

# Cabinet

20 March 2013

*Published 12 March 2013*

## **Agenda** for meeting of the Cabinet to be held at 6.00pm on Wednesday 20 March 2013 in the Court Room at the Town Hall, Grove Road, Eastbourne, BN21 4UG

Members of the public are welcome to attend and listen to the discussion of items in the "open" part of the meeting. Please see guidance notes over the page concerning public rights to speak and ask questions.



The Cabinet meets in the Court Room of the Town Hall which is located on the ground floor. Entrance is via the main door or access ramp at the front of the Town Hall. Parking bays for blue badge holders are available in front of the Town Hall and in the car park at the rear of the Town Hall.



An induction loop operates to enhance sound for deaf people who use a hearing aid or loop listener.

If you require further information or assistance please contact the Local Democracy team – contact details given below.

This agenda and accompanying reports are published on the Council's website in PDF format which means you can use the "read out loud" facility of Adobe Acrobat Reader.

Please ask if you would like this agenda and/or any of the reports in an alternative format.

### **Members of the Cabinet:**

**Councillor David Tutt** (Leader and Chairman of Cabinet): Responsibilities aligned with Chief Executive and including the Community Strategy, Local Strategic Partnership, the Corporate Plan and economic development.

**Councillor Gill Mattock** (Deputy Leader and Deputy Chairman of Cabinet): Financial services including accountancy, audit, purchasing and payments.

**Councillor Margaret Bannister:** Direct assistance services including revenues and benefits, housing and community development, bereavement services and the Crime Reduction Partnership.

**Councillor Carolyn Heaps:** Commercial and recreational services including sport and leisure, theatres, tourism, events and Devonshire Park, galleries and museums.

**Councillor Troy Tester:** Core support and strategic services.

**Councillor Steve Wallis:** Place services including cleansing and recycling, parks and downland, engineering, building and development control, planning policy and strategy, environmental health and licensing.

---

*[KD] against an item indicates that the matter involves a Key Decision and that the item has been listed in the Council's Forward Plan for at least 28 clear days.*

*[BPF] against an item indicates that the matter is part of the Council's Budget and Policy Framework and as such will require the approval of the Full Council.*

*Publication of this agenda also constitutes notice (or confirmation that such notice has previously been given) to the Chairman of the Scrutiny Committee and members of the public as appropriate:*

*(1) Under regulation 10(3) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in respect of any key decision not included in the Council's Forward Plan of Key Decisions within 28 days of this meeting. Such items (if any) are marked **[KDGE]** and the reasons why compliance with regulation 9 (publicity in connection with key decisions) was impracticable are given.*

*(2) Under regulation 5(4) of the above mentioned regulations that certain matters listed on this agenda (if any) may need to be considered in private. (This notice is given further to the earlier notice given under regulation 5(2).) The reasons for private consideration are given at the relevant item, together with details of representations received (if any) about why the meeting should be open to the public.*

*(3) Under regulation 5(7) of the above mentioned regulations that the Chairman of the Council's Scrutiny Committee (or the Mayor if the Chairman of Scrutiny was unable to act) has agreed to a matter listed below (if any) being considered in private where compliance with regulation 5(2) (the giving of at least 28 days notice) was impracticable and that consideration of the item is urgent and cannot be reasonably deferred. Such items (if any) are marked **[PU]**.*

- 1. Minutes of meeting held on 6 February 2013 – Previously circulated.**
- 2. Apologies for absence.**
- 3. Questions by members of the public** on matters not already included on the agenda and for which prior written notice has been given (total time allowed 15 minutes). See note at end of agenda.
- 4. Urgent items of business.** The Chairman to notify the Cabinet of any item of urgent business to be added to the agenda (if any).

5. **Right to address meeting/order of business.** Chairman to report any requests received to address the Cabinet from a member of the public or from a Councillor in respect of an item listed below and to invite the Cabinet to consider taking such items at the commencement of the meeting. The order of business to be otherwise as indicated below unless there is some pressing reason for change. See note at end of agenda.
6. **Declarations** of disclosable pecuniary interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct and regulation 12(2)(d) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (*please see note at end of agenda*).
7. **Food safety service plan 2013/14 [KD].** Report of Senior Head of Development and Environment – **Attachment 07.**  
Cabinet lead member: Councillor Steve Wallis.
8. **Health and safety annual service plan 2013/14 [KD].** Report of Senior Head of Development and Environment – **Attachment 08.**  
Cabinet lead member: Councillor Steve Wallis.
9. **Use of powers under the Regulation of Investigatory Powers Act 2000 ('RIPA').** Report of Deputy Chief Executive – **Attachment 09.**  
Cabinet lead member: Councillor Troy Tester.
10. **Exclusion of the public.** The Chief Executive considers that discussion of the following items likely to disclose exempt information as defined in Schedule 12A of the Local Government Act 1972 and may therefore need to take place in private session. The exempt information reasons are shown beneath the items listed below. Furthermore, in relation to paragraph 10 of Schedule 12A, it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. (*The requisite notices having been given under regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.*)

(Note: Exempt papers are printed on pink paper).

11. **Alternative employment procedure.** Report of Head of Corporate Development – **Attachment 11.**  
Cabinet lead member: Councillor Troy Tester.

*Exempt information reasons 1 and 2. Information relating to an individual or likely to reveal the identity of an individual. .*

**Inspection of background papers** – Please see contact details listed in each report.

**Public right of address** – Requests by members of the public to speak on a matter which is listed in this agenda must be **received** in writing by no later than 12 Noon,

2 working days before the meeting (e.g. if the meeting is on a Wednesday, received by 12 Noon on the Monday before). The request should be made to Local Democracy at the address listed below. The request may be made by, letter, fax, or electronic mail. For further details on the rules about speaking at meetings or for asking a question on a matter not listed on the agenda please contact Local Democracy.

**Public questions** – Members of the public may ask a question on a matter which is not on the agenda. Questions should be made in writing and by the same deadline as for the right of address above. There are rules on the matters on which questions can be asked. Please ask Local Democracy for further information

**Councillor right of address** - Councillors wishing to address the meeting who are not members of the Cabinet must notify the Chairman in advance (and no later than the immediately prior to the start of the meeting).

**Disclosure of interests** - Members should declare their interest in a matter at the beginning of the meeting, and again, at the point at which that agenda item is introduced.

Members must declare the existence and nature of any interest.

In the case of a disclosable pecuniary interest (DPI), if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation). If a member has a DPI he/she may not make representations first.

**Implementation of decisions** - Implementation of any key decision will take place after 5 working days from the date notice is given of the Cabinet's decision (normally on the day following the meeting) unless subject to "call-in". Exceptions to this requirement are allowed when the decision is urgent.

**Further information** – The Forward Plan of Key Decisions, Councillor contact details, committee membership lists and other related information are available from Local Democracy. To receive regular e-mails alerting you to the publication of Cabinet agendas (or other meeting agendas) please send an e-mail to:

localdemocracy@eastbourne.gov.uk

You can view the Forward Plan of Key Decisions at  
<http://www.eastbourne.gov.uk/council/meetings/>

**Local Democracy**, 1 Grove Road, Eastbourne, BN21 4TW

Tel (01323) 415022/415021/415023 Fax (01323) 410322

Minicom (01323) 415111 E Mail: localdemocracy@eastbourne.gov.uk

For general Council enquiries, please telephone (01323) 410000

E-mail enquiries@eastbourne.gov.uk Website at [www.eastbourne.gov.uk](http://www.eastbourne.gov.uk)