

Decisions taken by the Cabinet on 10 November 2022



Lewes District Council

Notice dated: 11 November 2022

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:

Item No	Matter:	Decision:	Reasons for decision:
8	Elections Act 2022	<p>(Non-key decision):</p> <p>(1) To note the report and the actions taken to date and planned to mitigate the risks involved with late implementation of secondary legislation made underpowers conferred by the Elections Act 2022.</p> <p>(2) To agree that copies of the report be circulated to all members and parish councils for information to make them aware of the Act and its provisions.</p>	The Elections Act 2022 introduces changes that will affect electors, candidates, and the administration of all elections in England (some other elections in the UK).

9	Interim Medium-Term Financial Strategy 2023/24 - 2026/27	<p>(Non-key decision):</p> <p>(1) To note the updated MTFS forecasts and the requirement to identify additional savings of £2.2million for the period 2023/24 to 2026/27, but also note that this forecast could change significantly based upon outcome of future government funding settlements, the ongoing impact of the pandemic, demand for services and inflationary pressures upon the council.</p> <p>(2) To note that at this stage a forecast £1.8 million of savings are required to balance the 2023/24 budget.</p> <p>(3) To note the planned review of earmarked reserves and reallocate in line with the emerging risks where possible.</p>	The provide Cabinet with and update and early sighting of key MTFS and budgetary implications in preparation for the setting of a revenue budget and associated Council tax for the forthcoming financial year by law.
10	Climate Change and Sustainability Strategy - Annual update 2022	<p>(Key decision):</p> <p>(1) To approve the Climate Change and Sustainability Annual Update (as attached at Appendix 1 to the report) for publication on the Council's website</p> <p>(2) To note progress to date on the strategy action plan as contained at Appendix 1 to the report.</p> <p>(3) To support the proposed climate change activities for 2023/24, subject to full consideration within the annual business and budget planning process.</p>	To progress the aims of the Council's Climate Emergency Declaration (2019) to make the Council Net Zero Carbon by 2030 and to assist the same aim to be achieved within the wider district.

11	Housing Development Update	<p>(Key decision):</p> <p>(1) Not to proceed on the basis of the business case (Appendix 1 - Exempt) for the project known as the Former Newhaven Fire Station.</p> <p>(2) To use the existing delegations (as per the February 2020 Cabinet decision) to proceed with the purchase of that site.</p> <p>(3) To hold the site and further review its optimum use and business case.</p> <p>(4) To authorise the Director of Regeneration and Planning, in consultation with the Portfolio Holder for Housing, Portfolio Holder for Finance and Assets, and Chief Finance Officer, to carry out all necessary actions in relation to the review of the site's future use on the basis that any future proposed housing development will come back to Cabinet for approval.</p>	To enable the Council to purchase redundant public sector brownfield land and to ensure the business case is sufficiently robust in the current economic climate to meet the Council's intentions to develop the site for housing.
12	Property and Asset Management Update	<p>(Key decision):</p> <p>(1) To note the progress of the Newhaven waste and recycling depot development plans and the focus on re-utilising the existing site at Robinson Road, subject to a detailed business case to follow in the future.</p> <p>(2) To delegate authority to take all necessary steps to conclude lease arrangements with Boutique Modern at 9/10 Avis Way, Newhaven in line with the key terms outlined in section 2 of the exempt Appendix, subject to such variations that may be agreed in the course of negotiations.</p>	To enable decisions to progress key property and assets as part of the Council's capital programme.

(3) To delegate authority to take all necessary steps to conclude a 30-year lease with Ringmer Parish Council at Fingerpost Field, Ringmer.

(4) To delegate authority to take all necessary steps to conclude leases at the Marine Workshops, Newhaven for a period of longer than 10 years and at an annual rental of more than £25,000.

(5) For Cabinet to recommend to Full Council:

- the grant of a 25- year lease to Lewes Sports Club for the Clubhouse at the Stanley Turner Ground on existing lease terms, subject to such variations that may be agreed in the course of negotiations; and
- the grant of a 25-year lease to Lewes Priory Cricket Club at the Stanley Turner Ground on terms to be finalised.

For this purpose, the Council will be sitting in its capacity as the sole charitable trustee of the Stanley Turner Recreation Ground (charity no 305275).

(6) Notwithstanding the fact that it is not a corporate asset of the Council, to approve the capital budget allocation set out in section 6 of the exempt Appendix and delegate authority to take all necessary steps to undertake remedial action in respect of the retaining wall in New Road & Castle Rise – Lewes.

(7) The delegated authority referred to in paragraphs (2),(3), (4) and (6) are delegations to the Director of

	<p>Regeneration and Planning, in consultation with the Lead Member for Finance and Assets and the Chief Finance Officer. The delegations include authorisation to carry out all necessary steps including financing, negotiation and determining the terms of, and authorising the execution of, all necessary documentation.</p>	
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	<p>(8) In respect of the proposed grant of a lease to Boutique Modern and the leases at the Marine Workshops, Cabinet waives compliance with the Council's Contract Procedure Rules in the event that the agreed rent exceeds £25,000 per annum, for the reasons set out in this report.</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.

Email: committees@lewes-eastbourne.gov.uk

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Council Website - <http://www.lewes-eastbourne.gov.uk/>