

Cabinet

Minutes of meeting held in Ditchling and Telscombe Rooms at Southover House, Southover Road, Lewes, BN7 1AB on 7 July 2022 at 2.30 pm.

Present:

Councillor Zoe Nicholson (Chair).
Councillors James MacCleary (Vice-Chair), Matthew Bird, Julie Carr, Chris Collier, Johnny Denis, Stephen Gauntlett, William Meyer 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), Becky Cooke (Assistant Director for Human Resources and Transformation), Bryn Mabey (Customer, Communications and Engagement Lead), Ola Owolabi (Deputy Chief Finance Officer (Corporate Finance)), Leigh Palmer (Head of Planning First), Simon Russell (Head of Democratic Services), Peter Sharp (Head of Regeneration), Kate Slattery (Solicitor) and Seanne Sweeney (Strategy and Commissioning Lead for Community and Partnerships).

Also in attendance:

Councillor Isabelle Linington (Leader of the Opposition).

6 Minutes of the meeting held on 9 June 2022

The minutes of the meeting held on 9 June 2022 were submitted and approved and the Chair was authorised to sign them as a correct record.

7 Apologies for absence

Apologies for absence were reported from visiting members Chair of Audit and Standards Committee, Councillor Julian Peterson and Chair of Policy and Performance Advisory Group Councillor Liz Boorman.

8 Declarations of interest

Councillor Collier declared a personal and prejudicial interest in agenda item 13 (Recommendations for Community Infrastructure Levy Spending) as a Peacehaven Town Councillor. He did not speak or vote on the item.

Councillor Carr declared a personal interest in agenda item 13 (Recommendations for Community Infrastructure Levy Spending) as a trustee of Denton Community Garden. She remained in the room, spoke, and voted on the item.

9 Cost of Living Crisis

The Cabinet considered the report of the Deputy Chief Executive and the Director of Regeneration and Planning, providing an update on measures taken and seeking agreement to a range of measures to support local people struggling due to the cost-of-living crisis.

The Policy and Performance Advisory Committee (PPAC) at its meeting on 29 June 2022, made the following recommendation to Cabinet:

To support the officer recommendations in the Cabinet report, subject to the following amended recommendation being considered by the Cabinet:

(2) To approve that up to £250k be allocated from the newly created Cost of Living Support Earmarked Reserve, to establish a cost of living crisis fund along with officer time for its administration.

Councillor Linington, Vice-Chair of Policy and Performance Advisory Committee and Leader of the Opposition, was in attendance to present PPAC's discussion and comment on behalf of the Conservative Group.

In response to a question from Councillor Linington, Councillor Nicholson advised that a report would be presented to September's Cabinet, outlining how the previously earmarked £500,000 to support households would be distributed. It was also previously agreed that the Opposition Group would be consulted as part of setting the criteria for the allocation process.

Debbie Twitchen, Tenants Representative and Stef Lake, Lewes District Food Partnership spoke in support of the report and officer recommendations.

Following discussion, the Cabinet unanimously agreed to accept PPAC's recommendation and amend resolution (2), and this was reflected below.

Resolved (Key decision):

(1) To note the initiatives undertaken to date to support those in need.

(2) To approve that up to £250k be allocated from the newly created Cost of Living Support Earmarked Reserve, to establish a cost of living crisis fund along with officer time for its administration.

(3) To agree that the Deputy Chief Executive be given delegated authority to allocate the cost of living crisis fund in consultation with the Leader.

Reason for decisions:

To help support those worst affected by the cost of living crisis.

10 Portfolio progress and performance report quarter 4 - 2021-2022

The Cabinet considered the report of the Deputy Chief Executive and the Director of Regeneration and Planning, considering the council's progress and performance in respect of service areas for the fourth quarter of the year (January – March 2022), as shown at Appendix 1 to the report.

The Director of Service Delivery reported on the key performance indicators that met or were above the set target for the year including the average number of days to process claims for housing/council tax benefit and change of circumstances. He also clarified the commentary and circumstances around the housing KPI's that were below the target set and progress that had been made.

Policy and Performance Advisory Committee (PPAC), held on 29 June 2022 considered the report and were supportive of the officer recommendation in full. Councillor Linington, Vice-Chair of Policy and Performance Advisory Committee and Leader of the Opposition, was in attendance to present PPAC's discussion.

Resolved (Non-key decision):

To note progress and performance for Quarter 4.

Reason for recommendation:

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

11 Provisional Revenue and Capital Outturn 2021/22

The Cabinet considered the report of the Chief Finance Officer, updating them on the provisional outturn for 2021/22.

Policy and Performance Advisory Committee (PPAC), held on 29 June 2022 considered the report and were supportive of the officer recommendations in full. Councillor Linington, Vice-Chair of Policy and Performance Advisory Committee and Leader of the Opposition, was in attendance to present PPAC's discussion.

To reflect the amended Cabinet resolution (2) in respect of agenda item 8 (Cost of Living Crisis) and the allocation of £250k to the newly created Cost of Living Support Earmarked Reserve, the Cabinet unanimously agreed to amend officer recommendation (2), and this was reflected below.

Resolved (Key decision):

(1) To note the provisional outturn for 2021/22.

(2) To approve the recommended transfers to the general fund unallocated and

earmarked reserves as presented in section 3 of the report and to delegate authority to the Chief Finance Officer, in consultation with the Cabinet member for finance and assets to make the necessary adjustments to reflect the amended allocation of £250k to the newly created Cost of Living Support Earmarked Reserve.

(3) To approve the transfers to HRA reserves.

Reason for decisions:

To enable Cabinet members to consider specific aspects of the Council's financial performance for 2021/22.

12 Treasury Management Annual Report 2021/22

The Cabinet considered the report of the Chief Finance Officer, presenting the annual treasury management report for 2021/22.

Policy and Performance Advisory Committee (PPAC), held on 29 June 2022 considered the report and were supportive of the officer recommendations in full. Councillor Linington, Vice-Chair of Policy and Performance Advisory Committee and Leader of the Opposition, was in attendance to present PPAC's discussion.

Audit and Standards Committee, held on 4 July 2022 considered the report and were supportive of the officer recommendations in full.

Officers were commended for their work in finding areas to invest council finances that supported the Sustainable Development Goals.

Recommended to Full Council (Budget and policy framework):

(1) To agree the Annual Treasury Management report for 2021/22.

(2) To approve the 2021/22 Prudential and Treasury Indicators included in the report.

Reason for decisions:

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

13 Reimagining Newhaven - Project Update

The Cabinet considered the report of the Deputy Chief Executive and the Director of Regeneration and Planning, providing an update on the progress of the Reimagining Newhaven programme.

Duncan Kerr, Chief Executive for Wave Leisure Trust Ltd was in attendance and addressed Cabinet in support of the recommendations.

Policy and Performance Advisory Committee (PPAC), held on 29 June 2022 considered the report and were supportive of the officer recommendations in full. Councillor Linington, Vice-Chair of Policy and Performance Advisory Committee and Leader of the Opposition, was in attendance to present PPAC's discussion and views of the Conservative Group, who were also supportive of the proposals.

Following a comment from Councillor Linington, Councillor Nicholson advised that the Council was committed to support NHS Partners in providing facilities where possible, which included the Dane Road site at Seaford. The Council was currently awaiting a response from the Clinical Commissioning Groups (CCG) on Seaford.

As it was their last meeting of Cabinet before leaving the Council, the Cabinet paid tribute to Peter Sharp for all his work and support that had achieved so much for the Council, including bringing in millions of investment into Lewes District and wished him well in his future endeavours.

Resolved (Non-key decision):

- (1) To note the progress of the Reimagining Newhaven programme.
- (2) To approve the development of an updated business case, to incorporate a Newhaven health and wellbeing hub alongside the existing programme interventions.
- (3) To delegate authority to the Director of Regeneration and Planning, in consultation with the Lead Members for Regeneration & Prosperity and Finance & Assets, also including the Chief Finance Officer, to develop and submit an updated business case to government as a formal change request to the programme, including the completion and execution of all necessary documentation.

Reason for decisions:

To drive forward the Reimagining Newhaven programme in delivering interventions that continue to best serve the town and the wider community, in the context of the changing landscape and current operating environment.

14 Recommendations for Community Infrastructure Levy Spending

The Cabinet considered the report of the Deputy Chief Executive and the Director of Regeneration and Planning, seeking their approval to release Community Infrastructure Levy (CIL) funds, as recommended by the CIL Executive Board, to assist in the delivery of certain infrastructure projects required to support development in the district.

In presenting the report, Councillor Gauntlett drew attention to a small amendment in section 2.8 of the report and advised that the project

descriptions for Barcombe Parish Council and Hamsey Parish Council needed to be swapped, however there was no alteration to the amount allocated.

Policy and Performance Advisory Committee (PPAC), held on 29 June 2022 considered the report and were supportive of the officer recommendation in full. Councillor Linington, Vice-Chair of Policy and Performance Advisory Committee and Leader of the Opposition, was in attendance to present PPAC's discussion.

Councillor Collier declared a personal and prejudicial interest in this item as a Peacehaven Town Councillor. He did not speak or vote on the item.

Councillor Carr declared a personal interest in this item as a trustee of Denton Community Garden. She remained in the room, spoke, and voted on the item.

Resolved (Key decision):

To agree the release of funds from the CIL governance pots as recommended by the CIL Executive Board.

Reason for decision:

To support the delivery of the right level and type of infrastructure to support the growth identified for the local planning authority in the adopted Joint Core Strategy.

15 Methodology for collecting monitoring fees in connection with the compliance with S106 Legal Agreements

The Cabinet considered the report of the Deputy Chief Executive and Director of Regeneration and Planning, seeking their approval to implement a regime S106 monitoring and apply monitoring fees in accordance with details contained within the report.

Policy and Performance Advisory Committee (PPAC), held on 29 June 2022 considered the report and were supportive of the officer recommendation in full. Councillor Linington, Vice-Chair of Policy and Performance Advisory Committee and Leader of the Opposition, was in attendance to present PPAC's discussion.

Resolved (Non-key decision):

To authorise the incorporation of S106 Monitoring fees.

Reason for decision:

The proposal to implement a suite of charges to support the staffing resource in the monitoring and compliance of approved S106 Legal Agreement.

16 Revised Planning Pre-Application Charging Schedule

The Cabinet considered the report of the Deputy Chief Executive and Director of Regeneration and Planning, seeking their approval to implement an updated discretionary fee setting regime.

Policy and Performance Advisory Committee (PPAC), held on 29 June 2022 considered the report and were supportive of the officer recommendation in full. Councillor Linington, Vice-Chair of Policy and Performance Advisory Committee and Leader of the Opposition, was in attendance to present PPAC's discussion and views of the Conservative Group.

Resolved (Non-key decision):

That Cabinet authorise the use of the updated discretionary fee charging schedule.

Reason for decision:

The proposal to implement a suite of charges to support the staffing resource in connection with delivering the

1. pre-application process
2. planning Performance Agreement (PPA)
3. Validation Process
4. CIL Process
5. Local Plan Charges
6. Additional charges

17 Message of thanks

As this was their last Cabinet meeting as Leader for the administration, Councillor Zoe Nicholson expressed thanks to officers and Cabinet colleagues for their work and support over the past year. Councillor Linington was also thanked for her constructive comments and challenges of the administration.

The meeting ended at 3.44 pm

Councillor Zoe Nicholson (Chair)