

## Cabinet

**Minutes of meeting held in Ditchling and Telscombe Rooms at Southover House, Southover Road, Lewes, BN7 1AB on 3 February 2022 at 2.30 pm.**

**Present:**

Councillor Zoe Nicholson (Chair).

Councillors James MacCleary (Vice-Chair), Matthew Bird, Julie Carr, Chris Collier, Johnny Denis, Stephen Gauntlett and Ruth O'Keeffe.

**Officers in attendance:**

Robert Cottrill (Chief Executive), Homira Javadi (Chief Finance Officer), Ian Fitzpatrick (Deputy Chief Executive and Director of Regeneration and Planning), Tim Whelan (Director of Service Delivery), Becky Cooke (Assistant Director for Human Resources and Transformation), Jane Goodall (Strategy and Partnership Lead, Quality Environment), Ola Owolabi (Deputy Chief Finance Officer (Corporate Finance)), Simon Russell (Head of Democratic Services), Peter Sharp (Head of Regeneration), Kate Slattery (Solicitor) and Seanne Sweeney (Strategy and Commissioning Lead for Community and Partnerships).

**Also in attendance:**

Councillor Isabelle Linington (Leader of the Opposition).

**45 Minutes of the meeting held on 9 December 2021**

The minutes of the meeting held on 9 December 2021 were submitted and approved and the Chair was authorised to sign them as a correct record.

**46 Apologies for absence**

Apologies for absence were reported from Councillor Meyer, visiting members Councillors Boorman, Miller and Peterson and Ms Deborah Twitchen (TOLD Chair).

**47 Declarations of interest**

Councillor O'Keeffe declared a personal interest in agenda item 13 (Community Grants Programme) as a Trustee of Lewes Citizens Advice Bureau and Chair of the Trustees for Pippa's Group. She remained in the room but did not vote on the item.

Councillor O'Keeffe declared a personal interest in agenda item 17 (Eastbourne & Lewes Community Safety Partnership – Annual Report (Lewes)) as an Officer of Click, whose application went through the Safety Partnership. She remained in the room and voted on the item.

**48 Order of business**

The Chair agreed to re-arrange the order of business to bring agenda item 13 (Community Grants Programme) forward, as there was a visiting member of Lewes Citizens Advice Bureau in attendance.

**49 Recovery and Reset**

The Cabinet considered the report of the Chief Executive, updating on progress of the Recovery and Reset Programme.

The programme had made strong progress in leading and delivering the changes required in support of the council's response to the Covid-19 pandemic and the work to manage the significant budget shortfall over the life of the Medium-Term Financial Strategy (MTFS) period. Thanks were conveyed to officers and opposition members for their contribution to the process, that had now formally concluded.

Policy and Performance Advisory Committee (PPAC), held on 27 January 2022, considered the report and was supportive of the officer recommendations in full. Councillor Linington, Leader of the Opposition, was in attendance to present PPAC's discussion.

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

(1) To note the progress made with the Recovery and Reset Programme.

(2) To agree that future Recovery and Reset progress reports are provided through the scheduled updates on the council's performance and financial position and the work of the Recovery and Reset member Board is ended.

**Reason for decisions:**

The Recovery and Reset Programme provides a structured and accountable approach for delivering the level of significant organisational change needed to respond to current and future challenges. This work is sufficiently developed for its management and oversight to now form part of the council's business as usual activity.

**50 General Fund Revenue Budget 2022/23 and Capital Programme**

The Cabinet considered the report of the Chief Finance Officer, asking it to recommend to Full Council, the updated General Fund budget and Medium Term Financial Strategy, together with the updated Capital Programme position.

The proposals set out in the report would limit the rise in council tax to just 9p a week. The limited rise being proposed would directly fund the frontline services

that residents and local businesses rely on.

Policy and Performance Advisory Committee (PPAC), held on 27 January 2022, considered the report and was supportive of the officer recommendations in full. Councillor Linington, Leader of the Opposition, was in attendance to present PPAC's discussion.

To reflect the announcement of the energy price cap rising by 54% and concerns over a fall in living standards, the Cabinet unanimously agreed to the addition of two additional recommendations, and these were detailed below (recommendations 6 and 7). The proposed new Hardship Fund scheme would be shared with the Opposition Group, in advance of the matter being considered by Full Council.

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

- (1) The General Fund budget for 2021/22 (Revised) and 2022/23 (original).
- (2) An increase in the Council Tax for Lewes District Council of £5 (per annum) resulting in a Band D charge for general expenses of £202.08 (per annum) for 2022/23.
- (3) The revised General Fund capital programme 2022/23 as set out at Appendix 3 to the report.
- (4) That Cabinet endorses the continuation of the Flexible use of Capital Receipts and refers on to Council for approval.
- (5) To note the Section 151 Officer's sign off as outlined in the report.
- (6) To earmark £350k from the GF reserves to create a Hardship fund to support households with their energy and cost of living pressures
- (7) To give delegated authority to Chief Finance Officer, in consultation with the Cabinet Member for Finance and Assets to make the necessary changes to the report following the final financial settlement announcement.

**Reason for decisions:**

The Cabinet has to recommend to Full Council the setting of a revenue budget and associated council tax for the forthcoming financial year by law.

**51 Community Grants Programme**

The Cabinet considered the report of the Deputy Chief Executive and Director of Regeneration and Planning, asking it to consider the funding recommendations of the cross-party working group. Thanks were conveyed to all involved in the process.

It was welcomed that the process of awarding the next grants cycle in 2025

would commence a year in advance. That would enable sufficient notice of confirmation around funding for organisations.

Policy and Performance Advisory Committee (PPAC), held on 27 January 2022, considered the report and was supportive of the officer recommendation in full. Councillor Linington, Leader of the Opposition, was in attendance to present PPAC's discussion.

**Resolved (Key decision):**

To agree the proposed funding allocations set out at Appendix 1 to the report.

**Reason for decision:**

The recommendations outlined in the report will enable the council to support a broad range of voluntary sector groups, therefore reaching a larger number of residents.

**52 Treasury Management and Prudential Indicators 2022/23, Capital Strategy & Investment Strategy**

The Cabinet considered the report of the Chief Finance Officer, asking it to recommend to Full Council, the Council's Annual Treasury Management Strategy, Capital Strategy and Investment Strategy together with the Treasury and Prudential Indicators.

The Deputy Chief Finance Officer updated Cabinet on its approach to ethical investments. Further details were contained at 7.13 of Appendix A. The Council would continue to be updated as progress was made.

Policy and Performance Advisory Committee (PPAC), held on 27 January 2022, considered the report and was supportive of the officer recommendations in full. Councillor Linington, Leader of the Opposition, was in attendance to present PPAC's discussion.

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

(1) To approve the Treasury Management Strategy and Annual Investment Strategy for 2022/23 as set out at Appendix A to the report.

(2) To approve the Minimum Revenue Provision Policy Statement 2022/23 as set out at paragraph 8 in the report.

(3) To approve the Prudential and Treasury Indicators 2022/23 to 2024/25, as set out at paragraph 6 in the report.

(4) To approve the Capital Strategy set out at Appendix E to the report.

**Reason for decisions:**

It is a requirement within the budget setting process for the Council to review and approve the Prudential and Treasury indicators, Treasury Strategy, Capital Strategy and Investment Strategy.

**53 Housing Revenue Account (HRA) Revenue Budget and Rent Setting 2022/23 and HRA Capital Programme 2021-25**

The Cabinet considered the report of the Chief Finance Officer, asking it to recommend the Full Council, the detailed Housing Revenue Account budget proposals, rent levels, service charges for 2022/23 and the HRA Capital Programme 2021-25.

The Deputy Chief Executive and Director of Regeneration and Planning confirmed that positive consultation sessions were held with Tenants of Lewes District (TOLD) over the contents of the report.

Policy and Performance Advisory Committee (PPAC), held on 27 January 2022, considered the report and was supportive of the officer recommendations in full. Councillor Linington, Leader of the Opposition, was in attendance to present PPAC's discussion. Councillor Linington commented that the proposed increase in garage rents would potentially deter use and interest.

To reflect the announcement of the energy price cap rising by 54% and concerns over a fall in living standards, the Cabinet unanimously agreed to an additional recommendation (7), and this was detailed below.

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

(1) The HRA budget for 2022/23 and revised 2021/22 budget as set out at Appendix 1 to the report.

(2) That social and affordable rents (including Shared Ownership) are increased by 4.1% in line with government policy.

(3) That private sector leased property rents are increased by 4.1% (CPI+1%).

(4) That the revised service charges are implemented

(5) That garage rents are increased by 4.86% (RPI).

(6) The HRA Capital Programme as set out at Appendix 2 to the report.

(7) To earmark £150k from the HRA reserve to create a Hardship fund to support households with their energy and cost of living pressures.

**Reason for decisions:**

The Cabinet has to recommend to Full Council the setting of the HRA revenue and capital budget and the level of social and affordable housing rents for the forthcoming year.

**54 Annual Review of Fees and Charges**

The Cabinet considered the report of the Chief Finance Officer, asking them to propose the schedule of Fees and Charges to apply from 1 April 2022.

The report detailed that there were no changes proposed to fees and charges for 22/23 and budgets had been amended, where necessary, to reflect any increases or decreases in volume.

Policy and Performance Advisory Committee (PPAC), held on 27 January 2022, considered the report and were supportive of the officer recommendations in full. Councillor Linington, Leader of the Opposition, was in attendance to present PPAC's discussion.

**Resolved (Key decision):**

(1) To approve the scale of Fees and Charges proposed at Appendix 1 to the report, to apply from 1 April 2022.

(2) To implement changes to statutory fees and charges for services shown at Appendix 1 to the report as and when notified by Government.

**Reason for decisions:**

The Council's Constitution requires that all fees and charges, including nil charges, be reviewed at least annually and agreed by Cabinet.

**55 Levelling Up Fund**

The Cabinet considered the report of the Deputy Chief Executive and Director of Regeneration and Planning, asking them to provide an update on the successful bid for Levelling Up Funding and to secure the necessary delegations to enable the programme of works to commence.

Following comment by Councillor Bird around the ecological impact of certain types of fishing, Councillor MacCleary confirmed the potential for conversations to explore more sustainable types of fishing and to demonstrate ways of transitioning away from factory fishing.

The Policy and Performance Advisory Committee (PPAC) at its meeting on 27 January 2022, made the following recommendation to Cabinet:

**To support the recommendations in the report subject to the Cabinet considering the following additional recommendation:**

**That the Cabinet writes to Central Government, Officers, and Residents who supported the bid to thank them for their support in achieving a successful bid to the Levelling Up Fund.**

Councillor Linington was in attendance to present PPAC's discussion. In addressing the recommendation by PPAC, Cabinet agreed that all relevant communication had already been undertaken and recognition highlighted.

**Resolved (Key decision):**

(1) To note the successful bid to the Levelling Up Fund, which has secured £12,686,307 towards the regeneration of Newhaven.

(2) To approve an allocation of up to £12.7m in the General Fund Capital Programme, to be financed in full by the grant funding secured as per the recommendation above.

(3) To authorise the Director of Regeneration and Planning to enter into the Funding Agreement that will set out the commercial terms associated with the grant award, including use, access, and ongoing monitoring.

(4) To authorise the Director of Regeneration and Planning, in consultation with the Chief Finance Officer, Lead Member for Finance and Assets and the Lead Member for Regeneration and Prosperity, to carry out all necessary actions to facilitate the recommendations and deliver the programme of works including entry into appropriate legal agreements with delivery partners, feasibility, financing, appointment of professional services, development, contract award(s), lettings, and determining the terms of, and authorising the execution of, all necessary documentation, in accordance with the funding parameters.

(5) To authorise the Director of Regeneration and Planning, in consultation with the Chief Finance Officer, Lead Member for Finance and Assets and the Lead Member for Regeneration and Prosperity to take all necessary steps to conclude the acquisition of Unit 7, Oak Estate, Newhaven.

**Reasons for decisions:**

(1) A funding offer of £12,686,307 for Newhaven was announced on 27 October.

(2) There is a need to move at pace since the Levelling Up Fund award must be spent by March 2024 in line with Government guidance.

(3) To enable Officers to deliver in an effective and timely manner, the necessary delegations to Lead Members and Executive Officers are required to ensure that the Council can deliver the programme within the context of the timeframe.

## 56 Asset Management

The Cabinet considered the report of the Deputy Chief Executive and Director of Regeneration and Planning, asking them to consider future office space rationalisation resulting in more economic and sustainable use of assets and improved customer contact facilities.

Southover House in Lewes offered office capacity for around two hundred staff, but with new working arrangements for Council staff in place and proving successful, the building remained under-utilised throughout a working week. To make best use of its assets, the Cabinet were proposed to move out of Southover House and consider an exciting opportunity with Charleston, to turn Southover House into a cultural centre. In the short term the council would share the reception area within County Hall in Lewes and make use of offices within the building. The longer-term ambition as set out in the report would establish a new customer contact centre in Lewes town centre and permanent office space as part of a wider public hub at the former UTC building in Newhaven, that also offered significant community wealth, training and commercial opportunities.

The Policy and Performance Advisory Committee (PPAC) at its meeting on 27 January 2022, made the following recommendation to Cabinet:

- **The Committee resolved (unanimously): To not support the recommendations in the report at this time, for the following reasons:**
  - **The Committee agreed its support in principle to vacating Southover House in recognition of its underuse, but that additional information was required before the decision could be made.**
  - **It is recommended that a report be brought back to Policy and Performance Advisory Committee and Cabinet to include a full and detailed business case for:**
    - **A full and clear proposal for a suitable customer-facing space in central Lewes (to include a space for private meetings between residents, councillors and officers);**
    - **A rental market appraisal of Southover House, and Charleston rental agreement proposal details, to assess the best value of the proposal;**
    - **The costs to the Council of moving locations both to County Hall and to the former University Technical College, Newhaven; and**
    - **The additional costs associated with leasing space at County Hall (including for Committees and Officer/Councillor meetings)**

**in addition to the basic rental cost**

Councillor Linington, was in attendance to present PPAC's discussion. In addressing the questions raised by PPAC, the Cabinet unanimously agreed to an additional resolution, and this was detailed below. In order to extend the consultation to include additional Cabinet members, minor amendments were made to resolutions (2) and (3) and these were detailed below. It was also requested that a process be implemented to review the meanwhile use arrangements within a period of 12-18 months.

**Resolved (Key decision):**

(1) That Cabinet approves the proposals set out in paragraph 2.6.1 to 2.8.1 of the report regarding the Council's wider office estate.

(2) That the Director of Regeneration and Planning, in consultation with the Leader and Cabinet members for tourism and devolution, be given delegated authority to:

- conclude negotiations for the grant of a lease of Southover House to Charleston; and
- enter into a lease of Southover House on the terms agreed, including all ancillary documents.

(3) That the Director of Regeneration and Planning, in consultation with the Leader and Cabinet member for communities and customers be given delegated authority to:

- conclude negotiations for the taking of a lease by the Council of premises at County Hall for temporary office and reception space; and
- enter into a lease of premises at County Hall on the terms agreed, including all ancillary documents.

(4) That in respect of the proposed granting of a lease to Charleston, 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 paragraph 2.4.2 to 2.4.9 of this report.

(5) That questions raised by Policy and Performance Advisory Committee, at its meeting on 27 January 2022, be addressed through Strategic Property Board and communicated to members where possible.

**Reasons for decisions:**

The pandemic has resulted in a fundamental shift in the location of where staff work and how customers access the Council and resolve queries. Southover House is no longer the nearest office space for most staff and customer visits have reduced by 50% as residents are resolving more queries via online

services. As a result, Southover House is under-utilised.

It is prudent for the Council to consider options for its future office space and customer reception functions to make best use of the Council's assets, meet the needs of customers, reduce costs, increase flexibility for the organisation, and support the Council's net zero carbon 2030 commitment.

## **57 Litter and Fly-tipping Reduction Strategy 2022 - 2027**

The Cabinet considered the report of the Director of Service Delivery, setting out the council's approach to reducing litter, fly-tipping, and associated environmental issues. The Strategy detailed the council's commitment to tackling fly-tipping, littering, graffitiing and dog fouling through education, investigation, and enforcement activity where there is evidence of environmental crimes.

Thanks were conveyed to officers involved in producing the Strategy and to the volunteer litter picking groups for their work in communities across the District.

The Policy and Performance Advisory Committee (PPAC) at its meeting on 27 January 2022, made the following recommendation to Cabinet:

### **The Committee resolved (unanimously):**

**To support the recommendations in the report, subject to the Cabinet considering the addition of a short section to the Litter Reduction Strategy for the Council 'to consider ways to reduce the volume and impact of litter'**

Councillor Linington was in attendance to present PPAC's discussion. The Cabinet agreed that it would include the short section, recommended by PPAC in the Strategy Action Plan as that represented the most dynamic element of the Strategy. The additional resolution was detailed below.

### **Resolved (Key decision):**

(1) To approve the Litter and Fly-tipping Reduction Strategy 2022-2027, as set out at Appendix 1 to the report.

(2) To approve the associated Action Plan, as set out at Appendix 2 to the report.

(3) To add a short section to the associated Action Plan "to consider ways to reduce the volume and impact of litter".

### **Reason for decisions:**

To reduce littering across the district, with the majority of residents viewing it as totally unacceptable. Volunteer litter picking groups feel supported by the council and all residents value the council's work to tackle litter, dog fouling, fly-

tipping and graffiti.

**58 Eastbourne & Lewes Community Safety Partnership - Annual Report (Lewes)**

The Cabinet considered the report of the Director of Service Delivery, outlining the 2020/21 performance of the Eastbourne and Lewes Community Safety Partnership.

Councillor Denis welcomed further applications to the Partnership, seeking their support. It was suggested that pro-active work take place to assist the BAME communities in submitting bids to the Partnership and also link that support with the themes outlined in the previous report (Litter and Fly-tipping reduction strategy).

Policy and Performance Advisory Committee (PPAC), held on 27 January 2022, considered the report and were supportive of the officer recommendation in full. Councillor Linington, Leader of the Opposition, was in attendance to present PPAC's discussion.

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

To note the achievements and activities of the Eastbourne and Lewes Community Safety Partnership in 2020/21.

**Reason for decision:**

For Cabinet to consider progress on delivery of the current Community Safety Plan.

**59 A Coastal Concordat for England**

The Cabinet considered the report of the Deputy Chief Executive and Director of Regeneration and Planning and Director of Service Delivery, seeking their approval for Lewes District Council to adopt and be a signatory to the Coastal Concordat.

Policy and Performance Advisory Committee (PPAC), held on 27 January 2022, considered the report and were supportive of the officer recommendations in full. Councillor Linington, Leader of the Opposition, was in attendance to present PPAC's discussion.

**Resolved (Key decision):**

(1) To adopt the Coastal Concordat (as December 2019)

(2) That authority be given to the Cabinet member for planning and infrastructure to sign a letter to the Department for Environment, Food and Rural Affairs confirming Lewes District Council's adoption of the Coastal

Concordat.

**Reason for decisions:**

To enable benefit to be gained from a streamlined planning system in relation to coastal applications.

The meeting ended at 4.08 pm

Councillor Zoe Nicholson (Chair)