

# Decisions taken by the Cabinet on 13 July 2023



Lewes District Council

## Notice dated: 13 July 2023

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>
<b>9</b>	LGA Peer Challenge	<b>(Non-key decision):</b>  To note the Local Government Association report and the council’s response to its recommendations.	The LGA report is intended to provide the council with suggestions and advice that may help support future improvement.
<b>10</b>	Portfolio progress and performance report quarter 4 - 2022-2023	<b>(Non-key decision):</b>  (1) To note progress and performance across council services for quarter 4 and for the 2022/23 year as a whole.  (2) To note delivery of corporate plan priorities to date.	To enable Cabinet members to consider specific aspects of the council’s progress and performance and to initiate the preparation of a new Corporate Plan.

		<p>(3) To agree arrangements for the establishment of a new Corporate Plan to run from 2024 to 2028.</p> <p>(4) To agree the suite of performance indicators to be reported in 2023/24 (set out at Appendix 2 to the report).</p>	
11	Provisional Revenue and Capital Outturn 2022/23	<p><b>(Key decision):</b></p> <p>(1) To note and approve the revenue and capital provisional outturn for 2022/23 subject to final accounting adjustments;</p> <p>(2) To approve the funding of revenue provisional outturn 2022/23 of £110k from general fund balances;</p> <p>(3) To note and approve the housing revenue account provisional outturn for 2022/23 subject to final accounting adjustments; and</p> <p>(4) To give delegated authority to Leader of the Council and Cabinet member for finance, assets and community wealth building in consultation with Chief Finance Officer to make final accounting adjustments.</p>	To enable Cabinet members to consider specific aspects of the Council's financial performance for 2022/23.
12	Treasury Management Annual Report 2022/23	<p><b>Recommended to Full Council (Budget and policy framework):</b></p> <p>(1) To approve the Annual Treasury Management report 2022/23.</p> <p>(2) To approve the 2022/23 Prudential and Treasury Indicators included in the report (set out at Section 9.1).</p>	It is the requirement of CIPFA Treasury Management in the Public Sector Code of Practice (the Code).

13	Private Housing Financial Assistance Policy 2023-25	<p><b>(Key decision):</b></p> <p>(1) To seek Cabinet endorsement of the Private Sector Housing Financial Assistance Policy for Disabled Facilities Grants, Housing Renewal Grants and Loans 2023-2025 ('The Policy') as set out at Appendix 1 to the report.</p> <p>(2) That delegated authority is given to the Director of Service Delivery, in consultation with the Cabinet Member for Tenants and Those in Housing Need to make minor changes within the Policy where necessary.</p>	<p>(1) Whilst Disabled Facilities Grants remain a statutory requirement, additional funding through the Better Care Fund provides a continued opportunity to support innovative measures to improve the housing in the District and enable residents to remain at home safely for longer.</p> <p>(2) To ensure that the Policy can be kept up to date without needing to bring minor amendments back to Cabinet.</p>
14	Property and Assets Update	<p><b>(Key decision):</b></p> <p>(1) To note the defective boundary wall at Westgate Car Park and approve the capital budget allocation of £150,000 for initial remedial investigations and surveys;</p> <p>(2) To note the progress update regarding remedial work being undertaken at Castle Rise Wall, notwithstanding that it is not a corporate asset;</p> <p>(3) To note the progress update regarding recommissioning of the Marine Workshops and approve the capital budget allocation of £400k to support phase 2 improvements at the property;</p> <p>(4) (a) To note the progress update regarding West Beach Promenade;</p> <p>(b) To purchase the West Beach Promenade from Newhaven Port and Properties Ltd subject to contract,</p>	<p>(1) Westgate Car Park wall: the wall has become structurally defective, and a capital budget is required in order to support initial investigations and surveys. A further report will be brought back to Cabinet requesting additional capital budget once investigations are complete and design work has been undertaken on a remedial solution;</p> <p>(2) Castle Rise Wall: to update on progress;</p> <p>(3) Marine Workshops: the first phase of works to recommission the building is nearing completion, this report sets out a second phase of works to complete this multi-use business/community facility;</p>

		<p>valuation and full due diligence;</p> <p>(c) To construct a new restaurant and destination facilities on West Beach Promenade;</p> <p>(d) To invite expressions of interest for the grant of a lease of the restaurant and leisure facilities, and to enter into that lease; and</p> <p>(e) To authorise the Deputy Chief Executive and Director of Regeneration and Planning, in consultation with the Lead Member for Finance, Assets and Community Wealth Building and the Chief Finance (S151) Officer to take all necessary actions to progress the proposals set out in (4) above including the approval and implementation of all processes and procedures, the negotiation of terms, authorising the execution of all necessary documentation and any ancillary matters.</p>	<p>(4) West Beach Promenade: to enable delivery of this part of the Levelling Up Fund project.</p>
15	Housing Development & Asset Update	<p><b>(Key decision):</b></p> <p>(1) To note the progress of the housing development and delivery programme as set out at Appendix 1 to the report.</p> <p>(2) To approve the purchase and development of land and assets at Peacehaven Golf and Fitness to deliver new Council homes in accordance at Appendix 2 (Exempt) to the report including making an allocation within the HRA Capital Programme 2023/24 of up to £3.1m, subject to contract, valuation, and full due diligence.</p> <p>(3) To approve a waiver to the Council’s Contract Procedural Rules (CPR) to allow the direct selection of the contractor(s) associated with the Peacehaven Golf &amp;</p>	<p>(1) To provide Cabinet with an update on the growing housing development and delivery programme, specifically in the context of the ‘Reimagining Lewes District’ Corporate Plan 2020-2024.</p> <p>(2) To further community-led housing development opportunities within the district underpinned by a secure financial instrument.</p> <p>(3) To support HRA finances in the context of current pressures and further the Council’s objectives to</p>

	<p>Fitness proposals for the reasons as set out in the report.</p> <p>(4) To approve and implement a new Revolving Loan Fund within the capacity of the existing General Fund Capital Programme 2023/24 to support further sustainable community-led housing developments within the district.</p> <p>(5) To approve the criteria for HRA rationalisation as set out and to dispose of assets in order to further the capacity of the Capital Programme to deliver more Council homes across the district.</p> <p>(6) To authorise the Director of Regeneration and Planning, in consultation with the Chief Finance (S151) Officer and Lead Member for Finance, Assets and Community Wealth Building, to progress recommendations 2, 3, and 4 in this report and to conclude them including the approval and implementation of all processes and procedures, negotiation and agreement of terms, award of contract(s), and authorising the execution of all related documentation.</p> <p>(7) To authorise the Director of Service Delivery, in consultation with the Chief Finance (S151) Officer, Lead Member for Finance, Assets and Community Wealth Building, Lead Member for Tenants and those in Housing Need, and the Tenants of Lewes District (TOLD) to progress recommendation 5 to dispose of identified HRA assets including negotiation and agreement of terms and authorising the execution of all related documentation, subject to any or all of the agreed criteria as follows:</p> <ul style="list-style-type: none"> <li>• The cost of any repair work is prohibitive compared</li> </ul>	<p>build and maintain quality, affordable, and sustainable homes.</p>
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		<p>to the market value of the property</p> <ul style="list-style-type: none"> <li>• The cost of running the property is unaffordable being of sub-standard quality / efficiency</li> <li>• The sales receipt generated is capable of delivering an overall net gain in new homes</li> <li>• The capital receipt generated from the sale is ring-fenced to support the HRA Capital Programme.</li> </ul>	
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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](mailto:committees@lewes-eastbourne.gov.uk)

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