

Decisions taken by the Cabinet on 27 March 2019



Notice dated: 28 March 2019

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.lewes-eastbourne.gov.uk/mgCommitteeDetails.aspx?ID=417>

DECISIONS:

Item No	Matter:	Decision:	Reasons for decision:
8	Portfolio progress and performance report quarter 3 - 2018-2019	(Non-key decision): (1) That the council’s progress and performance for quarter 3 be received and noted. (2) That the comments made by Scrutiny Committee at its meeting on the 7 February 2019 be considered.	To enable Cabinet to consider specific aspects of the Council’s progress and performance.

9	Finance update - performance quarter 3 - 2018-2019	<p>(Non-key decision):</p> <p>(1) To agree the General Fund, HRA and Collection Fund financial performance for the quarter ended December 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.
10	Wave Leisure annual service delivery plans 2019/20	<p>(Non-key decision):</p> <p>(1) To approve the Annual Service Delivery Plan for Leisure as set out in the report.</p> <p>(2) To approve the Annual Service Delivery Plan for Newhaven Fort as set out in the report.</p>	The management agreement between the Council and Wave Leisure requires Cabinet to approve the Annual Service Delivery Plans.
11	Devolution of open spaces to Town and Parish Councils	<p>(Key decision):</p> <p>(1) To agree to enter into a lease/management arrangement for Riverside Country Park with Newhaven Town Council on terms to be agreed and to be reported to Cabinet before completion of that lease/management agreement.</p> <p>(2) To agree to amend the existing boundary line at Lewes Road Recreation Ground, Newhaven to reflect the boundary of the previous landfill site to enable devolution of the Lewes Road Recreation Ground to Newhaven Town Council</p>	To further progress the devolution of open spaces to Town and Parish Councils.

		<p>(3) To agree to vary the standard form of overage provision to allow a specific development, commensurate with the use of the site, to take place at Lewes Road Recreation Ground, Newhaven.</p> <p>(4) To agree in principle the devolution to Lewes Town Council of Mountfield Road Pleasure Ground and and Stanley Turner Recreation Ground, subject to:</p> <ul style="list-style-type: none"> (i) exploring with the Charity Commission the substitution of Lewes Town Council as sole charitable trustee in place of Lewes District Council (ii) consideration of the future management arrangements of the car park at Mountfield Road. (iii) officers reporting back to Cabinet for final agreement on final terms of devolution. <p>(5) To agree to devolve the Hollycroft Field site, including play space to East Chiltington Parish Council on the basis that the whole of the site including grass verges will be transferred, subject to due diligence and associated matters on the part of the Parish Council and agreement on the future maintenance of the site.</p>	
12	Equality and fairness annual report 2018 and action plan 2019	<p>(Key decision):</p> <p>(1) That note the Annual Report of activities carried out in 2018, set out at appendix A to the report.</p> <p>(2) To approve the Action Plan proposed at appendix B to the report.</p>	To promote equality and fairness and eliminate discrimination, ensuring fair access to services and opportunities and comply with the Council's duties under the Equality Act 2010.

14	Public conveniences cleaning contract	<p>(Key decision):</p> <p>To note the cancellation of the recent procurement and agreement of a one year contract with Kingdom Services Group Ltd.</p>	<p>(1) Higher than anticipated tender returns.</p> <p>(2) Alignment of future procurement with Eastbourne Borough Council.</p>
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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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