

Cabinet



Minutes of meeting held on Wednesday, 13 December 2017 at 6.00 pm

Present:-

Councillors **David Tutt** (Chairman and Leader of the Council), **Gill Mattock** (Deputy Chairman and Deputy Leader of the Council), **Margaret Bannister**, **Jonathan Dow**, **Dean Sabri**, **Alan Shuttleworth** and **John Ungar**.

46 Minutes of the meeting held on 18 October 2017.

The minutes of the meeting held on 18 October 2017 were submitted and approved and the chairman was authorised to sign them as a correct record.

47 Declarations of members' interests.

Councillors Tutt and Ungar declared a prejudicial interest in agenda item 12 (Temporary accommodation options) as both were executive committee members of Aspiration Homes LLP. Both withdrew from the room and Councillor Mattock chaired the meeting whilst this item was considered.

48 Urgent items of business.

The Cabinet expressed their sincere thanks and formal appreciation to David Robinson, Senior Local Democracy Officer, who was retiring from the authority after many years of service.

49 Corporate performance quarter 2 - 2017-2018.

The Cabinet considered the report of the Deputy Chief Executive and Director of Regeneration and Planning on the Council's performance against the Corporate Plan's priority actions, performance indicators and targets over the quarter two period for 2017/18.

Key achievements during the quarter were detailed in part A of the report and Cabinet commended staff for their performance during this quarter. Achievements included the installation of the first iconic beach hut, reduction in fly-tipping and the Bandstand receiving 48,584 patrons for performances during the quarter against a target of 22,000.

Where performance or projects had not achieved their target, an explanation note was provided, together with a summary of the management action that had been taken and this was detailed in appendix 1.

In response to a question from the Cabinet in relation to the crime and disorder figures, detailed in section 3.1 of appendix 1, the Director of Regeneration and Planning advised that updated figures had been

received from Sussex Police and indicated that the performance indicator was now back on target.

Part B of the report detailed the Council's financial performance during quarter two.

Resolved (key decision): (1) That the achievements and progress against Corporate Plan priorities for 2017/18, as set out in part A of the report be noted.

(2) That the General Fund, HRA and Collection Fund financial performance for the quarter ended September 2017, as set out in part B of the report be agreed.

(3) That the transfer from reserves as set out in section 1 in part B of the report be agreed.

(4) That the amended capital programme as set out in appendix 4 be agreed.

(5) That the Treasury Management performance as set out in section 5 in part B of the report be agreed.

Reason for decision:

To enable Cabinet members to consider specific aspects of the Council's progress and performance.

50 Council budget 2018/19 - draft proposals.

The Cabinet considered the report of the Chief Finance Officer regarding the main elements of the emerging 2018/19 revenue budget that had arisen from the corporate and service financial planning process to date.

The Cabinet was recommended to launch a consultation on the 2018/19 general fund revenue budget. Should budget proposals remain materially intact following the consultation and future government announcements, the Council would have continued to move its financial position towards longer term sustainability, as outlined in the medium term financial strategy.

The draft budget of £13.7 million would be funded by income from services, business rates, council tax and a much-reduced government grant. The service and financial planning process had identified savings of £1.16 million and £540,000 had been identified as efficiency savings. These were detailed at appendix 1 to the report.

Thanks were conveyed to the finance team for their efforts in producing the draft budget proposals.

Despite the continued reduction in government grants, the Council would maintain front line services by transforming the way its delivered services through the joint transformation programme with Lewes District

Council and investing in projects that would generate income. The Council would continue to support the Community Grant scheme of more than £300,000 and the Devolved Ward Budgets at £10,000 per ward.

The Cabinet highlighted the national wide issue of homelessness, increased demand for temporary accommodation and the challenges facing councils as a result.

Resolved (key decision):

- (1) That the draft budget proposals be agreed for consultation.
- (2) That the approach to dealing with changes in the expected resources available for the 2018/19 budget as detailed in 5.3 of the report be agreed.
- (3) That subject to there being no material change in the government settlement, a council tax rise of 1.97% for 2018/19 to make a Band D charge of £237.51 for Council services is proposed.
- (4) To note that there are a lot of announcements yet to be finalised by Government and that currently the proposed budget is showing a gap of £163k between the resources available and the draft budget.
- (5) That the strategy to close the gap as shown in 5.3 of the report be agreed.

Reason for decision:

To formally launch consultation on the 2018/19 general fund revenue budget.

51 Council tax and business rate base 2018/19.

The Cabinet considered the report of the Chief Finance Officer regarding the Council's requirement to set its council tax base and expected business rate income for the forthcoming year.

The provisional council tax base for 2018/19 had been calculated in accordance with the relevant legislation and was outlined at appendix 1 to the report.

Resolved (key decision):

- (1) That the provisional council tax base of 34,354.4 for 2018/19 be agreed.
- (2) That the provisional retained business rates income of £3.652m for 2018/19 be agreed.
- (3) To agree that the Chief Finance Officer, in consultation with the Portfolio Holder for Finance, determine the final amounts for the council tax base and retained business rates income for 2018/19.

Reason for decision:

Cabinet is required to approve the Tax Base which will be used for the purposes of calculating the 2018/19 Council Tax.

52 Community Safety Partnership annual report.

The Cabinet considered the report of the Director of Regeneration and Planning, enabling the Cabinet to consider the current performance of Eastbourne's Community Safety Partnership (CSP) and seek endorsement of the proposed plan for 2018/19 and formal merging of Eastbourne and Lewes District Community Safety Partnerships, subject to consultation and approval from the Police and Crime Commissioner.

The proposed plan's key priorities for 2018/19 would be anti-social behaviour, street communities, proactively responding to emerging threats and priorities based on threat, risk and harm and contributing to the work of agencies and partnerships that have a leading role in working with victims and offenders.

Achievements in the plan's priority areas were detailed in section 4.4 of the report and the Cabinet expressed their thanks to officers and partner organisations.

Section 6.0 of the report detailed that a review was undertaken by the Police and Crime Commissioner, looking at funding arrangements for Community Safety Partnerships and ensuring they were appropriately apportioned to support the Police and Crime Plan. The results of the review would be announced at the end of 2017.

Section 7.0 of the report detailed the proposed merge between Eastbourne and Lewes District Community Safety Partnerships, including benefits already identified during the 'soft merger' period.

Eastbourne remained a low crime area and the Cabinet stressed the importance of working with partners to address crime and anti-social behaviour.

Resolved (budget and policy framework):

- (1) To note the achievements and activities of the Eastbourne Community Safety Partnership during 2016/17 and future risks/opportunities to performance.
- (2) To endorse the Community Safety Plan for 2018/19 set out at Appendix A and recommend to Full Council for approval.
- (3) To note the completion of the Eastbourne and Lewes District Community Safety Partnership 'Soft Merger' and endorse the full merger of the two Partnerships.

Reason for decision:

For Cabinet to endorse the Community Safety Plan for 2018/19 and merger of Eastbourne and Lewes District Community Safety Partnership.

53 Options for the recycling service for Eastbourne Borough Council.

The Cabinet considered the reports of the Director of Service Delivery regarding options for the future recycling service for Eastbourne Borough Council.

Part one asked Cabinet to consider moving to a fully co-mingled recycling collection method and part two asked Cabinet to consider introducing a charge for the collection of garden waste.

Visiting member, Councillor Wallis addressed the Cabinet on both reports. He commented on potential contamination and public confidence in a co-mingled service and risks associated with charging for garden waste.

In response to Councillor Wallis' comments on co-mingling, the Director of Service Delivery advised that the recommendations were to agree in principle, and the Council would explore the costs of glass collected separately from the rest of the dry mixed recycling, should that be a more cost effective solution.

It was suggested and supported by the Cabinet to visit a nearby sorting centre, as it would be beneficial to allay any concerns members may have about co-mingling. The Director of Service Delivery also commented that nearby authorities such as Hastings, Lewes, Rother and Wealden had made the decision to collect co-mingled recycling.

In response to Councillor Wallis' comments on a charge for garden waste, it was reported that the introduction of an annual fee for garden waste collection was a charge already implemented by most councils and this was detailed in the report.

Resolved (key decision):**Part one:**

(1) That the move to a fully co-mingled recycling collection system for dry mixed recycling from June 2019, subject to best value considerations be agreed in principle.

(2) To delegate authority to the Director of Service Delivery, in consultation with the Portfolio Holder for Place Services, to develop and progress recycling disposal arrangements, either through a contract arrangement or through the Waste Disposal Authority.

Reason for decision:

Timely consideration is required regarding the future shape of the service, in order that arrangements can be made to secure a disposal route for dry mixed recycling

Part two:

(1) That the introduction of an annual charge for the kerbside collection of garden waste from April 2018 be approved.

(2) To agree the offer of a free compost bin as an alternative option to those householders who require one. The offer to be for a period of six months from April 2018.

Reason for decision:

Timely consideration is required regarding the future shape of the service, considering the current financial context.

54 Temporary accommodation options: loan to facilitate purchase of land by Aspiration Homes LLP.

The Cabinet considered the report of the Chief Executive seeking Cabinet approval for a loan to be made by the Council to Aspiration Homes LLP (AH), to accept the repayment of a loan previously made by the Council to Eastbourne Housing Investment Company Ltd (EHICL) and to note the temporary accommodation options.

The report followed on from the establishment of Aspiration Homes Limited Liability Partnership with Lewes District Council on 1 July 2017 and recommendations approved by Cabinet on 22 March 2017 to allocate up to £30 million in the Council's capital programme to progress the next phase of delivery for EHICL (£20 million) and first phase delivery for AH (£10 million).

It was envisaged that the proposed scheme at Northbourne Road, detailed in the report, would form part of a larger programme, tackling homelessness and housing need. Deadlines around the right to buy receipt utilisation meant that this transaction required approval before any future report on the larger programme could be considered by the Cabinet.

Resolved (key decision general exception):

(1) To agree a loan of up to £1,700,000 be made by the Council to Aspiration Homes LLP (AH), such loan to be used for the purpose of enabling AH to purchase land at Northbourne Road from Eastbourne Housing Investment Company Ltd (EHICL) and to develop the same for affordable housing.

- (2) To agree to accept repayment of the total drawn down loan previously made by the Council to EHICL for the purchase of land and pre-construction costs for the Northbourne Road scheme.
- (3) To authorise the Deputy Chief Executive, in consultation with the Lead Member for Finance, to determine the terms of any loan which is to be offered to Aspiration Homes LLP.
- (4) To note that officers will ensure that a "Funding Agreement" and a "Deed of Entrustment" are entered into so that right to buy receipts are appropriated in accordance with legislative requirements.
- (5) To note the emerging temporary accommodation options.

Reason for decision:

The Council is one of three partners in this proposed arrangement, the other two being AH and EHICL. The Council has previously made a loan to EHICL to enable that company to purchase land at Northbourne Rd for re-development.

With the establishment of the newly created AH it makes better sense for AH to carry out the re-development as AH can make use of right-to-buy receipts in doing this. This is not an option which is open to either the Council or EHICL.

It is therefore proposed that EHICL repays the loan received from the Council and that the Council instead makes loan monies available to AH for the re-development of the site for affordable housing.

Cabinet should note that any payment of the loan to AH will be dependent upon EHICL and AH themselves first agreeing the terms of the transfer of the Northbourne Rd site from EHICL to AH and upon AH agreeing to take a loan from the Council on the terms offered.

(Note: Councillors Tutt and Ungar declared a prejudicial interest in this item (see minute 47 above). Both withdrew from the room and Councillor Mattock chaired the meeting for consideration of this item.)

55 Hampden Park Retail Park refurbishment.

The Cabinet considered the report of the Director of Regeneration and Planning regarding the programme of works proposed at Hampden Park Retail Park, and to recommend a development proposal which would generate the income to maintain frontline council services.

The cost estimate of the project was detailed in 2.12 of the report and the proposed site plan in comparison to the existing site plan was detailed at appendix A to the report.

By investing in its property assets, the Council would contribute to ensuring the long term sustainability of its asset base which would contribute to unlocking housing, regeneration and community benefits.

Resolved (key decision):

- (1) That the progress made to date in terms of the acquisition and management of Hampden Park Retail Park be noted.
- (2) To agree to allocate up to £9,000,000 within the Council's capital programme, for the further development of land and property at Hampden Park Retail Park in order to meet the objectives set out in the Asset Management Plan.
- (3) To delegate authority to the Director of Regeneration and Planning, in consultation the Strategic Property Board; and the Council's Section 151 Officer; to negotiate and finalise land and property acquisitions at Lottbridge Drive.
- (4) To delegate authority to the Director of Regeneration and Planning, in consultation with the Director of Service Delivery, and the Chief Finance Officer, and Assistant Director – Legal and Democratic Services, to progress the project through the Energy & Sustainability Joint Venture (JV) 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.
- (5) To delegate authority to award any of the contracts in relation to recommendation 4 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.

Reason for decision:

The Council is committed to leveraging the best performance from its investment property portfolio and opportunities to increase the performance of the asset at Hampden Park Retail Park are set out in the report.

56 Joint transformation programme - update.

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

Consultation and recruitment of phase two had now been completed and resulted in the appointment of over 230 roles and only 4 compulsory redundancies. 69 applications for voluntary redundancy had been received and 36 had been agreed.

The Cabinet expressed their thanks to Henry Branson, Assistant Director for Business Transformation and the Joint Transformation Programme lead for his contribution to the programme and to Lee Banner, Joint Transformation Programme Manager, who commenced work on 13 November 2017.

Thanks were also conveyed for the consultation work that was undertaken by officers.

Resolved (key decision):

That the progress made in developing the phase two proposals as well as the wider programme and decisions made by the Programme Board be noted.

Reason for decision:

To note the progress of phase two of the Joint Transformation Programme and the decisions made by the Programme Board.

57 Travel policy.

The Cabinet considered the report of the Assistant Director for Human Resources and Transformation regarding a new staff travel policy across Eastbourne Borough Council and Lewes District Council.

Consultation took place with all employees and the trade union from July to September 2017, and UNISON had welcomed the pay protection applied to essential car user allowance.

Resolved:

That the policy be recommended to Full Council for implementation.

Reason for decision:

Lewes District and Eastbourne Borough Councils have jointly committed to bringing policies and procedures together as part of the Joint Transformation Programme (JTP) which is an important step towards aligning our people and business practices.

A comprehensive review of all existing arrangements relating to travel and car allowances across Lewes and Eastbourne has been undertaken, followed by a period of formal consultation on a proposed new travel policy which reflects new ways of working.

All new JTP roles are flexible with the expectation being that staff will be required to work from both Southover House, Lewes and 1 Grove Road, Eastbourne (and more widely across the district and borough for some roles). Managers will work closely with their teams to agree agile working arrangements to ensure appropriate availability at both sites which take account, wherever possible, of specific individual circumstances.

58 Exclusion of the public.

Resolved:

That the public be excluded from the remainder of the meeting as otherwise there was a likelihood of disclosure to them of exempt information as defined in schedule 12A of the Local Government Act

1972. The relevant paragraph of schedule 12A and a description of the exempt information is shown below. (The requisite notice having been given under regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.)

59 Redundancy and redeployment policy.

The Cabinet considered the report of the Assistant Director for Human Resources and Organisational Development. The report set out the current activity within the redundancy and redeployment procedure and actions taken to support affected individuals.

Resolved:

(1) That the actions taken to manage implications of change for displaced individuals through support, redeployment and assistance with self marketing under the Redundancy and Redeployment Procedure be noted.

(2) That the financial implications of severance for those identified in the event that redeployment is not secured by the relevant date be agreed.

Reason for decision:

The organisation is currently in phase two of the joint transformation programme and actions have been taken to manage the implications of this change for displaced individuals through support, redeployment and assistance with self-marketing under the redundancy and redeployment procedure.

Notes: (1) The report remains confidential. (2) Exempt information reasons 1 and 2 – Information relating to an individual or likely to reveal the identity of an individual.

The meeting closed at 7.19 pm

**Councillor David Tutt
Chairman**