

# Decisions taken by the Cabinet on 1 July 2019



## **Notice dated: 3 July 2019**

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

**Key decisions will be implemented after the expiry of 3 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=417>

## **DECISIONS:**

<b>Item No</b>	<b>Matter:</b>	<b>Decision:</b>	<b>Reasons for decision:</b>
8	Portfolio progress and performance report quarter 4 - 2018-2019	<b>(Non-key decision):</b>  (1) To note progress and performance for quarter 4 as well as the overall performance for 2018/19 and to note comments made by the Scrutiny Committee at its meeting on 27 June 2019.  (2) To agree the 2019/20 performance measures.	To enable Cabinet to consider specific aspects of the Council’s progress and performance.

10	Medium term financial strategy	<p><b>(Key decision):</b></p> <p>To note the background to the medium term financial strategy for 2019/20 and approve the approach outlined in the report.</p>	To progress the medium term financial strategy process and to update Cabinet on the background to this.
11	Financial procedure rules	<p><b>Recommended to Council (Budget and policy framework):</b></p> <p>To review the draft Financial Procedure Rules before they are submitted to Council for approval.</p>	It is the duty of the Chief Finance Officer (CFO) to maintain an up to date set of Financial Procedure Rules to ensure the Council has effective governance of finances in place.
12	Update on tourism activities for Lewes District	<p><b>(Non-key decision):</b></p> <p>(1) To approve continued implementation of the Strategic Tourism Vision and Action Plan (2018-2021)</p> <p>(2) To approve activities carried out to date.</p>	To build on the success of the former three year Strategic Tourism Vision and Action Plan (2015-2018) the 2018-2021 Plan has been implemented for its first year, including a range of new activities supported by additional funding of £100K pa.
13	Recommendations from Climate Action Group	<p><b>(Key decision):</b></p> <p>(1) To agree the proposed recommendations set out at appendix one to the report.</p> <p>(2) To agree funding of £5,000 for the provision of a drinking water tap at Lewes skate park subject to final design being signed off by the Leader of the Council.</p> <p>(3) To request that the Scrutiny Committee set up a Panel to scrutinise the implementation of the recommendations set out at appendix one to the report.</p>	<p>(1) The remit of the Climate Action Group was to make recommendations for climate change mitigation and adaptation at Lewes District Council, as resolved at Full Council on 26 November 2018.</p> <p>(2) It was agreed that recommendations would go forward to Cabinet. Key recommendations were set out above, with the detail at appendix one to the report.</p>

14	Housing finance for short term lettings development	<p><b>(Key decision):</b></p> <p>(1) To approve an increase in the General Fund Capital Programme budget for the scheme from £2.2m to £2.9m, with the additional £700,000 to be funded from Right to Buy Receipts.</p> <p>(2) To report an amendment to a waiver previously approved to the Contract Procurement Rules (CPR), as set out in paragraph. 2.4.1(a) of CPR to allow the direct selection of a main contractor, due to the bespoke nature of the product required and time restrictions.</p>	<p>(1) In October 2018 Cabinet approved a report to spend up to £2.2m on the development of housing for temporary accommodation, following on from a £2.2m budget amendment in February 2018 at a Full Council meeting. The budget amendment was made on the basis of an appraisal for a scheme built on a flat empty site, with no specific investment in sustainability or reducing the environmental impact.</p> <p>(2) The October 2018 report included a waiver to the Contract Procedure Rules (CPR) to directly the select an appropriate modular housing contractor. Although the approved contractor is still due to deliver the scheme, a ground works contractor has been added to the waiver, by the Director of Planning and Regeneration in Consultation with Leader of the Council under CPR 2.4.1b.</p>
15	Lewes District Local Plan Part 2 - Publication of main modifications for consultation	<p><b>(Key decision):</b></p> <p>(1) To publish the main modifications to Local Plan Part 2 (Appendix 1 of the report) and associated sustainability appraisal for a period of six weeks to enable public representations to be made;</p> <p>(2) To authorise the Director of Regeneration &amp; Planning to submit the main modifications, together with any duly made representations, to the Examination Inspector</p>	<p>To ensure that the concerns of the Examination Inspector are addressed so that the Local Plan Part 2 can be progressed towards adoption as soon as possible, thereby supporting the implementation and delivery of the Local Plan Part 1: Joint Core Strategy.</p>

		<p>following the consultation period;</p> <p>(3) To authorise the Director of Regeneration &amp; Planning, in consultation with the Cabinet Member for Planning, to agree any minor modifications to the Local Plan Part 2 in order to aid its practical application for decision-making.</p>	
16	Greater Brighton Economic Board - Admission of New Member to the Board	<p><b>(Key decision):</b></p> <p>(1) To ratify the appointment of Arun District Council to the Greater Brighton Economic Board (GBEB) and Greater Brighton Economic Joint Committee (GBEJC), subject to formal agreement of Arun District Council.</p> <p>(2) To note that Arun District Council's appointment is dependent on all the local authorities represented on the Board approving its appointment.</p> <p>(3) To agree other proposed changes within the Heads of Terms of the Greater Brighton Economic Board as detailed in paragraph 2.16 of the report.</p>	<p>(1) The Greater Brighton Economic Board was founded in April 2014 as part of the Greater Brighton City Region's City Deal with Government.</p> <p>(2) The Board comprises the Greater Brighton Economic Joint Committee (GBEJC), on which the local authorities are represented; and the Greater Brighton Business Partnership (GBBP) on which the Coast to Capital Local Enterprise Partnership, business, university and further education sectors are situated.</p>
17	Enabling the development of Community Assets - Market Tower, Lewes and 2 Fisher Street, Lewes	<p><b>(Key decision):</b></p> <p>(1) To agree in principle to the disposal of the freehold of Market Tower and 2 Fisher Street to Lewes Town Council.</p> <p>(2) To delegate authority to the Director of Regeneration and Planning in consultation with the Chief Finance Officer and the Portfolio Holder for Regeneration and Growth to agree the final disposal terms subject to:</p> <p>(i) a red book valuation undertaken by a qualified person</p>	<p>To provide community groups and Town and Parish councils the ability to manage their own estate therefore enhancing the opportunity for them to achieve inward investment and development whilst relieving pressure on the Council's limited resource.</p>

		<p>for both assets, and</p> <p>(ii) further legal due diligence and exploration of the potential for including restrictive covenants controlling the future use of the properties and overage clauses enabling the Council to share in any future increase in value in the properties realised after the properties have been sold. The scope of the delegation to the Director to include the potential for disposal at an under value in accordance with circular 06/03 where it is considered that this will help to secure the promotion or improvement of the economic, social or environmental well-being of the Council's area.</p> <p>(3) To authorise the Director of Regeneration and Planning on consultation with the Chief Finance Officer and the Portfolio Holder for Regeneration and Growth to undertake all actions required to complete the disposal of the properties above including authorising completion of legal documentation.</p> <p>(4) To note that a further report will be submitted to Cabinet in the Autumn of 2019 setting out the Council's approach and policy towards community assets.</p>	
19	Waiver of Contract Procedure Rules - 3G All-Weather Pitch Surface Replacement, Downs Leisure Centre	<p><b>(Key decision):</b></p> <p>That Cabinet waive the requirement in the Council's Contract Procedure Rules to go out to tender. The reasons for the waiver are set out in paragraphs 1.1 to 1.4 of the exempt report.</p>	To enable urgent replacement of the 3G all-weather pitch surface at Downs Leisure Centre.

## 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.

Any councillor is entitled to submit a request by email setting out the reason why he/she wishes any such decision to be called in by the Scrutiny Committee for consideration by a Scrutiny Panel. The request must be submitted to Democratic Services within three working days of the date of this notice.

Should any request by a councillor be submitted, the Cabinet Officer will then email all members of the Scrutiny Committee, advising them of the request for a review.

Members of the Scrutiny Committee must decide within two working days if they support the request and if they do, they should email a response to the Head of Democratic Services accordingly. If at least six members of the Committee are in favour of calling in the decision the Chair of the Scrutiny Committee will call a meeting of a Panel of the Scrutiny Committee within five working days where possible. The number of councillors to serve on a Panel (which shall be politically proportionate except that either the Leader of a political group may decide to offer one of their Group's places to another Group or an Independent member) shall be determined by the Chair with the councillors being nominated by the respective Group Leaders.

The decision of the Cabinet will not be implemented until:

- The time period for call-in has expired and six members of the Scrutiny Committee have not stated they are in favour of calling in the decision; or
- A Panel of the Scrutiny Committee considers the matter and resolves not to intervene in the decision of Cabinet; or
- A Panel of the Scrutiny Committee resolves to refer the matter back to Cabinet for further consideration and to take account of any recommendation of the Panel, in which case the Cabinet will reconsider the decision as soon as is reasonably practicable; or
- In the case of any question relating to the budget or policy framework, the Panel of the Scrutiny Committee has reported to the meeting of the Council that will consider the budget or policy framework or any component part of it (if there is insufficient time for the matter to be referred back to the Cabinet).

Once a decision of the Cabinet has been referred to a Panel of the Scrutiny Committee it shall not be subject to further consideration by a Panel of the Scrutiny Committee or the Committee itself and shall not again be referred by any individual councillor.

## **Democratic Services**

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

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