

Cabinet

Minutes of meeting held in Ditchling Room at Southover House, Southover Road, Lewes, BN7 1AB on 10 February 2020 at 2.30 pm

Present:

Councillor Zoe Nicholson (Chair)

Councillors James MacCleary (Vice-Chair), Matthew Bird, Julie Carr, Johnny Denis, Emily O'Brien and Ruth O'Keeffe

Officers in attendance:

Robert Cottrill (Chief Executive), Homira Javadi (Chief Finance Officer), Ian Fitzpatrick (Deputy Chief Executive and Director of Regeneration and Planning), Tim Whelan (Director of Service Delivery), Catherine Knight (Assistant Director of Legal and Democratic Services), Andrew Clarke (Deputy Chief Finance Officer (Financial Planning)), Oliver Dixon (Senior Lawyer and Data Protection Officer), Gary Hall (Head of Homes First), Jo Harper (Head of Business Planning and Performance), Simon Russell (Committee and Civic Services Manager), Millie McDevitt (Performance and Programmes Lead), Ola Owolabi (Deputy Chief Finance Officer (Corporate Finance)), Leighton Rowe (Development Project Manager), Seanne Sweeney (Strategy and Commissioning Lead for Community and Partnerships) and Tondra Thom (Planning Policy Lead)

Also in attendance:

Councillor Roy Burman, Councillor Isabelle Linington (Leader of the Opposition), Councillor Joe Miller (Chair of Scrutiny Committee) and Councillor Julian Peterson (Chair of Audit and Standards Committee)

Mr John Langley (Tenants' Representative)

47 Minutes of the meeting held on 28 October 2020

The minutes of the meeting held on 28 October 2019 were submitted and approved and the Chair was authorised to sign them as a correct record.

48 Apologies for absence

Apologies for absence were reported from Councillors Collier and Meyer and Ms Debbie Twitchen, Tenants Representative.

49 Declarations of interest

Councillor O’Keeffe declared a prejudicial interest in agenda item 10 (Voluntary sector support) as a trustee of Lewes Citizens Advice Bureau and stayed in the room but did not participate in the vote on the matter.

50 Public question time

Dr Jennifer Chibnall submitted the following question to the Leader of the Council, Councillor Zoe Nicholson.

Question

I am mindful that the present Council probably have more sustainable ambitions for North Street than has previously been the case. And also that the issue is a difficult one. However questions are asked of those of us who have considered these plans so I wonder if there is any information that the Council can give to reassure those who have objected to the Santon/MAS rei plans as not conforming to the policies of the South Downs National Park Authority (SDNPA) Local Plan and the Lewes Neighbourhood Development Plan?

The SDNPA Policy SD57 on North Street is described as ‘designed to be sufficiently flexible to allow other proposals to come forward to achieve National park objectives should the consented scheme (or phases of the consented scheme) not proceed and/or other proposals come forward’. (p214). This cannot help but give us hope. Some of us indeed hope this may include, not least on grounds of sustainability, saving especially the significant Every buildings as work and community space.

Councillor Nicholson confirmed that the Director of Regeneration and Planning or a representative would arrange a meeting with Dr Chibnall to answer her question fully.

51 Portfolio progress and performance report quarter 3 - 2019-2020

The Cabinet considered the report of the Director of Regeneration and Planning regarding the Council’s progress and performance in respect of key projects and targets contained in the Corporate Plan 2016-20 for the second and third quarters of the year (July- December 2019) as shown at appendix 1 to the report.

There were 25 performance indicators contained in the report, with 17 performing at or above the target set and 5 performing below target. Further commentary was contained within the report.

Resolved (Non-key decision)

To note progress and performance for Quarter 3 and Quarter 2.

Reason for decisions:

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

52 Corporate plan 2020-24

The Cabinet considered the report of the Director of Regeneration and Planning regarding the draft Lewes District Council Corporate Plan 2020-24.

The draft Plan was currently out for public and key stakeholder consultation using a range of methods. This would strengthen the document in advance of its submission to Full Council in February 2020.

Subject to the addition of a reference to the phone as a channel to respond to customer enquiries in the section titled "Customer Service Charter" the Cabinet unanimously agreed the report recommendations.

Resolved (Non-key decision)

That the draft Corporate Plan for 2020-2024 be considered.

Recommended to Full Council (Budget and policy framework):

That the new Corporate Plan for 2020-2024 be adopted.

Reason for decision:

To enable the Council to set out its strategic vision, objectives and priority projects for the next four years and provide a firm basis for forward planning and performance management.

53 Voluntary sector support

The Cabinet considered the report of the Director of Regeneration and Planning providing them with an overview of how funding provided by the Council in 2019/20 has been spent by funded organisations, to initiate a policy review and to seek their agreement to confirm the planned grant allocation for 2020/21.

Councillor O'Keeffe declared a prejudicial interest in this item. She remained in the room but did not vote on the matter.

Resolved (Key decision):

(1) To confirm the planned allocation of funding to voluntary organisations for 2020/21, as set out at paragraph 3.19 in the report.

(2) To undertake a fundamental review of the Council's grant policy in line with the new corporate plan, with recommendations for potential options being reported to a future meeting of the Cabinet.

(3) To agree that any alteration to the grants policy will not impact on the current 3 year funding plan, so as to minimise impacts on planned activities by Council's funded partners.

Reason for decisions:

(1) To allow continuation of funds to key voluntary organisations to enable the programmed delivery of services in the district.

(2) To enable Members to consider whether they wish any changes to be made in the way that grants are allocated in the future.

54 'Making' the Seaford Neighbourhood Plan

The Cabinet considered the report of the Director of Regeneration and Planning regarding the potential adoption of the Seaford Neighbourhood Plan following the successful referendum on 6 February 2020.

5,566 voted in support of the Neighbourhood Plan, with 673 voting against.

Thanks were conveyed to Seaford Town Council and officers from the District Council who were involved and contributed to the production of the neighbourhood plan.

The Cabinet would continue to work closely with Town and Parish Councils to ensure all relevant information for future neighbourhood plan processes was as accessible as possible for all interested parties.

Recommended to Full Council (Budget and policy framework):

To recommend that the Seaford Neighbourhood Plan is formally adopted/'made' as part of the statutory development plan for the district.

Reason for decision:

To ensure the Seaford Neighbourhood Plan is 'made' within the timeframe set out by the Neighbourhood Planning (General) Regulations 2012 (as amended).

55 Adoption of the Lewes District Local Plan Part 2: Site Allocations & Development Management

The Cabinet considered the report of the Director of Regeneration and Planning seeking adoption of the Lewes District Local Plan Part 2, incorporating the modifications set out in the Examination Inspector's report, as part of the statutory development plan for the district.

Subject to the adoption of the Seaford Neighbourhood Plan, minor revisions would be made to appendix 2 and 3 of the Plan.

Thanks were conveyed to officers for their work in progressing the plan and the previous administration for starting the process.

Recommended to Full Council (Budget and policy framework):

- (1) To recommend that the Lewes District Local Plan Part 2, amended to incorporate the main modifications set out in the Examination Inspector's report, is adopted as part of the statutory development plan for the district in accordance with Section 23 of the Planning & Compulsory Purchase Act 2004 and Regulation 26 of the Town & Country Planning (Local Planning) (England) Regulations 2012;
- (2) To recommend that the Lewes District Local Plan Part 2 is published, together with the relevant adoption statements, Policies Map, and Sustainability Appraisal in accordance with Regulations 26 and 35 of the Town and Country Planning (Local Planning)(England) Regulations 2012;
- (3) To recommend that the Director of Regeneration & Planning be authorised to agree any minor editorial corrections identified prior to publication of the adopted Lewes District Local Plan Part 2.

Reason for decisions:

To ensure that the Council has an up-to-date and comprehensive statutory development plan to guide decisions on individual planning applications for development in that part of the district outside the South Downs National Park.

56 Housing Revenue Account (HRA) 30-Year Business Plan Update

The Cabinet considered the report of the Chief Finance Officer and the Director of Regeneration and Planning presenting a new Housing Revenue Account (HRA) 30-Year Business Plan covering the years from 2019/20 to 2048/49, describing the assumptions that underpin it and highlighting the changes in approach, policy and aspirations when compared to previous plans.

The Director of Regeneration and Planning commented that the process in producing the proposals was developed in collaboration with the Tenants of Lewes District (TOLD).

In response to a question around an increase in management costs, it was clarified that the new Business Plan would enhance services to HRA tenants and residents. Enhancements would focus on areas that were highlighted by residents during service reviews and general feedback. Areas that could be targeted were anti-social behaviour, multiple complex needs, social inclusion, sheltered housing, customer engagement, fuel poverty and neighbourhood area improvement. It was also anticipated that further support would be provided to those most affected by Universal Credit or suffering from reduced incomes.

Resolved (Key decision):

- (1) To adopt Lewes' HRA 30-Year Business Plan as a basis for operating the future HRA business.
- (2) To agree the assumptions underpinning it.
- (3) To note that the plan has been used as the starting point for setting the 2020/21 HRA Revenue Budget and Rents and the HRA Capital Programme 2019-23, which is the next report on the listed agenda.

Reason for decisions:

The Council now has an opportunity to increase its HRA stock holding and improve its offer to tenants and leaseholders (both current and future) as a result of the HRA debt cap being lifted and HRA rents increasing each year (with effect from 1st April 2020).

57 Housing revenue account budget 2020/21

The Cabinet considered the report of the Chief Finance Officer regarding the detailed Housing Revenue Account (HRA) budget proposals, rent levels, service charges for 2020/21, and the HRA Capital Programme 2019-23.

Recommended to Full Council (Budget and policy framework):

- (1) To agree the HRA budget for 2020/21 and revised 2019/20 budget as set out at Appendix 1 to the report.
- (2) To agree that social and affordable rents (including Shared Ownership) are increased by 2.7% in line with government policy.
- (3) To agree that private sector leased property rents are increased by 3.4% (RPI+1%).
- (4) To agree that the revised service charges are implemented.
- (5) To agree that garage rents are increased by 3.4% (RPI+1%).
- (6) To agree that the HRA Capital Programme as set out at appendix 2 to the report.

Reason for decisions:

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.

58 The Werks Group - Creative Hub Lewes

The Cabinet considered the report of the Director of Regeneration and Planning asking them to note proposals for the Werks Group to take a lease on 4 Fisher Street, Lewes, BN7 2DG for the creation of a creative hub and to agree that up to £250,000 be earmarked from the Council's capital programme.

It was clarified that the proposal had originated from an amendment to the 2019/20 budget that had been supported by the administration at the time.

Resolved (Key decision):

- (1) To note proposals for the establishment of a creative hub at 4 Fisher Street;
- (2) To agree that the Council enter into lease agreement in line with the terms outlined within section 2 of the report;
- (3) To agree that up to £250,000 be earmarked from the Council's capital programme to support the creative hub project;
- (4) To delegate authority to the Director of Regeneration and Planning in consultation with Cabinet Member for Regeneration and Prosperity to conclude lease arrangements with The Werks Group and to sign or execute the agreement for lease, the lease and any related documentation.

Reason for decisions:

To enable the creation of a creative co-working hub at 4 Fisher Street.

59 Avis Way Waste Vehicle Depot - Revised Funding

The Cabinet considered the report of the Director of Regeneration of Planning and Director of Service Delivery seeking approval to a request for additional funding to construct the previously approved new waste depot and vehicle servicing facility at Avis Way, Newhaven.

Resolved (Key decision):

- (1) To allocate an additional £800k funding to the £4.1m already approved to deliver the new waste vehicle depot facility.
- (2) To allocate up to £200k from the £4.1m already approved to enable early demolition of the derelict, unsafe and unlettable buildings at 9/10 Avis Way.

Reasons for decisions:

- (1) To enable the new waste vehicle depot and vehicle servicing facility in Newhaven to be built, so that we can vacate the outdated Robinson Road facility.

(2) To enable short term letting of the cleared site and free the site for construction to commence once finally approved.

(Note: Visiting member, Councillor Joe Miller left the meeting following the conclusion of this item)

60 Climate Change and Sustainability Strategy- progress update

The Cabinet considered the report of the Director of Regeneration and Planning, providing an update to the Climate Emergency Resolution of July 2019.

In response to a question from visiting member, Councillor Peterson, it was confirmed that a lot of work would be undertaken around biodiversity net gain and the requirement that any future planning development should enhance biodiversity. The Planning Policy Lead also advised that the Council was currently undertaking an Open Spaces strategy and was currently at the consultation phase with Town and Parish Councils.

Resolved (Key decision):

(1) To note the report and approve the 'Next Steps' actions outlined in section 5 of the report.

(2) To approve the 'Consultation and Engagement Proposals' set out in section 4 of the report.

(3) To delegate authority to the Director of Regeneration and Planning, in consultation with the Lead Member for Sustainability, to;

- (i) investigate the viability of moving the Council on to a green electricity tariff; and
- (ii) if appropriate, to sign the Council up to this tariff.

Reason for decision:

To progress towards the aims of the Climate Emergency Resolution of July 2019.

61 Former Police Station, South Road, Newhaven

The Cabinet considered the report of the Director of Regeneration and Planning seeking approval to the acquisition of the sites in Newhaven formally housing the Police and Fire stations for development as affordable housing.

As part of their consideration of the officer recommendations, the Cabinet noted the exempt appendix associated with this item.

Resolved (Key decision):

(1) To approve the purchase of two sites in Newhaven known as the Former Police Station, and the former fire station detailed at Appendix A to the report, either separately or together.

(2) To authorise the Director of Regeneration and Planning, in consultation with the Lead Member for Housing, to finalise the terms of the purchase of both sites and to sign or execute as appropriate the purchase agreements, transfers and all related documentation including the Stamp Duty Land Tax (SDLT) return.

(3) To approve in principle the development of the two sites (or either one of them if the other cannot be acquired) for Council housing within the Housing Revenue Account (HRA), funded through the annual Council budget.

(4) To authorise the Director of Regeneration and Planning, in consultation with the Lead Member for Housing, to finalise the terms of the building contract and any related appointments and contracts. The approval to sign or execute as appropriate the building contract, the appointments and all related documentation and to start works on site will be subject to a subsequent Cabinet report

(5) To approve the acceptance of a grant from Homes England to part finance the development. To authorise the Director of Regeneration and Planning, in consultation with the Lead Member for Housing, to finalise the terms of and sign the Grant Agreement.

Reason for decisions:

The overarching reason for the recommendations is to maximise the Council's ability to provide affordable housing within the District, partly through the full utilisation of receipts received from Council homes sold under the Right to Buy.

62 General Fund Revenue Budget 2020/21 and Capital Programme

The Cabinet considered the report of the Chief Finance Officer to agree the updated General Fund budget and updated medium term financial strategy (MTFS), together with the updated capital programme.

Thanks were conveyed to officers and the Leader for their work as part of the process in producing the budget.

In response to a question from visiting member, Councillor Burman around contingency planning, the Chief Finance Officer confirmed that there was an increase in unallocated reserves by around £300,000.

Cabinet unanimously agreed to an additional resolution and this was detailed at point 1 below.

Resolved (Key decision)

(1) To note and lament the late issue of the Local Government Financial settlement on 6 February 2020 and to authorise the Chief Finance Officer to make the appropriate financial adjustments to inform the budget.

Recommended to Full Council (Budget and policy framework):

(2) To approve the General Fund budget for 2019/20 (Revised) and 2020/21 (original) set out at Appendix 1 to the report including growth and savings proposals for 2020/21 as set out at Appendix 3 to the report.

(3) To approve an increase in the Council Tax for Lewes District Council of £5 resulting in a Band D charge for general expenses of £192.08 for 2020/21

(4) To approve the revised General Fund capital programme 2020/21 revised as set out at Appendix 5 to the report.

(5) To note the section 151 Officer's sign off as outlined in the report.

Reason for decisions:

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.

63 Treasury Management and Prudential Indicators 2020/21, Capital Strategy & Investment Strategy

The Cabinet considered the report of the Chief Finance Officer seeking their approval to the Council's annual treasury management strategy, capital strategy and investment strategy, together with the treasury and prudential indicators for the next financial year.

Ola Owolabi, Deputy Chief Finance Officer presented the report and advised that minor corrections to the Strategy would be made in advance of its submission to Full Council in February 2020.

Recommended to Full Council (Budget and policy framework):

(1) To approve the Treasury Management Strategy and Annual Investment Strategy for 2020/21 as set out at Appendix A to the report;

(2) To approve the Minimum Revenue Provision Policy Statement 2020/21 as set out at paragraph 8 of the report;

(3) To approve the Prudential and Treasury Indicators 2020/21 to 2022/23, as set out at paragraph 6 of the report;

(4) To approve the Capital Strategy set out at Appendix E to the report.

Reason for decisions:

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.

64 Council tax and business rate base 2020/21

The Cabinet considered the report of the Chief Finance Officer seeking approval of the Council Tax Base and net yield from Business Rate Income for 2020/21, in accordance with the Local Government Finance Act 1992, as amended in 2018/19.

Resolved (Key decision):

(1) To agree the provisional Council Tax Base of 36,811.2 for 2020/21.

(2) To agree that the Chief Finance Officer, in consultation with the Portfolio Holder for Finance, determine the final amounts for the Council Tax Base for 2020/21.

(3) To agree that the Chief Finance Officer, in consultation with the Portfolio Holder for Finance, determine net yield from Business Rate income for 2020/21.

Reason for decisions:

Cabinet is required to approve the Tax Base which will be used for the purposes of calculating the 2020/21 Council Tax.

65 Annual Review of Fees and Charges

The Cabinet considered the report of the Chief Finance Office, proposing the schedule of fees and charges to apply from 1 April 2020.

Following a point raised by Councillor Carr around car parking charges, officers agreed to check and confirm that the charges proposed would not be applicable to the two car-parks in Newhaven Town Centre that currently offered one hour free parking.

Resolved (Key decision):

(1) To approve the scale of Fees and Charges at Appendix 1 to the report, to apply from 1 April 2020.

(2) To implement changes to statutory fees and charges for services shown at Appendix 1 to the report as and when notified by Government.

Reason for decisions:

The Council's Constitution required that all fees and charges, including nil charges, be reviewed at least annually and agreed by Cabinet.

The meeting ended at 4.13 pm

Councillor Zoe Nicholson (Chair)