



Lewes District Council

Cabinet

Minutes of a meeting of the **Cabinet** held in the **Ditchling Room, Southover House, Southover Road, Lewes** on **Thursday, 24 April 2014** at 2.30pm

Present:

Councillor R Blackman (Chair)

Councillors P L Franklin, A T Jones, I A Nicholson and A X Smith.

In Attendance:

Councillor I Eiloart (Chair of the Audit and Standards Committee).

Councillor S J Gauntlett (Chair of the Scrutiny Panel relating to Strengthening our Relationship with the Voluntary and Community Sector (Agenda Item 10 refers).

Councillor J Stockdale (substitute for Councillor S J Osborne (Leader of the Liberal Democrat Group)).

Councillors P F Gardiner and C R O’Keeffe who, with the agreement of the Chair, asked questions at the meeting.

Mr J Sinclair (Tenants’ Representative).

Apologies received:

Councillor S J Osborne (Leader of the Liberal Democrat Group)

Mr D Forsdike (Tenants’ Representative).

Minutes

140 Minutes

The Minutes of the meeting held on 20 March 2014 were approved as a correct record and signed by the Chair.

[Page 1 of 23](#)

Action

141 Public Question Time

Written questions were asked of some Cabinet Councillors by members of the public on the following subjects, copies of which and the replies to which, were circulated to all Councillors at the meeting and made available to the public attending the meeting (a copy of which is contained in the Minute Book). Oral replies to the questions were given at the meeting. In instances in which the questioners had been unable to attend the meeting, written replies would be sent to them (NB * below denotes such questioners):

<u>Questioner</u>	<u>Question Concerning</u>
Sheila O'Sullivan and Keith Rapley*	Consideration of any Local Asset Backed Vehicles rather than a Joint Venture in respect of the proposed North Street development in Lewes.
Chelsea Renton and Keith Rapley*	Consideration of the alternative Phoenix Estate Proposal, Lewes.
Tony Webb* and Keith Rapley*	Consultation with Councillors who represented Lewes Wards in respect of the proposed North Street development in Lewes.
Councillor Susan Murray, Green Party, Lewes Town Council	Consideration of the alternative Phoenix Estate Proposal, Lewes. Consultation with Councillors who represented Lewes Wards, and Lewes residents, in respect of the proposed North Street development in Lewes in respect of which many people were unconvinced that the present plans provided enough affordable housing, did enough to retain and encourage the strong creative employment on the estate or set a sufficiently high eco standard that would be resilient in the face of future climate change.
Adrian Cole*	The necessary skills and experience of Clifford Dann LLP to produce a Masterplan for North Street, Lewes, which was an important and complex site.
Sian Thomas*	Given the scale of the proposed North Street Development in Lewes, the once in a lifetime opportunity and the fact that the Council owned 35% of the land, why had it not consulted on the views of Lewes town residents but relied on Santon, which was a

private developer?

Andrew Simpson, Director,
Lewes Community Land Trust

The Report relating to the proposed North Street development in Lewes made no mention of local community organisations that had been established in the town to own and develop community assets, particularly the Lewes Community Land Trust. Could the Director of Business Strategy and Development be requested to enter into discussions with that Trust and other relevant bodies before the Joint Venture arrangements were finalised, as Land Trusts were an established model for securing lasting community benefits in developments of that kind.

142 Reporting Back on Meetings of Outside Bodies

Councillors provided feedback on meetings which they had attended as the Council's representatives on outside bodies as follows:

Councillor

Outside Body

Councillor Jones

East Sussex Planning Members Group

The Group had met on 2 April 2014 at which the London Plan had been discussed.

The Plan was not covered by the duty to co-operate. However, under the Act which had established the Greater London Authority (GLA), the Mayor was required to consult with adjoining areas. Furthermore, the Mayor was a defined body under the duty to co-operate in that authorities were required to consult with him where appropriate. The GLA also considered that co-operation was required for the proper planning of London.

The Strategic Housing Market Assessment for London had identified a requirement in the range of 49,000 to 62,000 dwellings per annum. The GLA had identified that there could still be a gap between demand and supply but it was not clear how big that gap would be.

The GLA currently operated the Strategic Spatial Planning Liaison Group to discuss planning issues across the wider South East. However, there was no representation from

CouncillorOutside Body

Sussex.

The implication of the potential undersupply of housing in London was that in instances where an authority was influenced by the London housing market, it would be required to provide more housing even if it could meet its own objectively assessed need and there was no un-met need from an adjoining authority.

Further to the discussions on the Plan at the meeting on 2 April and, subsequently, at the meeting of the Coastal West Sussex and Greater Brighton Strategic Planning Group on 3 April 2014, and following consultation from the Brighton and Gatwick Diamond Authorities, there was broad agreement that a firm response on a pan Sussex basis would give the greatest influence on the matter. Such response was centered on:

1. The need for a more robust mechanism through which London co-operated with local authorities across the South East; and
2. The need for London to do more to meet the projected shortfall in housing supply.

Councillor EiloartLewes Joint Parking Board

The Board was a partnership between the Council and East Sussex County Council to discuss parking methods in Lewes.

Councillor Eiloart reported that he had requested details relating to the breakdown of the cost of the parking review which had been undertaken in Lewes two years ago.

The cost of the review had consumed two years worth of the surplus that had been generated from the operation of the parking scheme across a wider area than just Lewes. 20% had been spent on implementation costs and most of the remainder had been spent on consultant's fees.

Following the review, local residents had been angered at a proposal to extend the scheme to

CouncillorOutside Body

other parts of Lewes. However, subsequently, East Sussex County Council had not adopted that proposal.

Resolved:

That the Reports of Councillors Jones and Eiloart in respect of meetings which they had attended as the Council's representatives on outside bodies, be received and noted.

Reason for the Decision:

To note the Reports of Councillors who represented the Council at meetings of outside bodies.

143 Recommendations of the Scrutiny Committee

The Cabinet considered the Recommendations of the Scrutiny Committee at its meeting held on 4 March 2014 in respect of Minute No 79 entitled Flooding in Lewes District which followed a discussion at the Meeting of the Council on 26 February 2014 at which sums of money had been set aside for several matters relating to flooding.

The Scrutiny Committee had discussed how the Council's proposals could be supervised by an advisory group, the membership of which could include Lindsay Frost (previously the Director of Planning at the Council), Tom Crossett (previously a senior scientist at the Ministry of Agriculture Fisheries and Food), a local hydraulics engineer, Tim Bartlett (Principal Environmental Health Officer at the Council), a Flood and Coastal Risk Engineer, one of the Council's Cabinet members and Councillor Gardiner.

With the agreement of the Chair, Councillor Gardiner addressed Cabinet and advised that it was the intention of the Scrutiny Committee that monitoring of the cliffs in respect of slope stability from Seaford to East Saltdean be undertaken as part of the proposed work referred to in the Committee's Recommendations and that that the wealth of knowledge which was available from the public be taken into account as part of such work.

Resolved:

143.1 That the Scrutiny Committee's commitment and comments to ensure the delivery of the work to improve flood defences, as set out in Minute No 79 of its meeting held on 4 March 2014, be fully supported;

DSD

143.2 That an expert advisory group be established to help interact with outside bodies and supplement existing skills and to oversee the use of the proposed funding for flood alleviation projects, flow reduction, review of wind and storm damage, and slope failure, including cliff

DSD

failure; and

143.3 That Cabinet keep the Scrutiny Committee fully informed of any work being undertaken in the prevention of flooding within Lewes District by means of an oral Report being made to Cabinet at approximately 6 month intervals with an annual Report to Scrutiny Committee, then Cabinet.

DSD

Reason for the Decisions:

To respond to requests received from the Scrutiny Committee.

144 Strengthening our Relationship with the Voluntary and Community Sector

The Cabinet considered Report No 57/14 relating to the Scrutiny Panel's Report on Strengthening our Relationship with the Voluntary and Community Sector, a copy of which was appended thereto.

A suggestion had been made to the Scrutiny Committee to examine how the Council worked with the voluntary and community sector. Consequently, a Scoping Report had been taken to that Committee and a Panel of three councillors was appointed to explore the issue in more detail. Details relating to the main background, methodology and findings of the Review were set out in the Panel's main Report document, as appended to Report No 57/14.

The Review was undertaken in order to acknowledge how much voluntary and community organisations were valued in the District and to establish how the Council could work with them in the future.

One of the Council's key promises was "an unwavering commitment to customer service"; which complimented the Review in planning how the Council could work better with its colleagues in the third sector.

Members of the Panel had undertaken significant work in order to identify the issues that were felt by members of the voluntary and community sector. The main findings of the Review were:

- That there was a need for a dedicated Officer at the Council to work with voluntary and community organisations;
- Better communication between the Council and voluntary and community sector groups was required; and
- A better exchange of information between the Council and voluntary and community sector groups was necessary.

The Panel had agreed on six recommendations which Cabinet was invited to consider and decide what action it would like to take to carry forward following which, after six months, a progress Report would be made to Cabinet and to the Scrutiny Committee. Further information and the background to all those recommendations was set out in the Panel's

Report.

The Chair, on behalf of Cabinet, thanked those who were involved with the voluntary and community sector for all the valuable work that they undertook in the District.

Resolved:

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| 144.1 That a dedicated responsibility be appointed at the Council to work with voluntary and community sector groups; | DBSD |
| 144.2 That engagement with the voluntary and community sector be delegated as a separate portfolio of a Cabinet Member or within the title of the Health and Environment portfolio; | DBSD |
| 144.3 That a consistent approach to monitoring be drafted detailing how and why voluntary and community sector groups are funded in Lewes District and how the Council currently supports the voluntary and community sector; | DBSD |
| 144.4 That regular space in publications and the website be offered to voluntary and community groups and to raise awareness of existing mechanisms for continued dialogue; | DBSD |
| 144.5 That the staff volunteering scheme be widened at the Council so staff can work with voluntary and community sector groups within the District; | DBSD |
| 144.6 That exploration be undertaken as to whether there is a benefit to the sharing of resources and space between the Council and voluntary and community groups; and | DBSD |
| 144.7 That the Scrutiny Panel be thanked for its Report on Strengthening our Relationship with the Voluntary and Community Sector. | Scru &
Cttee Off |

Reason for the Decisions:

To enable the Council to consider whether any changes to its existing policies are necessary in order to strengthen the Council's relationship with the voluntary and community sector.

145 Finance Update

The Cabinet considered Report No 58/14 which provided an update on financial matters that affected the General Fund Revenue Account, the Housing Revenue Account and the approved Capital Programme.

Appendix 1 to the Report set out details of Treasury Management activity between 1 December 2013 and 21 March 2014, all of which was consistent with the Council's approved Treasury and Investment Strategy for 2013/2014.

In accordance with the Council's approved Treasury Strategy Statement, the Audit and Standards Committee reviewed all treasury activity that took place in order to confirm that it had been undertaken in accordance with the approved Strategy. In the event that the Audit and Standards Committee had any observations they would be recorded in its Minutes and referred to Cabinet.

Paragraph 4 of the Report indicated that the Government had introduced a range of financial measures to support homes and businesses which had been affected by severe weather between 1 December 2013 and 31 March 2014, further details of which were set out therein and in Appendix 2 to the Report.

Local authorities would administer the schemes in local areas and in accordance with high level guidance. The Government intended that local authorities should move quickly in order that households and businesses could be supported without undue delay. Consequently, the Leader of the Council had agreed that the Council would make available all four forms of support to eligible households and businesses, and that the Director of Service Delivery be authorised to approve the award of grants.

Paragraph 5 of the Report set out details relating to two instances in which the Council's Contract Procedure Rules required Cabinet to approve the acceptance of a tender which was other than the lowest. Those instances were in respect of playground refurbishment works at Plumpton Playground and for the design and build of a new skatepark as part of the Big Parks Project, further details of which were set out in the Report.

In the case of the playground refurbishment works at Plumpton Playground, following evaluation it had been decided that the highest tender in the sum of £50,000, which exceeded the lowest tender by £24, offered the best value for money and best met the brief and should therefore be accepted.

In the case of the design and build of a new skatepark as part of the Big Parks Project, following evaluation it had been decided that the second highest tender in the sum of £159,901, which exceeded the lowest tender by £149, offered the best value for money and best met the brief and should therefore be accepted.

Resolved:

- 145.1** That it be noted that Treasury Management activity since the last Report to Cabinet has been consistent with the Council's approved Treasury and Investment Strategy, as detailed in Report No 58/14;
- 145.2** That the Leader of the Council's action to adopt Government-funded flood support schemes, be noted;
- 145.3** That the acceptance of tenders, as set out in paragraph **Error! Reference source not found.** of the Report, be approved; and
- 145.4** That the remainder of the Report be received and noted.

DF

Reasons for the Decisions:

A Report on funding issues in relation to the Council's General Fund Revenue Account, Housing Revenue Account and Capital Programme is made to each meeting of the Cabinet to ensure that the Council's financial health is kept under continual review. It is essential to ensure that the Council has a sound financial base from which to respond to changing activity levels and demand for statutory services and to ensure that, when appropriate, its finances are adjusted in response to reducing income levels and inflationary pressures on expenditure.

The Council's Treasury Management function deals with very large value transactions on a daily basis. It is essential that the Council is satisfied that appropriate controls are in place and in accordance with the Code of Practice on Treasury Management in the Public Services prepared by the Chartered Institute of Public Finance and Accountancy and adopted by the Council.

146 Local Business Rate Discretionary Relief Scheme

The Cabinet considered Report No 59/14 relating to a proposed process for preparation of a Local Business Rate Discretionary Rate Relief Scheme which utilised new powers in the Localism Act 2011.

In April 2013, an article from the Local Government Chronicle reported that only 18 of the 326 authorities that had been given the power to draw up their own 'discretionary rate relief' schemes have taken advantage of that new freedom.

Councils that used the new powers tended to operate with the benefit of nationally designated Enterprise Zones, which meant that the Government would fully fund the cost of discounts granted for a period of five years.

In his December 2013 budget statement, the Chancellor had announced the provision of additional business rates reliefs for the 2014/2015 financial year for which the cost was being fully met by Government. Details of such provision, together with a commentary on the provision made in the Council's 2014/2015 Non Domestic Rates Collection Fund estimates, were set out in paragraph 2.5 of the Report.

The Report indicated that there was a considerable cost to granting such further reliefs which, given the constraints of the current business rates retention scheme, could only be contemplated at a national level.

In the event that a Council chose to continue such reliefs in the absence of a national scheme, the cost would be wholly chargeable to its General Fund, which could not realistically be contemplated in the current financial climate. Furthermore, the reliefs in the Chancellor's statement replaced aspects of the small number of local schemes; particularly incentives that were aimed at maintaining a vibrant retail sector.

Paragraph 2.9 of the Report outlined the legislative background which stated that, from 1 April 2012, Section 69 of the Localism Act 2011 had amended Section 47 of the Local Government Finance Act 1988 to allow billing authorities in England and Wales to grant a discount on local business rates to any local ratepayer within the limits of primary legislation and European rules on state aid. Whilst the government continued to part fund existing statutory discretionary reliefs in the same circumstances as in previous years, local authorities had to fully fund, from their General Fund, any other discounts granted under the new provisions.

From 1 April 2012, authorities started to use the powers to apply local discretionary discounts to grant relief to businesses that moved into enterprise zones (designated in legislation) before April 2015. Up to 100% relief from rates could be granted for up to five years subject to state aid limits. That local discount was fully funded by the government. Discretionary discounts could also be awarded from 1 April 2012 to existing businesses in the enterprise zones and to empty properties in those zones.

Other than qualifying discretionary relief to ratepayers in enterprise zones that was met in full by the government, the full cost of local discretionary relief was met by the local authority, except for those types of discretionary relief that the government, or the Welsh Assembly Government, would have part financed before April 2012 which continued to be met to the same extent as before.

The cost of providing discretionary relief could be considerable. However, there were circumstances when advantages would flow from a Local Business Rate Discretionary Relief Scheme for which the following areas were proposed for consideration:

- New developments on brownfield land;
- Progression and move on from starter units with easy in/out terms to more secure arrangements within the District;
- Delivering the Council's Regeneration Strategy priorities; and
- Supporting the published Strategies for Towns and Rural areas within the District,

further details of which were set out in the Report.

With the agreement of the Chair, Councillor Gardiner addressed Cabinet and suggested that that the proposed consultation process through the Business Board of Lewes District Council on a proposal to introduce a Local Scheme, as referred to in Recommendation 1 of the Report, needed to be considerably wider. He felt that a wider cross-section of business, the public, and councillors needed to consider such matter and that the current Board was thought to be too narrow to provide a proper consultation process.

Councillor Gardiner also suggested that the proposed introduction of a Local Scheme be referred to the Scrutiny Committee for consideration upon which the Committee could then report back to Cabinet. Such consideration

should cover:

- a. The matter relating to the breadth of the consultation as referred to above;
- b. The scope of the scheme considering the examples set out in paragraph 6.5 of the Report, the possible exclusions in paragraph 6.5.1, the details in paragraph 7 and the risks and mitigations in paragraph 12;
- c. The scope of the businesses eligible;
- d. A review of other Councils operating that type of scheme;
- e. The interaction with Government schemes;
- f. The potential for the Scheme in Newhaven and any possible enterprise zones; and
- g. Whether the Scheme should be restricted to new or empty land as had been proposed elsewhere.

Councillor Gardiner further suggested that members of the Council needed to be informed regularly of the process in order to increase support of any proposals which were brought to Cabinet at its meeting in September 2014.

Resolved:

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| 146.1 That Cabinet consults through the Business Board of Lewes District Council and wider on a proposal to introduce a Local Business Rate Discretionary Relief Scheme, as detailed in Report No 59/14; | DF/DBSD |
| 146.2 That the Scrutiny Committee be requested to consider the proposed introduction of a Local Scheme in accordance with the suggestions made by Councillor Gardiner as set out in “a” to “g” above and be further requested to prepare a Report thereon for consideration at a future meeting of Cabinet at a time prior to Cabinet’s consideration of a proposed Scheme at its meeting in September 2014; | DF/DBSD
/Scrut &
Cttee Off |
| 146.3 That the Officers be requested to liaise with Councillors Blackman and Gardiner in respect of the preparation of the Terms of Reference for the Scrutiny Committee’s consideration of the proposed introduction of a Local Scheme; | DF/DBSD
/Scrut &
Cttee Off |
| 146.4 That the Director of Business Strategy and Development brings forward a proposal in respect of the Scheme to the Cabinet at its meeting in September 2014; and | DBSD |
| 146.5 That consideration of budget provision for the proposed Scheme be deferred until such time as a firm proposal is considered by Cabinet at its meeting in September 2014. | DF/DBSD |

Alternative Option Considered and Rejected:

That, with regard to 146.5 above:

That part of the uncommitted balance in the Strategic Priority Reserve be utilized to pump prime a local scheme, the sum of which was to be agreed.

Reasons for the Decisions:

Recent legislation provides this opportunity for the Council to strengthen its role in promoting and encouraging business to the District and to help deliver the adopted vision for each Town/Area.

147 Newhaven Growth Quarter

The Cabinet considered Report No 60/14 which provided an overview of the Newhaven Growth Quarter (NGQ) development and the successful funding bid for £1.9 million from the Coastal Communities Fund (CCF).

Newhaven faced a number of challenges and opportunities which included pockets of high unemployment, low skills and poverty of aspiration; a weak economic base associated with the decline in traditional port and related manufacturing industries; and poor quality commercial property that was unsuitable for modern business needs within emerging higher value sectors. However, it had a real opportunity for growth, with money being committed through the Greater Brighton City Deal to improve flood defences in the town, as well as the identified opportunity to establish Newhaven as a 'Clean Tech' Growth Hub linked to the development of the University Technical College, E.ON's Rampion offshore wind farm and Veolia's Energy Recovery Facility.

The NGQ project had been developed as a long-term initiative to create and sustain jobs for local people and act as a catalyst for developing Newhaven as a hub for 'clean tech' industries, further details of which were set out in the Report.

Paragraph 3.2 of the Report indicated that discussions with Basepoint, Sussex Community Development Association (SCDA) and Sussex Downs College (SDC), had identified an opportunity to address some of the issues highlighted through the development of a dedicated 'campus' to support the wider economic development of Newhaven.

The CCF was a UK-wide programme for which the key outcome was that "coastal communities will experience regeneration and economic growth through projects that directly or indirectly create sustainable jobs, and safeguard existing jobs."

In July 2013, the Council had been shortlisted to prepare a Stage Two application to the CCF for NGQ. The bid was submitted in October 2013 for £1.9 million of funding via a competitive bidding process. The Council had subsequently been informed that its bid was successful and had been

awarded £1.9 million towards the cost of developing NGQ.

The award was significant and represented 8.75% of the entire funding for England in the current financial year and was the third highest award made by the CCF in that round of bidding.

Paragraph 5 of the Report set out details relating to the development timetable and paragraph 6 outlined the expected outputs from the proposals for which the capital cost of £2.225 million would unlock a further £1.6 million in investment over the first twelve years of operation.

Resolved:

147.1 That the successful bid to the Coastal Communities Fund, as detailed in Report No 60/14, be noted;

147.2 That the Director of Business Strategy and Development, in consultation with the Director of Finance, be authorised to manage the funding award to develop the Newhaven Growth Quarter scheme;

147.3 That the Assistant Director of Corporate Services, on behalf of Lewes District Council, be authorised to enter into a Partnership Agreement with the key partners identified in paragraph 0 of the Report; and

147.4 That the projected income and expenditure associated with the Extension to the Newhaven Enterprise Centre when it becomes operational, be noted.

Reasons for the Decisions:

Following the successful bid to the Coastal Communities Fund, the Council now needs to formalise partnership and budget management arrangements to progress the Newhaven Growth Quarter scheme.

148 A Masterplan for North Street, Lewes

The Cabinet considered Report No 61/14 relating to the proposed endorsement of the Masterplan for North Street, Lewes, in terms of its planning merits.

Consideration of the Report in that context did not compromise any views taken by the Council on the Masterplan, in terms of its position as a partial landowner of the North Street site.

The Council was working in partnership with the South Downs National Park Authority in preparing the Core Strategy which was a strategic level plan that would guide development and change in the District up until 2030. In January 2013, the Core Strategy – Proposed Submission document was published following approval from both the Council and National Park Authority. It was due to be submitted to the Secretary of State in order to commence the examination procedure later in 2014 which would follow on from representations being sought on some changes to the Proposed

DBSD/DF

ADCS/
DBSD

Submission document. The Report referred to the Core Strategy which implied reference to the Core Strategy – Proposed Submission document which had been published in January 2013.

The Core Strategy identified the levels of growth planned to take place up until 2030 as well as identifying some key development sites that would help deliver such growth in the early years of the plan period. One such site was North Street, Lewes. Spatial Policy 3 of the Core Strategy set out the policy framework for the North Street site which also included the Eastgate area and bus station. The policy set out the broad mix of development that was planned to take place within the policy area, as well as identifying key criteria and issues that would need to be addressed.

In light of the significance of the North Street site to the town and wider area and given that Spatial Policy 3 was quite high-level and strategic in nature, it was considered sensible for the policy to include the requirement for the production of a Masterplan. That Masterplan would apply to the whole policy area and would be used to add some more detailed guidance for shaping subsequent development proposals which built upon policy criteria set out within Spatial Policy 3.

At the time the Core Strategy was prepared, it was envisaged that it would be subject to examination in advance of any planning applications being submitted for the proposed development. Therefore, the Masterplan was considered to be a useful tool to help the Council and the South Downs National Park Authority demonstrate deliverability of the scheme at examination.

Whilst the Council was not the planning authority for Lewes town, nevertheless it was considered appropriate for the Council to consider the Masterplan from a planning perspective for the reasons set out in paragraph 1.5 of the Report.

Paragraph 2 of the Report set out details relating to the content of the Masterplan and how it had been developed.

A separate Report was being considered at this Cabinet meeting relating to the role of the Council as a significant landowner for parts of the North Street site.

Resolved:

148.1 That the Masterplan for North Street, Lewes, which will act as a framework for guiding subsequent planning applications that are submitted and considered for this area, as detailed in Report No 61/14, be endorsed.

Reason for the Decision:

To enable the Masterplan to be in place by a time that enables it to help shape the expected forthcoming planning applications for North Street.

DBSD

149 Lewes North Street Development

The Cabinet considered Report No 62/14 relating to the proposed development at North Street, Lewes.

The North Street Quarter was arguably the most important regeneration project in Lewes and offered a great opportunity to regenerate a key part of that town, bringing forward a sustainable high quality development with an enhanced cultural offer and improved public realm.

During the past two years, Cabinet had received some Reports outlining The Santon Group's ideas for developing the site and in September 2013 Cabinet had agreed to progress the initiative by entering into a joint venture agreement. Since then, Officers had negotiated with Santon and would shortly report the draft Heads of Terms of the Agreement to Cabinet which would set the terms of the Joint Venture and the commercial deal for the Council.

The scheme consisted of up to 420 residential units alongside circa 40,000 square feet of commercial space which included a cultural quarter, leisure, retail and a health facility.

Paragraph 3.4 of the Report outlined the public consultation that had been undertaken in respect of the proposals for which The Masterplan had drawn on the views of local people. Affordable housing had emerged as an important development priority followed by good access to the river and environmental works.

The design of the Masterplan had been guided by feedback from the consultation exercises; the Council's regeneration aspirations and the South Downs National Park Authority's (SDNPA) Design Review Panel.

The Council was working in partnership with the SDNPA in preparing the Core Strategy which identified the levels of growth planned to take place up until 2030, as well as identifying some key development sites that would help deliver such growth in the early years of the plan period. One such site was North Street, Lewes.

As the Council was a landowner in the North Street area, one of its key priorities was to maximise its return on assets for the benefit of its taxpayers for which it had a statutory duty to secure 'best consideration' for disposal of its assets. However, a balance needed to be sought between the Council's regeneration aspirations and the need to maximise revenue income streams. Therefore, the Officers suggested that the Council approve the prioritised list of objectives, as set out in paragraph 3.7.3 of the Report.

Paragraph 3.9 of the Report set out details relating to Agreements for which a Planning Performance Agreement had already been signed that was a framework agreed between the planning authority, namely the SDNPA; the Council and the Santon Group, which set out the structure and resources that were needed to process the planning application.

There were two further agreements linked to the project namely a Reimbursement Agreement and an Interim Agreement, further details of

which were set out in the Report.

Paragraph 3.10 of the Report outlined the next steps that needed to be undertaken in the process and paragraph 3.11 indicated that, with a development of the size proposed, there were going to be a number of infrastructure needs. The infrastructure required to support the development was expected to be secured through a Section 106 agreement.

The Director of Business Strategy and Development drew Cabinet's attention to Recommendation 1.2 of the Report and stated that the Council was in the process of signing the Reimbursement Agreement with the Santon Group.

Cabinet's attention was drawn to paragraph 3.7.3 of the Report and it was stated that reference to "400,000 sq ft" should have read "40,000 sq ft". It was suggested that reference to such area should be expressed in square metres.

Resolved:

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| <p>149.1 That the Council's landowner prioritised objectives, as set out in paragraph 3.7.3 of Report No 62/14, be endorsed subject to the amendment of "400,000 sq ft" to read "40,000 sq ft" and that such area be expressed in square metres;</p> | DBSD |
| <p>149.2 That it be noted that the Assistant Director of Corporate Services was in the process of signing a Reimbursement Agreement with the Santon Group, whereby Santon was to agree to reimburse the Council the professional cost (i.e. GVA Grimley property consultants, Eversheds solicitors), which (a) it has already incurred to date and (b) which it will incur between now and the date at which the parties enter into a Joint Venture Agreement;</p> | |
| <p>149.3 That the Director of Business Strategy and Development, in consultation with the Leader of the Council, be authorised to approve the submission of a joint planning application on behalf of the Santon Group and the District Council providing that such application contains those matters identified in paragraph 3.7.3, as amended, of Report No 62/14;</p> | DBSD |
| <p>149.4 That the Assistant Director of Corporate Services, in consultation with the Director of Business Strategy and Development and the Leader of the Council, be authorised to enter into an Interim Agreement with the Santon Group as described in paragraphs 3.9.1 to 3.9.6 of Report No 62/14; and</p> | ADCS/
DBSD |
| <p>149.5 That, if and when the South Downs National Park Authority determines that planning permission should be granted, the Assistant Director of Corporate Services be authorised to sign the Section 106 planning agreement on behalf of the Council as landowner providing that such agreement will secure the Council's priorities as set out in paragraph 3.7.3, as amended, of Report No 62/14.</p> | ADCS |

Reasons for the Decisions:

In September 2013 Cabinet discussed two schemes for the North Street Quarter: a retail led development or a housing led development. Cabinet agreed to the latter option. The scheme consists of up to 420 residential units alongside circa 40,000 square feet of commercial space, or the equivalent area expressed in square metres, (including a cultural quarter, leisure, retail and a health facility).

Cabinet agreed to progress work on the joint venture project with the Santon Group. Such a project requires the parties to agree their respective land resources input into the scheme; the level of control each party has as the scheme progresses; who manages those processes and how the profits will be shared.

Officers are currently drafting the Heads of Terms which will be subject to Cabinet authorisation shortly, in the meantime Santon Group requested that the Council enter into an interim agreement which allows the scheme to progress. Once agreed and signed by the Council, a joint named planning application will be submitted to the South Downs National Park Authority.

150 Lewes District Local Plan – Core Strategy Proposed Submission Document: Focussed Amendments

The Cabinet considered Report No 63/14 relating to a proposal to publish the focussed amendments to the Core Strategy, including a new housing delivery target, in partnership with the South Downs National Park Authority (SDNPA) and, subsequently, to progress the Core Strategy through the Examination in Public process.

The Strategy was to be the central planning document for the District and would set out the long term vision and guide development and change up to 2030. It was being prepared in partnership with the SDNPA and was subject to a long process of preparation, public consultation and inspection following which it had been amended and was almost ready for submission to the Secretary of State for independent examination before adoption.

At its meeting on 18 November 2013, Cabinet had discussed progress on the Strategy since the Proposed Submission Document (the draft strategy) was published. Cabinet agreed that further work needed to be undertaken before it was submitted. Such work had subsequently been completed and had led Officers to conclude that the Strategy would benefit from some limited or 'focussed' amendments before submission, details of which were shown as 'track changes' to the Core Strategy – Proposed Submission Document at Appendix A to the Report.

The most significant proposed changes related to:

- An increase in the overall housing delivery target for the District;
- Amendments to the wording of Core Policy 3 to overcome difficulties

in identifying suitable Gypsy & Traveller sites;

- Amendments to the wording of Core Policy 10 to reflect new advice from Natural England on mitigating the impact of development on the Ashdown Forest; and
- Amendments to Core Policy 14 to reflect changing Government aspirations in terms of building sustainability.

Paragraph 2 of the Report set out details relating to the housing delivery target which, in the Proposed Submission Document (PSD) was 4,500 additional homes between 2010 and 2030 (equivalent to 225 a year) which fell considerably short of meeting the full housing needs of the District. At its meeting on 18 November 2013, Cabinet had agreed the objectively assessed housing need to be 9,200 to 10,400 additional homes between 2010 and 2030, which was equivalent to 460 to 520 new homes a year.

That issue had been raised in public representations received to the PSD and by the Planning Inspector who had conducted the 'critical friend' exercise with the Council last year. The Inspector had advised that it was likely to present a significant concern about the 'soundness' of the Strategy to any Inspector who eventually examined the document.

The Officers had examined options to see if the District's housing needs could be more fully met. The results of that work were detailed in the Core Strategy Background Paper: Justification for the Housing Strategy. However, the findings, and their implications for the housing delivery target, were summarised in paragraph 2 of the Report.

Details relating to amendments to the Core Policies were set out in paragraph 3 of the Report.

Additionally, other minor changes had been made to the text and policies of the Strategy which mainly related to changes in the planning policy context or other circumstances. The Report indicated that they were not regarded as changing the Strategy in any fundamental way, but that they still needed to be published for any public representations to be made.

Paragraph 5 of the Report provided information relating to the proposed consultation arrangements and the next steps in the Strategy process.

A Sustainability Appraisal of the Strategy had previously been undertaken and the appraisal process would be used to identify any further implications from the proposed amendments and published as a background paper. However, it was considered unlikely that any adverse impacts would be identified, an issue which was confirmed by the Interim Head of Planning Policy at the Cabinet meeting.

Cabinet's attention was drawn to the Housing Trajectory graph as set out in Appendix 4 to the Core Strategy – Proposed Submission Document as appended to the Report. It was reported that the graph did not take account of 40 committed dwellings at Ringmer.

With the agreement of the Chair, Councillor Gardiner drew Cabinet's attention to paragraph 6.78 of the Proposed Submission Document and advised that he did not agree with the revised text which deleted "by June 2014" and replaced it with "before the adoption of the Core Strategy" in respect of the Ringmer Neighbourhood Plan as he felt that the change might hinder progress of the Neighbourhood Plan in the event that the examination and/or referendum did not progress as was anticipated.

Councillors Gardiner and Eiloart expressed their concerns in respect of Core Policy 12 following which the Chair suggested that they discuss such concerns with the Interim Head of Planning prior to the Council's consideration of the Document at its meeting on 7 May 2014.

Recommended:

150.1 That, subject to there being no adverse findings from a sustainability appraisal, as referred to in paragraph 7 of Report No 63/14:

DBSD

(i) The focussed amendments to the Core Strategy Proposed Submission Document, as set out at Appendix A to Report No 63/14, be published for an eight week period for public representations to be made;

(ii) The Director of Business Strategy and Development be authorised to take account of any representations and the sustainability appraisal, incorporate the focussed amendments and formally submit the Core Strategy to the Secretary of State for Communities and Local Government for independent examination; and

(iii) The Director of Business Strategy and Development, in consultation with the Lead Member for Planning and the South Downs National Park Authority, be authorised to agree minor modifications to the Core Strategy during the Examination in Public, as deemed necessary to make the document sound (any major modifications will be referred to Cabinet/Council as necessary).

Reasons for the Decisions:

To ensure that the Core Strategy has addressed the implications of recent changes to national planning policy prior to its submission to the Secretary of State.

To ensure that the Core Strategy addresses any significant issues raised in representations received to the Proposed Submission Document, together with the areas of concern identified by the Planning Inspector who undertook a critical analysis of the document, before submission.

To ensure that the Core Strategy is progressed towards adoption in a timely manner, to provide the Council and National Park Authority with up-to-date policies against which to determine planning applications.

151 Locally Sorted – A Digital Platform for Collaboration in Lewes District

The Cabinet considered Report No 64/14 which sought approval to develop a digital platform for the District to provide a simple to use forum for residents, community organisations, businesses, Councillors and staff to participate in democratic activities and community engagement. The working title for the platform was “Locally Sorted.”

Programme Nexus had set a strategic framework in which the Principles of Local Participation could become embedded in the developing culture of innovation, openness and networking at the Council. One of the promises that the Council had made through Programme Nexus was to connect with its workforce and partners to inspire exceptional contribution which involved a new approach to citizen participation and community engagement.

At its meeting on 6 January 2014, Cabinet had agreed seven principles to guide the transformation programme and move to a new model of working based on end-to-end customer service. Principle 4 was to take a proactive approach to reaching out to customers across the District using a variety of networks and working with other organisations, to ensure that the Council was inclusive.

The proposed platform would facilitate democratic activities such as discussions; surveys and consultations, and had the potential to support community engagement activities. It could also foster entrepreneurship by supporting networking and highlighting local business opportunities. It would be developed with residents, businesses and the voluntary and community sector at every stage, in order to ensure that it provided added value; was simple to use; avoided duplication and complemented rather than replaced existing initiatives and networks.

Paragraph 8 of the Report set out details relating to the timescale for the proposal for which a procurement exercise would be undertaken to appoint a partner organisation to deliver the project in collaboration with the Council and the community. However, it was an innovative project for which it had not been possible to find parallel initiatives in the United Kingdom.

The most economically advantageous tender would be sought and the results of the procurement process would be subject to a cost-benefit analysis prior to a Cabinet decision being taken on whether to proceed to award the contract. If implemented, the Council aimed to produce at least a first module of the platform by March 2015.

Resolved:

151.1 That a procurement process to invite tenders to co-develop the digital platform with the community and the Council, as detailed in Report No 64/14, be authorised;

DBSD

151.2 That Councillors I Eiloart, C R O’Keeffe and A X Smith provide assistance with steering the project

DBSD

151.3 That it be noted that the costs of developing and implementing the platform cannot be accurately estimated at this stage of the project, as explained in section 9 of the Report; and

151.4 That it be noted that a further Report to Cabinet will recommend whether to proceed to award the contract, based on a cost-benefit analysis of the tenders received.

Reasons for the Decisions:

To support the localism and community engagement elements of Programme Nexus and the Principles of Local Participation adopted in November 2012 by providing a digital platform to enable networking by users (including the Council), fostering opportunities for collaboration, community engagement and wider participation in democratic activities.

152 Appointment to Serve on an Outside Body – Wave Leisure Trust Board

Resolved:

152.1 That the appointment of Councillor Ruth O’Keeffe to serve as the member representative on the Wave Leisure Trust Board, in place of Councillor Rob Blackman, be confirmed.

ADCS/
HDS

Reason for the Decision:

To confirm the appointment of the Council’s representative on the Board.

153 Special Meeting of Cabinet on Thursday, 15 May 2014

In consultation with the Leader of the Council, it was necessary to hold a Special Meeting of Cabinet on Thursday, 15 May 2014 at which the Council’s Grounds Maintenance Contract would be considered.

Resolved

153.1 That it be noted that a Special Meeting of Cabinet will be held in the Ditchling Room, Southover House, Southover Road, Lewes, on Thursday, 15 May 2014 commencing at 1.45pm at which the Council’s Grounds Maintenance Contract will be considered.

ADCS/
HDS

Reason for the Decision:

To enable timely consideration to be undertaken in respect of the Council’s Grounds Maintenance Contract.

154 Exclusion of the Public and PressResolved:

154.1 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:

(a) Report No 65/14 entitled "Newhaven Fort"; and

(b) Report No 66/14 entitled "Newhaven Football Club – Lease of Land at Fort Road Recreation Ground";

as there is likely to be disclosures of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act (ie information relating to the financial or business affairs of any particular person (including the authority holding that information)). The public interest in maintaining the exemption outweighs the public interest in disclosing the information.

155 Newhaven Fort

The Cabinet considered Report No 65/14 relating to a proposed Management Service Contract in respect of Newhaven Fort.

The Fort was located in Newhaven Denton and Meeching Ward. It was reported that Councillor Butler, who was one of the Councillors who represent that Ward on the Council, supported the proposal to award the Contract, as set out in the Report.

Resolved:

155.1 That delegated authority be granted to the Director of Corporate Services, in consultation with the Leader of the Council, to agree to the detailed terms of the Management Service Contract agreement in respect of Newhaven Fort, the outline of which is described in paragraphs 4.6.1 to 4.6.3 of Report No 65/14; and

DCS

155.2 That, in the event of there being a substantial deviation from the terms outlined in paragraphs 4.6.1 to 4.6.3 of the Report, any proposed negotiated revised agreement be the subject of a further Report for consideration by Cabinet.

DCS

Reason for the Decisions:

To create a Management Service Contract agreement in respect of Newhaven Fort.

156 Newhaven Football Club – Lease of Land at Fort Road Recreation Ground

The Cabinet considered Report No 66/14 relating to a proposal to vary the Building Agreement in order that a lease could be granted to Newhaven Football Club at Fort Road Recreation Ground, Newhaven.

Resolved:

156.1 That delegated authority be granted to the Director of Corporate Services to vary the Building Agreement in respect of Newhaven Football Club at Fort Road Recreation Ground, Newhaven, as set out in Report No 66/14, together with any other terms as required by the Assistant Director of Corporate Services and the Director of Finance; and

DCS

156.2 That the terms of the Lease be varied as set out in paragraphs 2.12 and 2.15 of the Report.

DCS

Reasons for the Decisions:

To enable a lease to be granted to Newhaven Football Club in order to facilitate the continued development of the ground and facilities and to agree the terms of the Lease to be granted and the extent to which they will vary from the provisional lease agreed by Cabinet in November 2011.

The meeting ended at 5.01pm.

R Blackman
Chair