

## Cabinet

**Minutes of meeting held remotely on 24 September 2020 at 2.30 pm.**

**Present:**

Councillor James MacCleary (Chair).

Councillors Zoe Nicholson (Vice-Chair), Matthew Bird, Julie Carr, Chris Collier, Johnny Denis, Emily O'Brien and Ruth O'Keeffe.

**Officers in attendance:**

Robert Cottrill (Chief Executive), Homira Javadi (Chief Finance Officer), Philip Evans (Director of Tourism & Enterprise), Ian Fitzpatrick (Deputy Chief Executive and Director of Regeneration and Planning), Tim Whelan (Director of Service Delivery), Becky Cooke (Assistant Director for Human Resources and Transformation), Catherine Knight (Assistant Director of Legal and Democratic Services), Sarah Lawrence (Senior Committee Officer), Millie McDevitt (Performance and Programmes Lead), Ola Owolabi (Deputy Chief Finance Officer (Corporate Finance)), Simon Russell (Committee and Civic Services Manager) and Peter Sharp (Head of Regeneration).

**Also in attendance:**

Councillor Liz Boorman, Councillor Isabelle Linington (Leader of the Opposition) and Councillor Julian Peterson (Chair of Audit and Standards Committee).

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**1. Minutes of the meeting held on 9 July 2020**

The minutes of the meeting held on 9 July 2020 were submitted and approved and the Chair was authorised to sign them as a correct record.

**2. Apologies for absence**

An apology for absence was reported from Councillor Meyer and visiting member Councillor Miller.

**3. Declarations of interest**

None were declared.

**4. Recovery and reset programme**

The Cabinet considered the report of the Chief Executive setting out the reasons for, and purposes of, the Recovery and Reset Programme to address the financial and organisational challenges faced in light of the Covid-19 pandemic and resultant economic climate.

The recovery and reset programme would focus on four key principles; the best use of digital technology, reshaping service delivery, the best use of the council's assets, such as buildings, and supporting the restart of the local economy, including preparedness in the event of any resurgence in the coronavirus, all delivered in tandem with support for the council's corporate priorities.

A referral from the Policy and Performance Advisory Committee (PPAC), held on 15 September 2020 was presented by Councillor Liz Boorman, Deputy-Chair of PPAC and considered by Cabinet during their discussions.

Following discussions, the Cabinet resolved to make revisions to the officer recommendations, strengthening PPAC's recommendation and this was detailed in full below.

**Resolved (Key decision):**

(1) To agree the Corporate Plan priorities for delivery in 2020/21 as set out at appendix B to the report and agree that these form the context for the Council's Recovery and Reset objectives.

(2) To agree the Recovery and Reset Programme, described in the report, including governance arrangements as set out at paragraph 3.1 of the report.

(3) To endorse those measures taken to date, details of which are set out in paragraphs 2.4-2.6 of the report.

(4) To agree to establish a cross party Board comprising members from Eastbourne Borough Council and Lewes District Council to oversee the programme.

(5) To agree that the Chief Executive, taking advice from the Board set out above and in consultation with Leaders of the Councils and Cabinet member for Finance, be given delegated powers to oversee and progress the Recovery and Reset Programme and for tasking individual Corporate Management Team postholders with the delivery of identified workstreams within it.

(6) That further update reports on the progress of the Recovery and Reset Programme be provided on a regular basis.

(7) That the Recovery and Reset Programme considers the wider District and the outcome of the community wealth building programme as part of the overall Programme.

**Reason for decisions:**

The Recovery and Reset Programme provides a structured and accountable approach for delivering the level of significant organisational change needed to respond to current challenges.

**5. Provisional revenue and capital outturn 2019/20**

The Cabinet considered the report of the Chief Finance Officer, updating members on the provisional financial outturn for 2019/20.

**Resolved (Key decision):**

(1) To endorse the provisional outturn for 2019/20.

(2) To approve the transfers from/to reserves as set out in section 3.2 of the report.

**Reason for decisions:**

To enable Cabinet members to consider specific aspects of the Council's financial performance for 2019/20.

**6. Treasury management annual report 2019/20 and 2020/21 quarterly monitoring**

The Cabinet considered the report of the Chief Finance Officer, presenting the annual treasury management report for 2019/20 and the 2020/21 monitoring report.

Councillor Nicholson advised that the Council would be working with its treasury management provider to ensure that its investments were in line with its corporate plan priorities. The Chair of Audit and Standards Committee would be invited to be part of the process.

**Recommended to Full Council (Budget and policy framework):**

(1) To agree the Annual Treasury Management report for 2019/20.

(2) To approve the 2019/20 Prudential and Treasury Indicators included in the report.

(3) To note that the Treasury Management activities for the period starting from 1 April to 31 August 2020 has been in accordance with the approved Treasury Strategies for that period.

**Reason for decisions:**

Requirement of CIPFA Treasury Management in the Public Sector Code of Practice (the Code) and this has to be reported to Full Council.

**7. Portfolio progress and performance report quarter 1 - 2020-2021**

The Cabinet considered the report of the Deputy Chief Executive and Director of Regeneration and Planning, considering the Council's progress and performance in respect of key projects and targets for the first quarter of the

year (April-June 2020) as shown at appendix 1 to the report.

The Deputy Chief Executive and Director of Regeneration and Planning drew attention to the lessons learnt from the Council's response to Covid-19, as shown at appendix 2 to the report.

Thanks were conveyed to Council staff for their exemplary performance during the quarter where the Covid-19 pandemic affected the country and lockdown measures were enforced.

A referral from the Policy and Performance Advisory Committee (PPAC), held on 15 September 2020 was presented by Councillor Liz Boorman, Deputy-Chair of PPAC and considered by Cabinet during their discussions.

**Resolved (Non-key decision):**

To note progress and performance for Quarter 1.

**Reason for decisions:**

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

**8. Finance update - performance quarter 1 - 2020-2021**

The Cabinet considered the report of the Chief Finance Office, updating members on the Council's financial performance in quarter 1 for 2020/21.

Councillor Nicholson advised that the Council would continue to lobby central government to ensure they deliver the financial support that was promised at the start of the Covid-19 pandemic.

In response to a question from visiting member and Chair of Audit and Standards Committee, Councillor Peterson, the Chief Finance Officer advised that in the event of no further support from central government being received, the Council would continue to be proactive in reducing the cost of service delivery whilst maintaining services to the District. Continued engagement with various networking groups in lobbying central government would also take place and the Council's would continue to ensure that its financial resilience was as strong as can be to face the challenges ahead.

**Resolved (Non-key decision):**

(1) To note the General Fund, HRA and Collection Fund financial performance for the quarter ended June 2020.

(2) To agree the amended capital programme as set out at appendix 2 to the report.

(3) To approve a revenue budget of £350k for HRA feasibility works, to be

funded from the HRA Reserve, and to delegate authority to the Director of Regeneration and Planning to approve all expenditure, to be sub-delegated as required.

**Reason for decisions:**

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

**9. Medium term financial strategy**

The Cabinet considered the report of the Chief Finance Officer, providing an update on the process and approach to the Council's medium term financial strategy for the period 2020/21 to 2024/25.

As a consequence of the extra local spending needed as part of the response to Covid-19 not being met by central government and loss of income, this had left Lewes District Council with an estimated £4 million deficit in 2020/2021 and £7.9 million over the next four years.

The MTFs sets the strategic financial direction for the Council and is regularly updated as it evolves and develops throughout the year to form the framework for the council's financial planning.

Visiting member and Deputy Chair of Policy and Performance Advisory Committee, Councillor Liz Boorman requested that it be noted that PPAC had not yet had an opportunity to scrutinise the strategy.

**Resolved (Key decision):**

To note the background to the medium term financial strategy for 2021/22 and approve the approach outlined in this report.

**Reason for decision:**

To progress the medium term financial strategy process and update Cabinet on the background to this.

**10. Proposals for use of former UTC building, Newhaven**

The Cabinet considered the report of the Deputy Chief Executive and Director of Regeneration and Planning, seeking to approve acquisition, letting and redevelopment proposals for the former UTC building in Newhaven.

The plans for the former UTC building would create jobs and further boost Newhaven's economic growth.

A referral from the Policy and Performance Advisory Committee (PPAC), held on 15 September 2020 was presented by Councillor Liz Boorman, Deputy-

Chair of PPAC and considered by Cabinet during their discussions.

**Resolved (Key decision):**

(1) To note the successful submission to the Getting Building Fund for £1.3million, subject to presentation of full business case.

(2) To delegate authority to the Director of Regeneration & Planning, in consultation with the Leader of the Council, to:

a) authorise the acquisition by the Council of a new Sublease or the existing Sublease as set out within section 2 of the report, subject to prior completion of due diligence and survey if required;

b) authorise entry into a deed of variation of the existing Sublease as set out within section 2 of the report in the event that the Sublease is acquired by the Council;

c) authorise the acquisition by the Council of the Headlease as set out within section 2 of the report, subject to prior completion of due diligence and survey if required;

d) agree the mix of end users as noted in this report and authorise sublettings and other occupational rights in respect of the end users (in the event the Council acquires a lease interest in the land and building);

e) authorise any financial commitments arising from the transactions set out at paragraphs a) to d) above; and

f) commence the refurbishment works as noted in the report.

Note: It is anticipated that a deed of variation of the Sublease would not be required if the Council also acquires the Headlease, on the basis that the Sublease would be merged into the Headlease. For further explanation see paragraph 2.9 of the report. The recommendations above are designed to deal with the complex factual background relating to this matter.

(3) To note the Executive Member Decision (21 August 2020) to commit the required match funding from Lewes District Council (£500k) as set out in Paragraph 2.4 of the report, and to note that authority has been delegated to the Director of Regeneration & Planning to work with partners, including the Newhaven Enterprise Zone, to secure additional contributions as needed.

**Reason for decisions:**

The funding opportunity meant that there was a significant time imperative to agree the match funding for the UTC, via Executive Member Decision. This report seeks to build on the previous report to seek authority to progress the acquisition of the property as set out in Recommendation 2, above.

The proposals also accord with Council policies and seek to regenerate a vacant, highly prominent and strategic building within Newhaven that will directly contribute to the Council's ongoing regeneration ambitions and the successful delivery of the Enterprise Zone.

## **11. Business support for Lewes District**

The Cabinet considered the report of the Deputy Chief Executive and the Director of Regeneration and Planning, reviewing the achievements of the Local Enterprise & Apprenticeship Platform (LEAP) business start-up and the general business support programmes and to secure further funding for LDC's continuing contribution to the business support landscape.

Following discussions, the Cabinet made a slight revision to officer recommendation (1) and this was detailed in full below.

### **Resolved (Non-key decision):**

(1) To support the continuation of the business start-up and the general business support programmes under the LEAP brand and ask that consideration be given to supporting community enterprise throughout the programme.

(2) To authorise the Director of Regeneration and Planning to appoint Edeal to continue the delivery of the LEAP business support programmes for up to three years; and, in order to achieve this, to waive Contract Procedure Rule 10 in respect of this contract for the reason set out in Reason 2 (Section 2.2 of the report), below.

(3) To allocate a total of £102,500 over a three-year period as funding for the continuation of local business support.

### **Reasons for decisions:**

(1) As noted in paragraph 1.2 of the report, a full procurement process was followed in 2015, which resulted in the appointment of Edeal to deliver the LEAP business start-up programme. Since this appointment, levels of positive feedback have increased and there has also been an increased level of demand.

(2) the proposed funding dovetails with the work already being done through the Business Hothouse described in paragraph 1.10 of the report which Edeal is also working on and would deliver additional value for money if resources were pooled in this way.

(3) As well documented in paragraphs 1.11 – 1.17 of the report, this proposal outlines the importance of business support, especially at a time to help local economies recover from Covid-19. Furthermore, it indicates how the programmes directly link to the Corporate Plan - in particular to the priority on

Community Wealth Building, and other council policies. Withdrawing LEAP's support would a) mean 654 businesses over the 3-year period would have to seek support elsewhere which is limited, b) run the risk of adversely impacting the local economy, and c) negatively affect the reputation of LDC, especially as the programme has become an established brand.

## **12. Wave Leisure partnership support**

The Cabinet considered the report of the Chief Executive and Director of Tourism and Enterprise, noting the impact of Covid-19 on Wave Leisure Trust and the Trust's plans for re-mobilisation. The report considers the provision of financial loan/grant support to the Trust to assist it in its recovery programme.

Duncan Kerr, Chief Executive for Wave Leisure Trust addressed the Cabinet on this item, thanking them for their support and responded to questions.

A referral from the Policy and Performance Advisory Committee (PPAC), held on 15 September 2020 was presented by Councillor Liz Boorman, Deputy-Chair of PPAC and considered by Cabinet during their discussions.

Following discussions, the Cabinet resolved to make revisions to the officer recommendations, incorporating PPAC's recommendation and this was detailed in full below.

### **Resolved (Key decision):**

(1) To welcome the support and recommendation from the Policy and Performance Advisory Committee at its meeting on 15 September 2020, and to agree, at this stage, to provide a loan to Wave Leisure Trust up to a maximum of £500k.

(2) To delegate authority to the Chief Executive in consultation with the Lead Member for Finance and Assets and the Lead Member for Tourism and Devolution to agree terms for the loan.

(3) To write to the Government and ask that financial support be provided for leisure centres and that policy and legislation be considered that allows leisure centres to operate.

### **Reason for decisions:**

To recognise the value of the service provided by Wave Leisure Trust (WLT) as a long-term partner of the Council in the provision of leisure services across the district and to contribute to the re-mobilisation of WLT's services in the wake of the Covid-19 lockdown.



The meeting ended at 4.14 pm

Councillor James MacCleary (Chair)