

Cabinet

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 5 June 2019 at 6.00 pm

Present:

Councillor David Tutt (Chair)

Councillors Alan Shuttleworth (Deputy-Chair), Margaret Bannister, Jonathan Dow, Stephen Holt, Colin Swansborough and Rebecca Whippy

Officers in attendance:

Robert Cottrill (Chief Executive), Ian Fitzpatrick (Deputy Chief Executive and Director of Regeneration and Planning), Philip Evans (Director of Tourism & Enterprise), Tim Whelan (Director of Service Delivery), Becky Cooke (Assistant Director for Human Resources and Transformation), Peter Finnis (Assistant Director for Corporate Governance), Catherine Knight (Assistant Director of Legal and Democratic Services), Brian Mew (Interim Deputy Chief Finance Officer) and Simon Russell (Committee and Civic Services Manager)

1 Welcome

Councillor Tutt welcomed Councillor Whippy to the membership of the Cabinet, following their appointment at Annual Council on 21 May 2019.

2 Minutes of the meeting held on 20 March 2019

The minutes of the meeting held on 20 March 2019 were submitted and approved and the Chair was authorised to sign them as a correct record.

3 Apologies for absence

None were reported

4 Declaration of members' interests

Councillors Tutt and Holt declared pecuniary interests in agenda items 9 (Eastbourne Town Centre Business Improvement District) and 10 (Local Employment and Training Grants Programme) and withdrew from the room whilst the item was considered. Councillor Shuttleworth chaired the meeting for the duration of these items.

Councillor Swansborough declared a prejudicial interest in agenda item 11 (Enabling the development of community assets – Royal Hippodrome Theatre and Langney Playing Fields) and withdrew from the room during consideration of and voting on the recommendations concerning Langney Playing Fields.

Councillor Whippy declared a prejudicial interest in agenda item 11 (Enabling the development of community assets – Royal Hippodrome Theatre and Langney Playing Fields) and withdrew from the room during consideration of and voting on the recommendations concerning the Royal Hippodrome Theatre.

5 Downland Whole Estate Plan

The Cabinet considered the report of the Director of Regeneration and Planning asking them to note progress on the Downland Whole Estate Plan and agree the Council's draft vision for the Downland Estate.

Visiting member, Councillor Freebody addressed the Cabinet and commented on the need to be careful over the management of the Downland Estate and considerate towards public sensitivity. He also added that as a natural asset there should be a greater reference to the tourism opportunities in future versions of the statement.

Councillor Tutt acknowledged and agreed with the comments raised. He also clarified that although the draft contained a reference to the wider general vision and Corporate Plan for Eastbourne Borough Council including "Housing and Development" he reassured that the Council had no intention of adding any housing to the Downland Estate.

The Director of Regeneration and Planning confirmed that as a draft vision, the comments outlined by Councillor Freebody would be factored into future amendments.

Resolved (Key decision):

- (1) That progress on the Downland Whole Estate Plan be noted.
- (2) To agree the draft vision set out at paragraph 2.2 of the report.

Reason for decisions:

In order to allow officers to progress the Downland Whole Estate Plan.

6 Discretionary Housing Payment (DHP) Policy 2019/2020

The Cabinet considered the report of the Director of Service Delivery regarding the revised Discretionary Housing Payment Policy for Eastbourne Borough Council.

In response to a question from Councillor Holt, the Director of Service Delivery confirmed that the demand for Discretionary Housing Payment last year in Eastbourne was similar to the allocated grant funding.

Resolved (Key decision):

To adopt the Revised Policy for Eastbourne Borough Council

Reason for decision:

To ensure that the Discretionary Housing Payment scheme is administered consistently across the Borough

7 Eastbourne Town Centre Business Improvement District

The Cabinet considered the report of the Director of Service Delivery seeking approval for the Business Improvement District proposal, to confirm conformity with relevant Council plans and policies and to authorise the conduct of a ballot of business ratepayers and associated decisions.

Shoes, Chair of the Business Improvement District addressed the Cabinet in support of the report and officer recommendations.

The proposal was for business-funded initiatives to increase footfall and customer spending in the town as well as attracting more businesses and jobs.

Councillors Tutt and Holt declared a pecuniary interest in this item and withdrew from the room whilst the item was considered. Councillor Shuttleworth chaired the meeting for the duration of the item.

Resolved (Key decision):

(1) That the Business Improvement District (BID) Plan as set out at appendix 1 to the report be approved.

(2) To approve the BID ballot date and to authorise the Council's Returning Officer (as 'ballot holder') to proceed with the ballot and require the Functional Lead for Growth and Prosperity to supply up to date rating list information to the ballot contractor.

(3) That the Chief Finance Officer be given delegated authority to:-

i. determine the statement of baseline services and baseline agreement annually.

ii. operate a BID revenue account and pass over monies to the BID company.

(4) To confirm that the expected costs of the ballot (c. £3,400) would be met by the Council.

(5) To agree that the initial 'one off' software costs required to collect the levy (c. £22,500) would be met by the Council.

(6) To agree that the Council would pay the estimated annual BID levy cost (c. £5,600) for Council owned properties within the BID boundary.

(7) That the Director of Service Delivery be given delegated authority to:-

i. approve the operating agreement.

ii. vote in favour of the BID area in respect of the Council owned properties that fall within the BID area.

iii. administer, bill and collect the levies under the BID scheme.

iv. review the costs associated with the Council's administration and collection of the BID levy at the end of year 1, should the ballot be successful.

(8) To note that the Council's reasonable costs of collecting the levy and the associated financial management costs would be recoverable from the BID levy monies, as specified in paragraph 8.4 of the report.

(9) To note that the Council's Returning Officer be permitted to delegate his responsibilities to others and that he has engaged the services of the Electoral Reform Services Ltd to undertake the ballot on his behalf.

Reason for decisions:

To approve the revised BID Plan and approve the BID ballot.

8 Local Employment and Training Grants Programme

The Cabinet considered the report of the Director of Regeneration and Planning seeking approval of a Local Employment and Training Grants programme, utilising S106 monitoring contributions.

Councillors Tutt and Holt declared a pecuniary interest in this item and withdrew from the room whilst the item was considered. Councillor Shuttleworth chaired the meeting for the duration of the item.

Resolved (Key decision):

To approve a Local Employment and Training Grants Programme utilising S106 monitoring contributions.

Reason for decision:

To support the aims and objectives of Local Employment and Training Supplementary Planning Document.

9 Enabling Community Assets – Royal Hippodrome Theatre and Langney Playing Fields

The Cabinet considered the report of the Director of Regeneration and Planning seeking a decision about the future of two community assets in Eastbourne, namely the Royal Hippodrome Theatre and Langney Playing Fields.

Visiting member, Councillor Freebody addressed the Cabinet and praised the steps taken to mitigate risk and potential to include restrictive covenants such as overage clauses. He also suggested that a litmus test be undertaken for any future management of assets.

Councillor Swansborough declared a prejudicial interest in this item and withdrew from the room during consideration of and voting on the recommendations concerning Langney Playing Fields.

Councillor Whippy declared a prejudicial interest in this item and withdrew from the room during consideration of and voting on the recommendations concerning Royal Hippodrome Theatre.

Resolved (Key decision):

(1) To agree in principle to the transfer of the freehold of the Royal Hippodrome Theatre to The Royal Hippodrome Theatre Eastbourne CIC (company number 09353373) and in principle to the transfer of Langney Playing Fields to Acorns Charitable Trust.

(2) To delegate authority to the Director of Regeneration and Planning, in consultation with the Portfolio Holder, any other Cabinet member who indicates an interest and Chief Finance Officer to agree the final disposal terms subject to:

(i) a red book valuation undertaken by a RICS qualified Person for both assets and

(ii) further legal due diligence and exploration of the potential for including restrictive covenants controlling the future use of the properties and overage clauses enabling the Council to share in any future increase in value in the properties realised after the properties have been sold. The scope of the delegation to the Director to include the potential for disposal at an under value in accordance with circular 06 of 2003 where it is considered that this will help to secure the promotion or improvement of the economic, social or environmental well-being of the Council's area.

(3) To authorise the Director of Regeneration and Planning, in consultation with the Portfolio Holder, any other Cabinet member who indicates an interest and Chief Finance Officer to undertake all actions required to complete the disposal of the properties above including authorising completion of legal documentation.

(4) To note that a further report will be submitted to Cabinet in the Autumn of 2019 setting out the Council's approach and policy towards community assets.

Reason for decisions:

To provide community organisations the ability to manage their own estate therefore enhancing the opportunity for them to achieve inward investment and development whilst relieving pressure on the Council's limited resource.

10 Exclusion of the public

Resolved:

That the public be excluded from the remainder of the meeting as otherwise there was a likelihood of disclosure to them of exempt information as defined in schedule 12A of the Local Government Act 1972. The relevant paragraph of schedule 12A and a description of the exempt information was shown below. (The requisite notice having been given under regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.)

11 Redundancy and redeployment

The Cabinet considered the report of the Assistant Director for Human Resources and Transformation. The report set out the current activity within the redundancy and redeployment procedure and actions taken to support affected individuals.

Resolved (Key decision):

(1) That the actions taken to manage implications of change for displaced individuals be noted.

(2) That the financial implications of severance for those identified in the event that redeployment was not secured by the relevant date be agreed.

Reason for decisions:

This was Phase 3 of the Joint Transformation Programme; actions had been taken to manage the implications of this change for displaced individuals through support, redeployment and assistance with self marketing under the Redundancy and Redeployment Procedure.

Notes: (1) The report remained exempt. (2) Exempt information reasons 1 and 2 – Information relating to an individual or likely to reveal the identity of an individual.

The meeting ended at 6.45 pm

Councillor David Tutt (Chair)