

# Decisions taken by the Cabinet on 11 June 2020



## **Notice dated: 17 June 2020**

Issued to the chairman, members of the Policy and Performance Advisory 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 policy and performance advisory 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:- <https://democracy.lewes-eastbourne.gov.uk/mgCommitteeDetails.aspx?ID=417>

## **DECISIONS:**

<b>Item No</b>	<b>Matter:</b>	<b>Decision:</b>	<b>Reasons for decision:</b>
8	Pension fund divestment from fossil fuel industries	<p>That, in light of the coronavirus crisis, the Leader of the Council, on behalf of Cabinet writes to the Pensions Committee of East Sussex County Council asking it to:</p> <p>(1) Immediately freeze any new investment in the top 200 publicly traded fossil fuel companies;</p> <p>(2) Ask all fossil fuel companies in which the pension fund holds investments for a firm commitment to entirely decarbonise by 2030;</p>	<p>Both Lewes District Council (LDC) and East Sussex County Council (ESCC) have recognised and declared climate emergencies and have made commitments to decarbonise.</p>

		<p>(3) Commit itself, over the course of the next 4 years, to divest the East Sussex Pension Fund from any investments in companies that do not provide that commitment by March 2021.</p>	
9	Financial assessment of Covid-19	<p><b>(Key decision):</b></p> <p>(1) To note the initial financial impact of Covid-19 and associated vulnerability of the authority's budget</p> <p>(2) To note the assumptions being made about the ongoing financial impact of Covid-19</p> <p>(3) To approve the reserve transfers included in the report</p> <p>(4) To authorise the Chief Executive, in consultation with the Leader of Council, Cabinet member for Finance and the Chief Finance Officer, to make use of monies held in the Council's COVID19 earmarked reserve as he believes most appropriate in order to continue essential service delivery and/or to mitigate the impact of the emergency on residents and/or service users.</p> <p>(5) To ask the Chief Executive to formally pass on the thanks of all members to officers of the Council for their hard work and diligence during a difficult and unprecedented period.</p> <p>(6) That the Leader, Deputy Leader and Chief Executive of the Council send a letter to the Prime Minister and Chancellor of the Exchequer. The letter would acknowledge the funding received to date, although the focus would very much be on what is needed from</p>	<p>The Council's response to Covid-19 has been and continues to be fast paced. Budgetary assumptions are liable to change and are only given as an indication. This report provides a position statement at this time to keep Cabinet informed.</p>

		Government to support the community going forward. The letter would focus on the flexibilities and measures needed as a Council in order to support the community and contribute to its economic recovery.	
10	Lewes Football Club - Lease, Dripping Pan, Lewes	<p><b>Recommended to Full Council:</b></p> <p>(1) To recommend to Full Council the grant of a 25- year lease to Lewes FC of the Dripping Pan. For this purpose, the Council will be sitting in its capacity as the sole charitable trustee of the Mountfield Pleasure Ground Trust.</p> <p><b>Resolved (Non-key decision):</b></p> <p>(2) To request that a future report be submitted on the impact of Covid-19 on all of the Council’s leisure and recreational facilities.</p>	To enable Lewes Football Club to seek grant funding to make improvements to the Club’s site. The Dripping Pan forms part of Mountfield Pleasure Ground Trust and as such the final decision in this matter resides with Full Council as sole charitable trustee.
11	HRA Capital Programme - Housing Delivery Update	<p><b>(Key decision):</b></p> <p>(1) To approve the S106 acquisition proposals outlined within Appendix A (exempt) enclosed as part of the HRA Capital Programme for housing delivery subject to contract, valuation, legal advice and the usual due diligence. The overall project costs will be covered by a combination of sales receipts, Right to Buy (RTB) receipts and borrowing as required in accordance with the HRA Business Plan</p> <p>(2) To approve a waiver to the Contract Procedural Rules (CPR), as set out in Para. 2.4.1(a) of the CPR to allow the direct selection of the contractor(s) associated with any S106 proposals due to the developer(s) already owning</p>	<p>(1) To provide an update on the development of the HRA Capital Programme for housing delivery and highlight the opportunities coming forward.</p> <p>(2) To present proposals to meet the objectives of the HRA Business Plan to increase the amount, availability and accessibility of diverse Council housing within the district.</p> <p>(3) To progress projects that utilise retained Right to Buy receipts from social housing sales to support</p>

	<p>the site(s) and being the only party with whom the Council could contract.</p> <p>(3) To approve the revised scheme proposal for Saxonbury including the change in budget from £1.5m to £1.8m, the change in tenure and the use of RTB receipts to support the financial viability and delivery of new Council rented homes.</p> <p>(4) To approve a waiver to the CPR, as set out in Para. 2.4.1(a) of the CPR to allow the direct selection of a main contractor for Saxonbury, due to the lack of 4 competitive tenders received in response to the Invitation to Tender.</p> <p>(5) To authorise the Director of Regeneration and Planning to carry out all necessary actions to facilitate the proposals outlined at Recommendations 1) and 3) including feasibility, development and determining the terms of all necessary documentation and to subdelegate those actions as required. To also authorise the Director of Regeneration and Planning to authorise the signature of all necessary documentation to allow the purchase and development of the sites for residential housing as proposed and to let the homes to new tenants and dispose on shared ownership terms as required.</p> <p>(6) To approve the increase to the existing feasibility revenue budget as implemented in June 2017 to a total amount of £350,000 to enable the development of the new housing delivery project pipeline as part of the HRA Capital Programme and to delegate authority to the Director of Regeneration and Planning to approve all expenditure, to be sub-delegated as required.</p>	<p>financial viability.</p> <p>(4) To develop existing budgets and approvals to enable the delivery of a consolidated, well-managed pipeline of housing delivery projects in accordance with corporate objectives.</p>
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	<p>(7) To authorise and delegate authority to the Director of Regeneration and Planning, in consultation with the Lead Member for Housing and Chief Finance Officer, to carry out all necessary actions to progress and approve all acquisitions (including S106 acquisitions) as part of the HRA Capital Programme and to authorise the signature of all necessary documentation to allow the purchase(s) and further development of S106 sites subject to the development of a sound and financially viable business case presented in accordance with the HRA Business Plan and to let the homes to new tenants and dispose on shared ownership terms as required.</p>	
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	<p>(8) To note the continued progress of the Council's housing infills programme.</p>	
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## 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 Policy and Performance Advisory 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 Policy and Performance Advisory Committee for consideration by a Call-In 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 Policy and Performance Advisory Committee, advising them of the request for a review.

Members of the Policy and Performance Advisory Committee must decide within two working days if they support the request and if they do, they should email a response to the Committee and Civic Services Manager accordingly. If at least six members of the Committee are in favour of calling in the decision the Chair of the Policy and Performance Advisory Committee will call a Call-In

Panel of the 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 Policy and Performance Advisory Committee have not stated they are in favour of calling in the decision; or
- A Call-In Panel of the Policy and Performance Advisory Committee considers the matter and resolves not to intervene in the decision of Cabinet; or
- A Call-In Panel of the Policy and Performance Advisory 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, a Call-In Panel of the Policy and Performance Advisory 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 Call-In Panel of the Policy and Performance Advisory Committee it shall not be subject to further consideration by a Call-In Panel 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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