

Cabinet

Minutes of meeting held in Ditchling Room at Southover House, Southover Road, Lewes, BN7 1AB on 17 September 2018 at 2.30 pm

Present:

Councillor Elayne Merry (Chair)

Councillors Paul Franklin, Bill Giles, Tom Jones, Isabelle Linington and Tony Nicholson

Officers in attendance:

Robert Cottrill (Chief Executive), Alan Osborne (Deputy Chief Executive), Philip Evans (Director of Tourism & Enterprise), Ian Fitzpatrick (Director of Regeneration and Planning), Tim Whelan (Director of Service Delivery), Catherine Knight (Assistant Director of Legal and Democratic Services) and Simon Russell (Committee Services Lead)

Also in attendance:

Councillors Stephen Catlin (Leader of Independent Group), Mike Chartier (Chair of Audit and Standards), Johnny Denis (Vice-Chair of the Council) and Peter Gardiner (Chair of Scrutiny Committee).

Ms Debbie Twitchen (Tenants' Representative)

22 Minutes

The minutes of the meeting held on 2 July 2018 were submitted and approved and the chair was authorised to sign them as a correct record.

23 Apologies for absence

Apologies for absence were reported from Councillors Smith and Maskell.

24 Declarations of interest

None were declared.

25 Finance update - performance quarter 1 - 2018-2019

The Cabinet considered the report of the Deputy Chief Executive, updating members on the financial performance for quarter one in 2018/19.

As this would be their last Cabinet meeting, a vote of thanks from the Cabinet and visiting members was extended to Alan Osborne, Deputy Chief Executive. The Deputy Chief Executive expressed his thanks to members, staff and stakeholders during his time at the Council.

Resolved (Non-key decision):

- (1) To agree the general fund and housing revenue account financial performance for the quarter ended June 2018.
- (2) To agree the amended capital programme as set out at appendix 3 to the report.
- (3) To agree the treasury management performance.

Reasons for decisions:

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

26 Portfolio progress and performance report 2018-19 - quarter 1

The Cabinet considered the report of the Director of Regeneration and Planning, regarding the Council's progress and performance in respect of key projects and targets for the first quarter of the year, detailed at appendix 1 to the report.

68% of the Council's performance targets were either met, exceeded or within acceptable levels during the first quarter. Good news for quarter one were detailed at section 5 of the report and included an improvement in sickness figures, successful launch of the single use plastics project and roll out of co-mingled recycling. 19 of the Council's 24 key projects were on track at year end and there were no significant project delays.

Performance targets not met were detailed at section 7 of the report and included call answering times, benefits processing, re-let and planning. All of these were closely monitored and managers were shifting staff resources to alleviate any issues.

In response to a question from visiting member, Councillor Catlin, it was clarified that the additional 7,000 calls received this quarter were Lewes only and that the target indicator for calls answered within 60 seconds was by a Customer Advisor and not an answering machine.

Councillor Gardiner, Chair of Scrutiny Committee detailed the discussion of the report at the Scrutiny Committee on the 13 September 2018 and the recommendations to Cabinet.

The Cabinet, visiting members and Ms Debbie Twitchen, Tenants Representative, discussed the call response and abandoned calls performance. The Director of Service Delivery detailed the steps taken to improve the performance target for future quarters. This included significant training to the team for new calls, due to the implementation of revenues and benefits as a new service for Customer Advisors, implementation of queue busting and launch of a recruitment drive in May, with eight candidates being offered roles. There were still vacancies within the team and it was proposed to over recruit by an additional four and that would provide another eight new starters. It was also intended to appoint eight temporary staff for the next six months to undertake customer contact work related to social media, emails and post.

Resolved (Non-key decision):

- (1) That the council's progress and performance for quarter 1 be received and noted.
- (2) That the recommendations made by Scrutiny Committee at its meeting on the 13 September 2018 be considered.

Reasons for decisions:

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

27 Wave Leisure Trust annual review 2017/2018

The Cabinet considered the report of the Director of Tourism and Enterprise, seeking their approval of the objectives stated within the 2019-20 Annual Service Statement between Lewes District Council and Wave Leisure Trust.

Duncan Kerr, Chief Executive for Wave Leisure Trust commented on the ongoing challenge of accessing the rural communities for strength and balance sessions, in response to a question from visiting member, Councillor Gardiner.

Resolved (Non-key decision):

- (1) To approve the objectives identified in the 2019/2020 annual service statement.
- (2) To note Wave Leisure Trust's performance against the annual service delivery plan for 2017/2018.

Reasons for decisions:

The agreement between the Council and Wave Leisure Trust requires Cabinet to approve a Service Statement on an annual basis and to receive a report on the performance of the Trust. Additionally, Cabinet is required to approve the joint objectives proposed for the forthcoming financial year.

28 Lewes District Local Plan Part 2: Pre-submission document

The Cabinet considered the report of the Director of Regeneration and Planning, seeking their approval to progress the Local Plan Part 2 through to its formal submission to the Secretary of State and to seek approval for the arrangements for the Examination in Public.

A presentation and briefing was held for members on the 12 September 2018 on the changes to the Local Plan Part 2 and was taken to the Scrutiny Committee on the 13 September 2018.

Visiting member, Councillor Gardiner, Chair of Scrutiny Committee praised that input from members had been taken into account.

The Cabinet expressed their thanks to Leigh Palmer, Interim Head of Planning, Tondra Thom, Planning Policy Lead and their teams for their work on the plan and informative presentation to members.

Resolved (Key decision):

(1) To approve the draft Local Plan Part 2 for public consultation under Regulation 19 of the Town & Country Planning (Local Planning) (England) Regulations.

Recommend to Council (Budget and policy framework):

(2) To authorise the Director of Regeneration & Planning, in consultation with the Cabinet Member for Planning, to make any minor changes arising from the consultation and to seek the approval of full Council to submit the Local Plan Part 2 to the Secretary of State under Regulation 22 of the Town & Country Planning (Local Planning) (England) Regulations for examination.

Reasons for decisions:

To ensure that the Local Plan Part 2 is progressed towards adoption in a timely manner, thereby supporting the implementation and delivery of the Local Plan Part 1: Joint Core Strategy through the allocation of additional development sites and up-to-date development management policies to assist in the determination of planning applications.

29 Electric vehicle charging points technical guidance note

The Cabinet considered the report of the Director of Regeneration and Planning, seeking their approval for the 'Electric Vehicle Charging Points Technical Guidance Note' to be published on the council's website and made a public document.

Although not yet part of planning policy, developers were urged to consider electric vehicle charging provisions into their applications. In future, when the Local Plan was reviewed, a modified version of the guidance document would form part of a policy.

It was requested and unanimously agreed by the Cabinet that the "Electric Vehicle Charging Points Technical Guidance Note" be brought back to Cabinet where appropriate, as and when the document evolves and technology progresses.

Resolved (Non-key decision):

(1) To agree the immediate publication of the 'Electric Vehicle Charging Points Technical Guidance Note' contained at appendix 1 to the report.

(2) That the "Electric Vehicle Charging Points Technical Guidance Note" be brought back to Cabinet where appropriate, as and when technology progresses.

Reasons for decision:

(1) To respond to a motion passed by Council for all new development to include electric vehicle charging points.

(2) To publicise the Council's expectations for the provision of electric vehicle charging points infrastructure.

30 Telscombe Tye Public Spaces Protection Order

The Cabinet considered the report of the Director of Service Delivery regarding a proposal to introduce a 'Public Spaces Protection Order' to support Telscombe Town Council in reducing the number of dog on sheep attacks on Telscombe Tye by requiring dog walkers to keep their dogs under proper control.

The report sought approval for the draft order to be sent out for public consultation and authorise the Director of Service Delivery to undertake, amend as necessary and subsequently make the order on behalf of the Council.

Section 3 of the report outlined the three options that would be going out for public consultation and further information was appended to the report. The results of the consultation would be circulated to members.

Following a question from visiting member, Councillor Catlin, it was clarified that the ownership of Telscombe Tye was not a determinant factor and that only the local authority could implement a 'Public Spaces Protection Order' if it was satisfied that an area of land was a public place, as defined in the legislation.

The Interim Director of Service Delivery outlined the enforcement of the proposed 'Order', which would initially focus on educating offenders on responsible dog ownership. Enforcement could result in fixed penalty notices being issued by Neighbourhood First, subject to agreements with Telscombe Town Council. It was also advised that prosecution of an offence and verdict of guilty could result in a fine of up to £1,000.

Resolved (Key decision):

- (1) To approve the Public Spaces Protection Order in draft form, set out at appendix 1 to the report for consultation.
- (2) To grant authority to Director of Service Delivery:
 - (i) To carry out statutory consultation on the draft Public Spaces Protection Order in conjunction with Telscombe Town Council.
 - (ii) If necessary, and in consultation with the Lead Member, to amend the content of the Order in light of consultation responses.
 - (iii) To make and publicise the Order in accordance with relevant legislation.
 - (iv) To put in place arrangements to enforce the Order with Telscombe Town Council.
 - (v) To keep the Order under review; and, in consultation with the Lead Member, cease, renew or amend it at the end of its term, as appropriate.

Reason for decisions:

To provide an effective response to sheep attacks on Telscombe Tye, which meets the needs of local residents and partners.

31 Regeneration and development: Sutton Road, Seaford

The Cabinet considered the report of the Director of Regeneration and Planning, setting out development proposals at the combined site on Sutton Road, Seaford known as Downs Leisure Centre. The report summarised the

programme and concluded with a breakdown of the project costs and a financial summary, together with an outline of the status of potential new lettings and negotiations with the existing tenants.

Resolved (Key decision):

(1) To approve the business case outlining the investment potential and development opportunities at Downs Leisure Centre, Sutton Road, Seaford.

(2) To approve the capital investment of £17,200,000 (including professional fees) to fund the project up to and including construction, subject to sign off of the proposed leases on terms no less favourable than set out at exempt appendix D to the report.

(3) To delegate authority to the Director of Regeneration and Planning in consultation with the Lead Member for Finance, the Chief Finance Officer, and the Assistant Director – Legal and Democratic Services, to progress the project through the Energy & Sustainability Joint Venture if they consider it appropriate and at an appropriate future stage to decide if the project should be put forward to the JV Steering Board for inclusion as a Part 1 and/or Part 2 project.

(4) To delegate authority to enter into a lease (or leases) of the properties to the Director of Regeneration and Planning, in consultation with the Strategic Property Board; such delegation to include authorisation not to dispose by auction or invitation of tenders following public advertisement (sought under Contract Procedure Rule 18.1) for those leases.

(5) To delegate authority to the Director of Regeneration and Planning to exercise the break clause, or enter into a surrender of the lease in respect of Age Concern.

Reasons for decisions:

A strategic opportunity has arisen to provide a ground-breaking mixed-use development of the Council's landholdings within the Sutton Road site in Seaford known as Downs Leisure Centre. The proposed scheme will create new health space, employment opportunities, and a holistic approach to health and wellbeing for residents.

The meeting ended at 3.39 pm

Councillor Elayne Merry (Chair)