

**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 22 NOVEMBER 2021**

CABINET

Tuesday, 9 November 2021

PRESENT – Councillors Mrs H Scott (Chair), Clarke, Dulston, Durham, Marshall, K Nicholson and Tostevin

INVITEES – Councillors Curry, Harker, Snedker and McCollom

APOLOGIES – Councillors Keir and Tait

ALSO IN ATTENDANCE – Councillor McCollom

C56 DECLARATIONS OF INTEREST.

There were no declarations of interest reported at the meeting.

C57 TO HEAR RELEVANT REPRESENTATION (FROM MEMBERS AND THE GENERAL PUBLIC) ON ITEMS ON THIS CABINET AGENDA.

No representations were made by Members or members of the public in attendance at the meeting.

C58 TO APPROVE THE MINUTES OF THE MEETING OF THIS CABINET HELD ON TUESDAY 5 OCTOBER 2021

RESOLVED – That the Minutes be confirmed as a correct record.

REASON -They represent an accurate record of the meeting.

C59 MATTERS REFERRED TO CABINET

There were no matters referred back for re-consideration to this meeting.

C60 ISSUES ARISING FROM SCRUTINY COMMITTEE

There were no issues arising from Scrutiny considered at this meeting.

C61 KEY DECISIONS:-

There were no key decisions made at this meeting.

C62 SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) CAPITAL PROJECTS UPDATE

The Cabinet Member with the Children and Young People Portfolio introduced the report of the Group Director of People (previously circulated) updating Cabinet on the progress made

in respect of the two Special Educational Needs and Disabilities (SEND) capital projects.

The submitted report stated that in 2019 Cabinet agreed the SEND strategy, a key element of which was increased provision of school places for young people with Social, Emotional and Mental Health (SEMH) needs, allowing more young people to be educated locally (Minute C125(3)/Mar/19 refers); two schools agreed to work with the Council to provide those additional places, namely Rise Carr College and Red Hall Primary School; Cabinet agreed to release government grant to fund the schemes (Minutes C37(1)/Sep/19 and C71(1)/Jul/20 refer); the schemes were fully funded by Government grant; both units opened to pupils in September 2021; and that the unit at Red Hall Primary School provided 16 SEMH places whilst the unit at Rise Carr College provided 15 secondary SEMH places plus four assessment places.

A Member reported at the meeting that the groundwork at Rise Carr College was still unfinished and requested an update on when that work would be completed. The Cabinet Member with the Children and Young People Portfolio responded thereon.

RESOLVED – That the progress made in respect of the two Special Education Needs and Disabilities capital projects at Rise Car College and Red Hall Primary School, as detailed in the submitted report, be noted.

REASON – To keep Cabinet up to date with the progress of the two SEND units.

C63 COUNCIL TAX SUPPORT SCHEME 2022/23

The Cabinet Member with the Resources Portfolio introduced the report of the Group Director of Operations (previously circulated) requesting that consideration be given to the draft Council Tax Support (CTS) Scheme (also previously circulated) for 2022/23.

The submitted report stated that the Council was required to set a Council Tax Support scheme each year and in doing so consider whether any changes should be made to the existing scheme and where changes were made, consider what transitional protection, if any, should be applied to anyone affected by those changes. It was reported that no significant changes were proposed to the existing scheme.

RESOLVED - That it be recommended to Council that the draft Council Tax Support Scheme for 2022/23, as appended to the submitted report, be approved and adopted, including:-

- (a) continuing to provide up to 100 per cent Council Tax Support for care leavers under the age of 25; and
- (b) continuing to provide up to 80 per cent Council Tax Support for all other working people.

REASONS - (a) The Council is required to publish a local Council Tax Support Scheme for 2022/23 by 11 March 2022.

(b) The continued application of a reduced entitlement for working aged people is still appropriate, given the current financial position of the Council.

C64 DEVELOPMENT OF EASTBOURNE SPORTS COMPLEX

The Cabinet Member with the Health and Housing Portfolio introduced the report of the Group Director of Services (previously circulated) requesting that consideration be given to the options for the refurbishment and development of outdoor facilities at Eastbourne Sports Complex.

The submitted report stated that the Eastbourne Sports Complex, which had opened in 1999, had operated successfully for the past 22 years and continued to provide the Council's key outdoor sports facilities that contributed to the Council's vision and outcomes as well as contributing to the majority of the Council's Portfolios. The site provided a range of facilities and a number of athletic and football clubs used the site on a weekly basis, as well as a range of partners, schools and casual users, generating approximately 170,000 visits a year.

It was reported that there were currently a number of issues and opportunities to consider with regard to Eastbourne Sports Complex, namely the athletics track which was now at the end of its life cycle; the provision of an additional Artificial Grass Pitch (AGP), using an in principle offer of up to £700,000 towards the cost from the Football Foundation, and access and egress arrangements for the site.

Particular references were made to the four options available; the financial implications of each of those options; the VAT implications; and the preferred option (Option 4) which would see the provision of an additional APG, refurbishment of the athletic facilities and improvements to car parking facilities on and off site.

In welcoming the proposals, a Member raised a concern in respect of the VAT implications on particular groups and the options available to the Council. The Cabinet Member with the Health and Housing Portfolio and the Group Director of Operations responded thereon.

RESOLVED – (a) That the refurbishment of the athletics track, the provision of an additional Artificial Grass Pitch and improved parking and traffic management arrangements, as detailed in paragraphs 35(d) and 36(d) of the submitted report, which would be subject to the outcome of the application to the Football Foundation for £700K.

(b) That it be recommended to Council that £1.610M of Council funding for the scheme, be released, to be financed through prudential borrowing and capital receipts.

(c) That the procurement of goods/services and works for the refurbishment and the development of the facilities be deemed non-strategic.

REASONS – (a) To ensure that the Council continues to provide an appropriate competition standard athletics facility in the town.

(b) In line with the Playing Pitch and Facilities Strategy provide an additional Artificial Grass Pitch at Eastbourne working in partnership with the Football Foundation.

(c) Eastbourne Sports Complex contributes to the Council's Vision and Portfolio priorities as the Council's main outdoor sporting hub. The investment modernises facilities and will

support the transformation of services and improve the facilities available for residents of the Borough.

(d) Cabinet do not have the delegated authority to approve capital expenditure over £0.5m in one financial year.

(e) To comply with the Contract Procedure Rules requirement that all tenders over £100,000 are presented to Cabinet to determine if they are strategic or non-strategic.

C65 PROJECT POSITION STATEMENT AND CAPITAL PROGRAMME MONITORING - QUARTER TWO

The Cabinet Member with the Resources Portfolio introduced the report of the Group Director of Operations and the Group Director of Services (previously circulated) providing a summary of the latest Capital resource and commitment position, to inform monitoring of the affordability and funding of the Council's capital programme; an update on the current status of all construction projects currently being undertaken by the Council; and requesting that consideration be given to a number of changes to the programme.

The submitted report stated that the projected outturn of the current Capital Programme was £268.563M against an approved programme of £268.815M; the investment was delivering a wide range of improvements to the Council's assets and more critically services; the programme, including commitments, remained affordable within the Medium Term Financial Plan (MTFP) for 2021/22 to 2024/25; the Council currently had 46 live projects, with an overall projected outturn value of £138.692M, the majority of which were running to time, cost and quality expectations, but were being monitored given the current pressures on resources in the construction sector nationally; and that the projects were managed either by the Council's in-house management team, a Framework Partner or by Consultants source via an open/OJEU tender process.

RESOLVED - (a) That the status position on construction projects, as detailed in the submitted report, be noted.

(b) That the projected capital expenditure and resources, as detailed in the submitted report, be noted.

(c) That the adjustments to resources, as detailed in paragraph 23 of the submitted report, be approved.

(d) That an additional £652,000, as detailed in paragraphs 19(d) and 23 of the submitted report, be released.

REASONS - (a) To inform Cabinet of the current status of construction projects.

(b) To make Cabinet aware of the latest financial position of the Council.

(c) To maintain effective management of resources.

C66 REVENUE BUDGET MONITORING - QUARTER 2

The Cabinet Member with the Resources Portfolio introduced the report of the Group Director of Operations (previously circulated) providing an early forecast of the 2021/22 revenue budget outturn, as part of the Council's continuous financial management process.

The submitted report stated that it was the second revenue budget management report to Cabinet for 2021/22 and that the projected revenue reserve at the end of 2021/22 was £29.536M, an improvement of £4.610M on the initial 2021/25 MTFP position. The improvement in reserves included £2.317M of additional balances following the 2020/21 outturn; £0.993M of resources returned to reserves, following the rebasing exercise; £0.185M of projected departmental overspend in 2021/22; a £0.570M increase in corporate resources; and a net £0.915 required from the COVID-19 reserve.

It was reported that of the £29.536M projected reserves, there was a risk reserve balance of £5.350M and a commitment to use £15.838M to support years two to four of the current MTFP.

RESOLVED - (a) That the forecast revenue outturn for 2021/22, as detailed in the submitted report, be noted.

(b) That further regular reports be made to monitor progress and take prompt action if necessary.

(c) That the carry forwards as detailed in the submitted report, be agreed.

REASONS - (a) To continue effective management of resources.

(b) To continue to deliver services to agreed levels.

C67 SCHEDULE OF TRANSACTIONS

The Cabinet Member with the Resources Portfolio introduced the report of the Chief Executive (previously circulated) requesting that consideration be given to the Schedule of Transactions (also previously circulated).

RESOLVED – That the Schedule of Transactions, as detailed in the submitted report, be approved, and the transactions be completed on the terms and conditions detailed therein.

REASONS – The terms negotiated require approval by Cabinet before binding itself contractually to a transaction.

C68 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO OTHER BODIES TO WHICH CABINET APPOINTS.

There were no membership changes reported at the meeting.

C69 TO CONSIDER THE EXCLUSION OF THE PUBLIC AND PRESS :-

**DECISIONS DATED –
FRIDAY 12 NOVEMBER 2021**