

## CABINET

5 DECEMBER 2022

Present: Councillors Barnett (Chair), Evans (Deputy Chair), Batsford, Cannan, Roark, Rogers and Willis.

In attendance: Jane Hartnell, (Managing Director), Mary Kilner (Chief Legal Officer), Kit Wheeler (Chief Finance Officer), Murray Davidson (Environment and Natural Resources Manager), Cameron Morley (Waste and Cleansing Services Manager), Aaron Woods (Resort Manager), Stephen Dodson (Transformation Manager), and Natasha Tewkesbury (Customer Services, Communications and Emergency Planning Manager).

### **480. APOLOGIES FOR ABSENCE**

None received.

### **481. DECLARATION OF INTERESTS**

None received.

### **482. MINUTES OF LAST MEETING**

**RESOLVED** – that the minutes of the meeting held on 7<sup>th</sup> November 2022 be approved as a true record.

### **483. DESIGNATION OF A CYCLE ROUTE THROUGH ALEXANDRA PARK**

The Environment and Natural Resources Manager presented a report to Cabinet to update councillors on the proposals to designate a shared cycle route through Alexandra Park.

Councillors unanimously agreed to support a shared cycle route through Alexandra Park at the Cabinet meeting of 4<sup>th</sup> of January 2016. Delays in implementing the project have meant a significant period has now elapsed since that original decision. The proposal to designate a shared cycle route through Alexandra Park has been brought back to Cabinet in order to provide current Councillors an opportunity to review the project in full, with a recommendation that the report is taken to Full Council for a final decision.

No new paths will be constructed and the designs for the route are complimentary to the grade II listed status of Alexandra Park. The route does not require planning permission and can proceed under permitted development. Councillors were provided with a map of the proposed path as well as copies of the East Sussex County Council safety audit and equalities impact assessment.

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If there are further significant delays the scheme is likely to not go ahead as the funding is time limited.

Councillor Barnett thanked Councillor Roark for her work on the report since taking over the portfolio, and thanked officers for their work on the scheme over the past few years.

Councillor Roark proposed approval of the recommendations, seconded by Councillor Barnett.

### **RESOLVED (unanimously):**

**Cabinet reviews the proposal to allow cycling on a designated route in Alexandra Park and recommends the report to Full Council for their consideration with a view to determining whether a shared cycle route should be designated in Alexandra Park.**

Reasons:

1. In 2016, Cabinet agreed to support a shared cycle route through Alexandra Park following a detailed design by East Sussex County Council and public consultation in 2015 over the proposed route.
2. There has been a significant delay in implementing the project since the 2016 Cabinet approval.
3. East Sussex County Council are now ready to proceed with the scheme during 2023/24.
4. Following the 2021 public consultation over new park's bye laws, the council received strong representations from members of the community both in favour of, and against the proposed shared cycle route.
5. Considering the significant delay since the 2016 Cabinet approval and recent representations to the council over the proposals, it is considered appropriate for councillors to review the scheme and recommend the report to Full Council for their consideration with a view to determining whether a cycle route should be designated in Alexandra Park.

### **484. FEES AND CHARGES 2023/24**

The Chief Finance Officer presented an annual review of the Council's fees and charges and thanked all departments involved in the fees and charges setting process for their engagement and support in the discussions.

Not all fees and charges will increase by 10%, with the precise details set out in the report. The proposals will increase Council income by around £600,000 per annum and this is an important step in reducing the Council's deficit and protecting services.

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The following corrections and late additions to the proposed fees and charges were outlined at the meeting:

- Current allotment fees are listed incorrectly and should read £9.40 per rod per annum and water at £1.89.
- Beach hut fees are proposed to increase by 12%
- Garden and bulky waste charges should read £73 and £35 respectively
- The fee for a funeral service overrunning is £259
- A family video without slideshow at the cemetery and crematorium is £30
- A land charges query will be £60

Councillor Patmore was present and asked why the fee for the additional use of the chapel had increased by 70%? Officers confirmed that a benchmarking exercise identified that the current charge is significantly lower than other authorities. This particular fee hadn't been increased for some time and the Council also needs to take into consideration the costs that need to be covered in providing services.

Councillor Willis proposed approval of the recommendations, seconded by Councillor Barnett.

### **RESOLVED (unanimously):**

- 1. Fees and Charges be increased by a minimum of 10% except where there are clear reasons for not doing so, or where charges are on a statutory basis.**
- 2. Fees and charges proposed by services be agreed.**

Reasons:

The Council relies on income from fees and charges to provide services and supplement Government funding where this does not fully cover the cost of the service, we as a Council provide. Historically costs have continued to increase whilst central funding decreases.

### **485. BUCKSHOLE RESERVOIR FINANCE UPDATE (PART 1)**

The Waste and Cleansing Manager presented a report to brief Cabinet on the likely shortfall in the capital budget to complete the mandatory safety improvement works at Buckshole reservoir.

The Council is legally required to make changes to the spillway channel of the reservoir to meet current safety standards. Subsequent increased costs and delays have resulted in the capital budget needing to be increased.

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Councillor Roark confirmed the safety work had now been completed to the standard required. Restoration work to the landscaping in Alexandra Park will take place in spring 2023.

Councillor Roark proposed approval of the recommendations, seconded by Councillor Rogers.

### **RESOLVED (unanimously):**

**1. Cabinet approves the report for consideration at Full Council with the recommendation to increase the capital budget for the Buckshole Reservoir safety improvement works in line with the figures provided in the associated part 2 report.**

**2. To give delegated authority to the Managing Director in consultation with the Lead Member for the Environment to make provision for the additional budget.**

Reasons:

Several factors, including the global pandemic, have led to an increase in the cost of materials which has had the effect of increasing the costs of the project above the current capital budget.

### **486. EAST HILL CLIFF RAILWAY - MAJOR WORKS (PART 1)**

The Resort Manager presented a report to request delegated authority to proceed with the required maintenance as soon as possible and derogation from procurement procedure to enable the issuing of contracts immediately to a preferred contractor. In 2020 a light rail specialist was commissioned to provide a condition report on the trackside. Some minor issues were identified, including the movement of some sleepers, though this was not deemed of major concern. In 2022 staff and independent consultants noted that the movement of the rails and sleepers had seemingly significantly increased.

Specialist surveys were undertaken and concluded with a recommendation that significant remedial works to replace the running rails, fishplates, clips, and rollers were needed as soon as feasibly possible.

Because of the nature of the work, it cannot be covered from the normal maintenance budget and requires specialist knowledge. The aim is to reopen ahead of next summer in order to have the lift in service at the height of the season.

Councillor Batsford proposed approval of the recommendations, seconded by Councillor Barnett.

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**RESOLVED (unanimously):**

- 1. Cabinet recommends to Council that the Council Leader and Managing Director are delegated authority to proceed with capital works and allocated a suitable budget.**
- 2. Cabinet recommends to Council that the Council Leader and Managing Director are granted derogation from normal procurement process, to instruct the preferred contractor immediately, and complete works as soon as possible.**

Reasons:

The East Hill Cliff Railway, the steepest operational funicular in the country, is currently closed the public and unable to operate for health and safety reasons. Until works are completed the service will remain unavailable to users, and no income will be received.

Derogation from standard procurement protocol is requested in order to expedite works – these works are specialised and have a limited number of potential contractors with the expertise and means to deliver the project. Embarking on a likely lengthy procurement exercise will only result in lost revenue, with material costs continuing to increase over time. Therefore, derogation should be given for officers to deviate from standard procurement practice and engage directly with competent specialists to deliver the project as promptly as possible, whilst still ensuring that value for money is delivered.

**487. EXCLUSION OF THE PUBLIC**

**RESOLVED (unanimously):**

**That the public be excluded from the meeting during the consideration of the items of business listed below because it is likely that if members of the public were present there would be disclosure to them of “exempt” information as defined in the paragraphs of schedule 12A to the Local Government Act 1972 referred to in the relevant report.**

**488. BUCKSHOLE RESERVOIR FINANCE UPDATE (PART 2)**

The Waste and Cleansing Manager presented a report to brief Cabinet on the likely shortfall in the capital budget to complete the mandatory safety improvement works at Buckshole reservoir.

**RESOLVED (unanimously):**

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**1. Cabinet approves the report for consideration at Full Council with the recommendation to increase the capital budget for the Buckshole Reservoir safety improvement works in line with the figures provided in the associated part 2 report.**

**2. To give delegated authority to the Managing Director in consultation with the Lead Member for the Environment to make provision for the additional budget.**

Reasons:

Several factors, including the global pandemic, have led to an increase in the cost of materials which has had the effect of increasing the costs of the project above the current capital budget.

### **489. EAST HILL CLIFF RAILWAY - MAJOR WORKS (PART 2)**

The Resort Manager presented a report to request delegated authority to proceed with the required maintenance as soon as possible and derogation from procurement procedure to enable the issuing of contracts immediately to a preferred contractor.

It was confirmed that officers had undertaken an exercise to ensure best value for the required works.

#### **RESOLVED (unanimously):**

**1. Cabinet recommends to Council that the Council Leader and Managing Director are delegated authority to proceed with capital works and allocated a suitable budget.**

**2. Cabinet recommends to Council that the Council Leader and Managing Director are granted derogation from normal procurement process, to instruct the preferred contractor immediately, and complete works as soon as possible.**

Reasons:

The East Hill Cliff Railway, the steepest operational funicular in the country, is currently closed the public and unable to operate for health and safety reasons. Until works are completed the service will remain unavailable to users, and no income will be received.

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(The Chair closed the meeting at 7.37pm)