

## **Cabinet**

**Minutes of meeting held in Ditchling Room at Southover House, Southover Road, Lewes, BN7 1AB on 16 September 2019 at 2.30 pm**

### **Present:**

Councillor Zoe Nicholson (Chair)

Councillors James MacCleary (Vice-Chair), Matthew Bird, Julie Carr, Chris Collier, Johnny Denis, William Meyer, Emily O'Brien and Ruth O'Keeffe

### **Officers in attendance:**

Robert Cottrill (Chief Executive), Ian Fitzpatrick (Deputy Chief Executive and Director of Regeneration and Planning), Homira Javadi (Chief Finance Officer), Tim Whelan (Director of Service Delivery), Peter Finnis (Assistant Director for Corporate Governance), Catherine Knight (Assistant Director of Legal and Democratic Services), Oliver Dixon (Senior Lawyer and Data Protection Officer), Jo Harper (Head of Business Planning and Performance), Ed Hele (Functional Lead (Quality Environment)), Millie McDevitt (Performance and Programmes Lead), Simon Russell (Committee and Civic Services Manager) and Peter Sharp (Head of Regeneration)

### **Visiting members in attendance:**

Councillor Liz Boorman (Deputy-Chair of Scrutiny Committee), Councillor Roy Burman, Councillor Roy Clay (Chair of Devolution Committee) and Councillor Isabelle Linington (Leader of the Opposition)

## **22 Minutes of the meeting held on 1 July 2019**

The minutes of the meeting held on 1 July 2019 were submitted and approved and the Chair was authorised to sign them as a correct record.

## **23 Apologies for absence**

An apology for absence was reported from visiting member and Chair of Scrutiny Committee, Councillor Joe Miller and Ms Debbie Twitchen, Tenants' Representative.

## **24 Declarations of interest**

None were declared.

**25 Order of business**

The Chair agreed to consider agenda item 12 (Treasury management report) before agenda item 11 (Portfolio progress and performance report quarter 1 – 2019-2020).

**26 Matters referred to the Cabinet**

The Cabinet were advised that Scrutiny Committee at its meeting on 12 September 2019 considered the Cabinet decision in relation to the “Housing finance for short term letting development” report and the development at 20 Fort Road, Newhaven.

Scrutiny Committee recommended the following:

- That the Cabinet make the modular development units available for permanent tenancies for those with a local need, and alternative temporary accommodation could be designated elsewhere in the Council’s housing stock.
- That the Cabinet continue to consider sites adjacent to the proposed development.

Visiting member, Councillor Linington also confirmed that Scrutiny Committee had recommended that a review be undertaken to look at reducing costs of other smaller development sites around the District, given the development of new technology.

**Resolved (Unanimous):**

It was agreed that a report would be considered by Cabinet at a future date, incorporating the recommendations detailed above.

**27 Seaford Health Hub - scheme progress**

The Cabinet considered the report of the Director of Regeneration and Planning providing an update on progress in relation to the Seaford Health Hub and identifying key matters under consideration as the proposals evolve.

Visiting member, Councillor Liz Boorman, Deputy-Chair of Scrutiny Committee provided an update on the Scrutiny Seaford Health Hub meetings that had taken place so far.

**Resolved (Non-key decision):**

To note the update on the Seaford Health Hub project and that a further report would be presented to Cabinet which would include a strategic, financial, technical and design review of the scheme once completed.

**Reason for decision:**

To provide an update on the Seaford Health Hub actions to be taken in advance of a full business case being presented at a future Cabinet.

**28 Contingency planning for no-deal Brexit**

The Cabinet considered the report of the Assistant Director for Corporate Governance briefing the Cabinet on the Council's preparedness for a no-deal Brexit.

The Assistant Director for Corporate Governance updated the Cabinet of developments since publication of the report in respect of Newhaven Port and summarised the Council's duties and arrangements in respect of emergency response planning.

The Cabinet discussed the report and agreed to make some additional resolutions and this was detailed below.

**Resolved (Non-key decision):**

(1) To note the Council's preparations and readiness for the UK leaving the EU without a formal agreement or transition period;

(2) To note East Sussex County Council's statement at paragraph 3.8 on traffic issues at Newhaven Port under a no-deal Brexit scenario.

(3) That, in the absence of recent contact, the Cabinet resolve to write to the Department for Transport, in liaison with East Sussex County Council and seek current information and assurance in respect of the impact on Newhaven Port in the event of no-deal Brexit.

(4) That the Council liaise with the Citizens Advice Bureau to explore ways in which advice and support on applying to the EU Settlement Scheme can be given for European Union Nationals living in the District.

(5) That the Council investigate the feasibility of longer term emergency collaboration with other public sector agencies in the event of prolonged issues relating to shortages.

**Reason for decisions:**

Local government should be prepared to leave the EU by the end of October, and the Council has both a general role to play and a specific responsibility as the Newhaven Port Health Authority.

**29 Finance update - Provisional outturn 2018/19 and performance quarter 1 2019-20**

The Cabinet considered the report of the Chief Finance Officer, updating members on the Council's 2018/19 outturn in advance of audit and the financial performance in quarter 1 for 2019/20.

The Cabinet thanked officers for their work in producing the report.

**Resolved (Non-key decision):**

- (1) To agree the update on outturn 2018/19
- (2) To agree the General Fund financial performance for the quarter ended June 2019.
- (3) To agree HRA financial performance for the quarter ended June 2019.
- (4) To agree the amended capital programme as set out at appendix 2 to the report.
- (5) To agree the Treasury Management performance.

**Reason for decisions:**

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

**30 Treasury management report**

The Cabinet considered the report of the Chief Finance Officer presenting the quarterly treasury management report and the annual treasury management report for 2018/19.

**Resolved (Key decision):**

- (1) To confirm that Treasury Management Activity for the period 1 March to 30 June 2019 has been in accordance with the approved Treasury Strategies for that period.

**Recommended to Council (Budget and policy framework):**

- (2) To endorse the following recommendation from Audit and Standards Committee to Council that the annual Treasury Management report for 2018/19 be agreed and the 2018/19 Prudential and Treasury Indicators included in the report be approved.

**Reason for decisions:**

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

**31 Portfolio progress and performance report quarter 1 - 2019-2020**

The Cabinet considered the report of the Director of Regeneration and Planning considering the Council's progress and performance in respect of key projects and targets for the first quarter of the year (January – March 2019) as detailed at appendix 1 to the report.

Councillor O'Brien requested that officers be thanked for their work in the Council being successful in the first round of the Future High Streets fund, reported in the quarter.

The Cabinet and visiting members discussed the key performance indicators up to 31 March 2019 that were reported as below target and were not expected to be completed in time. Commentary in relation to the indicators was detailed in the report. The comments from Scrutiny Committee at its meeting on 12 September 2019 were also reported.

**Resolved (Non-key decision):**

(1) To note progress and performance for quarter 1 as well as the overall performance for 2019/20

(2) To consider the recommendations made by the Scrutiny Committee.

**Reason for decisions:**

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

**32 Wave Leisure Trust - Lewes District Council Contract Annual Review 2018/19**

The Cabinet considered the report of the Director of Tourism and Enterprise regarding the 2018/19 Annual Service Delivery Plan for Wave Leisure Trust and the annual service delivery objectives.

Mr Duncan Kerr, Chief Executive of Wave Leisure presented the report and responded to questions from the Cabinet. He confirmed that statistics on complaints would be included in future reports submitted to the Cabinet.

Following discussion, the Cabinet made a slight addition to resolution two in relation to the performance indicators and this was detailed below.

Mr Kerr reported on Wave Leisure's recognition as a non-statutory service at a national level by UK Active and the NHS for their work in Lewes District. The Cabinet congratulated Mr Kerr for Wave Leisure's continued work and efforts.

**Resolved (Non-key decision):**

(1) To note and approve Wave Leisure Trust's performance against the Lewes District Council contract Annual Service Delivery Plan for 2018/2019.

(2) To approve the annual service delivery objectives for 2020/21, subject to a review of the performance indicators, in liaison with the Lead member for tourism and devolution.

**Reason for decisions:**

The agreement between the Council and Wave Leisure Trust required Cabinet to approve a review of the LDC contract Annual Service Delivery Plan on an annual basis and to receive a report on the performance of the Trust. Additionally, Cabinet was required to approve the joint objectives proposed for the forthcoming financial year.

**33 Newhaven Fort**

The Cabinet considered the report of the Director of Regeneration and Planning noting the issues regarding the existing Newhaven Fort bridge and sought agreement that funds be set aside for its replacement from the Council's capital programme.

The Cabinet clarified to the public that there was one entrance into the Fort, therefore if the work was not undertaken there would be no access.

**Resolved (Key decision):**

- (1) To note the existing condition of the Fort bridge.
- (2) To approve that up to £350,000 be allocated from the Council's capital programme and ring-fenced to meet the cost of replacement.

**Reason for decisions:**

Newhaven Fort bridge required replacement at the earliest opportunity.

**34 Affordable workspace review**

The Cabinet considered the report of the Director of Regeneration and Planning presenting the findings and recommendations of the Scrutiny Panel Review into the need for affordable workspace across the Lewes District.

**Resolved (Key decision):**

- (1) To allocate £10,000 to explore the feasibility of Meanwhile Use Leases for the temporary use of Council assets, subject to statutory, legislative and building constraints.
- (2) To formally adopt the South East Creative Economy Network's (SECEN) approach to defining affordable workspace.
- (3) To commit to exploring the potential to facilitate the development of new, affordable 'open workspace within Lewes District.
- (4) To note that the Council's Regeneration service continued to work closely with Locate East Sussex and other partner agencies to ensure they continued to collaborate effectively with South East Creative Cultural and Digital Support (SECCADS) and the creative sector.

(5) That Cabinet adopts a position statement formalising the Council's commitment to supporting the growth of creative industries.

(6) To commit all services across the Council to raising awareness of available business support provision across Lewes District.

**Reasons for decisions:**

(1) To re-affirm the Council's commitment to Growth and Prosperity, with specific reference to the local creative sector.

(2) To build upon the extensive strategic collaborative work already underway by SECEN and SECCADS within the SELEP area, which the Council was committed to supporting and working with. This was with a view to addressing barriers for creative industries, including the shortage of appropriate workspace, and specialist business support / advice.

(3) To recognise that Meanwhile Use Leases can offer benefits to both the Council and the local economy, but that such uses may have an opportunity cost attached should higher value uses come forward.

(4) To ensure that existing external agencies and partners were aware of the needs of all aspects of the district's diverse economy to ensure the Council could support delivery of commercial property solutions for the creative sector.

**35 Climate emergency**

The Cabinet considered the report of the Director of Regeneration and Planning to agree the new steps following the resolution by Full Council to declare a climate emergency. The report sought an allocation of £100,000 to support the immediate development of a comprehensive Climate Change and Sustainability Strategy to tackle carbon reduction and climate adaptation.

Officers were thanked for their work on producing the report promptly, following the declaration at Full Council.

Visiting member, Councillor Linington addressed the Cabinet on the item and commented that whilst supportive of appointing a dedicated officer to tackle the issues, remained concerned on the allocated funding recommended before a strategy had been formulated. It was clarified that the Council were not obligated to spend the entire fund allocated but the intent was to provide the facility to tackle an agenda that was progressing rapidly.

**Resolved (Key decision):**

That £100k be approved to progress carbon reduction and climate adaptation interventions in 2019/20.

**Reason for decision:**

Following the declaration of a climate emergency and a commitment by the Council to develop and deliver a comprehensive Climate Change Strategy ,

this report sought Cabinet's allocation of funds to enable the progression of all the commitments made at Full Council on 15th July 2019.

The meeting ended at 3.58 pm

Councillor Zoe Nicholson (Chair)