

# Decisions taken by the Cabinet on 2 February 2023



Lewes District Council

## Notice dated: 02 February 2023

Issued to the chairman, members of the Policy and Performance Advisory Committee and other Councillors for information.

**Key decisions will be implemented after the expiry of 3 working days from the date of this notice unless “called-in” under the provisions of the council’s policy and performance advisory procedure rules (see end of document for call-in procedure) or implemented sooner by reason of urgency.**

Please refer to the relevant cabinet agenda and reports when reading this notice. The minutes of the meeting of the cabinet containing a full record of the proceedings will be published in due course. To view on-line follow this link to the relevant pages on the council’s website:- <https://democracy.lewes-eastbourne.gov.uk/mgCommitteeDetails.aspx?ID=417>

## **DECISIONS:**

<b>Item No</b>	<b>Matter:</b>	<b>Decision:</b>	<b>Reasons for decision:</b>
8	Portfolio progress and performance report quarter 3 - 2022-2023	<b>(Non-key decision):</b> To note progress and performance for Quarter 3 2022/23.	To enable Cabinet members to consider specific aspects of the council’s progress and performance.

<p><b>9</b></p>	<p>General Fund Revenue Budget 2023/24 and Capital Programme</p>	<p><b>Recommended to Full Council (Budget and policy framework):</b></p> <p>(1) The General Fund Budget 2023/24 (original) and projected MTFS as set out at Appendix 1 to the report.</p> <p>(2) The General Fund Budget 2022/23 (revised) as set out at Appendix 2 to the report.</p> <p>(3) An increase in the Council Tax for Lewes District Council of 1% (per annum) resulting in a Band D charge for general expenses of £204.10 (per annum) for 2023/24.</p> <p>(4). The revised General Fund Capital Programme 2023/24 as set out at Appendix 6 to the report.</p> <p>(5) The rates of Fees and Charges proposed at Appendix 5 to the report to apply from 1 April 2023 and to implement changes to statutory fees and charges for services shown within Appendix 5 as and when notified by Government.</p> <p>(6) The Council introduce from 1 April 2024 a new discretionary council tax premium on second homes of up to 100% and apply a premium of up to 100% on homes which have been empty for longer than 1 year following the Levelling Up and Regeneration Bill becoming law.</p> <p>(7) To note the Section 151 Officer’s sign off as outlined in the report.</p>	<p>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.</p>
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		<p><b>(Key decision):</b></p> <p>(8) To give delegated authority to the Section 151 Officer, in consultation with the Cabinet member for finance and assets to make any late adjustments necessary following the announcement of final financial settlement, prior to Full Council submission.</p>	
10	Treasury Management and Prudential Indicators 2023/24, Capital Strategy & Investment Strategy	<p><b>Recommended to Full Council (Budget and policy framework):</b></p> <p>(1) To approve the Treasury Management Strategy and Annual Investment Strategy for 2023/24 as set out at Appendix A to the report.</p> <p>(2) To approve the Minimum Revenue Provision Policy Statement 2023/24 as set out at paragraph 8 in the report.</p> <p>(3) To approve the Prudential and Treasury Indicators 2023/24 to 2025/26, as set out at paragraph 6 in the report.</p> <p>(4) To approve the Capital Strategy, set out at Appendix E to the report.</p>	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.

<p>11</p>	<p>Housing Revenue Account (HRA) Revenue Budget and Rent Setting 2023/24 and HRA Capital Programme 2022-26</p>	<p><b>Recommended to Full Council (Budget and policy framework):</b></p> <p>(1) The Housing Revenue Account budget for 2023/24 and revised 2022/23 budget as set out at Appendix 1 to the report.</p> <p>(2) That social and affordable rents (including Shared Ownership) are increased by 7% in line with government policy issued in December 2022.</p> <p>(3) That private sector leased property rents are increased by 7% (mirroring the approach to social and affordable rents).</p> <p>(4) That the revised service charges are implemented.</p> <p>(5) That garage rents are increased by 7%.</p> <p>(6) The HRA Capital Programme as set out at Appendix 2 to the report.</p>	<p>The Cabinet must 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.</p>
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<p><b>12</b></p>	<p>Purchase of land at Landport Brooks</p>	<p><b>(Key decision):</b></p> <p>(1) That Cabinet approves the strategic approach presented and agrees as follows:</p> <ul style="list-style-type: none"> <li>a. To purchase the Land at Landport Brooks to put Lewes District Council in a position to deliver a range of environmental, ecological, flood mitigation and health and wellbeing outcomes subject to valuation, legal advice and the usual due diligence.</li> <li>b. To develop the business case to reflect that this is a long-term investment with environmental and potential commercial opportunities for LDC.</li> </ul> <p>(2) That officers work with stakeholders and the community to deliver the best outcomes for the site, to achieve biodiversity gains, improving floodplain storage capacity and other environmental benefits.</p> <p>(3) To authorise the Director of Service Delivery, in consultation with the Portfolio Holder for Sustainability to carry out all necessary actions to facilitate the project including negotiating the purchase of the land and determining the terms of, and authorising the execution of, all necessary documentation.</p>	<p>As a public authority in England LDC has a duty to have regard to conserving biodiversity as part of policy or decision-making. Conserving biodiversity can include restoring or enhancing a population or habitat.</p>
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<p>13</p>	<p>Reimagining Newhaven Programme - Project Update</p>	<p><b>(Key decision):</b></p> <p>(1) To note the progress of the Reimagining Newhaven Programme.</p> <p>(2) To recommend a new budget of up to £2.5m to develop the proposals for 5-8 Newhaven Square as set out at Appendix 1 to the report (Exempt), subject to Full Council approval.</p> <p>(3) To recommend a new budget of up to £4m, additional to the existing co-funding, to develop the extended proposals for 10 Newhaven Square as set out at Appendix 1 to the report (Exempt), subject to Full Council approval.</p> <p>(4) To delegate authority to the Director of Regeneration and Planning, in consultation with the Lead Member for Finance &amp; Assets, Lead Member for Regeneration &amp; Prosperity, and the Chief Finance Officer, to further the programme as follows including determining the terms of, and authorising the execution of, all related documentation:</p> <ul style="list-style-type: none"> <li>• to make allocations within the General Fund Capital Programme, subject to agreed terms, leases, and business cases;</li> <li>• to acquire vacant / under-utilised commercial property up to £1m within Newhaven town centre using existing approved budgets, including negotiating terms, subject to a business case;</li> <li>• to progress programme delivery including feasibility, procurement, professional appointments,</li> </ul>	<p>(1) To drive forward the Reimagining Newhaven Programme in delivering interventions that continue to best serve the town and the wider community, in the context of the changing landscape and current operating environment. This includes the opportunity to incorporate health services and an enhanced leisure and wellbeing offer in the town centre.</p> <p>(2) To further the programme proposals through the re-use of vacant land and property assets within Newhaven town centre.</p> <p>(3) To accelerate the delivery of renewable energy solutions within the district, supporting local training and upskilling opportunities, in-line with the Council's Climate Change and Sustainability Strategy.</p>
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		<p>development, and award of contracts;</p> <ul style="list-style-type: none"> <li>• to make investment(s) of up to £250k in new renewable energy solutions, within existing approved sustainability budgets, to support the programme, also the wider objectives of the Council, including any opportunities for the acquisition of third party company shares, subject to a business case, further legal advice, and full due diligence.</li> <li>• to take all necessary steps to conclude leases, including financing and negotiation.</li> </ul> <p>(5) To waive compliance with the Council's Contract Procedure Rules in the event that the agreed rent for those leases exceeds £25,000 per annum for the reasons set out in this report.</p>	
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## Call-in procedure

Call-in is the procedure whereby a decision of the Cabinet, the Leader or a portfolio holder, or a member or officer with delegated authority (an executive decision), taken but not implemented, may be examined by the Policy and Performance Advisory Committee prior to implementation.

Any Councillor is entitled to submit a request by email setting out the reason why he/she wishes any such decision to be called in by the Policy and Performance Advisory Committee for consideration by a Call-In Panel. The request must be submitted to Democratic Services within three working days of the date of this notice.

Should any request by a councillor be submitted, the Cabinet Officer will then email all members of the Policy and Performance Advisory Committee, advising them of the request for a review.

Members of the Policy and Performance Advisory Committee must decide within two working days if they support the request and if they do, they should email a response to the Committee and Civic Services Manager accordingly. If at least six members of the Committee are in favour of calling in the decision the Chair of the Policy and Performance Advisory Committee will call a Call-In Panel of the Committee within five working days where possible. The number of councillors to serve on a Panel (which shall be politically proportionate except that either the Leader of a political group may decide to offer one of their Group's places to another Group or an Independent member) shall be determined by the Chair with the councillors being nominated by the respective Group Leaders.

The decision of the Cabinet will not be implemented until:

- The time period for call-in has expired and six members of the Policy and Performance Advisory Committee have not stated they are in favour of calling in the decision; or
- A Call-In Panel of the Policy and Performance Advisory Committee considers the matter and resolves not to intervene in the decision of Cabinet; or
- A Call-In Panel of the Policy and Performance Advisory Committee resolves to refer the matter back to Cabinet for further consideration and to take account of any recommendation of the Panel, in which case the Cabinet will reconsider the decision as soon as is reasonably practicable; or
- In the case of any question relating to the budget or policy framework, a Call-In Panel of the Policy and Performance Advisory Committee has reported to the meeting of the Council that will consider the budget or policy framework or any component part of it (if there is insufficient time for the matter to be referred back to the Cabinet).

Once a decision of the Cabinet has been referred to a Call-In Panel of the Policy and Performance Advisory Committee it shall not be subject to further consideration by a Call-In Panel or the Committee itself and shall not again be referred by any individual councillor.

## **Democratic Services**

For any further queries regarding this document or you require any further information please contact Democratic Services.

**Email:** [committees@lewes-eastbourne.gov.uk](mailto:committees@lewes-eastbourne.gov.uk)

**Telephone:** 01273 471600

**Council Website -** <http://www.lewes-eastbourne.gov.uk/>