



Lewes District Council

Cabinet

Minutes of a meeting of the **Cabinet** held in the **Ditchling Room, Southover House, Southover Road, Lewes** on **Monday 19 March 2018** at 2.30pm

Present:

Councillor A Smith (Chair)

Councillors P Franklin, B Giles, E Merry and T Nicholson

In attendance:

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

Councillor P Gardiner (Chair of the Scrutiny Committee)

Councillor S Osborne (Leader of the Liberal Democrat Group)

Mr J Langley (Tenants' Representative)

Minutes

81 Minutes

The minutes of the meeting held on 5 February 2018 were approved as a correct record and signed by the chair.

82 Apologies for absence

Apologies for absence were reported from Councillors Jones, Linington, Maskell and Ms D Twitchen (Tenants' Representative).

83 Declarations of interest

None were declared.

84 Urgent item

Visiting member, Councillor Osborne addressed the Cabinet regarding the Council's response to East Sussex County Council's current consultation on the savings proposals for Adult Social Care Services, which would end on 25 April 2018. Councillor Osborne also asked for officer's response on the predicted impact of cuts to the local welfare assistance fund.

It was agreed that Lewes District Council's response would be formulated by

officers and an additional letter would be signed off by the leader of each political group before being submitted.

Resolved:

- 84.1** That a response to East Sussex County Council's consultation on savings proposals for Adult Social Care Services be formulated by officers, and an additional letter be agreed by the leader of each political group of the Council before being submitted.

85 Matters referred to the Cabinet

There were none.

86 Finance update – performance quarter 3 – 2017-2018.

The Cabinet considered the report of the Deputy Chief Executive, which provided an update on the Council's financial performance in quarter 3 for 2017/18 and explained the impact on the current financial situation.

Visiting member, Councillor Catlin asked about the irrecoverable debts that were highlighted in a recent article in the Sussex Express. Councillor Giles responded by detailing the table set out at 8.2 of the report and stated that an estimated £35,000 of irrecoverable debts in relation to a £70 million plus turnover was attributed to the Council. He continued that although formally written off as a matter of good practice, there may be an opportunity to pursue in the future, should new information become available.

It was agreed as a matter of good practice, that a report on irrecoverable debts, for information, be scheduled for future meetings of the Audit and Standards Committee.

Resolved:

- 86.1** That the general fund, housing revenue account, collection fund and treasury management financial performance for the quarter ended 31 December 2018 be agreed.
- 86.2** That the write-off of irrecoverable debts noted in paragraph 8.2 of the report be agreed.
- 86.3** That a report on irrecoverable debts, for information, be scheduled for future meetings of the Audit and Standards Committee.

Reasons for the decisions:

A report on financial performance following the end of each quarter is made to Cabinet to ensure that the financial health of the general fund, housing revenue account, council tax and business rates collection funds and the capital programme are 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 CIPFA (the Chartered Institute of Public Finance and Accountancy) and adopted by the Council.

87 Order of business

The Cabinet agreed to consider agenda item 8.5 next as Mr Duncan Kerr, Chief Executive Officer at Wave Leisure Trust Ltd was in attendance.

88 Wave Leisure annual service delivery plans 2018-2019.

The Cabinet considered the report of the Director of Tourism and Enterprise, seeking their approval for the 2018-2019 annual service delivery plans for Leisure and Newhaven Fort, proposed by Wave Leisure Trust (WLT) and authorisation to enter into leases for the four leisure centres operated by Wave Leisure.

Councillor Nicholson presented the report and recommended that amendments be made to officer recommendations three and four to include "in consultation with the Cabinet member for Customers and Partners". This was unanimously agreed.

In response to a question from Councillor Giles, it was confirmed that Shakespeare Hall was already on a lease arrangement, hence it's exclusion from the officer recommendations.

Visiting member, Councillor Chartier offered his assistance to Wave Leisure to deliver the educational priorities in the Newhaven Fort plan for 2018-2019.

Visiting member, Councillor Denis addressed the Cabinet and made reference to the Council's aim of becoming "single-use plastic free" as resolved at the Council meeting on the 19 February 2018. Mr Kerr responded that the issue was high on the agenda at Wave Leisure and there was a commitment to becoming "single-use plastic free".

Visiting member, Councillor Gardiner, addressed the Cabinet and commented on the link between exercise, fitness, wellbeing and nutrition. Mr Kerr responded that a new range of healthy drinks had been introduced and healthy food would be explored within the range stocked.

Mr Kerr expressed his thanks to the Cabinet for unanimously agreeing the officer recommendations.

Resolved:

88.1 That the annual service delivery plan for Leisure as set out in the report be approved.

88.2 That the annual service delivery plan for Newhaven Fort as set

out in the report be approved.

- 88.3** To delegate authority to the Director of Regeneration and Planning, in consultation with the Cabinet member for Customers and Partners and Strategic Property Board, to negotiate and conclude Heads of Terms for leases of Seahaven Swim and Fitness Centre and Downs Leisure Centre and to authorise completion of a lease.
- 88.4** To delegate authority to the Director of Regeneration and Planning, in consultation with the Cabinet member for Customers and Partners and Strategic Property Board, to enter into long leases of Lewes Leisure Centre and Meridian Leisure Centre from ESCC to the Council, and to negotiate and conclude Heads of Terms for subleases of those properties from the Council to Wave Leisure, to include authorisation to complete the leases.
- 88.5** That the leases would help the Council to secure the promotion or improvement of the social well-being of the Council's area.
- 88.6** That the delegations at recommendations 3 and 4 above include authorisation not to dispose by auction or invitation of tenders following public advertisement (sought under Contract Procedure Rule 18.1).

Reason for the decisions:

The management agreement between the Council and Wave Leisure requires Cabinet to approve the Annual Service Delivery Plans.

This report proposes that the Council enters into long leases of the leisure centres with Wave for the reasons set out in paragraph 2.20 of the report.

89 Portfolio progress and performance report 2017-2018 – quarter 3 (October – December 2017).

The Cabinet considered the report of the Director of Regeneration and Planning relating to the Council's progress and performance, in respect of key projects and targets for the third quarter of the year, as shown at appendix 1 to the report.

The Cabinet expressed its thanks to staff for their continuous work and performance for the Council.

Visiting member, Councillor Gardiner reported on Scrutiny Committee's deliberation of the report at its meeting on the 22 February 2018 and made reference to their recommendations, included at appendix 2 to the report. The Cabinet agreed to take these into consideration.

In response to a question from Councillor Gardiner, the Chief Executive stated that the piece of land that belonged to Lewes Town Council, on the periphery of phase three of the North Street Quarter development and clarified that it should not have any bearing on its implementation.

Visiting member, Councillor Catlin asked why the North Street Quarter was given a “green” status, however Scrutiny Committee had recommended the project be amended to “amber”. It was clarified that the performance report reflected performance up to December 2017 and the project had progressed since then.

The Cabinet discussed Scrutiny Committee’s recommendation that vermin and gull proof bin bags be made available to members of the public for general waste and agreed to explore options following the meeting. The Director of Service Delivery confirmed that following a trial of gull proof bags, a report would be considered by the Cabinet on future distribution, including financial implications.

Visiting member, Councillor Catlin asked about bins that were owned by Greentopia. The Assistant Director of Legal and Democratic Services and Director of Service Delivery agreed to revisit and report back to the Cabinet.

Visiting member, Councillor Chartier asked about section 21 to 23 of the report and was assured that work was progressing on addressing the areas for improvement.

Resolved:

- 89.1 That the council’s progress and performance for quarter 3 be received and noted.
- 89.2 That the recommendations made by Scrutiny Committee at its meeting on the 22 February 2018 be considered.

Reason for the decisions:

To enable Scrutiny and Cabinet to consider specific aspects of the Council’s progress and performance

90 Plumpton neighbourhood plan.

The Cabinet considered the report of the Director of Regeneration and Planning relating to whether the Plumpton neighbourhood plan should be adopted by the District Council as part of the statutory development plan.

The referendum, asking voters “**Do you want Lewes District Council and the South Downs National Park Authority to use the neighbourhood plan for Plumpton Parish to help it decide planning applications in the neighbourhood area?**” took place on Thursday 8 March 2018.

The Cabinet was advised that 455 votes were received in favour of “Yes” and 109 votes in favour of “No”.

Recommend to Council:

- 90.1 That the Plumpton neighbourhood plan is formally adopted as part of the statutory development plan for the district.

Reason for the decisions:

The Plumpton Neighbourhood Plan has undergone a successful examination.

To comply with the Localism Act and provisions of the Neighbourhood Planning (General) Regulations 2012 (as amended), which requires local planning authorities to 'make' a neighbourhood development plan within 8 weeks of the day after a relevant successful referendum (unless otherwise agreed in writing with the Parish Council and South Downs National Park Authority).

91 Ditchling, Streat and Westmeston neighbourhood plan.

The Cabinet considered the report of the Director of Regeneration and Planning relating to whether the Ditchling, Streat and Westmeston neighbourhood plan should be adopted by the District Council as part of the statutory development plan.

The referendum, asking voters "**Do you want Lewes District Council and the South Downs National Park Authority to use the neighbourhood plan for Ditchling, Streat and Westmeston Parishes to help it decide planning application in the neighbourhood area?**" was due to take place on Thursday 19 April 2018.

Recommended to Council:

- 91.1** That the Ditchling, Streat and Westmeston neighbourhood plan is formally adopted as part of the statutory development plan for the district, subject to a majority "yes" vote at the referendum.
- 91.2** That if the Ditchling, Streat and Westmeston neighbourhood plan does not receive a majority "yes" vote at the referendum, it is not formally adopted as part of the statutory development plan for the district.

Reasons for the decisions:

The Ditchling, Streat and Westmeston Neighbourhood Plan has undergone a successful examination

To comply with the Localism Act and provisions of the Neighbourhood Planning (General) Regulations 2012 (as amended), which requires local planning authorities to 'make' a neighbourhood development plan within 8 weeks of the day after a relevant successful referendum (unless otherwise agreed in writing with the Parish Council and South Downs National Park Authority).

92 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 and key decisions taken by the Programme Board.

The report detailed the activity from November 2017 to February 2018, which saw the conclusion of phase two and rollout of new technology. The phase two

recruitment process concluded at the end of November 2017, following over 400 interviews and compulsory redundancies was limited to four.

Officer discussions on the potential options and timescales for phase three had commenced and proposals set out in a business case would be considered by the Cabinet at a future meeting.

Visiting member, Councillor Osborne referenced the tablet devices that had been issued to councillors and requested access for councillors to a desktop computer to enable them to set up folders for emails. Options to print from the tablet devices were currently being investigated.

Resolved:

- 92.1** To note the progress of the joint transformation programme, specifically phase 2 activity, and the decisions made by the Programme Board.

Reasons for the decisions:

To note the progress of Phase 2 and wider activity of the Joint Transformation Programme and the decisions made by the Programme Board.

The meeting ended at 3.24 pm.

A Smith
Chair