

Decisions taken by the Cabinet on 5 December 2018



Notice dated: 7 December 2018

Issued to the chairman, members of the Scrutiny Committee and other councillors for information.

Key decisions will be implemented after the expiry of 3 working days from the date of this notice unless “called-in” under the provisions of the council’s scrutiny procedure rules (see end of document for call-in procedure) or implemented sooner by reason of urgency.

Please refer to the relevant cabinet agenda and reports when reading this notice. The minutes of the meeting of the cabinet containing a full record of the proceedings will be published in due course. To view on-line follow this link to the relevant pages on the council’s website:- <http://democracy.eastbourne.gov.uk/mgCommitteeDetails.aspx?ID=417>

DECISIONS:

Item No	Matter:	Decision:	Reasons for decision:
4	Urgent items	<p>(1) Chinese lanterns and balloons</p> <p>(Non-key decision):</p> <p>That the Council look urgently, with input from officers on options for enforcing a ban on the release of Chinese lanterns and balloons on Council owned land and further.</p> <p>(2) Gatwick Airport proposed expansion and its potential effect on the District Council area</p>	<p>(1) To support the concerns raised by Councillor Osborne.</p> <p>(2) In accordance with the motion that was carried at the Full Council</p>

		<p>(Non-key decision):</p> <p>That the responses received from members be submitted as part of the consultation process.</p> <p>(3) Recommendations from Audit and Standards Committee – 19 November 2018</p> <p>(Non-key decision):</p> <p>The Cabinet noted the recommendation from Audit and Standards Committee at its meeting on the 19 November 2018 that the Council’s Treasury Management activity between 1 September and 31 October 2018 had been in accordance with the approved Treasury Strategy for the period.</p>	<p>meeting on the 26 November 2018.</p> <p>(3) The Council’s approved Treasury Strategy Statement required the Audit and Standards Committee to review details of Treasury Strategy transactions against the criteria set out in the Strategy and make observations to Cabinet as appropriate. The observations to Cabinet were for information only.</p>
5	Finance update - performance quarter 2 - 2018-2019	<p>(Non-key decision):</p> <p>(1) To agree the general fund, HRA and collection fund financial performance for the quarter ended September 2018.</p> <p>(2) To agree the amended capital programme as set out at appendix 3 to the report.</p> <p>(3) To agree the treasury management performance.</p>	To enable Cabinet members to consider specific aspects of the Council’s financial performance.
6	Draft budget proposals 2019/20	<p>(Key decision):</p> <p>(1) To agree the draft budget proposals for consultation.</p>	The Council is required by legislation to set a balanced budget. The report forms part of the process that will culminate in the Council Tax setting

		<p>(2) To agree the approach to dealing with changes in the expected resources available for the 2019/20 budget as detailed in 3.3 of the report.</p> <p>(3) To agree that subject to there being no material change in the government settlement that Cabinet is minded to propose a council tax rise of 1.99% for 2019/20 to make a Band D charge £187.08 for General Expenses, in line with the current cap.</p> <p>(4) To agree the strategy to close the gap as shown in 3.2 of the report.</p> <p>(5) To note the updated medium term financial strategy.</p>	by the Council in February.
7	Council tax base and non-domestic rates income for 2019/20	<p>(Key decision):</p> <p>(1) To agree the provisional council tax base of 36,760.40 for 2019/20 for the whole area and that the council tax base for each of the Town and Parish areas of the District shall be as set out at appendix 2 of the report</p> <p>(2) To agree that the Chief Finance Officer, in consultation with the Portfolio Holder for Finance, determine the final amounts for the council tax base for 2019/20.</p> <p>(3) To agree that the Chief Finance Officer, in consultation with the Portfolio Holder for Finance, determine net yield from Business Rate income for 2019/20.</p>	Cabinet is required to approve the Tax Base which will be used for the purposes of calculating the 2019/20 Council Tax.
8	Portfolio progress and performance report quarter 2 - 2018-2019	<p>(Non-key decision):</p> <p>(1) That the council's progress and performance for quarter 2 be received and noted.</p>	To enable Cabinet to consider specific aspects of the Council's progress and performance.

		(2) That the target for 'The number of days taken to process new housing/council tax benefit claims' be changed from 20 days to 23 days, in line with the national average.	
9	Community safety partnership annual report	<p>(Key decision):</p> <p>(1) To note the achievements and activities of the Lewes Community Safety Partnership during 2017/18 and future risks/opportunities to performance.</p> <p>(2) That a Road Safety Action Group be formulated, as recommended by Scrutiny Committee at its meeting on the 29 November 2018.</p>	For Cabinet to consider progress on delivery of the current Community Safety Plan.
10	Sustainability policy	<p>(Key decision):</p> <p>To approve the Sustainability Policy for adoption</p>	To provide a policy frame work for Lewes District Council.
11	Sustainable energy investment feasibility	<p>(Key decision):</p> <p>(1) To delegate authority to the Chief Finance Officer and Director of Planning and Regeneration, in consultation with the Cabinet Member for Environmental Impact, to fund up to £25,000 for the commissioning of Clear Sustainable Futures to undertake the feasibility study of deploying sustainable energy generation at the Avis Way and Sutton Road development sites</p> <p>(2) To note that a similar request is being made to Eastbourne Borough Council to progress viability analysis</p>	To reduce the carbon emissions of council developments; to enable the sites to become a prosumer (a producer and consumer) of electricity and heat to reduce ongoing utility costs whilst also enabling income generation through provision of emerging grid flexibility services; to mitigate the impact of each development on the electrical grid and reduce utility costs.

		on their project at the Sovereign Leisure Centre and that the work is being conducted concurrently with knowledge being shared.	
12	Economic development	<p>(Non-key decision):</p> <p>(1) To note the progress made in the provision of economic development across Lewes District, including the expanding range of business support offered by the Council, the success of existing initiatives and the range of funding submissions submitted on behalf of the Council.</p> <p>(2) To note the response of Coast to Capital LEP and South East LEP to the Government's LEP review, and to delegate authority to the Director of Regeneration & Planning, in consultation with the Chief Executive and the Leader of the Council to agree future LEP membership for the Council.</p>	<p>(1) To ensure that the provision of economic development and regeneration activity across the district is maintained.</p> <p>(2) To ensure that the Council continues to be appropriately represented strategically at a regional level.</p>
13	Housing delivery programme	<p>(Key decision):</p> <p>(1) To agree that the Council makes a loan facility available of up to £10m on market terms to Lewes Housing Investment Company Ltd (LHICL) for the purpose of enabling the company to purchase residential accommodation for commercial purposes under a dedicated programme.</p> <p>(2) To delegate authority to the Chief Finance Officer in consultation with the Lead Cabinet members for Housing and Finance to agree the whole scheme lending parameters (including overall programme(s), levels of development and individual loan tranches) for purchases</p>	<p>Reasons for decisions:</p> <p>(1) To provide residential accommodation to assist the Council meet its wider strategic housing agenda.</p> <p>(2) To increase the variety, availability and accessibility of housing and home ownership.</p> <p>(3) To generate additional income revenue streams to the Council through strategic property investment.</p>

by LHICL for the programme outlined at recommendation 1 of the report.

(3) To agree that the Council makes a loan facility available of up to £2.5m on market terms to Aspiration Homes LLP (AHLLP) for the purpose of enabling the company to purchase residential accommodation for affordable purposes under a dedicated programme.

(4) To delegate authority to the Chief Finance Officer, in consultation with the Lead Cabinet members for Housing and Finance to agree the whole scheme lending parameters (including overall programme(s), levels of development and individual loan tranches) for purchases by AHLLP for the programme outlined at recommendation 3 of the report.

(5) To authorise the Assistant Director for Legal and Democratic Services to ensure that a “Funding Agreement” pursuant to a “Deed of Entrustment” is entered into by AHLLP with the Council so that Right to Buy receipts are appropriated in accordance with legislative requirements and the retention agreement with Government in relation to “social housing”. To give delegated authority to the Director of Regeneration and Planning to determine the terms of such agreement(s).

(6) To note an increase in the planned pipeline of new build affordable housing acquisitions from private developers, as outlined in the April 2018 Cabinet Report entitled “Housing development update”.

(7) To approve as a Restricted Matter under the LLP Agreement, the making of a loan facility by Lewes District

(4) For Aspiration Homes LLP to use Right to Buy receipts to fund new affordable housing the necessary legal agreements need to be in place to allow this and these must be used in accordance with the terms of our right to buy receipt retention agreement.

(5) To update on the successful use of approved funds and future capital requirements.

		Council of up to £2.5m on market terms to Aspiration Homes LLP (AHLLP) for the purpose of enabling the company to purchase residential accommodation for affordable purposes under a dedicated programme.	
14	Fees and charges	<p>(Key decision):</p> <p>(1) To approve the scale of Fees and Charges proposed at appendix 2 of the report, to apply from 1 April 2019.</p> <p>(2) To delegate authority to the Director of Service Delivery, in consultation with the Portfolio holder for Waste and Recycling, to vary commercial trade waste charges upwards or downwards by up to 10% in order to respond to developing market conditions.</p> <p>(3) To implement changes to statutory fees and charges for services shown at appendix 2 to the report as and when notified by Government.</p>	The Council's Constitution requires that all fees and charges, including nil charges, be reviewed at least annually and agreed by Cabinet.

Call-in procedure

Call-in is the procedure whereby a decision of the Cabinet, the Leader or a portfolio holder, or a member or officer with delegated authority (an executive decision), taken but not implemented, may be examined by the Scrutiny Committee prior to implementation.

Any councillor is entitled to submit a request by email setting out the reason why he/she wishes any such decision to be called in by the Scrutiny Committee for consideration by a Scrutiny Panel. The request must be submitted to Democratic Services within three working days of the date of this notice.

Should any request by a councillor be submitted, the Cabinet Officer will then email all members of the Scrutiny Committee, advising them of the request for a review.

Members of the Scrutiny Committee must decide within two working days if they support the request and if they do, they should email a response to the Head of Democratic Services accordingly. If at least six members of the Committee are in favour of calling in the decision the Chair of the Scrutiny Committee will call a meeting of a Panel of the Scrutiny Committee within five working days where possible. The number of councillors to serve on a Panel (which shall be politically proportionate except that either the Leader of a political group may decide to offer one of their Group's places to another Group or an Independent member) shall be determined by the Chair with the councillors being nominated by the respective Group Leaders.

The decision of the Cabinet will not be implemented until:

- The time period for call-in has expired and six members of the Scrutiny Committee have not stated they are in favour of calling in the decision; or
- A Panel of the Scrutiny Committee considers the matter and resolves not to intervene in the decision of Cabinet; or
- A Panel of the Scrutiny Committee resolves to refer the matter back to Cabinet for further consideration and to take account of any recommendation of the Panel, in which case the Cabinet will reconsider the decision as soon as is reasonably practicable; or
- In the case of any question relating to the budget or policy framework, the Panel of the Scrutiny Committee has reported to the meeting of the Council that will consider the budget or policy framework or any component part of it (if there is insufficient time for the matter to be referred back to the Cabinet).

Once a decision of the Cabinet has been referred to a Panel of the Scrutiny Committee it shall not be subject to further consideration by a Panel of the Scrutiny Committee or the Committee itself and shall not again be referred by any individual councillor.

Democratic Services

For any further queries regarding this document or you require any further information please contact Democratic Services.

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