

Agenda Item No: 12



Cabinet recommendations for consideration by Council at the Meeting of the Council on Thursday, 21 July 2016

Cabinet – 25 May 2016

2 “Stronger Together” Joint Transformation Programme Business Case and Implementation

The Cabinet considered Report No 70/16 which related to the proposed detailed business case, high level plan and technology arrangements for the implementation of the Joint Transformation Programme between the Council (LDC) and Eastbourne Borough Council (EBC).

In September 2015, Cabinet had approved a strategy for the development of shared services between those councils based on the integration of the majority of council services. Both had significant savings to deliver over the next four years and therefore needed to find new ways to deliver public services for less money. They had a strong established relationship having shared senior posts and services since 2012.

There were four strategic objectives of the Programme namely:

- **Protect services**

to protect services that were delivered to local residents while at the same time reducing costs for both councils to together save £2.8m annually;

- **Greater strategic presence**

to create two stronger organisations which could operate more strategically within the region while still retaining the sovereignty of each council;

- **High quality, modern services**

to meet communities and individual customers' expectations to receive high quality, modern services focused on local needs and making best use of modern technology; and

- **Resilient services**

to build resilience by combining skills and infrastructure across both councils.

The total estimated savings of the Programme was £2.797m with an equivalent reduction of 79 Full Time Equivalent (FTE) posts across both councils. LDC would achieve a higher share of the benefits than EBC because EBC had already delivered significant savings through its Future Model programme and the Joint Transformation Programme inherited the savings target from LDC's cancelled New Service Delivery Model programme.

The budget for the Programme amounted to £6.878m of which £1.275m had been allocated for technology investment that would be required in any event. Therefore, the investment that was required specifically to deliver the Programme was £5.603m which met the financial business case test. Costs and benefits would be shared in the same proportion.

The Programme would be managed in accordance with standard programme and project management methodologies. The Joint Transformation Board would oversee delivery, monitor risks and be consulted on key deliverables and decisions, and the Cabinets would receive regular updates.

It was recommended that the employment model would take the form of a shared services model with EBC acting as the host authority.

The Programme depended on a common approach to information and communications technology (ICT) strategy and service provision, in respect of which a number of options had been considered. It was recommended that application management be performed by a joint internal team and the varying of EBC's contract with SopraSteria Ltd to

provide infrastructure management services to LDC. It was further recommended that the Digital 360 platform that was in use at EBC be extended to LDC, subject to commercial and procurement matters being settled satisfactorily. If implemented, it would result in LDC benefitting from the significant investment that EBC had previously made therein.

A joint team of officers across the two councils namely, the Core Team, had worked with Ignite Consulting Ltd to develop the business case which was set out at Appendix 1 to the Report. The work had included some workshops which comprised staff from different teams and levels of both councils in the exploration of the vision, opportunities, similarities, differences and risks of the Programme. The engagement with staff that had started during the development of the business case would continue and increase throughout the implementation of the Programme.

Improvement and Efficiency Social Enterprise (iESE), which was the author of the outline business case that had been considered in September 2015, had also contributed to the work around the employment model. It was a non-profit company which comprised members and directors in local authorities including LDC and EBC. That meant that the two councils were working with a trusted partner which had an excellent insight into how councils across the United Kingdom had delivered shared services using a range of models.

The work on the business case had been monitored and steered by the Joint Transformation Programme Board which comprised the leaders and deputy leaders and the leaders of the main opposition groups of both councils. Such cross-party approach was key to ensuring the maximum degree of consensus in the way the work was directed and minimised the risk of a radical shift in direction part way through implementation of the Programme.

In line with the Treasury's Green Book Guidance for public sector Programmes, both the business case and Report No 70/16 were divided into sections which outlined:

- **The Strategic Case** – which demonstrated how the Programme fitted with the local and national strategic context and how it met business needs (paragraph 3 on pages 6 to 8 inclusive of the Agenda referred);
- **The Financial Case** – which outlined the costs and benefits of the Programme, the capital and revenue implications and the funding required (paragraph 4 on pages 8 to 11 inclusive of the Agenda referred); and
- **The Management Case** – which outlined how the Programme would be managed, including governance, risk, change management, external support and benefits realisation (paragraph 5 on pages 11 to part way down page 21 inclusive of the Agenda

referred).

Details relating to the national context of the strategic case were set out in paragraph 3.1 of the Report whilst information in respect of the local context was outlined in paragraph 3.2. Details in respect of the projected savings that were associated with the Programme were set out in paragraph 4.1 of the Report with information relating to the costs thereof being set out in paragraph 4.3. The Management Case set out information relating to several issues which included governance; programme management and plan; the employment model; change management; external support; risk; and benefits realisation.

The following comments were made in response to Councillors questions that were asked at the meeting:

- it was anticipated that, whilst there might be a need for fewer Officers who had specialist/complex knowledge and skills in the new shared service provision, it was likely that those Officers would have an enhanced specialist role and, additionally, would benefit from improved career path opportunities compared with those that currently existed within the two individual councils. Whilst there would be a general move away from Officers working in 'silos', there would remain a need for some Officers to retain specialist knowledge in aspects of the Council's work such as planning, environmental health, housing and benefits ;
- the joint information technology (IT) strategy that was proposed as part of the Joint Transformation Programme required the use of common IT provision across the two councils. However, full implementation of that proposal would not occur during the three years operation of the Programme but, instead, would be developed on an incremental basis as such opportunities arose. The 'Digital 360' information technology platform which was currently used at EBC featured tracked work-flow technology that could link to the line of business applications for example UNIFORM which was used by LDC's Planning Services section;
- an additional existing LDC Officer would be appointed to the Joint Transformation Programme Board to maintain proportionality;
- the Business Case that was set out at Appendix 1 to the Report was a statement of the two council's position at a given point in time. Additional discussion would be undertaken during the progression and development of the Programme during which further consultation would be conducted with staff; and
- there was a need to engage with local community stakeholders in respect of relevant elements of the Programme, as detailed in paragraph 5.3 of the Report on pages 21 and 22 of the Agenda.

The Chair drew Cabinet's attention to an anonymous letter that had been received which set out details of concerns in respect of the Programme. At the invitation of the Chair, the Chief Executive indicated that he respected and understood the concerns that had been expressed in the letter and reaffirmed that it was important for the Council to continue with its enhanced communication strategy with staff.

The Chief Executive then reported details of some inaccuracies that existed in the letter the first of which had indicated that no LDC Officers served on the combined Corporate Management Team. However, he stated that the Director of Business Strategy and Development and the Assistant Director of Corporate Services were both LDC Officers who served on that Team. He further reported that, contrary to the view that was expressed in the letter that all of LDC's service provision was going to be led by EBC, the Legal shared service and the Property and Facilities shared service were both currently led by LDC officers.

In response to some further points that were raised in the letter, it was reported that:

- the financial calculations that were outlined in the Programme had been carefully reviewed and tested in order that they would deliver the anticipated savings as set out therein, they would be refined and routinely reported to the Joint Transformation Programme Board as the programme developed;
- both councils were required to save approximately a recurring £3m in the next three years in respect of which, the Programme represented approximately 50%. The remaining savings would be achieved through other means such as new income streams and procurement.
- both councils operated the same staff pension conditions and were both members of the East Sussex Local Government Pension Scheme; and
- the Joint Transformation Programme would take account of the comments that were set out in the letter.

Resolved:

- 2.1** That the business case for the Joint Transformation Programme between the Council and Eastbourne Borough Council, as detailed in Report No 70/16, be approved, and that a total of £6.878m across both councils be provisionally allocated to the programme, as detailed in paragraph 4.4 of the Report;
- 2.2** That authority be delegated to the Director of Corporate Services to determine the appropriate allocation of costs against revenue and capital funds, as detailed in paragraph 4.5 of the Report;

CE/
SHPPT

DCS

2.3	That authority be delegated to the Director of Corporate Services, in consultation with the Joint Transformation Programme Board, to determine the methodology for cost and benefits sharing with an overriding principle that joint costs are allocated on the basis of the benefits realisation ratio, as detailed in paragraph 4.6 of the Report;	DCS/ CE/ SHPPT
2.4	That authority be delegated to the Chief Executive, in consultation with the Joint Transformation Programme Board, to run the Programme within the allocated resources, with regular Reports being considered by the Cabinets, as detailed in paragraph 5.1 of the Report on pages 11 and 12 of the Agenda;	CE
2.5	That the high level programme plan, as detailed in paragraph 5.3 of the Report on pages 12 and 13 of the Agenda, be approved;	CE/ SHPPT
2.6	That the procurement approach and contract variation outlined in Report No 70/16 including the exceptions to contract procedure rules and the proposed changes to information and communications technology service provision, be approved, and that authority be delegated to the Director of Corporate Services, in consultation with the Joint Transformation Programme Board, to negotiate the associated cost of pension protection with the service provider, as detailed in paragraphs 5.10 to 5.13 of the Report;	CE/ SHPPT /DCS
2.7	That the adoption of the proven 'Digital 360' platform be approved as the basis for the Joint Transformation Programme, subject to procurement, as detailed in paragraph 5.12 of the Report; and	CE/ SHPPT
2.8	That engagement be undertaken with local community stakeholders in respect of relevant elements of the Programme, as detailed in paragraph 5.3 of the Report on pages 21 and 22 of the Agenda.	CE/ SHPPT

It was further

Recommended:

2.9	That the shared services employment model be approved with Eastbourne Borough Council acting as host authority, as detailed in paragraph 5.4 of the Report.	CE/ SHPPT (to note)
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Reasons for the Decisions:

To approve the Business Case and implementation of the Joint Transformation Programme.

† *The Recommendation, and not the Resolutions, in the above Minute is for consideration by Council.*

Councillors are requested to bring with them to the meeting Report No 70/16 which was circulated with the agenda papers for the meeting of the Cabinet on 25 May 2016. If you require a further copy of the document please contact Trevor Hayward, Committee Officer, on e-mail trevor.hayward@lewes.gov.uk or telephone 01273 471600.

Agenda Item No: 12



Cabinet recommendations for consideration by Council at the Meeting of the Council on Thursday, 21 July 2016

Cabinet – 4 July 2016

8 Finance Update – Performance Report 2015/2016

The Cabinet considered Report No 95/16 which provided an update on financial matters that affected the General Fund Revenue Account, the Housing Revenue Account and the approved Capital Programme.

The Council's 2015/2016 Accounts had been closed. The Director of Corporate Services had approved the draft Statement of Accounts on 29 June 2016. The Accounts had been released to the Council's external auditor BDO and were available to the public for inspection.

Paragraph 4.2 of the Report set out details of the General Fund year end position for 2015/2016 which was in line with the forecast made when updating the Medium Term Financial Strategy at the time of preparing the 2016/2017 budget. Table 6, which was set out in paragraph 4.2.10, listed the contributions to and use of each General Fund Reserve in 2015/2016, and the balance held at the end of the year. It also identified the anticipated movement on each Reserve in 2016/2017, which reflected the approved General Fund budget and the capital programme.

Paragraph 4.3 of the Report set out details relating to the Housing Revenue Account in respect of which the outturn for 2015/2016 had produced a net surplus of £88,000 compared with a deficit of £491,000 that had been projected when setting the budget for the year, a net positive

variation of £579,000. Table 7 in paragraph 4.3.1 summarised the main variations compared with that projection.

Paragraph 4.4 of the Report set out details relating to the Collection Fund, the balance on which at 31 March 2016 was a surplus of £1.528m, compared with a surplus of £1.090m which had been estimated at the time of setting the Council Tax for 2016/2017. That positive variation, at 0.7% of income, reflected growth in the taxbase, changes in entitlement to discounts and a decrease in the value of Council Tax Reduction Scheme awards compared with the projection. Such variation was well within the acceptable level of tolerance given that the total annual amount of Council Tax due was £60.6m. The earliest that the additional surplus could be distributed was during 2017/2018 and would be between the Council, East Sussex County Council, East Sussex Fire Authority and the Sussex Police and Crime Commissioner, based on 2016/2017 Council Tax amounts. Approximately 16% of the surplus would be returned to the Council.

Appendix 1 to the Report set out the Annual Treasury Management Report for 2015/2016. Appendix 2 detailed the Capital Programme for 2015/2016 and Appendix 3 detailed the Capital Programme for 2016/2017.

Resolved:

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| 8.1 | That the final position on the General Fund, Housing Revenue Account and Collection Fund accounts for 2015/2016, as set out in Report No 95/16, be agreed; | DCS |
| 8.2 | That the allocation of Reserves at 31 March 2016, as shown in Table 6* to the Report, be confirmed; | DCS |
| 8.3 | That the Capital Programme outturn for 2015/2016, as shown in Appendix 2 to the Report, be agreed; and | DCS |
| 8.4 | That the updated 2016/2017 Capital Programme, as set out in Appendix 3 to the Report, be approved. | DCS |

It was further

Recommended:

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| 8.5 | That the Annual Treasury Management Report for 2015/2016, as set out at Appendix 1 to Report No 95/16, be approved. | DCS
(to
note) |
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Reasons for the Decisions:

It is essential to ensure that the Council has a sound financial base so that it can respond effectively to changing demand for statutory and discretionary services, reducing income levels, including Government funding, and inflationary pressures on expenditure. Reports to Cabinet through the year, including quarterly financial performance reports, ensure

that the Council's financial health is kept under continual review.

The Council's Treasury Management function deals with very large value transactions on a daily basis. It is essential that the Council is satisfied that appropriate controls are in place and in accordance with the Code of Practice on Treasury Management in the Public Services prepared by the Chartered Institute of Public Finance and Accountancy and adopted by the Council.

**(NB Subsequent to the meeting it was established that the figure of "(2,639)", as set out in line 8 of Table 6 of the Report, should have read "(2,157)").*

† *The Recommendation, and not the Resolutions, in the above Minute is for consideration by Council.*

Councillors are requested to bring with them to the meeting Report No 95/16 which was circulated with the agenda papers for the meeting of the Cabinet on 4 July 2016. If you require a further copy of the document please contact Trevor Hayward, Committee Officer, on e-mail trevor.hayward@lewes.gov.uk or telephone 01273 471600.

10 Adoption 'Making' of the Hamsey Neighbourhood Plan

The Cabinet considered Report No 97/16 which related to the adoption 'making' of the Hamsey Neighbourhood Plan.

The Localism Act 2011 had introduced a right for communities to draw up neighbourhood plans. Hamsey Parish Council, with support and advice from the Council, had produced a neighbourhood plan which had subsequently undergone a successful examination and referendum. A detailed legislative framework for undertaking neighbourhood planning was set out in the Neighbourhood Planning (general) Regulations 2012. Report No 97/16 considered whether the Plan should be adopted by the Council as part of the statutory development plan.

Neighbourhood plans, once adopted, formed part of the statutory development plan and sat alongside the Local Plan that was prepared by the Local Planning Authority. Part of Hamsey parish was within the South Downs National Park in respect of which the South Downs National Park Authority was preparing a Local Plan that covered the entire National Park. Once adopted, that local plan would replace the Lewes District Joint Core Strategy: Local Plan Part 1 in the areas within the National Park. Should

planning permission be sought in areas covered by an adopted neighbourhood plan, the application must be determined in accordance with both the neighbourhood plan and the Local Plan.

There were some legally prescribed stages that needed to be undertaken in the preparation of a neighbourhood plan and it needed to be subject to examination by an independent examiner. Subject to a positive outcome from such an examination, the plan then proceeded to a referendum. In instances when a neighbourhood plan was subject to a successful referendum, and the local planning authority was satisfied that European Union and human rights obligations had been met, it was a legal requirement to bring the plan into force as soon as reasonably practicable.

Paragraphs 3.1 to 3.12 of the Report set out details relating to progress of the Hamsey Neighbourhood Plan in respect of which a referendum had been held in Hamsey Parish on Thursday, 2 June 2016, that had posed the following question to eligible voters:

“Do you want Lewes District Council and the South Downs National Park Authority to use the Neighbourhood Plan for Hamsey Parish to help it decide planning applications in the neighbourhood area?”

28% of registered electors recorded votes, 120 votes of which were cast in favour of ‘yes’ compared with 13 in favour of ‘No’. It was declared that more than half of those voting had voted in favour of the Hamsey Neighbourhood Plan.

In accordance with the Neighbourhood Planning Regulations, following the outcome of the referendum it was for the Council to ‘make’ the neighbourhood plan so that it formally became part of the development plan for Lewes District. The South Downs National Park Authority would also formally adopt the plan.

Section 38A of the Planning and Compulsory Purchase Act 2004 (as amended) sets out the requirement for a local planning authority when it came to adopting (ie ‘making’) a neighbourhood plan, further details of which were set out in paragraph 3.12 of the Report.

Recommended:

- 10.1** That the Hamsey Neighbourhood Plan, as detailed in Report No 97/16, be formally adopted as part of the statutory development plan for the district.

DBSD
(to
note)

Reasons for the Decision:

The Hamsey Neighbourhood Plan has undergone a successful examination and received a majority vote in favour at a referendum.

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11 Community Infrastructure Levy Instalments Policy Revision

The Cabinet considered Report No 98/16 which related to the Community Infrastructure Levy (CIL) Instalments Policy for the Lewes District Council Charging Area.

Implementation of CIL in the Lewes District planning authority area had been in place since 1 December 2015 and the first few CIL planning cases were being processed. At the time that the Report was prepared, no cases had been significant enough to trigger the Council's CIL Instalments Policy which had been approved by the Council as part of the CIL adoption process on 9 November 2015. As that Policy was approved by the Council, any amendments thereto needed to also be approved by Council, unless delegated authority had subsequently been provided.

The instalments policy was written whilst the Charging Schedule was being prepared and prior to the purchase of software to implement CIL. The instalments policy allowed for the CIL amounts generated on larger residential developments to be paid in three separate instalments as the development progressed.

Since CIL implementation had commenced, the Council had found that the instalments policy did not particularly lend itself to the software that the Council had purchased in order to ensure the legally compliant processing of CIL cases. Additionally, it had been discovered that such a policy would require a significant level of development monitoring by the Council which would not be an efficient use of officer's time. The Report therefore proposed that the policy be amended in a way that was compatible with the Council's software and allowed for the collection of payments to be undertaken in a more time efficient manner, further details of which were set out in the Report.

Recommended:

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| <p>11.1 That the revised Community Infrastructure Levy Instalments Policy, as set out at Appendix 1 to Report No 98/16, be adopted, published and implemented, in accordance with regulation 69B of the Community Infrastructure Levy Regulations 2010 (As Amended); and</p> | <p>DBSD
(to
note)</p> |
| <p>11.2 That the Director of Business Strategy and Development, in</p> | <p>DBSD</p> |

consultation with the Cabinet Member for Planning, be authorised to make any further amendments to the Community Infrastructure Levy implementation policies where the intention is to respond to regulatory or practical requirements.

(to
note)

Reasons for the Decisions:

To enable the Council to monitor and ensure the collection of due Community Infrastructure Levy (CIL) payments in a more efficient and robust manner, which is compatible with the recently acquired CIL monitoring software.

To enable the Council to make future amendments to implementation policies, which respond to regulatory or practical requirements in a more expedient and efficient manner.

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