

Decisions taken by the Cabinet On 6 February 2019



Working in partnership with **Eastbourne Homes**

Notice dated: 7 February 2019

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

Key decisions will be implemented after the expiry of 5 working days from the date of this notice unless “called-in” under the provisions of the council’s scrutiny procedure rules (see end of document for call-in procedure) or implemented sooner by reason of urgency.

Please refer to the relevant cabinet agenda and reports when reading this notice. The minutes of the meeting of the cabinet containing a full record of the proceedings will be published in due course. To view on-line follow this link to the relevant pages on the council’s website:- <http://democracy.eastbourne.gov.uk/mgCommitteeDetails.aspx?ID=125>

DECISIONS:

Item No	Matter:	Decision:	Reasons for decision:
7	General fund revenue budget 2019/20	Recommended to Council: (Budget and policy framework): (1) To approve the general fund budget for 2018/19 (revised) and 2019/20 (original), set out at appendix 1, including growth and savings proposals for 2019/20 as set out at appendix 2. (2) To approve an increase in the Council Tax for	The Cabinet has to recommend to Full Council the setting of a revenue budget and associated council tax for the forthcoming financial year by law.

		<p>Eastbourne Borough Council of 2.99% resulting in a Band D charge of £246.77 for 2019/20.</p> <p>(3) To approve the revised general fund capital programme 2018/22 as set out at appendix 3.</p> <p>(4) To note the section s151 Officers sign off as outlined in section 1.6 of the report.</p>	
8	Treasury management and prudential indicators 2019/20, capital strategy and investment strategy	<p>(Non-key decision):</p> <p>(1) To note the extended role of the Chief Finance Officer as set out at appendix 7 to the report.</p> <p>Recommended to Council (Budget and policy framework):</p> <p>(2) To approve the treasury management strategy and annual investment strategy as set out in the report and at appendix 4.</p> <p>(3) To approve the methodology for calculating the minimum revenue provision as set out at paragraph 2.3 of the report and at appendix 2</p> <p>(4) To approve the prudential and treasury indicators as set out in the report.</p> <p>(5) To approve the specified and non-specified investment categories listed at appendix 5.</p> <p>(6) To approve the capital strategy as set out at appendix 1 to the report.</p>	It is a requirement of the budget setting process for the Council to review and approve the prudential and treasury indicators, treasury strategy, capital strategy and investment strategy.

9	Housing revenue account budget 2019/20	<p>Recommended to Council (Budget and policy framework):</p> <p>(1) To approve the housing revenue account budget for 2019/20 and revised 2018/19 as set out at appendix 1.</p> <p>(2) To approve that social and affordable rents (including shared ownership) are decreased by 1% in line with Government policy.</p> <p>(3) To grant delegated authority to the Chief Finance Officer, in consultation with the Cabinet portfolio holders for Financial Services and Direct Assistance Services, to take measures in the management of the Week 53 rent year.</p> <p>(4) To approve that service charges for general needs properties are decreased by 13.20%.</p> <p>(5) To approve that service charges for the older persons sheltered accommodation are increased by 0.24%.</p> <p>(6) To approve that the support charge for sheltered housing residents remained at £7.20 per unit, per week.</p> <p>(7) To approve that heating costs were set at a level designed to recover the estimated actual cost.</p> <p>(8) To approve that water charges were set at a level designed to recover the estimated cost of metered consumption.</p> <p>(9) To approve that garage rents remained at current levels.</p>	<p>The Cabinet has to recommend to Full Council the setting of the HRA revenue and capital budget and the level of social and affordable housing rents for the forthcoming year</p>
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		<p>(10) To grant delegated authority to the Chief Executive, in consultation with the Cabinet Portfolio Holders for Financial Services and Direct Assistance Services and the Head of Finance to finalise Eastbourne Homes' management fee and delivery plan.</p> <p>(11) To approve the housing revenue account capital programme as set out at appendix 2.</p>	
10	Business rate retail discount policy	<p>(Key decision):</p> <p>(1) To approve the business rate retail discount policy as set out at appendix 1.</p> <p>(2) To grant the Director of Service Delivery delegated authority, in consultation with the Lead Member, to review and, if necessary, amend the retail discount policy following the consultation period and at the end of year one of the scheme</p> <p>(3) To grant the Director of Service Delivery delegated authority to implement and enforce the retail discount policy, including any measures necessary for or incidental to its management and administration.</p>	Cabinet approval is required for the retail discount policy which would be used for the purposes of administering the scheme.
11	Disabled facilities grant policy	<p>(Key decision):</p> <p>To approve the disabled facilities grant policy.</p>	<p>Reasons for decision:</p> <p>Introducing discretionary elements will:</p> <ul style="list-style-type: none"> - Allow the fast track adaptations approach in line with the best practice

			<p>from the National Audit Office MHCLG and the Department of Health and Social Care.</p> <ul style="list-style-type: none"> - Take account of the increase in labour and material costs - Increase the incentive for residents to move to a more suitable property - Provide a safety net for cases of genuine hardship - Allow fees to be paid for feasibility studies - Introduce Hospital Discharge Grants
12	East Sussex Business Rates Pilot 2019/20	<p>(Non-key decision):</p> <p>(1) To agree that Wealden District Council be nominated as the lead authority.</p> <p>(2) To agree that Eastbourne Borough Council pilots 75% business rates retention, resulting in an additional anticipated gain of £0.2m over current pooling arrangements.</p> <p>(3) To agree the basic principle that no authority would receive a lower level of funding than they would have received without the pool.</p> <p>(4) To agree to split resources gained on the growth in business rates on the basis of the split being 26% to East</p>	<p>The Government has invited councils to apply to be pilots of 75% rates retention. Based on the independent assessment carried out by LG Future, the Council is anticipated to benefit from the proposed arrangements. This report sets out the background to the pilot and informs Cabinet of the latest position.</p>

		<p>Sussex County Council, 5% to the Fire authority and the remaining 44% split amongst the District/Borough Councils;</p> <p>(5) To agree the financial stability and economic development split of funding.</p> <p>(6) To agree that the finalisation of the Memorandum of Understanding (appendix A) is delegated to the Chief Finance Officer.</p>	
13	Wave Leisure services	<p>(Key decision):</p> <p>(1) To approve measures to create new agreements with Wave Leisure to operate the four Leisure Centres (Eastbourne Sports Park, Hampden Park, Shinewater, Cavendish), Regency Community Centre and Motcombe Pool and now to include: a) Sovereign Harbour Community Centre, b) Use of seasonal football pitches across the following sites – Old Town Rec. Princes Park, c) Tennis courts at Hampden Park and Old Town Rec, as of 1st April 2019. To delegate authority to the Director of Tourism and Enterprise, in consultation with the Cabinet Member for Tourism and Enterprise, to negotiate and conclude any lease, contract, grant and other arrangements to allow for the operation of these Centres in the most efficient structure to achieve this outcome ensuring compliance with all legal requirements.</p> <p>(2) To approve future monitoring of the agreement provided by Wave in the form of an annual report to Cabinet.</p>	<p>To enable improved management and investment opportunities for the existing four ‘dry’ leisure sites, Regency Community Centre and Motcombe Pool and a) Sovereign Harbour Community Centre b) the seasonal football pitches across the following sites – Old Town Rec. Princes Park and c) tennis courts at Hampden Park and Old Town Rec; with an emphasis on improving community participation in sports activities and improving the wellbeing of the local community through a more active lifestyle.</p>

		<p>(3) To agree that the delegations at (1) and (3) above include authorisation not to dispose by auction or invitation of tenders following public advertisement (sought under Contract Procedure Rule 18.1).</p> <p>(4) To resolve that any leases to be granted to Wave Leisure, to allow them to occupy premises outlined in the report would help the Council to secure the promotion or improvement of the social well-being of the Council's area.</p>	
14	Local Development Scheme 2019-2022	<p>Recommended to Council (Budget and policy framework):</p> <p>(1) To adopt the Eastbourne Local Development Scheme 2019-2022 as set out at appendix 1.</p> <p>(2) That delegated authority be granted to the Director of Regeneration and Planning in consultation with the Cabinet Member for Place Services to make minor and technical updates to timetables within the Local Development Scheme where necessary.</p>	<p>(1) The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and the Council's constitution identifies that the adoption of the Local Development Scheme is a function of Full Council.</p> <p>(2) To ensure that the Local Development Scheme can be kept up to date without needing to bring minor amendments back to Full Council.</p>
15	Housing delivery programme	<p>(Key decision):</p> <p>(1) To agree that the Council makes a loan facility available of up to £2.5m on market terms to AHLLP for the purpose of enabling the partnership to purchase residential accommodation for affordable purposes under a dedicated programme.</p> <p>(2) To approve as a Restricted Matter under the LLP Agreement, the making of a loan facility by Lewes District Council of up to £2.5m on market terms to AHLLP for the</p>	<p>(1) To effectively progress land and housing acquisition, investment and larger scale development within the HRA to meet the Council's wider strategic aims and take advantage of new borrowing flexibilities.</p> <p>(2) To improve access into the private rented sector (PRS) by providing residential accommodation to assist the Council meet its wider strategic</p>

purpose of enabling the partnership to purchase residential accommodation for affordable purposes under a dedicated programme.

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

(4) To delegate authority to the Chief Finance Officer in consultation with the Lead Cabinet members for Housing and Finance to agree the whole scheme lending parameters for purchases for the programme outlined at resolution (1).

(5) To delegate authority to the Chief Finance Officer in consultation with the Lead Cabinet members for Housing and Finance authority to approve any draw down by EHICL from the £20m loan facility approved in the 2017/2021 Capital Programme (to the extent not already committed to other projects) for investment in EHICL’s property portfolio, the delivery of new mixed tenure homes and associated activities by EHICL and to delegate authority to the Chief Finance Officer in consultation with the Assistant Director - Legal & Democratic Services to determine the terms of any loan to be offered to EHICL provided always that the Chief Finance Officer is satisfied that:

housing agenda and increase the variety, availability and accessibility of affordable housing and low cost home ownership.

(3) To generate additional income revenue streams to the Council through strategic property investment.

(4) For AHLLP to use RTB receipts to fund new affordable housing the necessary legal agreements need to be in place to allow this and these must be used in accordance with the terms of our RTB receipt retention agreement.

		<p>(a) There will be adequate security for the loan</p> <p>(b) There is a viable business case for the loan</p> <p>(c) Any such loan is on market terms.</p>	
16	Water and sewerage services	<p>(Non-key decision):</p> <p>(1) To approve an additional one year waiver as per clause 2.4 of the contract procedure rules to appoint Business Stream for the supply of water and sewerage services.</p> <p>(2) To approve the accountable officer to sign an additional one year waiver to appoint Business Stream for supply of Water and Sewerage Services.</p>	<p>(1) Data is not yet available to enable an effective procurement exercise.</p> <p>(2) A Water Regulator review is due in April 2020 which may reduce wholesale costs.</p> <p>(3) Potential for procurement exercise via Clear Sustainable Futures for all the Councils Utilities.</p>
18	Community grants programme - small grants	<p>(Key decision):</p> <p>(1) To approve the allocation of the 2019/20 Small Grants budget set out in paragraphs 2.2 to 2.7 of the exempt report.</p> <p>(2) To agree a review of the allocation of current grants budgets between Major and Housing Grants and Small Grants during 2019.</p> <p>(3) To approve the priorities for Small Grants in 2020/21 as set out at paragraph 2.9 of the exempt report.</p> <p>(4) To approve the amendments to the Community and Housing Grants policy set out at paragraphs 2.10 and 2.11</p>	<p>To make best use of council resources supporting the local voluntary and community activities.</p>

		<p>of the exempt report.</p> <p>(5) To approve the proposals for allocating income from the Eastbourne Lottery set out at paragraphs 2.13 to 2.15 of the exempt report and delegate authority to the Director of Regeneration and Planning to make final decisions on the allocation of this income in consultation with the Cabinet Member for Direct Assistance Services.</p>	
19	Redundancy and redeployment	<p>(Key decision):</p> <p>(1) That the actions taken to manage implications of change for displaced individuals be noted.</p> <p>(2) That the financial implications of severance for those identified in the event that redeployment was not secured by the relevant date be agreed.</p>	<p>This is Phase 3 of the Joint Transformation Programme; 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</p>

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.

In order to ensure that call-in is not abused, nor causes unreasonable delay, certain limitations are to be placed on its use. These are:

(a) Only decisions involving new operational policies or strategic initiatives, unbudgeted expenditure or reductions in service may be called in.

(b) A recommendation of the Executive to the full Council is not a decision that may be called-in.

(c) A minimum of three members of the Scrutiny Committee from at least two political groups must request that a decision be called in.

(d) Substitute members of the Scrutiny Committee shall not be entitled to call-in decisions except when the call-in request is made at a meeting of the Committee and when the substitute member is taking the place of another member in accordance with Rule 4.4 of the Council Procedure Rules; and

(e) Written notice of a request to call-in a decision shall be given to the Chief Executive and the notice shall be signed by the Councillors making the request.

Democratic Services

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

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