

Cabinet

Minutes of meeting held in Ditchling Room at Southover House, Southover Road, Lewes, BN7 1AB on 29 October 2018 at 2.30 pm

Present:

Councillor Andy Smith (Chair)

Councillors Elayne Merry (Deputy-Chair), Paul Franklin, Bill Giles, Tom Jones, Isabelle Linington, Ron Maskell and Tony Nicholson

Officers in attendance:

Homira Javadi (Chief Finance Officer), Ian Fitzpatrick (Director of Regeneration and Planning), Tim Whelan (Director of Service Delivery), Becky Cooke (Assistant Director for Human Resources and Transformation) and Catherine Knight (Assistant Director of Legal and Democratic Services) and Simon Russell (Committee and Civic Services Manager)

Also in attendance:

Councillors Stephen Catlin (Leader of Independent Group), Mike Chartier (Chair of Audit and Standards), Johnny Denis (Vice-Chair of the Council), Peter Gardiner (Chair of Scrutiny Committee) and Sarah Osborne (Leader of Liberal Democrat Group)

32 Chief Finance Officer

Homira Javadi, Chief Finance Officer was welcomed to her first meeting of the Cabinet.

33 Minutes

The minutes of the meeting held on 17 September 2018 were submitted and approved, subject to an amendment to the first paragraph of minute 28 (Lewes District Local Plan Part 2: Pre submission document) to read as follows:

“The Cabinet considered the report of the Director of Regeneration and Planning, seeking a recommendation to Full Council that would progress the Local Plan Part 2 through to its formal submission to the Secretary of State for consideration at the Examination in Public.”

Subject to the amendment, the chair was authorised to sign them as a correct record.

34 Apologies for absence

None were reported.

35 Declarations of interest

None were declared.

36 Urgent items

The Chair was of the opinion that the following matter (Scrutiny Committee recommendations from 13 September 2018) should be considered as a matter of urgency by reason of special circumstances as defined in section 100B(4)(b) of the Local Government Act 1972.

The Cabinet unanimously supported the recommendations of the Scrutiny Committee on affordable housing, detailed in the supplementary report.

Resolved (non-key decision):

(1) That the Council write to the companies that were causing a delay in the delivery of affordable housing and asked for development projects to be expedited.

(2) That the Council write to central government to point out that the shortage of affordable housing was not due to any fault of local government, but because of developers causing delays.

Reason for decisions:

The Cabinet supported the recommendations made by the Scrutiny Committee at its meeting on the 13 September 2018.

37 Scrutiny annual work programme 2018/19

The Cabinet received the Scrutiny annual programme for 2018/19, before it is considered by Full Council at its meeting on the 26 November 2018.

Resolved (Non-key decision):

That the Scrutiny annual programme for 2018/19 be noted and recommended to Full Council on the 26 November 2018 for approval.

Reason for decision:

To discharge scrutiny procedure rule 7 to submit the annual work programme to Full Council.

38 Statement of accounts 2017/18

The Cabinet considered the recommendations made by the Audit and Standards Committee at its meeting on the 24 September 2018.

Councillor Giles commented that despite the concerns raised by the Audit and Standards Committee, the external auditors were satisfied that the council's finances were sustainable moving forward. Measures were in place to rectify the delay in receiving valuation data, with officers currently considering alternative suppliers and asset management software. The Chief Finance Officer gave an overview of the statement of accounts process.

Visiting member, Councillor Chartier, Chair of Audit and Standards Committee addressed the Cabinet and detailed the discussions at the meeting on the 24 September 2018.

Resolved (non-key decision):

To note the Audit and Standards Committee's concerns regarding the Council's late receipt of valuation data from the external valuation office in relation to the Statement of Accounts 2017/18.

Reason for decision:

To support the Audit and Standards Committee's concerns raised at its meeting on the 24 September 2018.

39 Review of safeguarding children and vulnerable adults policy

The Cabinet considered the report of the Director of Service Delivery seeking their agreement to the proposed joint safeguarding children and vulnerable adults policy.

The Cabinet and visiting members agreed on the importance of the report and expressed their thanks to officers for their work on the policy.

Section 12 (1.17) detailed that induction for new staff and councillors on safeguarding must be completed within 3 months of the start of their employment/placement/term of office. It was discussed and unanimously agreed to add an additional resolution, detailed below, to require newly elected councillors to complete mandatory training, within three months of being elected. Any refresher training for councillors and staff would run parallel with each other

The Director of Service Delivery added that the Pan Sussex Child Protection and Safeguarding Procedures Manual was updated every 6 months to take account of new legislation and guidance and learning from Serious Case Reviews. Cabinet and visiting members agreed that any future updates to the policy should be conspicuous.

Resolved (key decision):

- (1) To note the review of Lewes District Council's and Eastbourne Borough Council's Safeguarding Children and Vulnerable Adult policies and procedures carried out in 2018.
- (2) To approve the new Safeguarding Policy appended to the report.
- (3) To delegate authority to the Director of Service Delivery, in consultation with the Lead Member for People and Performance to make any minor amendments required following consultation.
- (4) To require newly elected councillors to complete mandatory training, within three months of being elected.

Reason for decisions:

To update the previous policy bringing into line with recommended practice and with current pan-Sussex policies and procedures.

40 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 through March and October 2018 and to seek their approval for the phase 3 business case.

Although titled as an update to the programme, the report primarily focused on the next steps of the transitional journey and future opportunities, through the final part of the programme, phase 3.

The joint transformation programme phases 1 and 2 had delivered £2.8 million of savings and efficiencies. Phase 3 of the programme would target recurring savings of £400,000. The business case for phase 3 was detailed at appendix 1 to the report.

The Assistant Director for Human Resources and Transformation clarified that phase 3 was smaller in scope and would largely consist of structural reconfigurations and generate more income, as opposed to savings, in comparison to the previous two phases.

Support for staff during phase three was detailed at 2.17 of the business case. The Cabinet conveyed thanks to staff for the work undertaken during the programme and their positive response to the challenges faced.

Visiting member, Councillor Gardiner, Chair of Scrutiny Committee commented on the challenges faced during phase 2, including benefits, communication and resourcing of planning enforcement. The Director of Service Delivery gave updated statistics for communications from the last week regarding abandoned calls (less than 12%), calls answered within 60 seconds (60%) and average speed of answer (102 seconds) which were significant improvements since additional resources had been added to the call centre. Additional work had also taken place to shift calls online. Councillor Smith detailed the work undertaken, including the complexities of script creation and case management to deliver the current performance with communications.

In response to a question from visiting member, Councillor Chartier, Chair of Audit and Standards Committee, officers confirmed that the phase 3 proposals, outlined in the report would not compromise the integrity of the audit unit.

Resolved (key decision):

- (1) To note the progress of the joint transformation programme.
- (2) To approve the business case for the joint transformation programme phase 3, which includes recommendations to approve:
 - a) The total savings/income target of £400,000 for phase 3.
 - b) The approach for delivering the phase 3 transformation and savings/income.
 - c) The phase 3 governance arrangements.
 - d) The phase 3 costs and allocate an additional £1.4m to the programme (£700,000 from Lewes District Council).
 - e) The revised costs and benefits realisation ratio of 50:50 between Lewes District and Eastbourne Borough Councils.

Reason for decisions:

To enable Cabinet members to consider the progress of the joint transformation programme and to determine the next steps in the transformational journey.

41 New housing for short term letting

The Cabinet considered the report of the Director of Regeneration and Planning, seeking approval for the development of a Council owned site, to

provide housing to meet the Council's need for access to short term lettings for temporary accommodation.

Councillor Smith referenced that the report came to fruition, as a result of cross party work and motions submitted by Councillor Osborne to the February 2017 and 2018 Council meetings.

Resolved (non-key decision):

(1) To approve the construction of new affordable housing for short term letting to provide temporary accommodation (TA), upon Lewes District Council (LDC) land in Newhaven.

(2) To give delegated authority to the Director of Regeneration and Planning, in consultation with the Lead Member of Housing, to approve the use of up to £2.2m from the General Fund Capital Fund Capital Programme by LDC to deliver a TA scheme, using an appropriate LDC entity or building and lease-back agreement.

(3) To approve a waiver to the Contract Procurement Rules (CPR), as set out in paragraph 2.4.1(a) of the CPR to allow the direct selection of a main contractor, due to the bespoke nature of the product required and time restrictions. Full grounds laid out in paragraph 3 of the report.

Reasons for decisions:

At the February 2018 Full Council meeting, approval was given for a budget amendment to the 2018/19 General Fund Capital Programme to allocate £2.2m for the development of new TA scheme. Although the purpose of the new housing proposed in the report will be to meet access to short term letting the homes themselves are expected to have long term use much like traditional construction.

A model of developing TA schemes in other areas has been successfully delivered so that the design and construction is for only a limited number of years, allowing for the future relocation of the residential units to another site(s). The motion at Full Council in February 2018 was for a similar relocatable scheme that cannot be easily procured in a traditional way.

Due to the potential need to relocate units in the future, it may be that LDC can reduce its risk long-term risk by agreeing a building and lease-back agreement to fund the construction of the scheme. The decision on the contract will need to be made once a contractor is appointed.

The meeting ended at 3.18 pm

Councillor Andy Smith (Chair)