

Cabinet

Minutes of meeting held in Room 209/210 on the Second Floor, The Marine Workshops, Railway Quay, Newhaven, East Sussex, BN9 0ER. on 7 December 2023 at 2.30 pm.

Present:

Councillor Zoe Nicholson (Chair).
Councillors Christine Robinson (Deputy-Chair), Chris Collier, Johnny Denis, Wendy Maples, Emily O'Brien, Laurence O'Connor and Mark Slater.

Officers in attendance:

Robert Cottrill (Chief Executive), Homira Javadi (Director of Finance and Performance (Section 151 Officer)), Ian Fitzpatrick (Deputy Chief Executive and Director of Regeneration and Planning), Becky Cooke (Director of Tourism, Culture and Organisational Development), Simon Russell (Head of Democratic Services and Monitoring Officer), Kate Slattery (Head of Legal Services), Luke Dreeling (Performance Lead), Steven Houchin (Interim Deputy Chief Finance Officer (Corporate Finance)), Lynn Ingram (Interim Head of Financial Planning) and Bill McCafferty (Lead for Income Maximisation and Welfare).

Also in attendance:

Councillor Christine Brett (Chair of Policy and Performance Advisory Committee), Councillor Stephen Gauntlett (Chair of Audit and Governance Committee) and Councillor James MacCleary (Leader of the Liberal Democrat Group).

33 Minutes of the meeting held on 9 November 2023

The minutes of the meeting held on 9 November 2023 were submitted and approved and the Chair was authorised to sign them as a correct record.

34 Apologies for absence

None were reported.

35 Declarations of interest

None were declared.

36 Urgent items

Since publication of the agenda, the Cabinet were asked and agreed to formally approve the following appointment to outside bodies. The Head of Democratic Services would then make the appointment under delegated authority.

- Councillor Wendy Maples to be appointed as council representative on East Sussex Joint Parking Board. (Councillor Nick Kortalla-Bird appointed as substitute).

37 Order of business

The Chair advised that the order of business for the meeting would be amended to consider agenda item 9 (Revenue & Capital Financial Monitoring Report Quarter 2 2023-24) first.

38 Revenue & Capital Financial Monitoring Report Quarter 2 2023-24

The Cabinet considered the report of the Director of Finance and Performance, providing an assessment of the Council's financial performance against the approved 2023-24 budget, incorporating key financial risks, issues and opportunities identified since 2 April 2023 for the General Fund and the Housing Revenue Account (HRA).

The Council, alongside many other local authorities and organisations across the nation, had seen a significant impact on its finances because of external factors beyond its control, including the rising costs of homelessness and lack of clarity over Government funding. Further details were contained in the report. Since the quarter one report, there had been a slight improvement in the forecast outturn position of £120k.

Cabinet acknowledged the recent emergency summit, that had been hosted by Eastbourne Borough Council and the District Council's Network, which had resulted in 120 Leaders, including the Leader of Lewes District Council signing an open letter to Government on what is required to address the social and financial crisis created by the unprecedented demand for temporary accommodation. It was acknowledged that further lobbying of Government would be required.

Policy and Performance Advisory Committee (PPAC), held on 30 November 2023 considered the report and were supportive of the officer recommendations in full.

The Chair read out a statement that had been submitted by Tenants of Lewes District (TOLD) in advance of the meeting. The statement commented positively on the action taken by the Council with regards to monthly recurring revenue (MRR) and it being used for major repairs prioritised by tenants and clearing the backlog of void properties that were potentially being considered for disposal. TOLD also welcomed further discussions with the council on any proposed disposal of council homes, prior to any decision being taken.

A typo was noted in section 4.3 of the report, where the Capital and the Natural Club Management Budget should've been titled 'Capital and the Natural and Coastal Management Budget'.

Resolved (Non-key decision):

- (1) To note the forecast outturn position for 2023-24 and associated risks.
- (2) To delegate authority to the Director of Finance and Performance and the portfolio holder for finance to apply any budget virements required to effectively manage the overall budget.
- (3) To note Appendices 1 & 2 to the Cabinet report.

Reason for decisions:

To update members on the financial position of the Council and ensure that the Authority complies with its financial regulations.

39 Draft Medium Term Financial Strategy 2024/25 to 2027/28

The Cabinet considered the report of the Director of Finance and Performance, asking them to agree the interim Medium Term Financial Strategy (MTFS) for 2024/25 to 2027/28, together with the updated Capital Programme position.

Policy and Performance Advisory Committee (PPAC), held on 30 November 2023 considered the report and were supportive of the officer recommendations in full.

Resolved (Key decision):

- (1) To note the updated Medium Term Financial Strategy forecasts and requirement to identify additional savings of £1.08m for the period 2024/25 to 2027/28
- (2) To note that this forecast significantly depends on government funding settlement announcements and demand for services and pressures upon the council.
- (3) To note that at this stage a forecast £1.08m of savings are required to balance the 2024/25 budget; and
- (4) To note the planned annual review of earmarked reserves which aims to reallocate them in line with the emerging risks.

Reason for decisions:

To provide Cabinet with an update and early sighting of key MTFS and budgetary implications in preparation for the setting of a revenue budget and associated Council tax for the forthcoming financial year by law.

40 Portfolio progress and performance report quarter 2 - 2023-2024

The Cabinet considered the report of the Director of Finance and Performance,

considering the council's progress and performance in respect of service areas for the second quarter of the year (July - September 2023), as detailed at Appendix 1 to the report.

The Cabinet expressed its thanks to officers for their work in achieving the improvements in performance for this quarter. It was reported that further to the report, the average time taken to answer calls for November was down to 105 seconds on average and was on track for the month of December.

Policy and Performance Advisory Committee (PPAC), held on 30 November 2023 considered the report and were supportive of the officer recommendations in full.

Resolved (Non-key decision):

To note progress and performance for Quarter 2 2023/24.

Reason for decision:

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

41 Local Council Tax Reduction Scheme 2024/25

The Cabinet considered the report of the Director of Service Delivery, seeking their recommendation to Full Council that the 2023/24 Local Council Tax Reduction Scheme is adopted as the 2024/25 scheme.

Policy and Performance Advisory Committee (PPAC), held on 30 November 2023 considered the report and were supportive of the officer recommendations in full.

Recommended to Full Council (Budget and policy framework):

(1) That the 2023/24 Local Council Tax Reduction Scheme is adopted as the 2024/25 scheme.

(2) Subject to Full Council adoption of the Scheme, Cabinet grants 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) That the Exceptional Hardship Scheme continues in 2024/25, subject to funds being available.

Reason for decisions:

The Council must review the scheme each year and adopt a scheme for the coming financial year.

42 Council Tax Discounts and Premiums

The Cabinet considered the report of the Director of Service Delivery, asking them to determine and recommend to Full Council, the level of certain Council Tax discounts and Council Tax premiums with effect from 1 April 2024 and 1 April 2025.

The recommendations were welcomed by the Cabinet and followed the introduction of new rules by government that allowed local authorities to set higher council tax premiums on empty and second homes.

Policy and Performance Advisory Committee (PPAC), held on 30 November 2023 considered the report and were supportive of the officer recommendations in full.

Recommended to Full Council (Budget and policy framework)

1. From 1 April 2024

(a) The adoption of a standard 0% discount for all Class D chargeable dwellings; and

(b) Levying the maximum level of premium i.e.:

- Premium of 100% for dwellings which are unoccupied and substantially unfurnished (Empty Homes Premium) after 1 years up to 5 years of becoming empty;
- Premium of 200% for dwellings which are unoccupied and substantially unfurnished (Empty Homes Premium) between 5 years and up to 10 years; and
- Premium of 300% for dwellings which are unoccupied and substantially unfurnished (Empty Homes Premium) for 10 years or more.

2. From 1 April 2025

(a) The continued application of 0% discount for Class D and Empty Homes premiums at 100% effective when dwellings have been unoccupied and substantially unfurnished for 1 year; and

(b) The application of a premium (Second Homes Premium) of 100% for all dwellings that are no one's sole or main residence and which is substantially furnished.

3. Exception to premiums

Where premiums are to be applied, the Council is mindful of the current consultation by government which recommends exceptions in certain

circumstances outlined within the report. Subject to the outcome of that consultation, it is recommended that the Section 151 Officer is given delegated powers to implement the Council's policy on premiums in line with statute, the Council's requirements and any guidance given by the Secretary of State.

Reason for decisions:

(1) To reduce the number of empty homes within the District in line with the Council's Empty Homes Strategy; and

(2) To encourage the use of premises as main residences by local residents rather than second homes.

43 Council tax base and non-domestic rate income for 2024/25

The Cabinet considered the report of the Director of Finance and Performance, asking them to approve the Council Tax Base and net yield from Business Rate Income for 2024/25 in accordance with the Local Government Finance Act 1992.

Policy and Performance Advisory Committee (PPAC), held on 30 November 2023 considered the report and were supportive of the officer recommendations in full.

Resolved (Key decision):

(1) To agree the provisional Council Tax Base of 38,538.3 for 2024/25 for the whole area and that the Council Tax Base for each of the Town and Parish areas of the District shall be set out in Appendix 2 of the report.

(2) To agree that the Chief Finance Officer, in consultation with the Portfolio Holder for Financial Services, determine the final amounts for the Council Tax Base for 2024/25.

(3) To agree that the Chief Finance Officer, in consultation with the Portfolio Holder for Finance, determine net yield from Business Rate income for 2024/25.

Reason for decisions:

Cabinet is required to approve the Tax Base which would be used for the purposes of calculating the 2024/25 Council Tax.

The meeting ended at 3.00 pm

Councillor Zoe Nicholson (Chair)