a) is also a member of an authority in respect of which it makes recommendations or is a member of a committee or sub-committee of such an authority; or

(b) is disqualified<sup>(a)</sup> from being or becoming a member of an authority.

(3) An authority may pay the expenses incurred by an independent remuneration panel established under paragraph (1)(a) or (1)(b) in carrying out its functions and may pay the members of the panel such allowances or expenses as the authority or authorities for which it makes recommendations may determine.

(4) The Association of London Government may pay the expenses incurred by an independent remuneration panel established under paragraph (1)(c) in carrying out its functions and may pay the members of the panel such allowances or expenses as it may determine.

### **Recommendations of panels**

**21.—**(1) An independent remuneration panel shall produce a report in relation to the authority or authorities in respect of which it was established, making recommendations—

(a) as to the responsibilities or duties in respect of which the following should be available—

(i) special responsibility allowance;

(ii) travelling and subsistence allowance; and

(iii) co-optees' allowance;

(b) as to the amount of such allowances and as to the amount of basic allowance;

(c) as to whether dependants' carers' allowance should be payable to members of an authority, and as to the amount of such an allowance;

(d) as to whether, in the event that the scheme is amended at any time so as to affect an allowance payable for the year in which the amendment is made, payment of allowances may be backdated in accordance with regulation 10(6);

(e) as to whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years, before its application is reviewed;

(f) as to which members of an authority are to be entitled to pensions in accordance with a scheme made under section 7 of the Superannuation Act 1972; and

(g) as to treating basic allowance or special responsibility allowance, or both, as amounts in respect of which such pensions are payable in accordance with a scheme made under section 7 of the Superannuation Act 1972.

(2) A copy of a report made under paragraph (1) shall be sent to each authority in respect of which recommendations have been made.

(3) An independent remuneration panel may make different recommendations in relation to each of the authorities for which it exercises functions.

### **Publicity for recommendations of panels**

**22.—**(1) Once an authority receives a copy of a report made to it by an independent remuneration panel in accordance with regulation 21, it shall, as soon as reasonably practicable—

(a) ensure that copies of that report are available for inspection by members of the public at the principal office of the authority, at all reasonable hours; and

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<sup>(a)</sup> See section 80 of the Local Government Act 1972 (c.70) and section 79 and 83(11) of the Local Government Act 2000.

- (b) publish in one or more newspapers circulating in its area, a notice which—
  - (i) states that it has received recommendations from an independent remuneration panel in respect of its scheme;
  - (ii) describes the main features of that panel’s recommendations and specifies the recommended amounts of each allowance mentioned in the report in respect of that authority;
  - (iii) states that copies of the panel’s report are available at the principal office of the authority for inspection by members of the public at such times as may be specified by the authority in the notice; and
  - (iv) specifies the address of the principal office of the authority at which such copies are made available.

(2) An authority shall supply a copy of a report made by an independent remuneration panel in accordance with regulation 21 to any person who requests a copy and who pays to the authority such reasonable fee as the authority may determine.

### **Transitional provisions for independent remuneration panels**

23. Notwithstanding regulation 33(1)(f), any independent remuneration panel established under the Local Authorities (Members’ Allowances) (England) Regulations 2001<sup>(a)</sup> shall continue in being and shall constitute an independent remuneration panel for the purposes of these Regulations as if it had been established under regulation 20, although where the composition of such a panel does not comply with these Regulations, the authority or authorities or other body by which it is established must ensure that the panel does so comply within four months of the date on which these Regulations come into force.

## PART 5

### PARISH COUNCILS

#### **Application of this Part**

24. Any reference in this Part—
- (a) to an authority is, unless otherwise specified, a reference to a parish council;
  - (b) to a member is, unless otherwise specified, a reference to an elected member of a parish council;
  - (c) to a responsible authority is, in relation to a parish council, a reference to the district council or unitary county council—
    - (i) where the parish council is the council for one parish, in whose area the parish council is situated; or
    - (ii) where the parish council is the council for a group of parishes<sup>(b)</sup>, in whose area all the parishes in the group are situated or, where that is not the case, in whose area the greatest number of local government electors for the parishes in the group is situated; and
  - (d) to an establishing authority is, in relation to a parish remuneration panel, a reference to the responsible authority that established that parish remuneration panel.

#### **Parish basic allowance**

- 25.—(1) An authority may pay an allowance for each year (“parish basic allowance”)—
- (a) to its chairman<sup>(c)</sup> only; or
  - (b) to each of its members,

and the amount of that allowance payable to its chairman may differ from that payable to each other member of the authority, but otherwise that amount shall be the same for each such member.

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<sup>(a)</sup> S.I. 2001/1280.

<sup>(b)</sup> See section 11 of the Local Government Act 1972 for the procedure by which parish councils may be grouped.

<sup>(c)</sup> See section 15(1) of the Local Government Act 1972 for the duty to elect a chairman from among the councillors of a parish council.

(2) Where an authority proposes to pay parish basic allowance, whether to its chairman only or to each of its members, it must have regard, in setting the level or levels of such allowances, to the recommendations which have been made in respect of it by a parish remuneration panel in accordance with regulation 28.

(3) Subject to paragraph (4), where an authority proposes to pay parish basic allowance in any year to its members and the term of office of any member begins or ends otherwise than at the beginning or end of a year, that member's entitlement shall be to payment of such part of the parish basic allowance as bears to the whole the same proportion as the number of days during which his term of office subsists bears to the number of days in that year.

(4) Where an authority proposes to pay parish basic allowance in any year—

(a) to its chairman only; or

(b) to all its members but at a higher level to the chairman,

and the term of office of the chairman as chairman begins or ends otherwise than at the beginning or end of a year, his entitlement for the period during which he holds the office of chairman shall be to payment of such part of the parish basic allowance to which he is entitled as chairman as bears to the whole the same proportion as the number of days during which his term of office as chairman subsists bears to the number of days in that year.

(5) Where a member is suspended or partially suspended from his responsibilities or duties as a member of an authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, the part of the parish basic allowance payable to him in respect of the period for which he is suspended or partially suspended may be withheld by the authority.

(6) An authority shall, as soon as reasonably practical after setting the levels at which any parish basic allowance is to be paid and to whom, arrange for the publication in a conspicuous place or places in the area of the authority, for a period of at least 14 days, of a notice or notices containing the following information—

(a) any recommendation in respect of parish basic allowance made by the parish remuneration panel;

(b) the level or levels at which the authority has decided to pay parish basic allowance and to which members it is to be paid; and

(c) a statement that in reaching the decision on the matters referred to in sub-paragraph (b) the authority has had regard to the recommendation of the parish remuneration panel.

(7) An authority shall ensure that it keeps a copy of the information referred to in paragraph (6) available for inspection by members of the public on reasonable notice.

(8) An authority may require that where payment of parish basic allowance has already been made in respect of any period during which the member concerned is—

(a) suspended or partially suspended from his responsibilities or duties as a member of the authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part;

(b) ceases to be a member of the authority; or

(c) is in any other way not entitled to receive the allowance in respect of that period,

such part of the allowance as relates to any such period shall be repaid to the authority.

(9) An authority may not make any payment, and a member is not entitled to receive any payment, under the provisions of this regulation in respect of any period prior to 30th September 2003 if payment is made, in respect of any duties carried out by the member during that same period, under any of the provisions referred to in regulation 34(1).

### **Parish travelling and subsistence allowance**

**26.—**(1) An authority may pay to its members allowances in respect of travelling and subsistence (“parish travelling and subsistence allowance”), including an allowance in respect of travel by bicycle or by any other non-motorised form of transport, undertaken or incurred in connection with the performance of any duty within one or more of the following categories—

(a) the attendance at a meeting of the authority or of any committee or sub-committee of the authority, or of any other body to which the authority makes appointments or nominations, or of any committee or sub-committee of such a body;

- (b) the attendance at a meeting of any association of authorities of which the authority is a member;
- (c) the performance of any duty in pursuance of any standing order made under section 135 of the Local Government Act 1972 requiring a member or members to be present while tender documents are opened;
- (d) the performance of any duty in connection with the discharge of any function of the authority conferred by or under any enactment and empowering or requiring the authority to inspect or authorise the inspection of premises; and
- (e) the carrying out of any other duty approved by the authority, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the authority or of any of its committees or sub-committees.

(2) Where a member is suspended or partially suspended from his responsibilities or duties as a member of an authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part, any parish travelling and subsistence allowance payable to him in respect of the responsibilities or duties from which he is suspended or partially suspended may be withheld by the authority.

(3) An authority may require that where payment of travelling and subsistence allowance has already been made in respect of any period during which the member concerned is—

- (a) suspended or partially suspended from his responsibilities or duties as a member of the authority in accordance with Part III of the Local Government Act 2000 or regulations made under that Part;
- (b) ceases to be a member of the authority; or
- (c) is in any other way not entitled to receive the allowance in respect of that period,

such part of the allowance as relates to any such period shall be repaid to the authority.

(4) An authority may not make any payment, and a member is not entitled to receive any payment, under the provisions of this regulation in respect of any period prior to 30th September 2003 if payment is made, in respect of any travelling and subsistence expenses incurred by the member during that same period, under any of the provisions referred to in regulation 34(1).

### **Parish remuneration panels**

**27.—**(1) A parish remuneration panel may be established—

- (a) by a responsible authority and shall make recommendations in respect of the authorities for which the establishing authority is the responsible authority; or
- (b) jointly by any responsible authorities and shall make recommendations in respect of the authorities for which the establishing authorities are the responsible authorities.

(2) Subject to paragraph (3), a parish remuneration panel shall consist of those persons who are also members of the independent remuneration panel which exercises functions in respect of the establishing authority or authorities.

(3) A parish remuneration panel shall not include any member who is also a member of an authority in respect of which it makes recommendations or is a member of a committee or sub-committee of such an authority.

(4) The authorities in respect of which a parish remuneration panel established under paragraph (1) makes recommendations shall each pay to the parish remuneration panel an equal share of the amount of the expenses incurred by that panel in carrying out that panel's functions.

### **Recommendations of parish remuneration panels**

**28.—**(1) A parish remuneration panel shall produce a report in relation to the members of the authorities in respect of which it was established, making recommendations, in accordance with the provisions of regulation 29, as to—

- (a) the amount of parish basic allowance payable to members of such authorities;
- (b) the amount of travelling and subsistence allowance payable to members of such authorities;

- (c) whether parish basic allowance should be payable only to the chairman of any such authority or to all of its members;
  - (d) whether, if parish basic allowance should be payable to both the chairman and the other members of any such authority, the allowance payable to the chairman should be set at a level higher than that payable to the other members and, if so, the higher amount so payable; and
  - (c) the responsibilities or duties in respect of which members should receive parish travelling and subsistence allowance.
- (2) A copy of a report made under paragraph (1) shall be sent to each authority in respect of which recommendations have been made.

### **Levels of allowances**

**29.**—(1) A parish remuneration panel may, in making its recommendations in accordance with regulations 27 and 28, either—

- (a) apply the same recommended levels of parish basic allowance and parish travelling and subsistence allowance to all the authorities in respect of which it was established; or
- (b) make different recommendations for different authorities.

(2) A parish remuneration panel shall express its recommendation as to the level of parish basic allowance, in respect of a parish or parishes, as a percentage of the sum that an independent remuneration panel has recommended as the level of basic allowance for the establishing authority which is the responsible authority for that parish or parishes.

(3) The percentage referred to in paragraph (2) may be one hundred per cent.

(4) A parish remuneration panel shall also express its recommendation as to the level of parish basic allowance as a monetary sum being a monetary sum equivalent to the percentage expressed in accordance with paragraphs (2) and (3).

### **Publicity in respect of reports of parish remuneration panels**

**30.**—(1) Once an authority receives a copy of a report made to it by a parish remuneration panel in accordance with regulation 28, it shall, as soon as reasonably practicable—

- (a) ensure that copies of that report are available for inspection by members of the public on reasonable notice; and
- (b) arrange for the publication in a conspicuous place or places in the area of the authority, for a period of at least 14 days, of a notice which—
  - (i) states that it has received recommendations from a parish remuneration panel in respect of allowances;
  - (ii) describes the main features of that panel's recommendations and specifies the recommended amounts of each allowance mentioned in the report in respect of that authority; and
  - (iii) states that copies of the panel's report are available for inspection on reasonable notice and gives details of the manner in which notice should be given of an intention to inspect the report.

(2) An authority shall supply a copy of a report made by a parish remuneration panel in accordance with regulation 28 to any person who requests a copy and who pays to the authority such reasonable fee as the authority may determine.

### **Records of parish allowances**

**31.**—(1) An authority shall keep a record of the payments made by it in respect of—

- (a) parish basic allowance; and
- (b) parish travelling and subsistence allowance.

(2) Such a record shall—

- (a) specify the name of the recipient and the amount and nature of each payment;
- (b) be available for inspection on reasonable notice and at no charge, by any local government elector for the area of that authority; and

- (c) be supplied in copy to any person who is entitled to inspect a record under paragraph (b) and who requests a copy and pays to the authority such reasonable fee as it may determine.

(3) As soon as reasonably practicable after the end of a year, an authority shall arrange for the publication, for a period of at least 14 days, of a notice in a conspicuous place or places in the area of the authority stating the total sum paid by it in the year to each member in respect of each of the following—

- (a) parish basic allowance; and
- (b) parish travelling and subsistence allowance.

### **Elections to forgo parish allowances**

**32.** A member may, by notice in writing given to the proper officer of the authority, elect to forgo his entitlement or any part of his entitlement to allowances.

## **PART 6**

### **TRANSITIONAL PROVISIONS, REVOCATION AND DISAPPLICATIONS**

#### **Revocation**

**33.—**(1) The following Regulations shall be revoked to the extent not already revoked—

- (a) the Local Authorities (Members' Allowances) Regulations 1991**(a)**;
- (b) the Local Authorities (Members' Allowances) (Amendment) Regulations 1995**(b)**;
- (c) the Local Authorities (Members' Allowances) (Amendment) Regulations 1996**(c)**;
- (d) the Local Authorities (Members' Allowances) (Amendment) (England) Regulations 2000**(d)**;
- (e) the Local Authorities (Members' Allowances) (Amendment) (England) (No. 2) Regulations 2000**(e)**; and
- (f) the Local Authorities (Members' Allowances) (England) Regulations 2001**(f)**.

(2) Paragraph 4 of the Schedule to the Greater London Authority Act 1999 (Consequential Amendments of Subordinate Legislation) (Fire etc. Authority) Order 2000**(g)** shall be revoked.

#### **Disapplication**

**34.—**(1) Subject to paragraphs (2) and (3), the following shall be disappplied as respects authorities—

- (a) sections 173 to 175 of the Local Government Act 1972**(h)**;
- (b) section 176(1)(a) and (2) of that Act; and
- (c) section 18(2)(b) of the Local Government and Housing Act 1989**(i)**,

for all purposes other than—

- (i) the payment of any allowance payable to members of an admissions appeal panel constituted in accordance with regulations made by the Secretary of State under the provisions of the School Standards and Framework Act 1998**(j)**; and

---

**(a)** S.I. 1991/351, as amended by S.I. 1995/553, S.I. 1996/469, S.I. 2000/622, S.I. 2000/623 and S.I. 2001/1280.

**(b)** S.I. 1995/553.

**(c)** S.I. 1996/469.

**(d)** S.I. 2000/622.

**(e)** S.I. 2000/623.

**(f)** S.I. 2001/1280.

**(g)** S.I. 2000/1553 which amended regulation 5 of S.I. 1991/351.

**(h)** 1972 c.70; section 173 is amended by section 24(1) of the Local Government, Planning and Land Act 1980 (c.65) and by section 194 of and Schedule 11 to the Local Government and Housing Act 1989 (c.42); section 173A was inserted by section 24 of the Local Government, Planning and Land Act 1980 (c.65) and is amended by section 7 of the Miscellaneous Financial Provisions Act 1983 (c.29) and by section 194 of and Schedule 11 to the Local Government and Housing Act 1989 (c.42); section 174 is amended by section 25 of the Local Government, Planning and Land Act 1980 (c.65); section 175 is amended by section 25 of the Local Government, Planning and Land Act 1980 (c.65), section 11 of and Schedule 5 to the Water Act 1983 (c.23), section 194 of and Schedule 11 to the Local Government and Housing Act 1989 (c.42) and section 328 of and Schedule 29 to the Greater London Authority Act 1999 (c.29).

**(i)** To which there are amendments not relevant to this provision.

**(j)** 1998 c.31. The Education (Admissions Appeals Arrangements) (England) Regulations 2002 (S.I. 2002/2899) have been made under the provisions of section 94 of the School Standards and Framework Act 1998.

- (ii) the payment of any allowance payable to members of an exclusions appeal panel constituted in accordance with regulations made by the Secretary of State under the provisions of the Education Act 2002**(a)**.

(2) As respects parish councils the provisions referred to in paragraph (1) shall be disapplied with effect from 30th September 2003.

(3) As respects any other authority the provisions referred to in paragraph (1) shall be disapplied with effect from the date upon which such authority makes a scheme in accordance with Parts 2 and 3 of these Regulations.

(4) In this regulation, the reference to “authorities” is a reference to the following bodies—

- (a) a district council;
- (b) a county council;
- (c) a London borough council;
- (d) the Council of the Isles of Scilly;
- (e) a fire authority constituted by a combination scheme under the Fire Services Act 1947**(b)**;
- (f) a joint authority established by Part IV of the Local Government Act 1985**(c)**;
- (g) the London Fire and Emergency Planning Authority**(d)**;
- (h) the Broads Authority**(e)**;
- (i) a National Park authority**(f)**;
- (j) a conservation board of an area of outstanding natural beauty**(g)**; and
- (k) a parish council.

Signed by authority of the First Secretary of State

7th April 2003

*Nick Raynsford*  
Minister of State,  
Office of the Deputy Prime Minister

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**(a)** 2002 c.32. The Education (Pupil Exclusions and Appeals) (Maintained Schools) (England) Regulations 2002 (S.I. 2002/3178) and the Education (Pupil Exclusions and Appeals) (Pupil Referral Units) (England) Regulations 2002 (S.I. 2002/3179) have been made under the provisions of section 52 of the Education Act 2002.

**(b)** 1947 c.41.

**(c)** 1985 c.51.

**(d)** Established by Part VII of the Greater London Authority Act 1999 (c.29).

**(e)** Established by the Norfolk and Suffolk Broads Act 1988 (c.4).

**(f)** Established by the Environment Act 1995 (c.25).

**(g)** See section 86 of and Schedule 13 to the Countryside and Rights of Way Act 2000 (c.37) for provisions as to the establishment of conservation boards.

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make provisions about the payment of allowances to members of local authorities and certain related bodies.

Part 1 makes provision about the application of certain provisions of the Regulations and provides that certain bodies are to be considered as relevant bodies for the purposes of section 18 of the Local Government and Housing Act 1989.

Part 2 requires certain authorities to prepare schemes for the payment of allowances to their members. Authorities making schemes are required to make provision for the payment of basic allowance (regulation 4) and may also provide for the payment of special responsibility allowance (regulation 5), dependants' carers' allowance (regulation 7) travelling and subsistence allowance (regulation 8) and co-optees' allowance (regulation 9).

Part 3 makes provision in respect of the requirements and administration of such schemes. It also makes provision in respect of the records that must be kept of payments and in respect of the publicity that must be given to the features of a scheme and to the payments made thereunder. This Part also make provision concerning members' entitlement to pensions in accordance with a scheme made under section 7 of the Superannuation Act 1972 and concerning which allowances may be treated as amounts in respect of which pensions are payable.

Part 4 makes provision in respect of the establishment of independent remuneration panels whose function is to make recommendations concerning allowances.

Part 5 makes provision in respect of payment of allowances to members of parish councils. Parish councils may pay parish basic allowance (regulation 25) and parish travelling and subsistence allowance (regulation 26) to their members. In setting the levels of such allowances parishes must have regard to the recommendations of parish remuneration panels. This Part also makes provision in respect of the publicity that must be given to such recommendations. It also makes provision in respect of the records that must be kept of payments made and in respect of the publicity that must be given to such payments.

Part 6 revokes existing regulations relating to members' allowances and disapplies certain statutory provisions relating to allowances.

**2003 No. 1021**

**LOCAL GOVERNMENT, ENGLAND**

The Local Authorities (Members' Allowances) (England)  
Regulations 2003

**£3.50**

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E0604 5/03 ON (MFK)

**Report to:** Hailsham Town Council

**Date:** 30<sup>th</sup> January 2018

**By:** John Harrison, Town Clerk

**Title of Report:** Twinning

**PURPOSE:**

To consider a request from Hailsham and District Twinning Association to officially twin with Remshalden, Germany.

**BACKGROUND:**

Letter received from Hailsham and District Twinning Association (18<sup>th</sup> November 2018) is attached as an appendix to this report. The letter requests that HTC "give consideration to making our friendship with Remshalden in the near future".

A letter sent in response to this from Cllr Coltman (as Mayor and Chairman) was sent back with the following suggestions:

*Unfortunately your letter did not arrive in time to be considered by the council at its meeting on 20<sup>th</sup> November. The next meeting of the Town Council is on 30<sup>th</sup> January and I would be happy for the Town Council to consider this request as an agenda item for that meeting.*

*In the mean time think it would be useful to clarify exactly what is requested and required from Hailsham Town Council in this regard, and think that perhaps it would be useful if we could meet with you and the Town Clerk to discuss this?*

*If you are in agreement with this, I will leave it to the Town Clerk John Harrison to arrange a date to meet with yourself and any other representatives from the twinning Association to discuss what will be required; initially in order to set up the new twinning relationship and from then, what input you would be seeking from HTC for the twinning relationship?*

The following response has been received by email from the Twinning Association:

*I have obtained this information from Ian Haffenden, previous Hailsham Mayor and who was instrumental with setting up the Gournay and Hailsham Twinning. See below*

*1. It would be good for a small HTC contingent (with ideally Keith and Pauline) to visit Remshalden to see them...taking a drafted possible charter with them to discuss.*

*2. Agree a charter and do follow up exchanges to sign the charter.*

*3. New road signs to include Remshalden.*

*4. Twinning would need a new or linked / joint association for Remshalden.... separate from HTC to organise similar to what our Gournay twinning does.*

*5. The HTC would need/ should periodically do some Council level exchange usually of Mayor's and interested councillors.*

*6. Usually there is an official Charter signing in both Countries which would involve the Mayors and other Councillors to be present as well as Twinning Officials (and members) HTC would be asked to contribute to the cost of this as a one off.*

*6. There would be an initial cost to enable 1, 2 & 3 above after which the town council level can be as active or not at little further cost depending on their membership.*

*I will gather some information re Remshalden too and send this through to you so that there is a clearer picture about the town of Remshalden*

**Council is asked to consider its response to the Hailsham and District Twinning Association.**

**CONSIDERATIONS.**

**Council resources required to implement the above: officer time plus any budget required. There is currently £400 allocated to the 'Twinning Budget' in this financial year.**

**Consistency with the aims and objectives as set out in the Town Council's Strategic Plan 2018-2022.**

**Report to:** Hailsham Town Council

**Date:** 30<sup>th</sup> January 2019

**By:** John Harrison, Town Clerk

**Title of Report:** CHRISTMAS LIGHTING CONTRACT

**PURPOSE:**

To reconsider the recommendation from the Council's Communities Committee, as deferred from the Town Council's Meeting on 26<sup>th</sup> September 2018.

**BACKGROUND:**

**Recommendation made to Hailsham Town Council meeting on 26<sup>th</sup> September 2018 by Communities Committee meeting on 29<sup>th</sup> August 2018.**

***Christmas Lighting Contract (Minute ref CC/18/2/47)***

*Members were informed that Christmas 2018 is the last year of the Christmas light contract and the contractor, Guy Osborne, has asked whether the Committee will consider extending the contract. Members were advised that G. Osborne's proposal for Christmas 2019 was £10,304.00 which includes the installation, maintenance and removal of the Christmas lights and the supply of 4 christmas trees to go on Vicarage Field, Market Square, and 2 trees for the Council offices.*

*G. Osborne had also quoted separately for further maintenance and replacement of lights next year, if required:*

*Replace all LED components in 18x colour changing stars that have been mounted along Vicarage Field main frontage to allow a further 3 seasons display - £950.00*

**2. Renewal of 400m High Street cross string zig-zag lighting, due to age, reliability and brightness. Two Options available:**

**a. Like for like pealights with random twinkle (ice white in colour) - £1,840.00**

**b. Icicle lighting (as per picture supplied) Warm white with ice white twinkle - £6,350.00**

**3. Renewal of St Marys Walk warm white pealights – like for like - £540.00**

*Members discussed the proposals and agreed to extend the Christmas light contract for a further year. The future costings for replacement lights were also discussed and it was agreed to request up to £6,350 for purchasing icicle lighting*

**(RESOLVED** to extend the Christmas lighting contract with Mr G. Osborne for a further year, to Christmas 2019 at a cost of £10,304. The Christmas lighting contract to then be reviewed for Christmas 2020)

**RESOLVED** recommend to Council to request up to £6,350.00 for the purchase of icicle lighting, to be taken from the Festivities budget

**Hailsham Town Council Resolution 26.09.2018**

**RESOLVED** to defer this item until January 2019 to sample the lighting scheme in Christmas 2018 (Minute Ref HTC/2/18/163)

**CONSIDERATIONS.**

Council is therefore asked to reconsider this recommendation that was deferred until this meeting January 30<sup>th</sup>.

There is at present (as at 31 Dec 2018) £17.5K available within the festivities budget, due to budget carried over from the previous financial year.



**Report to:** Hailsham Town Council

**Date:** 30<sup>th</sup> January 2019

**By:** John Harrison, Town Clerk

**Title of Report:** Hailsham Bonfire Society

**PURPOSE:**

To consider a proposal from Hailsham Bonfire Society to use the Western Road Recreation Ground for the bonfire event

**BACKGROUND:**

**Request received from hailsham Bonfire Society as follows:**

Hailsham Bonfire Night 2019.  
Saturday October 19<sup>th</sup>

Hailsham Bonfire Society wish to request the use of the Hailsham Recreation ground located on Western Road, this is to enable the continuation of the Annual Guy Fawkes Celebrations which has now become the largest free event in the Hailsham calendar.

We plan to utilise the recreation ground as per the map attached, we are aware of concerns over the use of the site and we wish to ensure that our event will have minimal impact on the recreation ground.

Our intention is that the viewing public will stand along Western Road to watch the firework display.

This area for the spectators far exceeds our old site at the leisure centre car park where crowds of approximately 2000 people were comfortably accommodated, we are aware that we will have to supply some lighting towers to improve night time visibility due to insufficient street lighting.

The existing metal railings that run alongside Western road will act as our safety barrier for the public. We intend to minimise footfall and also reduce any possible damage to the surface of the recreation ground by keeping the public off it during our event.

The Hailsham Bonfire Society members, visiting groups and bands will have access to a small area of the recreation ground. This will be fenced off with our temporary barriers and located near the vehicle access gate to form a holding/viewing area as shown on the map. We would like to have a Bonfire in this area also, as the bonfire is a key element of the celebrations.

CONTAINS ITEMS OF CONFIDENTIAL BUSINESS

We have two options to allow us to have a fire on the recreation ground; the first would be to lift the turf for the area of the fire and then relay it after the site is cleared, our traditional method of fire construction minimises the risk of collapse and works to ensure the fire remains within our chosen area. The second option is to have the fire direct on the grass then re turf/reseed the area after the event.

Many Sussex villages successfully hold bonfires on village greens/recreation grounds using the above two methods and we hope this can be the case for Hailsham.

We will keep vehicle movements on the recreation ground to a minimum and restrict vehicles to the outer edge of the cricket outfield.

The cricket square will be covered to protect it from any firework debris and will be hand picked at first light on the following day, as will the firework launch area.

As this will hopefully be a new site for the event, we are sure that it will prove an ideal venue for years to come.

We aim to cover all eventualities and give Hailsham Town Council piece of mind in granting us permission for the use of the Recreation ground.



**Report to:** Hailsham Town Council

**Date:** 30<sup>th</sup> January 2019

**By:** John Harrison, Town Clerk

**Title of Report:** Grit Box

**PURPOSE:**

To consider a request for the town council to provide and fund an additional grit box

**BACKGROUND:**

Request received from a resident of Cuckmere Close for an additional grit box:

*I have been given your details by Wealden District Council regarding the supply of a grit box. Our road has been adopted recently by East Sussex County Council.*

*During the winter months the road becomes pretty treacherous due to the sharp incline and bend. Please could a grit box be supplied.*

ESCC have confirmed that the cost for the installation of a new grit bin would be £328 for the bin, installation, and first fill of grit plus a fee of £57.20 to licence its siting on the highway.

The additional refill of a grit bin is currently priced at £108 per instance. These refills are as frequent as you wish, so the ongoing cost would be dependent on the frequency of the refilling taking place.

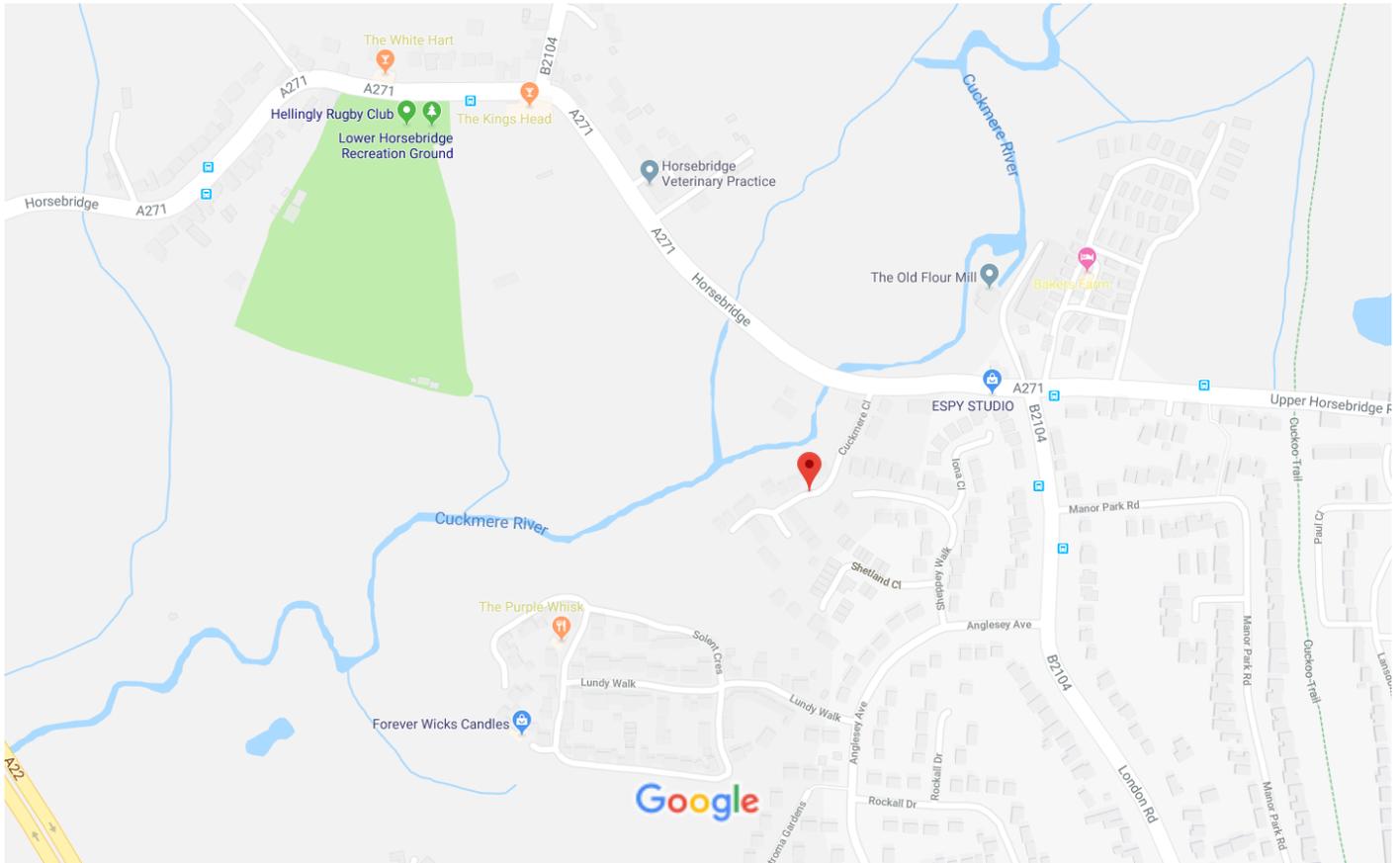
A copy of the ESCC Grit Bin Application form is attached as an appendix to this report

ESCC have confirmed that The 'excavation licence' (an additional £380) would only be required if HTC would be looking to have the bin concreted into a section of verge or footway which has been excavated to accommodate the concrete. If the bin is simply being sited on top of the highway, then the 171 application is not required.

**CONSIDERATIONS.**

- Council is asked to consider whether it wishes to purchase an additional grit bin for positioning on Cuckmere Close Hailsham, and also determine any budget for the refilling of the grit bin, as requested.
- Council is also asked to consider whether it wishes to adopt any policy for future requests for additional grit bins or deal with any such request on an individual basis.

# Google Maps Cuckmere Cl



Map data ©2019 Google 50 m



Cuckmere Cl  
Hailsham

## Grit Bin Application Form

Please note: the boxes marked with an asterisk \* must be completed.

**Please confirm below the service you require\***

- a new grit bin (£328 - grit bin, installation & initial fill)
- the removal of an existing grit bin (£359.00 - removal and disposal)
- a refill of an existing grit bin (£108 per fill)

Please note a S115 Licence will be required, the fee for each grit bin costs £57.20 per location, in addition, £10M public liability insurance will be required for the S115 licence to be maintained for the life of the grit bin. A Section 171 excavation licence (£380.00) will also be required per item, which includes Stats per location.

<b>Name*</b>	
<b>Address*</b>	<b>Telephone*</b>
	<b>Email</b>

<b>Grit bin location*</b>
<b>Road*</b>
<b>Town*</b>

**Nearby property or landmark\***

**Geolocation\***  
**Latitude:**  
**Longitude:**

**Additional information to support your request\***

Please use this space to explain the reasons for your request, for example if you live on a steep hill or there is a dangerous junction.

**The provision of a licence to place a grit bin on the Highway is subject to the following conditions:**

1. The work is to be carried out entirely at the expense of the Licensee, who will be responsible for the maintenance of the grit bin.
2. Replenishment of the grit bin is at the expense of the Licensee and shall be supplied by the authorised contractor to the Highway Authority.
3. The grit bin will be removed should it prove necessary in the future at no expense to the Highway Authority.
4. The exact siting and installation of the grit bin shall be supervised by the Highway Authority and they should be contacted by the Licensee when work is to take place.
5. East Sussex Highways shall not be liable for any damage occasioned to any grit bin in pursuance of this Licence however caused and whether or not arising from or caused by the repair maintenance or improvement of the said highway.

I understand that this is an application only and that its submission by me does not confer permission to deposit a grit bin on the highway.

Signed:

Post to:

**East Sussex Highways**  
**Ringmer Depot**  
**The Broyle**  
**Ringmer**  
**East Sussex**  
**BN8 5NP (Tel: 0345 60 80 193)**

or Email: [customer@eastsussexhighways.com](mailto:customer@eastsussexhighways.com)

**Report to:** Hailsham Town Council

**Date:** 30<sup>th</sup> January 2019

**By:** John Harrison, Town Clerk

**Title of Report:** DEED OF RELEASE

**PURPOSE:**

To resolve that the council executes and signs a legal deed of release

**BACKGROUND:**

Wealden District Council have agreed a new Lease of the Hailsham Pavilion Cinema to Hailsham Pavilion Limited to extend the current term (the current lease period ends in 2027 and the new lease period extends until 2047.

Their existing Lease needs to be surrendered for this to take effect. Under the original Lease of 23 October 2002 Hailsham Town Council was the guarantor in respect of the tenant's obligations in the Lease (A copy of the 2002 Lease is attached to this report).

WDC no longer require HTC to be a guarantor for the purpose of the new Lease. Therefore, the proposed Deed of Surrender will release HTC from their existing obligations under the 2002 Lease. A copy of the proposed draft is attached.

The Deed of surrender has been agreed by both Hailsham Pavilion Limited and WDC. The implications of this are that any default on the terms of the lease by Hailsham Pavilion Limited would now come directly back to WDC, with HTC no longer carrying any liability.

**CONSIDERATIONS.**

HTC Standing Order No. 23 determines that:

*A legal deed shall not be executed on behalf of the council unless authorised by resolution.*

*The council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the proper officer in the presence of two councillors who shall sign the deed as witnesses.*

**RECOMMENDATION**

**Council is recommended to resolve that the Deed of Release be formally executed and sealed using the common seal as determined by the Standing Orders.**

**DATED**

-----

**DEED OF SURRENDER**

**relating to**

THE PAVILION CINEMA GEORGE STREET HAILSHAM EAST SUSSEX

between

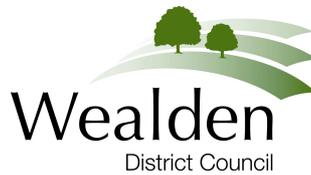
**WEALDEN DISTRICT COUNCIL**

and

**HAILSHAM PAVILION LIMITED**

and

**HAILSHAM TOWN COUNCIL**



Legal Services Manager  
Wealden District Council  
Vicarage Lane  
Hailsham  
East Sussex  
BN27 2AX

This deed is dated

2018

**HM Land Registry**

**Landlord's title number: ESX62560**

**Administrative area: East Sussex Wealden**

**Tenant's title number: ESX265906**

**Administrative area: East Sussex Wealden**

**Parties**

- (1) **WEALDEN DISTRICT COUNCIL** of Council Offices Vicarage Lane Hailsham East Sussex BN27 2AX (**Landlord**)
- (2) **HAILSHAM PAVILION LIMITED** incorporated and registered in England and Wales with company number 3269959 whose registered office is at George Street Hailsham East Sussex BN27 1AE (**Tenant**)
- (3) **HAILSHAM TOWN COUNCIL** of Inglenook Market Street Hailsham East Sussex BN27 2AE (**Tenant's Guarantor**)

**BACKGROUND**

- (A) This deed is supplemental to the Lease.
- (B) The Landlord remains entitled to the immediate reversion to the Lease.
- (C) The residue of the term granted by the Lease remains vested in the Tenant.
- (D) The Tenant's Guarantor has entered into guarantee and other obligations in respect of the tenant covenants of the Lease.
- (E) The Landlord and the Tenant have agreed to enter into this deed.

**1. Interpretation**

The following definitions and rules of interpretation apply in this deed.

1.1 Definitions:

**HMLR:** HM Land Registry.

**Landlord's Conveyancer:** Legal Services Wealden District Council Vicarage Lane Hailsham East Sussex BN27 2AX.

**Lease:** a lease of The Pavilion Cinema George Street Hailsham East Sussex dated 23 October 2001 and made between the Council and the Tenant, and all documents supplemental or collateral to that lease.

**Property:** The Pavilion Cinema George Street Hailsham East Sussex as more particularly described in and demised by the Lease.

- 1.2 Clause headings shall not affect the interpretation of this deed.
- 1.3 A **person** includes a natural person, corporate or unincorporated body (whether or not having separate legal personality).
- 1.4 Unless the context otherwise requires, words in the singular shall include the plural and in the plural shall include the singular.
- 1.5 Unless the context otherwise requires, a reference to one gender shall include a reference to the other genders.
- 1.6 A reference to any party shall include that party's personal representatives, successors and permitted assigns.
- 1.7 A reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time.
- 1.8 A reference to a statute or statutory provision shall include all subordinate legislation made from time to time under that statute or statutory provision.
- 1.9 A reference to **writing** or **written** includes fax but not email.
- 1.10 A reference to a document is a reference to that document as varied or novated (in each case, other than in breach of the provisions of this deed) at any time.
- 1.11 References to clauses are to the clauses of this deed.
- 1.12 Any words following the terms **including, include, in particular, for example** or any similar expression shall be construed as illustrative and shall not limit the sense of the words, description, definition, phrase or term preceding those terms.
- 1.13 References to the **Landlord** include a reference to the person entitled for the time being to the immediate reversion to the Lease.
- 1.14 The expressions **landlord covenant** and **tenant covenant** each have the meanings given to them by the Landlord and Tenant (Covenants) Act 1995.

## **2. Surrender**

In consideration of £1.00 (one pound) paid by the Tenant to the Landlord (of which the Tenant acknowledges receipt) the Tenant surrenders and yields up to the Landlord, with full title guarantee, all its estate, interest and rights in the Property and the Landlord accepts the surrender.

- 2.1 The residue of the term of years granted by the Lease shall merge and be extinguished in the reversion immediately expectant on the termination of the Lease.

## **3. Releases**

- 3.1 Subject to clause 3.2:

- (a) the Landlord releases the Tenant from all the tenant covenants of the Lease; and
- (b) the Landlord releases the Tenant's Guarantor from the covenants, indemnities and other obligations arising under or in respect of the Lease and from all liability for any subsisting breach of those covenants, indemnities and other obligations.

- 3.2 The releases set out in clause 3.1 (a) and 3.1(b) are conditional upon the surrender of the Lease pursuant to clause 2 taking effect so that, if the surrender of the Lease pursuant to clause 2 does not take effect for any reason whatsoever, the releases set out in clause 3.1(a) clause 3.1(b) shall also not take effect.

## **4. Documents**

On the date of this deed, the Tenant shall deliver to the Landlord, or to the Landlord's Conveyancer:

- (i) the Lease; and
- (ii) the original part of this deed.

## **5. Joint and several liability**

Where the Landlord or the Tenant is more than one person, those persons shall in each case be jointly and severally liable for their respective obligations and liabilities arising under this deed. The Landlord may take action against, or release or compromise the liability of, or grant any time or other indulgence to, any one of the persons comprising the Tenant without affecting the liability of any other of them.

**6. Third Party Rights**

A person who is not a party to this deed shall not have any rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this deed.

**7. Governing law**

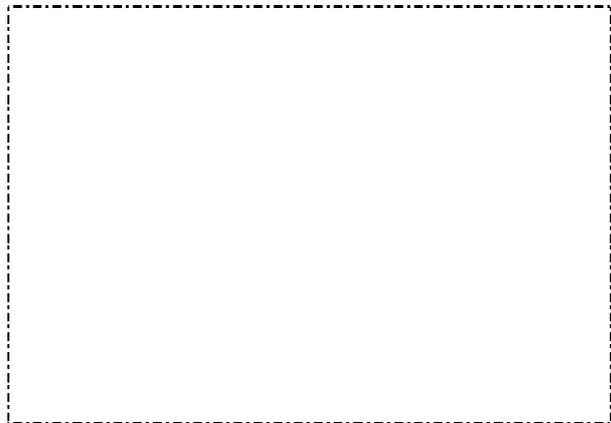
This deed and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England and Wales.

**8. Landlord’s Capacity**

The Landlord enters into this Deed solely in its capacity as Landowner in respect of the property and not in any other capacity and nothing in this Deed shall restrict the Landlord’s powers or rights as a Local Authority Local Planning Authority or Statutory Body to perform any of its statutory functions.

This document has been executed as a deed and is delivered and takes effect on the date stated at the beginning of it.

The COMMON SEAL of the said  
**WEALDEN DISTRICT COUNCIL**  
was hereunto affixed  
in the presence of:



\_\_\_\_\_  
Authorised Signatory

Executed as a deed by  
**HAILSHAM PAVILION**  
**LIMITED** acting by two  
directors or a director and its  
secretary

.....

Director

.....

Director or Secretary

The COMMON SEAL of the said  
**HAILSHAM TOWN COUNCIL**  
was hereunto affixed  
in the presence of:

---

Authorised Signatory



**These are the notes referred to on the following official copy**

Title Number ESX265906

The electronic official copy of the document follows this message.

This copy may not be the same size as the original.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

No LA 451 submitted.

£5

1 copy of  
of the  
UP Survey  
19203

THIS LEASE is made the ~~twelfth~~ day of ~~October~~ Two Thousand and Two BETWEEN WEALDEN DISTRICT COUNCIL of Pine Grove Crowborough in the County of East Sussex (hereinafter called "the Council" which expression shall where the context so admits include the person for the time being entitled to the reversion immediately expectant on the term hereby created) of the first part and HAILSHAM PAVILION LIMITED whose registered office is at George Street Hailsham East Sussex (Company Registration No 3269959) (hereinafter called "the Lessee") of the second part and Hailsham Town Council of Inglenook Market Square Hailsham East Sussex (hereinafter called "the Surety") of the third part



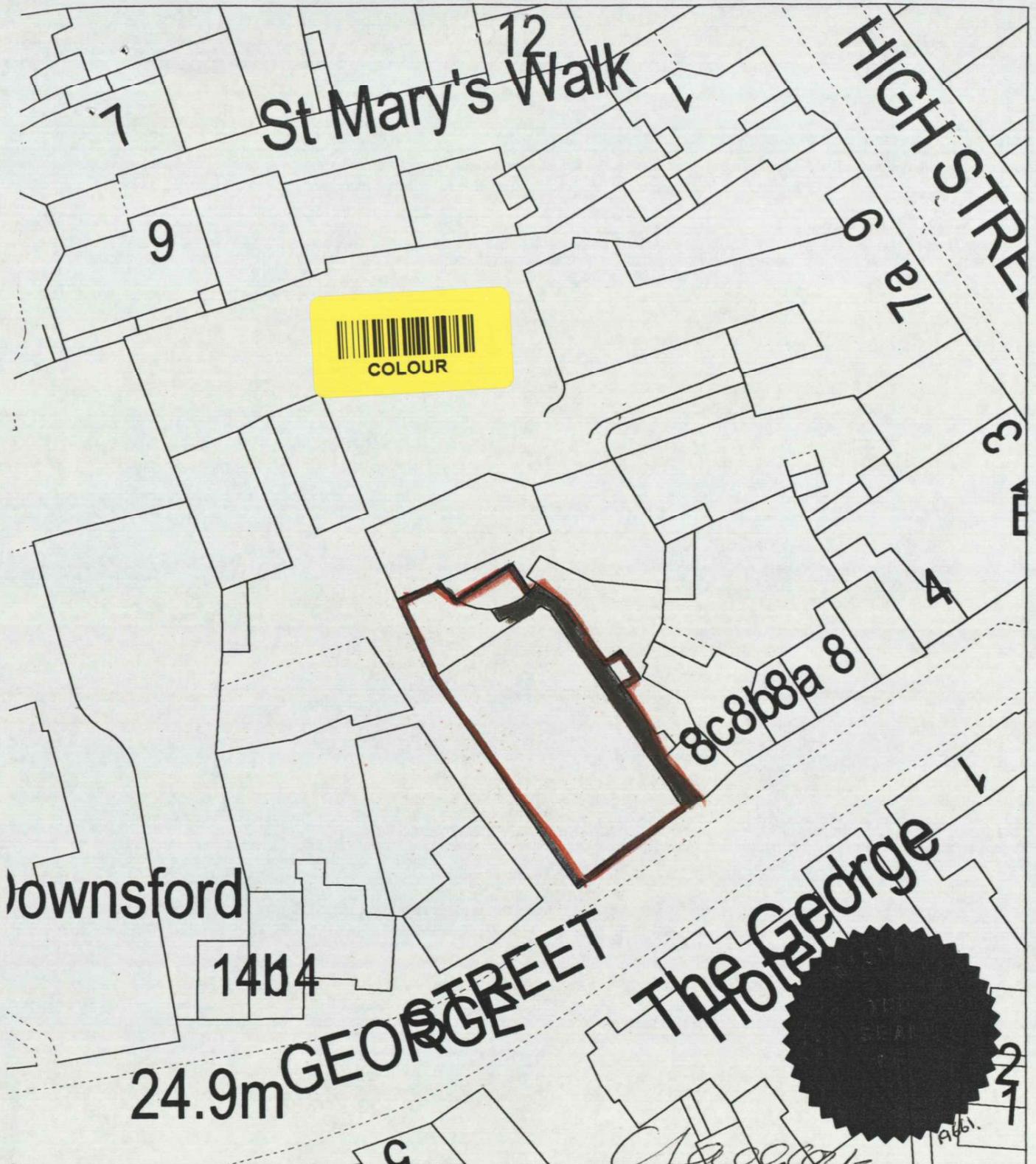
WITNESSETH as follow:-

- 1 In consideration of the rent and covenants by the Lessee hereinafter reserved and contained and of a Transfer and a Deed of Surrender of even date herewith the Council hereby demises unto the Society ALL THAT the land situate at and known as The Old Pavilion Cinema George Street Hailsham in the County of East Sussex shown edged red on the plan annexed hereto (and hereinafter referred to as "the Demised Premises") TO HOLD the same unto the Lessee for the term of Twenty-Eight Years from the 6<sup>th</sup> day of January 1999 paying therefore during the said term in advance the yearly rent of one peppercorn if demanded
- 2 The Lessee hereby covenants with the Council as follows:
  - (a) to pay the reserved rent if demanded at the times and in the manner aforesaid
  - (b) to pay all outgoings incurred in respect of the Demised Premises and keep the Council indemnified from all actions costs charges claims and demands on account thereof
  - (c) to pay to the Council annually in advance a sum equal to the amount which the Council may expend in effecting and maintaining the Insurance of the Demised Premises against such risks as the Council shall think fit in its full value such sum or sums to be paid without deduction on the first day of April in each year

the first payment (being a proportionate payment to the 31<sup>st</sup> March next following) to be made on the signing hereof

- (d) from time to time and at all times during the said term well and substantially to repair cleanse maintain amend and keep the Demised Premises including the path to the Eastern side of the Demised Premises shown coloured brown on the plan annexed hereto in accordance with the specification relating to the renovation refurbishment and improvement works carried out to the Demised Premises a Copy of which is annexed hereto
- (e) during every fifth year and during the last year or sooner determination thereof to have professionally prepared and painted all the outside wood and iron work of the Demised Premises to be painted with suitable paint in accordance with the manufacturer's instructions in a proper and workmanlike manner and of such colours as shall be approved by the Head of Works & Services for the time being of the Council and as often as may be necessary to have professionally treated in accordance with the best approved manner for preserving and protecting the same all other outside materials forming part of the Demised Premises and requiring treatment for preservation and protection
- (f) during every fifth year and during the last year or sooner determination thereof to have professionally prepared and painted all the inside wood and iron work usually painted and all other internal portions proper to be painted with suitable paint in accordance with the manufacturer's instructions in a proper and workmanlike manner and have all inside walls of the Demised Premises usually painted or papered professionally prepared and painted with two coats of good suitable paint or papered with paper of good quality in a proper and workmanlike manner and so often as may be necessary to have professionally treated in accordance with the best approved manner for preserving and





Downsford

1414

24.9m GEORGE STREET

8c8b8a 8

The George



# Wealden District Council

M.J.Fleming BSc., F.R.I.C.S., M.Inst WM.  
Head of Works & Services.

Council Offices  
Pine Grove  
Crowborough  
East Sussex TN21 1DH  
01892 653311  
Fax 01892 602445

DESCRIPTION: *PAVILION CINEMA.*  
LOCATION: *GEORGE STREET, HAILSHAM.*  
TENANT:

SCALE: 1:500                      DATE: 01/05/02

THIS PLAN HAS BEEN SPECIFICALLY PRODUCED FOR LOCATION PURPOSE ONLY AND NO FURTHER COPIES MAY BE MADE. REPRODUCED FROM THE ORDNANCE SURVEY MAPPING WITH THE PERMISSION OF THE CONTROLLER OF HER MAJESTY'S STATIONERY OFFICE CROWN COPYRIGHT. UNAUTHORISED REPRODUCTION INFRINGES CROWN COPYRIGHT AND MAY LEAD TO PROSECUTION OR CIVIL PROCEEDINGS.  
WEALDEN DISTRICT COUNCIL - LICENCE No. 079944 - 01/05/02

protecting the same all other inside parts of the Demised Premises requiring treatment for their preservation and protection

- (g) To use the Demised Premises only as a Public Building for arts related events including conferences or events which are ancillary thereto and have been first agreed in writing by the District Planning Officer for the time being of the Council such consent not to be unreasonably withheld
- (h) at all times during the said term to keep the Demised Premises in a clean and tidy state and condition
- (i) to maintain an adequate Public and Third Party Liability Insurance Policy the terms of which are approved by the District Treasurer for the time being of the Council and on demand to produce the policy and last premium receipt to the Council and to indemnify the Council from and against all actions claims and demands made in respect of the use and occupation of the Demised Premises by the Lessee
- (j) not to assign underlet or part with the possession of the Demised Premises or any part or parts thereof provided that this clause shall not relate to individual hirings
- (k) not to make any alterations or additions to the Demised Premises without the consent in writing of the Head of Works & Services of the Council
- (l) not to do or permit to be done in or upon the Demised Premises or any part thereof anything which may be or become a nuisance or annoyance or cause damage or inconvenience to the Council or to the owners or occupiers of any adjoining premises
- (m) to comply in all respects with the provision of all Acts of Parliament and other regulations laws and byelaws respecting the Demised Premises or the use thereof whether imposed on the owner or occupier thereof including all necessary Planning Consents and Listed Buildings Consents and at all times to

indemnify and keep indemnified the Council against all actions proceedings costs expenses claims and demands in respect of any non compliance with such provisions or any of them

- (n) to execute all such works as are or may under or in pursuance or any Act or Acts of Parliament already or hereafter to be passed be directed or required by any District Council Local or Public Authority to be executed at any time, during the said term upon or in respect of the Demised Premises whether by the Landlord or the Tenant thereof as a result of the use of the Demised Premises
- (o) at the end or sooner determination of the said term hereby granted to quietly yield up the Demised Premises and all additions and improvements thereto therein in good and substantial repair and condition in accordance with the covenants herein contained
- (p) to permit the Council on giving reasonable written notice such notice to be not less than 7 days save in emergency to enter the Demised Premises to examine the condition thereof or for any other reasonable purpose including the progress of works
- (q) to pay all reasonable costs charges and expenses (including Legal works and Surveyors fees) which may be reasonably and properly incurred by the Council incidental to the preparation and service of any notice (whether Statutory or otherwise) specifying any breach committed by the Lessee of any covenant herein contained or requiring the Lessee to remedy the same or make compensation therefore

3 The Council hereby covenants with the Lessee as follows:

- (1) that the Lessee observing and performing the stipulations and provision herein contained shall peaceably hold and enjoy the Demised Premises during the said

term without any interruption by the Council or any person lawfully claiming under or in trust for it

- (2) to insure and keep insured the Demised Premises against loss or damage by fire and such other risks as the Council may from time to time consider desirable to the full rebuilding cost thereof and to any extent in excess of such amount and against such other risks as the Council may from time to time deem necessary or prudent and to pay the premiums on any such Insurance upon the due date and in the event of damage by fire or other cause to lay out forthwith all monies received from any such insurance in rebuilding and reinstating the Demised Premises and making good such damage

4 PROVIDED ALWAYS and it is hereby agreed as follows

- (i) if the rent shall be in arrear for twenty-one days (provided the same shall have been formally demanded) or if there shall be a breach of any agreement stipulation or provision on the Lessee's part to be observed and performed the Council may reenter the premises and thereupon the term hereby created shall forthwith determine but without prejudice to the rights and remedies of the Council in respect of any such breach
- (ii) any notice under this Agreement shall be in writing and shall be deemed to have been served if sent to the Trustees for the time being of the Lessee at the Demised Premises by the Recorded Delivery Service or if delivered by hand to the Demised Premises or in the case of the Council if sent to the Chief Executive for the time being of the Council by the Recorded Delivery Service or in the case of the Surety if sent to the Town Clerk for the time being of the Surety by the Recorded Delivery Service
- (iii) subject to availability there shall be reserved to the Council the right to the priority use upon payment of the usual concessionary rate Hire Charges of the Demised Premises or any part thereof if required by the Council or its

nominated user for a maximum of 28 days in any calendar year and the Council shall give the Lessee not less than four weeks previous notice in writing in that behalf

5 The Surety in consideration of the demise hereinbefore contained having been made at its request hereby covenants with the Council that the Lessee shall pay the rent hereby reserved if demanded on the days and in manner aforesaid and shall perform and observe all the Lessee's covenants hereinbefore contained and that in the case of default in the payment of such rent or the performance and observance of such covenants as aforesaid the Surety shall pay and make good to the Council on demand all losses damages costs and expenses thereby arising or incurred by the Council PROVIDED THAT it is hereby agreed that any neglect or forbearance of the Council in endeavouring to enforce performance of the several stipulations herein on the Lessee's part contained or any time which may be given to the Lessee by the Council shall not release or exonerate or in any way affect the liability of the Surety under this covenant

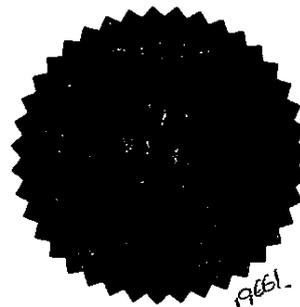
IN WITNESS WHEREOF the Council and Lessee have caused their respective Common Seals to be hereunto affixed and

and have set their hands for and on behalf of the Surety the day and year first before written

THE COMMON SEAL of WEALDEN DISTRICT )  
COUNCIL was hereunto affixed in the )  
presence of:- )



Authorized Signatory



## PAVILION CINEMA, GEORGE STREET, HAILSHAM

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### A. INTRODUCTION

#### 1. LOCATION

The Pavilion Cinema is located off George Street, Hailsham on the periphery of the Town Centre; side access is available off a pathway to the Eastern side; main access is directly off George Street.

#### 2. HISTORY

The Cinema was opened in 1921 and was used as a Cinema until 1965 and was used as a Bingo Club for 20 years until 1987. It is now a Grade II Listed Building.

#### 3. OWNERSHIP

The property is in the current ownership of Wealden District Council. The Hailsham Old Pavilion Society (HOPS) have arrangements for access.

#### 4. GENERAL CONSTRUCTION

The walls are in cavity brickwork with piers supporting 5 No. steel trusses with timber decking finished with cement fibre flat tiles laid in a diamond pattern. The front two storeyed section is rendered and has a concrete first floor at roof. External joinery is in painted softwood. A rear flat roofed appendage is enclosed by brick walls with a joisted roof structure.

#### 5. ACCOMMODATION

The present accommodation consists of a main auditorium with raked floor and a shallow stage, front foyer with ticket office, ladies WC, meter and a cupboard on the ground floor with a spiral stairway leading to the first floor with Manager's Office, Projection Room, Staffroom and WC. Externally, there is an attached block to the rear which accommodated the gas boiler and a detached main toilet block.

#### 6. EXISTING CONDITION

The external condition ranges from good (front and immediate return elevations - but not joinery); main roof to average (flat roofs and fair faced brick walls to side and part rear) to poor (joinery and rear attached accommodation). The internal condition is generally very poor and dilapidated having previously suffered from vandalism and the ravages of damage due to water penetration.

#### 7. PREVIOUS WORKS

Upon becoming responsible for the building, Wealden District Council undertook some major repair works including re-roofing/decking to the auditorium, with replaced guttering and downpipes, felt weathering to the flat roof areas to the front two storey section, rebuilding part of the rear gable brick wall, cavity wall tie replacement and external redecorations to the rendered 2-storey front section.

The Town Council made a financial contribution towards these works and subsequent cleaning up and pigeon repellent works have been arranged by HOPS.

8. • **PROPOSALS**

Subject to funding, it is intended to renovate and refurbish the property to provide a Cinematic and Arts related facility for Community use. The internal improvement works include the provision of a Kitchen/Bar, a small amenity/reception/exhibition area and improved WC accommodation including a WC facility for disabled persons. A feasibility study and report of March 1994 covers the proposals and options in greater detail.

9. **STATUS**

The progress of the proposal is subject to HOPS achieving Charitable Status and acquiring a long lease on the whole of the premises. It is intended to seek funds from the National Lottery.

10. **SCOPE OF THIS REPORT**

The scope of this Report is to identify specific areas of work which require attention, with general recommendations and an identification of priority. A key plan is enclosed at Appendix A.

11. **SCHEDULE OF WORK**

The following proposed Schedule of Work is intended to cover each area/element and gives, from left to right, the reference No.,(Column 1), Location/element (Column 2), recommendations/action (Column 3) and suggested priority (Column 4).

At this stage, the information given is available for discussion purposes but allows for the identification of all works which will need to be entertained to bring the Building back to a condition which would permit it to operate for Community use.

A point will be reached where the principal area (ie. Auditorium, Foyer and other public areas together with WC accommodation) may be advanced to a state where the building may come into use (and therefore bring in revenue) prior to the final completion of other areas (ie. Staff Room, Office , Rear store ,etc.) but all subject to licensing requirements and Fire Officers certification as appropriate.

B. **INTERNALLY**

	<b><u>LOCATION/ELEMENT</u></b>	<b><u>RECOMMENDATIONS</u></b>	<b><u>PRIORITY</u></b>
1.00	<b><u>AUDITORIUM</u></b>		
1.01	<b><u>Steel roof trusses</u></b> - corroded in part with connector piece between top and bottom chord built into wall; bottom chord radiused to provide form for barrel ceiling.	Grit blast to bare metal treat with Galvaloid or similar after checking all members; check integrity and condition of vertical connector.	A
1.02	<b><u>Ceiling</u></b> - barrel vaulted form only 50% in position and in very poor condition; some features salvaged for replication. Existing ceiling of plaster to exposed metal with vents incorporated to ceiling void	Carefully strip and cartaway remains of existing dilapidated ceiling and reform to original shape pattern and design incorporating all features. Allow for incorporation of thermal insulation. NB. Allow for incorporation of electrical first fix prior to ceiling and other plasterwork reinstatement.	A
1.03	<b><u>Proscenium Arch</u></b> mainly intact except for some details.	Repair in random areas to match existing.	B
1.04	<b><u>Wall plasterwork</u></b> (including decorated work to windows, vents, windows and other apertures and also skirtings)- contains varying features but surfaces defective and require complete replacement (except for proscenium arch).	Completely strip and cart away taking due care to bag up and seal any contaminated debris; treat areas affected by dry rot ensuring immediate areas are thoroughly impregnated. Reform to original planes and profiles to existing designs incorporating all features.  NB. Electrical works as before for Item 1.02.	

	<u>LOCATION/ELEMENT</u>	<u>RECOMMENDATION</u>	<u>PRIORITY</u>
05	<u>Raking floor</u> - tongued and grooved softwood on battens with clinker infill; timber sections badly decayed	Completely strip and cart away existing finish; remove all loose and friable material and replace with new floor of T & G sheet material (WPB ply) on pre-treated battens and incorporating vapour barrier with DPM included if found necessary.	B
06	<u>Stage area</u> - original stage area extended but all in a dilapidated condition.	Completely strip and cart away and reform utilizing pre-treated softwood sub framing with WPB T & G ply deck and incorporating access stairs to at least one side; final size to be agreed but likely to be extended to cater for greater potential use.	B
07	<u>Screen Wall</u> - plain plaster finish but crazed.	Check finish and bond to rear gable wall; make good if possible or allow for renewal NB. Any work to be incorporated with other wall works; eventual projection screen (with drapes) will probably be hung to the front face of this flat plastered area.	A
08	<u>Decorations</u> - generally poor on remaining surfaces	Complete redecoration necessary upon completion of internal finishes.	B
09	<u>Joinery Works</u> - covered under a separate heading.		
10	<u>Provision of Recommended New Facilities</u> - (Kitchen/bar/amenity/reception/exhibition and WC's etc.).	To be phased in and incorporated with relevant trades as other work proceeds.	A/B
00	<u>FOYER AREA</u>		
01	<u>Ceiling and wall finishes</u> - fairly grimey with much evidence of random mould growth but textured surface treatment and features generally intact.	Generally clean down, make good in random areas, treat with anti-fungicidal solution and prepare for and include for redecoration.	B/C
02	<u>Floor &amp; Steps</u> - marble in checker pattern with black and white areas - several tiles cracked but otherwise serviceable.	Replace random areas with matching finish; allow for provision of handrails to both flights of steps.	B/C
03	<u>Joinery Works</u> - front to ticket office generally in original form but displaying some later additions/embellishments.	Remove later features and reinstate to original condition.	B/C

<u>LOCATION/ELEMENT</u>	<u>RECOMMENDATIONS</u>	<u>PRIORITY</u>
03.01 <u>Display panels</u> to 2No. front windows Simple loose full height removable boards held in position with turn buttons.	Generally overhaul but retain feature as existing	D
03.02 <u>Front Entrance doors</u> - original doors in good condition.	Generally secure, replace 2No. 5 lever lock and reinstate original brass pull handles (at least one on site).	D
04 <u>BOX OFFICE</u>		
04.01 <u>Ceiling and Wall finishes</u> - generally in a poor decorative state.	Strip and completely redecorate.	C
04.02 <u>Ticket Dispenser</u> - not in situ.	Understood that the original ticket dispenser may be available and if so, could be reinstated. A contemporary replacement could be considered for installation if a suitable Model can be acquired.	C
04.03 <u>Steps (4No.)</u> - badly worn and uneven.	Generally make good and provide handrail to one side.	C
04.04 <u>Apertures to Auditorium</u> - original doors/shutters missing from frame surrounds.	Replace with new doors/shutters of sound resisting construction.	D
04.05 <u>Floor</u> - solid floor	Provide new floating insulated floor to receive carpet or sheet vinyl finish.	D
05 <u>LADIES WC.</u>		
05.01 <u>Ceiling and Wall finishes</u> - surface finish appears to be generally serviceable but in need of complete redecoration.	Make good and completely redecorate.	C
05.02 <u>Door and Window</u> - generally sound. Window fitted with security bars.	Prepare and redecorate including for new door and window ironmongery. Security bars to be retained.	D
05.03 <u>Sanitary fittings</u> - although dirty may be capable of retention but with new services and fittings.	Clean, check condition and allow for provision of new fittings and services.	D
06 <u>Electrical Intake</u> - contains mains intake point and meters.	Clean out, make good ceiling, wall and floor finishes; provide new ½ hour FRSC lockable door.	C
07 <u>Store</u> - provision for double door frontage use subject to Fire officers recommendations.	Clean out and re-hang pair ½ hour FRSC lockable doors.	D

<u>LOCATION/ELEMENT</u>	<u>RECOMMENDATIONS</u>	<u>PRIORITY</u>
<b><u>ACCESS LOBBY TO FIRST FLOOR AND STAIRWAY</u></b>		
1 <b><u>Ceiling and Wall Finishes</u></b> - fair faced brickwork in poor decorative order.	Generally strip back and redecorate.	D
02 <b><u>Door to Foyer Area</u></b> - Missing	Hang new ½ hour FRSC door	C
03 <b><u>Stairway</u></b> - in stone spiral form with simple wrought iron handrail - all considered serviceable.	Although slightly tortuous, may be retained; superficial repairs and decorative works only proposed.	E
<b><u>FIRST FLOOR</u></b>		
<b><u>LANDING</u></b>		
01 <b><u>Ceiling and Wall Finishes</u></b> - in poor decorative state.	Strip back to facework and redecorate; allow for provision of insulation to concrete soffitt to roof over.	C
02 <b><u>Window</u></b> - circular centre pivot window missing and now boarded up.	Provide and fix new purpose made window to match similar SW windows to either side (to Managers Office and Store/Staffroom).	B
03 <b><u>Floor</u></b> - existing screeded floor uneven (on concrete first floor structure).	Apply levelling screed to receive carpet or vinyl sheet floor.	C
<b><u>MANAGER'S OFFICE</u></b>		
01 <b><u>Ceiling</u></b> - partly covered with polystyrene tiles to soffitt of concrete roof structure.	Strip polystyrene tiles and allow for new insulated ceiling with plaster skim finish and decorate.	C
02 <b><u>Walls</u></b> - fair faced brickwork with painted finish in poor condition. West wall has a cast iron inset fireplace.	Strip and prepare for re-decorations. Existing cast iron inset flue to be retained.	C
03 <b><u>Floor</u></b> - timber boarded floor in average condition - worn in places.	Entirely replace existing floor with T & G WPB ply or vapour resistant chipboard or overlay existing with tempered hardboard or WPB plywood to receive carpet or vinyl sheet floor finish.	C
04 <b><u>Window</u></b> - original circular centre pivot SW window in fair condition.	Generally overhaul for retention - new ironmongery required.	C

<u>LOCATION / ELEMENT</u>	<u>RECOMENDATIONS</u>	<u>PRIORITY</u>
<b>03</b>	<b><u>PROJECTION ROOM</u></b>	
03.01	<b>Ceiling</b> - degenerated plaster finish on soffit of concrete roof structure to raised central section - in poor condition also blackened by smoke damage. Ceiling continues over lobby area to front.	C
03.02	<b>Walls</b> - fair faced brickwork with paint finish - heavily blackened with smoke damage.	C
03.03	<b>Roof Windows</b> - metal framed and glassless and boarded over.	B
03.04	<b>Doors (2No.)</b> - off landing - one door missing whilst other needs some general attention.	B
03.05	<b>Projection Ports</b> - original metal shutters in position but generally corroded.	C
03.06	<b>Projection Equipment</b> - none existing.	D
<b>04</b>	<b><u>STORE/STAFF-ROOM</u></b>	
04.01	<b>Ceiling/Wall Finishes</b> - generally tired.	E
04.02	<b>Floor</b> - screed on concrete first floor uneven in some areas.	E
04.03	<b>Window</b> - original circular centre pivot SW window in fair condition.	E
04.04	<b>CW Storage Tank (at high level)</b> galvanised rectangular tank	C
<b>05</b>	<b><u>STAFF WC</u></b>	
05.01	<b>Ceiling</b> (with roof access) in poor decorative condition.	E

	<u>LOCATION/ELEMENT</u>	<u>RECOMMENDATIONS</u>	<u>PRIORITY</u>
5.02	<u>Walls</u> - fair faced brickwork in poor decorative condition.	Strip and completely redecorate.	E
03	<u>Window</u> - side opening casement in fair condition.	Generally overhaul and provide new ironmongery.	E
5.04	<u>Door</u> (from Store/Staffroom) - in reasonable condition.	Generally overhaul and provide new ironmongery.	E
5.05	<u>Sanitary Fittings</u> - basin and Belfast sink in poor condition.	Replace WC and cistern and also wash basin with new fittings and services.	E
5.06	<u>Roof Access</u> - felted SW removable cover - usable but difficult to operate.	Replace with lighter removable access cover with security fixings; reinstate hinged security grill with locking device.	D/E

### EXTERNALLY

#### REAR STORE

Roof - flat felted roof on chipboard decking supported on softwood joists at regular centres - roof deck and finish in very poor condition with many holes.

Strip roof finish and deck and replace with WPB ply and build up felt or polymer type roof finish incorporating insulation in sandwich form to provide a "warm room". Check suitability of existing joists for span/ deflection - replace if found necessary. Check end bearings to solid brick walls.

Walls - mixture of common and garden walls with external wall to west in fair faced brickwork - in fair condition.

Check walls and allow for random repointing.

Floor - solid concrete floor

May be left as existing but depends upon eventual use of this rear store.

Doors - pair of existing doors no longer serviceable.

Provide new pair of secure doors (possibly metal faced) and frame securely anchored to existing wall; 5 lever locks and secure bolts required to resist unauthorised entry.

Ventilation - plenty at the present due to condition of roof, doors, etc.

depending upon eventual use allow for insertion of a series of air bricks to permit natural ventilation.

Roof to Auditorium - rectangular cement fibre tiles laid in a diamond pattern -- renewed in 1993 and understood to be on pre-treated SW battens.

Considered to be in good condition and no works required.

<u>LOCATION / ELEMENT</u>	<u>RECOMMENDATIONS</u>	<u>PRIORITY</u>
00 • <b>Roof to Front 2-Storey Section</b> - Mineral finished felt roofing and upstands to raised central section (over projection room) with 2No. lower sections - again all renewed in 1993.	Found to be in good order but some ponding found by access trap; no action recommended at this stage.	E/F
0 <b>Parapet Upstands</b> - these occur to the front (George Street) gable and at the abutment of the two storey roof with the auditorium roof slopes. They have a felted finish which has not been replaced for some time and displays signs of deterioration.	Strip and replace with a suitable impervious material bonded to existing rendered(?) face or with a rendered finish over a bitumen application. Lead flashings may be required at junctions with other roof finishes. Make good render to gable to auditorium face. The outlet from open flue in Manager's Office needs investigating.	A/B
0 <b>Gutters and Downpipes</b> - majority renewed in 1993 with black PVC and therefore fairly serviceable. However, sections to the inner front parapet still have the original cast iron ogee section gutters and require replacement together with adjacent downpipes.	Check for blockages and remove debris; clean out gullies. Replace remaining cast iron sections with black PVC to match existing.	A/B
0 <b>East Elevation</b> - in fair faced brickwork with shallow piers. Access partly blocked by shrubs, brambles, etc.	Repoint random areas and infill pockets; remove old flashing from former covered area to Gents WC. paint cast iron vent grills. Reform 2No. steps up to rear store. Clear debris, shrubs etc.	A
(Doors and Windows covered separately).		
00 <b>West Elevation</b> - adjacent to combined access to independent rear business use. Access road level higher than average internal floor level. Ventilation grill openings bricked in.	Repointing works required in random areas; A/B cast iron gullies to be reinstated; effect of external ground level to be investigated in relation to internal finished floor level; capping to at least 1No. shallow brick pier to be replaced.	A/B
00 <b>Rear Elevation</b> - not easily accessible but upper section noted to have been rebuilt (again in 1993) Circular vent requires removal.	Check pointing and junction/flashing with flat roof area to rear store.	A
00 <b>Front Elevation</b> - stuccoed painted finish in an attractive colour scheme - repaired and repainted in 1993. Front first floor windows (in part at least) require attention (see separate section) pigeon perching precautions to ledges recently undertaken; generally taken to be in good condition both structurally and visually.	No immediate attention (save for window repairs) but depending upon the overall programme of work will require redecoration prior to formal opening. (External redecoration should be considered on a 4/5 yearly cycle.).	F

	<u>LOCATION/ELEMENT</u>	<u>RECOMMENDATIONS</u>	<u>PRIORITY</u>
.00	<u>Gents WC</u> - this is a detached brick structure with a flat felted roof; general condition is reasonable considering its location and use. Access door is serviceable but window requires attention as does the roof finish.	Some works necessary if to be retained; these include renewal of roof (and supporting structure?) ceiling and internal finishes. Sanitary fittings appear to be re-usable but new services required. Window and vent requires renewal.	F
.00	<u>EXTERNAL JOINERY</u>		
.01	<u>Fascias</u> - renewed with roof works in 1993 and in a dark stained finish - all appear to be in good order.	No action required at this stage.	0
.02	<u>Windows</u> - the circular windows to the auditorium (something of an enigma!) are all defective in one way or another and require replacing including the surround frames.	Replace all (9No. to auditorium plus 1No. to front first floor) together with surrounds with lead cill pieces. The rear gable ventilation port also requires to be renewed.	A/B
.03	<u>External Doors</u> - the 2No. pairs of exit doors to the east face are either missing or rotten and will need to be replaced. The outer pairs of 'blackout doors' are totally missing.	Replace both pairs to match existing panelled pattern in purpose made softwood with panic/security bolts for exit purposes. The outer doors (which also provide additional security) need to be replaced in a solid form  (doors to rear store covered previously)	A/B
.00	<u>Services</u> - The building has the benefit of mains water, electricity and gas services; a temporary electricity supply is the only service currently available.		
.01	<u>Water</u> - the existing water service is to a cold water storage tank situated within the first floor store/ staffroom (see Item 3.04.4) existing defunct water services are in iron and will need replacing. It is likely that a water meter will need to be installed.	Besides the replacement of the CW storage tank, all distribution pipes will need to be replaced with copper to serve the new fittings. Lagging of pipes to be provided. Work to be phased in with other trades.	B/C
.02	<u>Electricity</u> - the existing electrical installation is now redundant and the whole building will have to be rewired to current IEE Regulations.	Strip out existing conduit runs and cabling and rewire for lighting, power, emergency lighting, smoke/ heat detectors etc. The first fix needs to be undertaken to the auditorium and at least prior to replastering works.	A/B

	<u>LOCATION/ELEMENT</u>	<u>RECOMMENDATIONS</u>	<u>PRIORITY</u>
3	<b>Gas</b> - although a gas supply is available, this is not currently connected. It is assumed that a new gas supply and meter will be required for space heating purposes.	Provide new gas supply installation in conjunction with new heating installation (see 15.05 below)	C/D
4	<b>Telephone</b> - not currently in evidence but will be required once the overall facility is available for Community use.	Make provision for an intake point for management purposes. A pay phone could be available for public use. An internal communication system would be desirable to link the various operational areas.	F
5	<b>Heating</b> - the original cast iron radiators are mainly in position but would need renovation. These are supplemented by more modern pressed steel HW radiators in secondary areas.	An efficient economical heating installation is necessary and provision should therefore be made for a complete new gas fired HW system serving radiators which in public areas, should be fitted with suitable guards.	D
6	<b>Hot Water</b> none available.	Although could be combined with heating installation, it would be more economical to employ local instantaneous HW heaters at the point of supply. In public areas, heavy duty units should be installed.	E
7	<b>Ventilation</b> - was originally available to the auditorium area via i) ceiling vents and ii) wall vents.	Ducted ventilation from main ceiling void with reinstatement of outlet to gable wall. Wall vents to be made operational again with dampers. Local ventilation by direct mechanical means required to projector room, new kitchen/bar and WC areas.	A/B
8	<b>Fire Precautions</b> - none available besides exit doors.	Adequate signage with mains failure backup to be installed. The fighting equipment (extinguishers, brackets, etc.) to be provided in accordance with the Officers requirements.	D
9	<b>External Signage</b> - the original 'Pavilion' sign remains and is to be retained.	Additional signage may be required for publicity purposes as well as for general information.	F
10	<b>Security/Alarm Installation</b> - none exists.	As with other public/community buildings, the provision of an adequate security/alarm system needs to be seriously considered. Besides an alarm with PIR detectors, some security lighting needs to be entertained notwithstanding the buildings proximity with the Local Police Station.	C/D

## 16.00 PHASING OF WORKS

- 16.01 The phasing of the works depends greatly upon the general availability of financial resources to accommodate the overall programme of work in a logical sequence.
- 16.02 Besides continuing to ensure that the building is secure, it is of paramount importance to keep the property maintained in a wind and weathertight condition. This is largely the case at the present except for the rear storage area.
- 16.03 A broad sequence of works is scheduled as follows:
- 1 Take casts of existing mouldings plaster features etc.
  - 2 Clear out all debris.
  - 3 Strip out remains of ceiling to auditorium and to walls of same and cart away.
  - 4 Strip out redundant heating and electrical services (but set aside for hopeful re-use, original cast iron radiators, wall light fittings (for replication).
  - 5 Strip out existing finish to raking floor and cart away (and stage).
  - 6 Treat affected areas for dry rot.
  - 7 Renew doors and windows to auditorium to provide dummy frames as a temporary measure.
  - 8 Provide first fix for new electrical installation.
  - 9 Renew roof to rear storage area together with provision of new secure doors (this space could then be used for temporary storage of existing re-usable auditorium seating.
  - 10 Fix new ceiling (with insulation) to auditorium followed by wall plaster and features.
  - 11 Form carcassing for proposed new facilities (including new first floor).
  - 12 Undertake works to walls and ceilings of Foyer.
  - 13 Install first fix for heating installation (pipework).
  - 14 Install new hot and cold water services.
  - 15 Provide new floor finish to auditorium.
  - 16 Reconstruct stage.
  - 17 Complete electrical installation (Auditorium and Foyer areas etc).
  - 18 Install plant to boiler room followed by second fix for heating installation.
  - 19 Repair works to parapet upstands and removal of gutters.
  - 20 Undertake decorations to auditorium area followed by similar works to Foyer.

(cont) **PHASING OF WORKS (continued)**

- 21 Fit out new kitchen/bar and WC's
- 22 Undertake works to first floor accommodation.
- 23 Repair floor to Foyer; fit new handrails etc.
- 24 Repointing works to East and West walls.
- 25 Undertake remaining heating installation works (secondary areas).
- 26 Renew roof covering and deck to rear area followed by repair works to walls.
- 27 Complete remaining internal decoration works.
- 28 Test all services.
- 29 Redecorate front elevation and undertake final decorations to all new joinery items etc.
- 30 Provide carpet floor finish to auditorium.
- 31 Complete works to box-office and ground floor W.C.
- 32 Supply and install specialist items and fit out.
- 33 Reinstate seats to auditorium.
- 34 Provide loose equipment fittings.
- 35 Arrange for opening ceremony!
- 36 External works including resurfacing of side access.

4 The above items allow for a three year period (ie the length of the Agreement) and assume the incorporation of the works as previously identified in the Schedule of Works; this is summarised as follows:

YEAR 1 - items A, A/B and B.

YEAR 2 - items C, C/D and C.

YEAR 3 - items D, D/E, E, E/F and F.

(Items shown with an 'O' are assumed to require nil or a minimum of attention).

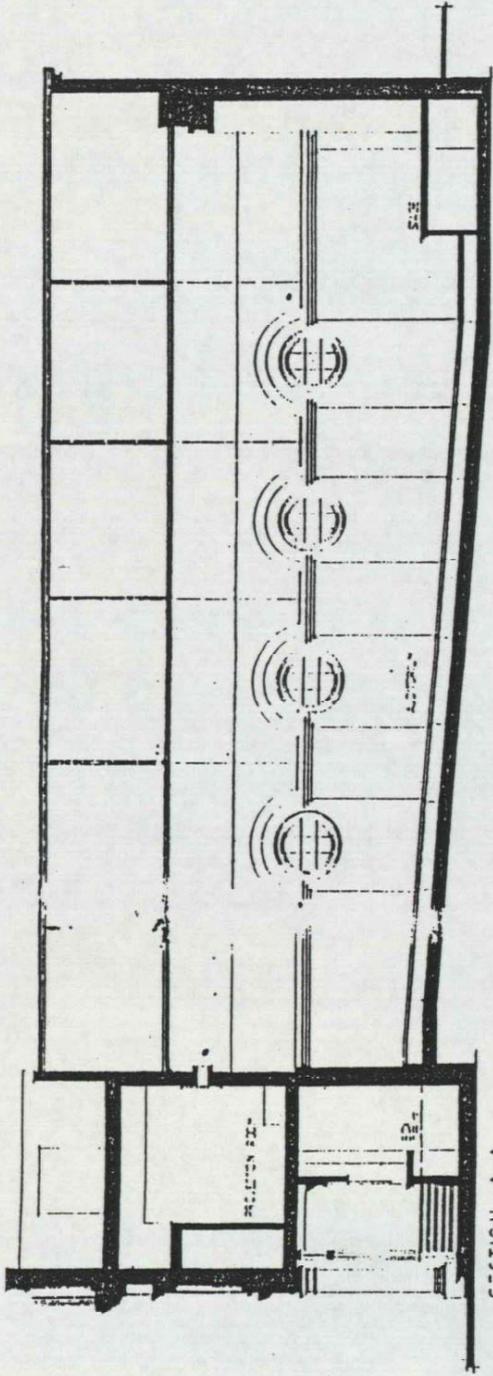
5 Priority items as shown may be re-assessed to suit any re-appraisal of the overall phasing to i) suit an overall programme; ii) to accommodate funding provision; iii) to accommodate the availability of any specialist trades and iv) to satisfy statutory requirements.

5 Forgetting the lease and funding issue for the moment, it is necessary to submit Listed Building and Planning Applications followed by a Building Regulation application to cover the proposed new works.

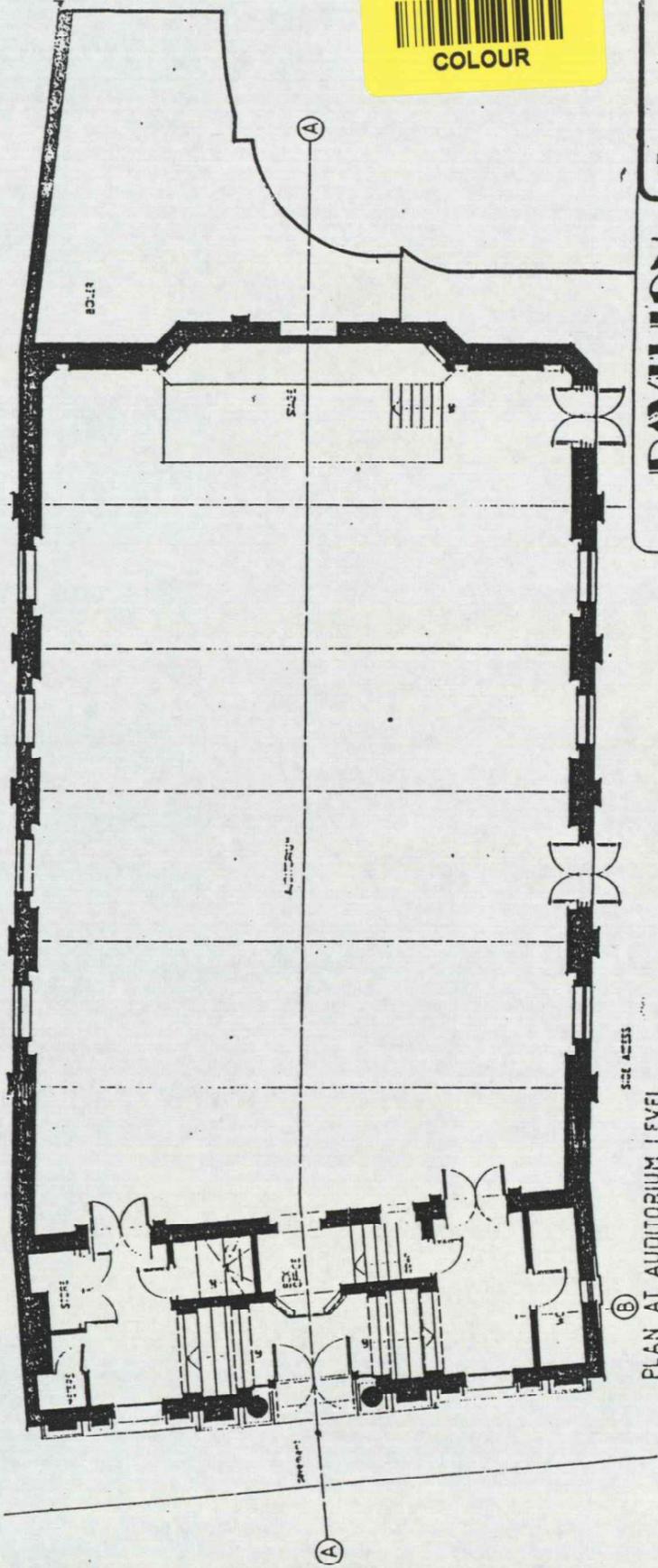
- 16.07 To enable the major works to be implemented, a detailed Specification will be required followed by a competitive tendering exercise. Due to the phasing, this may have to be arranged in separate sections or by negotiation for some of the subsequent works. This could, in the overall context, be on a trade by trade basis, but due to the overall complexity, a main Contractor will be required in some capacity to co-ordinate the works as they progress.
- 16.08 Account needs to be taken to comply with the Construction, Design and Management (CDM) Regulations 1994 for which purpose, a Planning Supervisor will be required to be appointed by the Client. Due to the nature of the works, the satisfaction of these new regulations will need to be investigated.
- 16.09 During the preparation of the drawings and specification of the proposed works, the requirements and recommendations of the Fire Officer need to be observed; Licencing requirements (as a Public/Entertainments Building) will need to be accommodated.
- 16.10. Besides an Architect and Planning Supervisor, it is likely that a Cost Consultant/Quantity Surveyor will be required together with possibly, a Structural Engineer. Such professionals will make up the 'Design Team'
- 17.00 The foregoing recommendations/information is subject to general adoption by HOPS, consents from the Local Authority.
- 18.00 No structural survey has been arranged or undertaken for the purposes of this report which was undertaken on a visual basis only; no areas were opened up for general or detailed inspection.
- 19.00 This report is the copyright of The Stevens Partnership and may not be copied, in whole or in part, without the permission of The Stevens Partnership.

AJS/94/1406  
HOPS 20.11.95.  
TSP

.....  
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SECTION A-A



PLAN AT AUDITORIUM LEVEL.

*The* **PAVILION CINEMA**  
 GEORGE STREET, HANSHAM,  
 near Melton, Leicestershire.

**A**  
 The Stevens Partnership  
 Chartered Architects

DATED 23.10. 2002

**WEALDEN DISTRICT COUNCIL**

to

**Hailsham Pavilion Limited**

**LEASE**

of

**The Old Pavilion Cinema  
George Street  
Hailsham  
East Sussex**

V.P. Scarpa BA LLB  
Solicitor & Legal Services Manager  
Wealden District Council  
Pine Grove  
Crowborough  
East Sussex TN6 1DH

**Report to:** Hailsham Town Council

**Date:** 24<sup>th</sup> January 2019

**By:** Michelle Hagger, Finance Officer

**Title of report:** Precept and Budget 2019-2020

### **PURPOSE:**

To set the precept to be requisitioned from Wealden District Council

- To consider the recommendations of the Finance, Budget, Resource & Staffing Committee (9<sup>th</sup> January 2019) and any additional resolutions or budget pressures that will affect the budget for 2019-2020
- To resolve the precept for the financial year April 2019 to March 2020 to be requisitioned from Wealden District Council

### **BACKGROUND**

The Finance, Budget, Resource & Staffing Committee last met on 9<sup>th</sup> January 2019 to agree the final budget and the precept to be requisitioned from Wealden District Council.

This involved discussions around changes to the Hailsham Tax Base and the Council Tax Support Grant passed onto the parishes by Wealden District Council.

The key changes and points of note were:

- That the Council tax Support Grant is reduced by 15% from the grant received for 2018/19 (from £29,699.00 to £11,880.00).
- This is the final year of Council tax support grant.
- Hailsham's Tax Base has risen by exactly 340.00 from 7309.3 for 2018-2020 to 7649.3 for 2019-2020

The Finance, Budget, Resource & Staffing Committee has been meeting to look for possible savings and changes to the budget, these changes have been fed into the overall recommended budget for the year as now recommended by the Finance, Budget, Resource and Staffing committee.

## 1. Budget for 2019-2020 as recommended by FBRSC

The budget recommendation for 2019-2020 that has been developed by the Finance, Budget Resource & Staffing Committee totals £1,072,565.00, summarised as follows:

<b>Corporate Resources &amp; Services</b>	<b>£887,084.00</b>
<b>Environment and Leisure</b>	<b>£123,636.00</b>
<b>Corporate Assets and Cemetery</b>	<b>£61,845.00</b>
<b>Total Budget</b>	<b><u>£1,072,565.00</u></b>

The detailed reports on the individual areas of budget are included as appendices to this report.

The budget for 2018-2019 was £1,042,402.00. This therefore represents an overall increase of £30,163.00 (3%).

**This budget would be achieved as follows:**

<b>Total Budget</b>	<b>1,072,565.00</b>	%
Breakdown		
Precept (Tax base X Band D rate)	1,059,811.00	98.81
Grant from WDC	11,880.00	1.11
<b>Total combined precept + grant</b>	<b>1,071,691.00</b>	
<b>Drawn from Surplus/Reserves</b>	<b>874.00</b>	N/A
Tax Base 2019/20	7649.3	
Band D Council tax Rate	138.55	0% increase as per FBR

This represents a 0% increase in the Band D tax rate at £138.55, which was the recommendation of Finance, Budget Resource and Staffing Committee .

The budget for 2019-2020 at the time of Finance, Budget, Resource and Staffing committee meeting included £874.00 to be drawn from councils's reserves.

## 2. Council's Reserves:

Council's reserves as at 31.12.18 are as below:

### Commuted Sums

a Balance	517,994.73	
b CIL	<u>315,139.45</u>	
c Capital only sums (Ripley)	<u>89,555.00</u>	
d Public Open Space only commuted sum	<u>23,790.28</u>	
e Street Lighting Only	<u>6,000.00</u>	
f Accessible commuted sums	<u>29,950.00</u>	(Balance less committed)

### Community Contingency Fund

d Balance	87,782.00	
e 6% to remain in reserve	62,544.12	(6% of budget £1,042,402.00)
f Available balance (d-e)	<u>25,237.88</u>	
g <b>Total available reserves (d+f)</b>	<u><b>55,187.88</b></u>	

## 4. CONSIDERATIONS.

### Further considerations that should be taken into account:

Hailsham's Tax base has risen by Exactly 340 from 7309.3 to 7649.3

This is the final year of the Council Tax Support Grant. The Council Tax Support Grant has been reducing by the original 15% figure of £17,819.00 on a 'straight line' basis not 'reducing balance' basis, this year the final balancing to the council is £11,880.00.

Further housing developments in Hailsham may lead to increases in the town's tax base although it is impossible to determine when and by how much.

It is possible that there will be a 'cap' on local councils' ability to raise their Band D Rate in subsequent years, limited to ensure rises are no more than in line with inflation or that if a raise in a local council's Band D Tax rate is deemed significant enough a referendum will be required, for which the individual town or parish would be expected to foot the bill.

**RECOMMENDATIONS:**

**1. Council is recommended to agree the budget for 2019-2020 as £1,072,565.00 (the detailed breakdown of this budget is attached as an appendix to this report)**

**2. Council is asked to consider the level at which to set the band D tax rate, and thus the amount of the precept for 2019-2020, taking into account the following:**

- **The Increase in the tax base for 2019-20 (from 7309.3 to 7649.3)**
- **Decrease in Council Tax Grant from Wealden District Council (from £29,699.00 to £11,880.00).**

In appendix to this section of the report is a detailed sheet showing variations of precept calculations taking into account the Band D Tax increases and also the increase in the Tax Base which was not confirmed at the time of the FBRSC recommendations .

These show increases of 0%, 1%, 0.5%, and 0.75% increases to the Band D rate and the increase necessary to have a nil drawn from reserves.