

Full Council

Minutes of meeting held in Council Chamber, County Hall, St Anne's Crescent, Lewes, East Sussex, BN7 1UE on 19 February 2024 at 6.00 pm.

Present:

Councillor Ian Alexander (Chairman).

Councillors Lesley Boniface (Vice-Chair), Lucy Agace, Graham Amy, Christine Brett, Julie Carr, Ciarron Clarkson, Graham Clews, Ezra Cohen, Chris Collier, Paul Davies, Johnny Denis, Nikki Fabry, Becky Francomb, Cathy Gallagher, Stephen Gauntlett, Freddie Hoareau, Olivia Honeyman, Charlotte Keenan, Paul Keene, Nick Kortalla-Bird, Christoph von Kurthy, James MacCleary, Sean MacLeod, Imogen Makepeace, Wendy Maples, Paul Mellor, Zoe Nicholson, Emily O'Brien, Laurence O'Connor, Christine Robinson, Joa Saunders, Isobel Sharkey, Mark Slater and Stella Spiteri.

Officers in attendance:

Robert Cottrill (Chief Executive), Homira Javadi (Director of Finance and Performance (Section 151 Officer)), Kate Slattery (Head of Legal Services), Simon Russell (Head of Democratic Services and Monitoring Officer) and Sarah Lawrence (Committee Team Manager).

66 Welcome and Order of Business

Councillor Alexander welcomed everyone to the meeting. As there were members of the public present for the Motion on Zane's Law, the Chair decided to bring forward item 12A to earlier in the meeting before agenda item 9.

67 Minutes of the meeting held on 20 November 2023

RESOLVED that the minutes of the meeting held on 20 November 2023 were approved and signed as a correct record.

68 Apologies for absence

Apologies for absence were received from Councillors Baah, Bristow, Clay, Coupland, Meek and Stewart-Roberts.

69 Declarations of interest

There were no declarations of interest.

70 Announcements

Councillor Alexander drew attention to the engagements he had undertaken since the last meeting. In addition, he advised that he had written to the King to send the Council's best wishes for his recovery.

71 Urgent items

There were no urgent items.

72 Questions from members of the public

There were no questions from members of the public.

73 Petitions

There were no petitions.

74 Urgent decisions taken by the Cabinet or Cabinet members

There were no urgent decisions taken by the Cabinet or Cabinet Members since the last meeting.

75 Member Attendance

Councillor Nicholson moved and Councillor Collier seconded a proposal to approve Councillor Coupland's absence from meetings until the November 2024 Full Council meeting due to ill health. This was voted upon and approved unanimously.

RESOLVED – To approve the absence of Councillor Coupland from attendance at any Full Council, Committee or Sub-Committee meeting of Lewes District Council pursuant to Section 85(1) of the Local Government Act 1972, due to his current ill health, for a period from 19 February 2024 up to and including the date of the November Full Council meeting, scheduled to be 18 November 2024.

76 Motion - Support for Zane's Law

Councillor Makepeace moved and Councillor Brett seconded the motion as set out on the agenda. The Chair welcomed to the meeting Kye Gbangbola, who was Zane's father.

Councillor Makepeace explained that in 2014, 7-year-old Zane Gbangbola had died, and his father had been paralysed after flood water had entered their home during a period of severe flooding, and on the night a high level of hydrogen cyanide had been detected in the home by the Fire and Rescue Services. 'Zane's Law' was about asking the Government to bring forward new legislation and funding to enable all contaminated land to be registered and that information made available to the public, and to enable remediation of contaminated land which poses harm to public safety following the 'polluter pays' principle.

The motion was debated and received support from across the Council.

The motion was put to a vote and carried unanimously.

RESOLVED: To write to the Prime Minister, the Secretary of State for Health, and the Secretary of State for the Environment, Food and Rural Affairs to express the Council's support for new legislation on contaminated land based on the proposed principles of 'Zane's Law', to request that these ministers support Baroness Natalie Bennett, by all possible means, in her efforts to advance 'Zane's Law' through the House of Lords, and that the Government provides all necessary funds for Local Authorities and others to meet the requirements of any new legislation.

77 Council Budget and Setting of the Council Tax for 2024/25

Councillor Nicholson moved and Councillor Sharkey seconded the proposals in the report of the Chief Finance Officer and the Cabinet Member for Finance and Assets on behalf of the Cabinet, incorporating the recommendations from the Cabinet reports on:

- General Fund Revenue Budget 2024-25 and Capital Programme
- Treasury Management and Prudential Indicators 2024-25 Capital Strategy
- Housing Revenue Account (HRA) Revenue Budget and Rent Setting 2024-25
- Council Tax Discounts and Premiums 2024-25.

Councillor Nicholson presented the budget and set out the context for the proposals in terms of shared values of the last four years against the backdrop of a challenging national financial position of recession and high inflation, and the impact of the housing and homelessness crisis. She highlighted the investments the Council would be making in its key priorities around the local economy and wellbeing, essential works to assets in including leisure centres, play spaces, public toilets, investing in a low emissions waste fleet, investing in biodiversity and open spaces, retrofitting Council housing to make it more energy efficient, and continuing its 100% Council Tax Reduction Scheme.

The Council debated the budget and Councillors across the Council spoke in support and thanked the officers who had made it possible to have a balanced budget. Councillor Slater (as Cabinet Member for tenants and those in housing need) in particular thanked officers who had worked on the SHDF (Social Housing Decarbonisation Fund) bid over the Christmas period.

In addition, Councillors spoke in the favour of the proposal also to replenish reserves, as a prudential and responsible Council.

In accordance with legislation, the vote was put to a recorded vote. The recommendations were approved unanimously as follows:

For: Councillors Agace, Alexander, Amy, Boniface, Brett, Carr, Clarkson, Clews, Cohen, Collier, Davies, Denis, Fabry, Francomb, Gallagher, Gauntlett, Hoareau, Honeyman, Keenan, Keene, Kortalla-Bird, MacCleary, Macleod, Makepeace, Maples, Mellor, Nicholson, O'Brien, O'Connor, Robinson, Saunders, Sharkey, Slater, Spiteri and von Kurthy.

Against: None
Abstentions: None

RESOLVED:

1. To approve the recommendations as detailed in the reports from the Chief Finance Officer to Cabinet on 1 February 2024 as summarised below:
 - (i) To approve the General Fund budget for 2023/24 (Revised) and 2024/25. An increase in the Council Tax for Lewes District Council of 2.99% (including Special Expenses) resulting in a total Band D charge for of £228.17 for 2024/25.
 - (ii) To approve the revised General Fund capital programme 2024/25.
 - (iii) To note the Section 151 Officer's sign off as outlined in the Cabinet Report and at Appendix 1.
 - (iv) To approve the Treasury Management Strategy and Annual Investment Strategy for 2024/25.
 - (v) To approve the Minimum Revenue Provision Policy Statement for 2024/25.
 - (vi) To approve the Prudential and Treasury Indicators for 2024/25 to 2026/2.
 - (vii) To approve the Capital Strategy.
 - (viii) To endorse the continuation of the Flexible use of Capital Receipts.
 - (ix) To approve the Housing Revenue Account (HRA) income and expenditure proposals, including revised HRA budget for 2022/23 and the budget for 2023/24, rents and service charges and the HRA Capital Programme, including:
 - That social and affordable rents (including Shared Ownership) be increased by 7.7% in line with Government policy with effect from 1st April 2024.
 - To agree that, with effect from 1st April 2024, when social-rented properties are relet to new tenants, the applicable rent will be increased by 5% above target rent with effect from 1st April 2024.
 - That the revised service charges are implemented with effect from 1st April 2024
 - That garage rents are increased by 6.7%.
 - (x) To approve the Council Tax Discount and Premiums from 1 April 2024 and 1 April 2025.
2. That delegated authority is given to the Chief Finance Officer to amend the budget for any presentational changes ensuring the Council Tax Requirement remains unchanged.
3. That it be noted, that since the Cabinet meeting on 1 February the Business Rates return to the Government (NNDR1) has been finalised with no changes to the previous net budget assumptions.
4. That the expenses incurred by the Council set out below be approved as Special Expenses chargeable to the residents of each of the Town/Parish areas indicated and that any other expenses (excluding local precepts) incurred by the Council be approved as general expenditure for the purposes of Section 35 of the Local Government Finance Act 1992.

Town / Parish Area	Social Expense 2024/25 £
Lewes	377,053
Newhaven	148,350
Telscombe	63,465
Seaford	64,443
Peacehaven	45,198
Chailey	1,226
Ringmer	4,853
Total:	704,588

5. That consequent upon a General Fund budget of £8,793,451 and other matters, the basic amount (Band D) of Council Tax for the District Council's functions will be £228.77 calculated as follows:

	General Expenses only	Total (Including Special Expenses)
	£000's	£000's
Gross Expenditure:		
General Fund	54,161	
HRA	21,582	
Business Rates payable to Government	11,160	
Contributions to Reserves	110	
	87,012	87,012
Special expenses		705
Less Income:		
Service Income	(59,841)	
Other Government Grants	(6,152)	
Business Rates Income	(12,841)	
Collection Fund Surplus (Council Tax)	(91)	
	(78,925)	(78,925)
COUNCIL TAX REQUIREMENT	8,087	8,792
Band D Council Tax	£209.89	£228.17

The statutory resolutions relating to this matter are given at paragraphs 6 and 7 below.

6. That it be noted that at its meeting on 2 February 2023 Cabinet approved the following calculations for the year 2023/24, being made in accordance with regulations made under Sections 31(B)(4) and 34(4) of the Local Government Act 1992, as amended:
- a) 38,538.3 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of the Council Tax

Base) Regulations 1992, as amended, as its Council Tax Base for the year) Item T in the formula in Section 31B of the Local Government Finance Act 1992).

- b) The amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as amended, as the amounts of its Council Tax base for the year for dwellings in those parts of its area to which one or more special items relate can be found in Appendix 2 – Table A.
7. That the following amounts be now¹, calculated by the Council for the year 2023/24 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended:
- (a) £92,981,329 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
 - (b) £78,923,604 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
 - (c) £14,057,725 being the amount by which the aggregate at 5(a) above exceeds the aggregate at 5(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
 - (d) £364.77 being the amount at 6(c) above (Item R), all divided by Item T (5 above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including local precepts).
 - (e) £5,968,862 being the aggregate amount of all special items referred to in Section 34(1) of the Act.
 - (f) £209.89 being the amount at 6(d) above less the result given by dividing the amount at 6(e) above by the amount at 4(a) above (Item T), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates
 - (g) Table C in Appendix 2 being the amounts given by adding the amount at 7(c) above, the amounts of the special items or items relating to dwelling in those parts of the Council's area mentioned above divided in each case by the amount at Table A (Appendix 2) for each area, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

- (h) Table D in Appendix 2 being the amounts given by multiplying the amounts at 7(g) (Appendix 2 – Table C) by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.
8. To note that East Sussex County Council, East Sussex Fire Authority and Sussex Police and Crime Commissioner have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992, as amended, for each category of dwellings in the Council's area as indicated in Table E in Appendix 2.
 9. That having calculated the aggregate in each case of the amounts at 6 and 7 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the amounts as set out in Table F in Appendix 2, the amounts of Council Tax for the year 2024/25 for each of the categories of dwellings as shown in Table F (Appendix 2).
 10. To determine that the Council's basic amount of Council Tax for 2024/25 is not excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992, as amended.
 11. To note that, as the billing authority, the Council has not been notified by a major precepting authority that its relevant basic amount (and increase) of Council Tax for 2024/25 is excessive (as set out in Table G – Appendix 2) and that the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992, as amended.

78 Local council tax reduction scheme

Councillor Robinson moved and Councillor Clews seconded the recommendations of the Cabinet held on 7 December 2023, to adopt the 2023/24 Local Council Tax Reduction Scheme as the 2024/25 scheme, including making available 100% council tax reduction to those struggling financially the most.

Councillor Makepeace as Council representative on the Citizens Advice Bureau stated that for the CAB this scheme was one of the most important things the Council does, which makes a difference to residents. Thanks were extended to the officer team that had worked on the Council Tax Reduction Scheme.

The proposal was put to a vote and carried unanimously.

RESOLVED:

- 1) To adopt the 2023/24 Local Council Tax Reduction Scheme as the 2024/25 scheme (attached at Appendix 1 to the referral report).
- 2) To note that subject to Full Council adoption of the Scheme, Cabinet has granted the Director of Service Delivery delegated authority:
 - (a) to implement the Scheme, such delegated authority to include any measures necessary for or incidental to its management and administration; and
 - (b) if necessary, and in accordance with paragraph 2.3, to amend the Scheme in consultation with the Cabinet Member for Assets and Finance.
- 3) To continue the Exceptional Hardship Scheme in 2024/25 subject to funds being available.

79 Re-imagining Lewes District: Delivering the Vision 2024 - 2028

Councillor Nicholson moved and Councillor Fabry seconded the recommendations from the Cabinet on 1 February 2024, to adopt the Corporate Plan – Re-imagining Lewes District: Delivering the Vision 2024 - 2028.

Councillor Nicholson highlighted that the Plan was built upon the previous four years work, and the responses from the public consultation on the draft plan. It was focused on delivering on promises made, and continuing to support people struggling with the cost of living and housing crisis. Councillor Nicholson extended her thanks to Jo Harper (Head of Business Planning and Performance) and to the design team for the development of the plan.

Councillor O'Brien (as Cabinet member for climate, nature and food systems) advised that the detailed public feedback relating to climate and nature would be addressed as part of the development of the Climate and Nature Action Plan.

The Council debated the plan and many Councillors spoke in support. The recommendations were put to a vote and declared carried unanimously.

RESOLVED: To adopt the plan (attached as Appendix 1 to the referral report) as the Council's overarching corporate policy document for the next 4 years.

80 Approval of Licensing Fees 2024/2025

Councillor Mellor moved and Councillor Fabry seconded the recommendations of the Licensing Committee held on 14 December 2024, to approve the Licensing Fees for 2024/2025. It was noted that where there was a proposed increase, this was at around 5%.

The proposals were put to a vote and carried by 34 votes in favour, 1 against, 0 abstentions.

RESOLVED – To approve the Licensing fees proposed within Appendix 1 of the referral report to apply from 1 April 2024.

81 Members' Allowances Scheme - Report of the Independent Remuneration Panel (IRP)

The Council considered a report of the Head of Democratic Services, and the report of the Independent Remuneration Panel which was set out in Appendix 1.

Councillor Collier moved and Councillor Keene seconded the adoption of option (a), to accept the recommendations of the Independent Remuneration Panel in full, and thanked the Panel for its work. It was noted that a key factor in the proposals was to enable those from a wide variety of backgrounds to be able to afford to stand as Councillors.

The proposal was put to a vote and carried unanimously.

RESOLVED:

1) That having considered the recommendations of the Independent Remuneration Panel as set out at appendix 1 to the report, option (a) 'To accept the Panel's recommendation in full', be approved.

(2) That the Head of Democratic Services be authorised to make the necessary amendments to the Council's Members' Allowances Scheme.

(3) That thanks be conveyed to the Panel for the work undertaken and report produced.

82 Motion - Giving Children the Best Start in Life

Councillor MacCleary moved and Councillor Slater seconded the motion as set out on the agenda, but with the addition of a second recommendation which had been tabled at the meeting as an amendment from Councillor O'Brien, as follows:

"2. To support the request by Lewes District Cost of Living Partners action group and The Local Government Association by asking the relevant government minister to urgently reconsider the scrapping of the Household Support Fund after March 2024.' Demand for local welfare support is at record levels, with the cost of energy, housing and other essentials remaining exceptionally high. Some food banks in Lewes District have experienced a 60% increase in members in a year. A recent survey by Lewes District Food Partnership showed that the Household Support Fund is the second most important source of funding across emergency food projects, so this funding from government is needed now more than ever to avoid local families falling

into hardship and destitution.”

Councillor MacCleary, in moving the motion, highlighted that the lifting of the two-child benefit cap would immediately lift around 250,000 children out of poverty across the UK, and many in the District, and that the costs to the Government would almost certainly be offset by the drop in the current additional burden on services provided by councils, Government, and charities.

The motion was debated and received support from across the Council.

The motion was put to a vote and carried unanimously.

RESOLVED:

1. To ask the Leader to write to the UK Government calling on the Government to scrap the two-child benefit cap and requesting that the Members of Parliament representing Lewes District support this call; and
2. To support the request by Lewes District Cost of Living Partners action group and The Local Government Association by asking the relevant government minister to urgently reconsider the scrapping of the Household Support Fund after March 2024. Demand for local welfare support is at record levels, with the cost of energy, housing and other essentials remaining exceptional high. Some food banks in Lewes District have experienced a 60% increase in members in a year. A recent survey by Lewes District Food Partnership showed that the Household Support Fund is the second most important source of funding across emergency food projects, so this funding from government is needed now more than ever to avoid local families falling into hardship and destitution.

83 Calendar of Meetings 2024-25

Councillor Clarkson moved and Councillor Cohen seconded the acceptance of the proposed Draft Calendar of Meetings for 2024-25. It was noted that the dates would be subject to final ratification at annual council in line with legislation. Members thanked officers for moving many of the Committees to later start times, to enable working councillors to attend.

This was put to the vote and approval unanimously.

RESOLVED: That the draft Calendar of Meetings for 2024/25 be approved.

84 Written questions from Councillors

There were none.

85 Questions to the Leader of the Council

There were none.

86 Ward issues

There were none.

87 Reporting back on meetings of outside bodies

The following reports had been received on outside bodies set out in the agenda and were noted:

- Councillor Makepeace – Lewes Citizens Advice Bureau
- Councillor Nicholson – Aspiration Homes, Greater Brighton Economic Board, Team East Sussex
- Councillor Brett – East Sussex Health Overview and Scrutiny Committee
- Councillor O'Connor – Wave Active
- Councillor Stewart-Roberts – South Downs National Park Authority, and Armed Forces Champion update
- Councillor Keene – Sussex Police and Crime Panel
- Councillor O'Brien – Lewes District Food Partnership, Water Champion Update, LGA Coastal Special Interest Group and general LGA update, Ouse Valley Climate Action.

In addition, Councillor Macleod advised that the role of the Mental Health Champion role would be changing and as more details emerged, he would keep the Council updated.

88 Date of Next Meeting

It was noted that the next scheduled meeting would be the Annual Council meeting on 20 May 2024 at 6 pm.

The meeting ended at 7.25 pm

Councillor Ian Alexander (Chairman)