

Cabinet

Minutes of meeting held in Ditchling and Telscombe Rooms at Southover House, Southover Road, Lewes, BN7 1AB on 8 December 2022 at 2.30 pm.

Present:

Councillor Zoe Nicholson (Chair).

Councillors Matthew Bird, Julie Carr, Johnny Denis, William Meyer and Ruth O'Keeffe.

Officers in attendance:

Robert Cottrill (Chief Executive), Homira Javadi (Director of Finance and Performance (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), Luke Dreeling (Performance Lead), Jane Goodall (Environment Lead), Parmjeet Jassal (Interim Head of Financial Planning), Bryn Mabey (Customer, Communications and Engagement Lead), Ellen Miller (Specialist Advisor Coastal Projects (Green Consultancy)), Leigh Palmer (Head of Planning First), Simon Russell (Head of Democratic Services), Kate Slattery (Solicitor), Seanne Sweeney (Strategy and Commissioning Lead for Community and Partnerships) and Mark Walker (Head of Financial Planning).

Also in attendance:

Councillor Liz Boorman (Chair of Policy and Performance Advisory Committee) and Councillor Isabelle Lington (Leader of the Opposition).

33 Minutes of the meeting held on 10 November 2022

The minutes of the meeting held on 10 November 2022 were submitted and approved and the Chair was authorised to sign them as a correct record.

34 Apologies for absence

Apologies for absence were reported from Councillors Collier, Gauntlett and MacCleary. An apology was also reported from visiting member Councillor Peterson.

35 Declarations of interest

Councillor Bird declared a personal, non-pecuniary interest on agenda item 14 (Nature Flood Management within the Ouse and Eastern Adur catchment), as his employer was a component of the Natural Flow Management Project. He remained in the room and voted on the item.

36 Cost of Living Crisis Update

The Cabinet considered the report of the Deputy Chief Executive and Director of Regeneration and Planning, updating them on steps taken to support residents through the cost of living crisis.

The Council had hosted a Cost of Living Summit on 27 October, bringing together those who are helping to tackle cost of living issues locally, to share ideas and develop joint solutions to support those in need. Following the success of the event, a second Summit would be scheduled and communicated in due course. Thanks were expressed to officers involved in organising the event and other work undertaken.

Policy and Performance Advisory Committee (PPAC), held on 1 December 2022 considered the report and were supportive of the officer recommendation in full. Councillor Boorman, Chair of Policy and Performance Advisory Committee, was in attendance to present PPAC's discussion. Councillor Linington, Leader of the Opposition Group, also spoke on the item.

During discussions, Officers were instructed to review the council's support for foodbanks across the district and gauge any requirements they might have in advance of the Christmas period.

Resolved (Non-key decision):

To note the progress of measures taken to support residents through the cost-of-living crisis.

Reason for decision:

The Council has committed to a range of ongoing measures which are supporting residents and organisations across the district.

37 Portfolio progress and performance report 2022/23 - Quarter 2

The Cabinet considered the report of the Chief Finance Officer, asking them to consider the council's progress and performance in respect of service areas for the second quarter of the year (July – September 2022), as detailed at Appendix 1 to the report.

Detailed commentary on those performance indicators that were currently below target was detailed in the report.

Policy and Performance Advisory Committee (PPAC), held on 1 December 2022 considered the report and were supportive of the officer recommendation in full. Councillor Boorman, Chair of Policy and Performance Advisory Committee, was in attendance to present PPAC's discussion. Councillor Linington, Leader of the Opposition Group, also spoke on the item.

The Director of Service Delivery thanked comments made at Policy and

Performance Advisory Committee, in support of the work undertaken by the Customer Contact Team and this had been greatly received.

Resolved (Non-key decision):

To note progress and performance for quarter 2 2022/23.

Reason for decision:

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

38 Finance update - performance quarter 2 - 2022-2023

The Cabinet considered the report of the Chief Finance Officer, updating members on the Council's financial performance in quarter 2 2022/23.

The projected outturn for 2022/23, as advised by budget holders as of 30 September 2022, was an overspend of £1,090,966, as detailed in table 1 of the report. Work was already underway to mitigate this overspend, and this was further detailed in the report.

Policy and Performance Advisory Committee (PPAC), held on 1 December 2022 considered the report and were supportive of the officer recommendations in full. Councillor Boorman, Chair of Policy and Performance Advisory Committee, was in attendance to present PPAC's discussion. Councillor Linington, Leader of the Opposition also spoke on the item.

Cabinet acknowledged the work undertaken by officers, given the difficulties facing all councils across the country.

Resolved (Non-key decision):

(1) To note the General Fund, HRA and Collection Fund financial performance for the quarter ended September 2022.

(2) To note the capital programme as set out at Appendix 2 to the report.

Reason for decisions:

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

39 Local council tax reduction scheme 2023/24

The Cabinet considered the report of the Director of Service Delivery, asking them to recommend to Full Council that the 2022/23 Local Council Tax Reduction Scheme be adopted as the 2023/24 scheme.

Policy and Performance Advisory Committee (PPAC), held on 1 December

2022 considered the report and were supportive of the officer recommendations in full. Councillor Boorman, Chair of Policy and Performance Advisory Committee, was in attendance to present PPAC's discussion. Councillor Linington, Leader of the Opposition, also spoke on the item.

In response to questions raised around the Exceptional Hardship Fund it was advised that due to other available grants, there was no current need for the council to add to the Fund but this would be kept under review.

Recommended to Full Council (Budget and policy framework)

(1) To recommend to Full Council that the 2022/23 Local Council Tax Reduction Scheme is adopted as the 2023/24 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 2023/24 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.

40 Council tax base and non-domestic rate income for 2023/24

The Cabinet considered the report of the Chief Finance Officer, asking them to approve the Council Tax Base and net yield from Business Rate Income for 2023/24, in accordance with the Local Government Finance Act 1992.

The Towns and Parishes would be advised of the individual tax bases following the meeting in order that each could assess the impact of the precept in its area.

Policy and Performance Advisory Committee (PPAC), held on 1 December 2022 considered the report and were supportive of the officer recommendations in full. Councillor Boorman, Chair of Policy and Performance Advisory Committee, was in attendance to present PPAC's discussion. Councillor Linington, Leader of the Opposition Group also spoke on the item.

Resolved (Key decision):

(1) To agree the provisional Council Tax Base of 37,839.4 for 2023/24 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 at Appendix 2 of this report.

(2) To agree that the Chief Finance Officer, in consultation with the Portfolio Holder for Finance, determine the final amounts for the Council Tax Base for 2023/24.

(3) To agree that the Chief Finance Officer, in consultation with the Portfolio Holder for Finance, determine net yield from Business Rate income for 2023/24.

Reason for decisions:

Cabinet is required to approve the Tax Base which will be used for the purposes of calculating the 2023/24 Council Tax.

41 Local Development Scheme

The Cabinet considered the report of the Deputy Chief Executive and Director of Regeneration and Planning, seeking their endorsement of the Local Development Scheme update for approval by Full Council.

Policy and Performance Advisory Committee (PPAC), held on 1 December 2022 considered the report and made the following recommendation to Cabinet:

To support the officer recommendations in the Cabinet report, subject to the following additional recommendation:

(3) That the Cabinet consider providing funding for additional staff resources, to support the existing timetable and delivery of the Local Plan.

Councillor Boorman, Chair of Policy and Performance Advisory Committee, was in attendance to present PPAC's discussion. Councillor Linington, Leader of the Opposition Group, also spoke on the item.

In recognising the importance of using every available opportunity to progress the complex timetable as quickly as possible, Cabinet unanimously agreed to accept PPAC's recommendation, and this was reflected in the resolution below.

Following discussion, it was advised that any material changes to the Local Development Scheme, arising from the recently published Ministerial statement would be reported back to the future Cabinet meeting.

Recommended to Full Council (Budget and policy framework):

(1) That Cabinet recommends to Full Council that the revised Lewes Local Development Scheme 2023-2025 as set out at Appendix 1 to the report be adopted at the Full Council meeting on 20 February 2023

(2) That delegated authority be given to the Director of Regeneration and Planning in consultation with the Cabinet Member for Planning and Infrastructure to make minor changes within the Local Development Scheme where necessary.

Resolved (Non-key decision):

(3) To consider providing funding for additional staff resources, to support the existing timetable and delivery of the Local Plan.

Reasons for decisions:

(1) The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and the Council's constitution identifies that the adoption of the Local Development Scheme is a function of Full Council.

(2) To ensure that the Local Development Scheme can be kept up to date without needing to bring minor amendments back to Full Council.

42 Natural Flood Management within the Ouse and Eastern Adur catchment

The Cabinet considered the report of the Director of Service Delivery, setting out the next steps for Natural Flood Management in Lewes District, which encompasses the Ouse and Eastern Adur catchments.

Policy and Performance Advisory Committee (PPAC), held on 1 December 2022 considered the report and were supportive of the officer recommendations in full. Councillor Boorman, Chair of Policy and Performance Advisory Committee, was in attendance to present PPAC's discussion. Councillor Linington, Leader of the Opposition Group, also spoke on the item.

There was unanimous support and praise for the proposals and initiatives set out in the report. Thanks were conveyed in particular to Tim Bartlett, Specialist Advisor Coastal and Flood Risk Management (Green Consultancy) for his work undertaken on this initiative and others since 2016.

Councillor Bird declared a personal, non-pecuniary interest this item. He remained in the room and voted on the item.

Resolved (Key decision):

(1) To approve the strategic approach presented and agreed as follows:

- a. To continue to provide governance, support and resource to the

Natural Flood Management (NFM) programme beyond the current end date of March 2023 and to delegate authority to the Director of Service Delivery in consultation with the Cabinet member for recycling, waste and open spaces to negotiate the terms of and enter into any necessary agreements to facilitate this provision.

b. To build upon the NFM approach (as outlined in the report) and support inter-linked projects with partners and stakeholders such as habitat restoration and nature recovery in the Ouse catchment.

(2) To endorse the approach set out at Appendix 1 'Lewes District Council (LDC) Briefing: Natural Flood Management within the Ouse and Eastern Adur catchment' and Appendix 2 'Wilder Ouse, Vision & Targets'.

(3) To approve a waiver to the Contract Procedure Rules (CPR) as set out in paragraph 2.4.1 (a) of the CPR to enable the Council to enter into agreements with partners in relation to this strategic approach.

Reason for decisions:

Lewes District Council has been successfully working in partnership delivering Natural Flood Management (NFM) projects with the Sussex Flow Initiative (SFI) and Ouse & Adur Rivers Trust (OART) since 2016. This approach has delivered a raft of benefits on which to build in a collaborative effort to improve climate resilience in the coming years.

The meeting ended at 3.14 pm

Councillor Zoe Nicholson (Chair)