



Lewes District Council

Cabinet

Minutes of a Meeting of the **Cabinet** held in the **Ditchling Room, Southover House, Southover Road, Lewes** on **Wednesday 3 January 2018** at 2.30pm

Present:

Councillor A Smith (Chair)

Councillors B Giles, T Jones, I Linington, R Maskell, and T Nicholson

In Attendance:

Councillor M Chartier (Chair of the Audit and Standards Committee)

Minutes

54 Minutes

The minutes of the meeting held on 13 November 2017 were approved as a correct record and signed by the chair.

55 Apologies for absence

Apologies for absence were reported from Councillors Franklin and Merry and from visiting members, Councillors Gardiner and Osborne.

56 Declarations of interest

None were declared.

57 Matters referred to the Cabinet

There were none.

58 Reporting back on meetings of outside bodies

Councillor Nicholson reported that the Sussex Police and Crime Panel would shortly be convening, looking at the proposed precept for the Police.

59 Waste and recycling: supplementary planning document (SPD)

The Cabinet considered the report of the Director of Regeneration and Planning, requesting their authorisation to send the draft Waste and Recycling: Supplementary Planning Document out for public consultation for a six week

period.

Resolved:

- 59.1** That the draft Waste and Recycling SPD be approved for publication for a 6 week consultation period to receive representations and comments from developers and other interested parties.
- 59.2** To delegate authority to the Director of Regeneration & Planning, in consultation with the Lead Cabinet Member to make minor amendments before the commencement of the consultation period.

Reasons for the decisions:

New developments without adequate space for vehicle access and storage facilities for waste and recycling receptacles add time, cost and inconvenience to operations and discourage residents from recycling good practice. This SPD will ensure adequate provision is made for waste and recycling receptacles and access for collection vehicles in new developments, both residential and commercial.

The SPD provides advice and guidance for developers on requirements for access and storage for waste and recycling.

60 2018/19 Budget overview and tax base setting

The Cabinet considered the report of the Deputy Chief Executive explaining the emerging General Fund and Housing Revenue Account budgets for 2018/19. The report also recommended the level at which the council tax base for 2018/19 should be set and the approach to be taken to determining the projected amount of non-domestic rating income for that year.

Section 6 of the report set out the national and local context to the budget for 2018/19. Since publication of the report, the government had announced that capping would only apply to lower tier councils at 3% or £5 instead of the standard 2% or £5. Consideration would be given to whether the rise should be somewhere between the two.

Councillor Giles presented the report and recommended that two amendments be made to the officer recommendations. He stated that recommendation two should add "in consultation with the Cabinet member for Finance" and an additional recommendation should be added to the resolution, requesting that a sum of up to £50,000 from reserves be included as part of the 2018/19 budget proposals that will be considered at the next Cabinet meeting before going to Full Council, to contribute to an economic impact assessment of the A259 and its constraints to the wide economy.

Councillor Smith added that he and the Chief Executive had been working with the leaders and Chief Executives at Brighton and Hove City Council and East Sussex County Council, MPs and South Downs National Park to alleviate issues that had been raised at the Planning Application Committee on the 11 December 2017. A petition had been submitted to the three Councils asking to

monitor the flow rates and to undertake an economic impact assessment. A commitment was made at the Lewes District Council Full Council meeting to undertake the assessment.

The amendments were unanimously supported by the Cabinet.

In response to a question from visiting member, Councillor Catlin, the Deputy Chief Executive agreed to send a response, clarifying the points outlined in section 4.12 of the report.

Resolved:

- 60.1** That the emerging 2018/19 budget context and proposals be noted.
- 60.2** That the calculation of the Council Tax Base for 2018/19 be approved.
- 60.3** To approve that, in accordance with The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012, the 2018/19 Council Tax Base for the whole of the area shall be 37,034.0 and that the Council Tax Base for each of the Town and Parish areas of the District shall be as set out in appendix 2 of the report.
- 60.4** To delegate the setting of the projected amount of non-domestic rating income for 2018/19 and the demand on the business rates Collection Fund to the Deputy Chief Executive, in consultation with the Cabinet member for Finance.
- 60.5** That a sum of up to £50,000 from reserves be included as part of the 2018/19 budget proposals, to be reported at the next meeting of the Cabinet before being considered by Full Council, to contribute to an economic impact assessment of the A259 and its constraints to the wide economy.

Reason for the decisions:

The Council's budget setting process is well underway for 2018/19 and the report sets out some of the national and local context as well as some of the main assumptions that are being made. It will act as part of the consultation process with stakeholders including the Scrutiny Committee.

Cabinet is required to approve the Tax Base which will be used for the purposes of calculating the 2018/19 Council Tax in respect of Town and Parish Councils and Special Expenses.

The Council is required to forecast the amount of its non-domestic rating income for the forthcoming financial year and to notify the Government and major precepting authorities by 31 January 2018.

61 Garage sites redevelopment phase 2

The Cabinet considered the report of the Director of Service Delivery seeking their approval for the Council's second phase of new housing developments on

garage sites and other Housing Revenue Account (HRA) sites.

Ten sites had been proposed as development sites, seven of which were currently used as garages and three were used as amenities. The Development Project Manager advised that planning applications for the sites would likely take between five months to a year, depending on the complexities.

In response to a question from the Cabinet, the Development Project Manager advised that a car parking study and audit would be undertaken in the lead up to planning applications, identifying an alternative location for individuals currently using the sites to store a vehicle or deliver more parking on-site as part of any development.

Resolved:

- 61.1** To delegate authority to the Director of Service Delivery, in consultation with the Cabinet Portfolio Member for Housing, to progress the development programme including the production of the final appraisal, costing, planning and local consultation with a view to bringing a further report to Cabinet for approval to proceed with the finalised development programme.
- 61.2** To approve the principle of the sale of a garage site at market value to the Lewes Community Land Trust for the development of new affordable housing, the final approval being delegated to the Director of Service Delivery in consultation with the Cabinet Member for Housing.

Reason for the decisions:

Delivering sustainable new housing and infrastructure is a key priority within the Council Plan. The Local Growth Fund (LGF) project was completed in 2017, delivering 22 new affordable homes on Garage and HRA sites and there is further scope to continue this approach to delivery.

Initial feasibility studies have been carried out on each of the sites proposed within the programme, but the final construction budget cannot be confirmed until planning permission has been obtained on the sites.

Central Government have given grants to the Council to assist the development of Community Led Housing groups in building affordable housing. The Lewes Community Land Trust has been selected as a Community Led Housing Group to develop a site under this programme.

62 Joint transformation programme update

The Cabinet considered the report of the Assistant Director for Human Resources and Transformation, updating them on progress of the joint transformation programme and key decisions taken by the Programme Board.

Consultation and recruitment of phase two of the programme had now been completed and had resulted in only 3 compulsory redundancies at the time of this update. The Chief Executive conveyed thanks to staff for their contribution

to the process and to Councillors during this period of significant change and transition. Structure charts would shortly be issued to Councillors, outlining the relevant points of contact.

In response to a question from visiting member, Councillor Chartier, the Chief Executive clarified that the start of phase three would be detailed as part of the next update report, to be considered by Cabinet on 19 March 2018.

Resolved:

- 62.1** To note the progress made in developing the phase two proposals as well as the wider programme and note the decisions made by the Programme Board.

Reasons for the decisions:

To note the progress of phase two of the joint transformation programme and the decisions made by the Programme Board.

63 Fees and charges

The Cabinet considered the report of the Deputy Chief Executive, proposing a revised schedule of fees and charges to apply from 1 April 2018.

The principle changes in price were in planning, which was set nationally and car parking where the local policy had been to use retail price index (RPI), but only when the increase was 10p. It had been a number of years since an increase in parking charges and it was unlikely to be any further rise until after 2020. Further details were outlined in the report.

Resolved:

- 63.1** To approve the revised scale of fees and charges proposed within the appendix to apply from 1 April 2018.
- 63.2** To delegate authority to the Director of Service Delivery in consultation with the Lead Cabinet Member to vary commercial trade waste charges upwards or downwards by up to 10% in order to respond to developing market conditions.
- 63.3** To implement changes in the statutory fees and charges for services shown within the appendix as and when notified by Government

Reason for the decisions:

The Council's Constitution requires that all fees and charges, including nil charges, be reviewed at least annually and agreed by Cabinet.

64 Ward issues raised by councillors at Council

The Cabinet considered the report of the Assistant Director of Legal and Democratic Services, which set out responses to ward issues which had been raised by councillors at the meeting of the Council, held on 6 December 2017.

Resolved:

- 64.1** That the officer action in respect of the remaining ward issues that had been raised by Councillors at the meeting of the Council held on 6 December 2017, be noted and agreed.

Reasons for the decisions:

To ensure that appropriate follow up actions is taken in respect of ward issues that were raised by councillors at meetings of the council.

65 Appointment to serve on an outside bodyResolved:

- 65.1** That Councillor Tony Nicholson be appointed as an outside body representative on Action in Rural Sussex.

Reason for the decision:

To confirm the appointment of an outside body member representative to serve on Action in Rural Sussex.

66 Any other business

Councillor Smith addressed the Cabinet, visiting members and members of the public in light of the news that the Chinese government had reaffirmed their ban on mixed plastics of insufficient quality.

Lewes District Council's recycling contractor, Viridor had responded to the news and advised that they did not export mixed plastics to China. Specifically referencing the recyclate derived from Lewes District Council residents, Viridor provided an efficient and effective sorting of co-mingled recyclate through their Crayford material reprocessing facility, finding a market for their material through a long term and sustainable supply chain, which would provide crucial environmental benefits for the communities that the District Council services.

Viridor worked with customers in the whole supply chain to influence the quality of material destined for the markets supplied in the United Kingdom, Europe, and Asia.

67 Exclusion of the public and pressResolved:

- 67.1** That in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the public and press be excluded from the meeting during the discussion of agenda item 9.8 (Asset development – Seaford, Sutton Road), as there are likely to be disclosure of exempt information as defined in paragraphs 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) and 5 (Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings) of Part 1 of Schedule 12A of the Act. The public

interest in maintaining the exemption outweighs the public interest in disclosing the information.

68 Asset development – Seaford, Sutton Road

The Cabinet considered the report of the Director of Regeneration and Planning, regarding potential development proposals at the combined site on Sutton Road, Seaford known as Downs Leisure Centre.

Resolved:

- 68.1** To request the Director of Regeneration and Planning to develop a business case outlining the investment potential and opportunities for Cabinet to consider early in 2018.
- 68.2** To approve the allocation of funding of up to £1,500,000 from the property acquisition and development budget in respect of consultancy, professional fees, surveys and the planning application.
- 68.3** To undertake early public consultation with a range of stakeholders prior to submitting the detailed design for planning purposes.
- 68.4** To delegate authority to the Director of Regeneration and Planning, in consultation with the Lead Member for Finance and Resources, and the Strategic Property Board, to develop a detailed design for a mixed-use development scheme at Sutton Road Seaford, in readiness to submit a planning application.
- 68.5** To delegate authority to the Director of Regeneration and Planning in consultation with the Portfolio Holder for Resources, the Chief Finance Officer, and the Assistant Director – Legal and Democratic Services, to progress the project through the Energy & Sustainability Joint Venture if they consider it appropriate and at an appropriate future stage to decide the project should be put forward to the JV Steering Board for inclusion as a Part 1 and/or Part 2 project.
- 68.6** Delegate authority to award any of the contracts required in relation to recommendation 2 above to the Director of Regeneration and Planning; such delegation to include approval to a waiver of the Contract Procedure Rules (sought under CPR 2.4.1 (a)) for those appointments as set out in para 2.26.
- 68.7** Delegate authority to enter into a lease (or leases) of the properties to the Director of Regeneration and Planning; such delegation to include authorisation not to dispose by auction or invitation of tenders following public advertisement (sought under Contract Procedure Rule 18.1) for those leases.

Reasons for the decision:

A strategic opportunity has arisen to provide a ground-breaking mixed-use development of the Council's landholdings within the Sutton Road site in Seaford known as Downs Leisure Centre. The proposed scheme will create new health space, employment opportunities, and a holistic approach to health and wellbeing for residents.

The meeting ended at 3.13 pm.

A Smith
Chair