

# Full Council

## 21 February 2022

Quorum: 11

*Published: Friday, 11 February 2022*



### To the Members of the Council

You are summoned to attend a meeting of the Council to be held in the Council Chamber, County Hall, St Anne's Crescent, Lewes, East Sussex, BN7 1UE on 21 February 2022 at 6.00 pm to transact the following business.

**Note:** At the commencement of the meeting the Chair will ask for a period of silence to enable councillors to focus their thoughts on the meeting or to pray silently.

#### In line with the requirements for this meeting venue:

- We would ask that all attendees wear a face covering unless speaking or if seated 1 metre-plus from others.
- We would recommend all attendees take a lateral flow test in advance of attending the meeting.
- The numbers able to sit in the meeting room are limited by the venue to ensure Covid security, and therefore any members of the public intending to attend are asked to contact Democratic Services team by email on [committee@lewes-eastbourne.gov.uk](mailto:committee@lewes-eastbourne.gov.uk) to book a space in the main room or overflow room or to be sent the link to the webcast. The webcast link will also be published on the Council's website.

## Agenda

### 1 Minutes of the meeting held on 22 November 2021 (Pages 7 - 12)

To confirm and sign the minutes of the meeting of the Council dated 22 November 2021.

**2 Apologies for absence**

**3 Declarations of interest**

Disclosure by councillors of personal interests in matters on the agenda, the nature of any interest and whether the councillor regards the interest as prejudicial under the terms of the Code of Conduct.

**4 Announcements (Pages 13 - 14)**

To receive any announcements from the Chair of the Council, Leader of the Council, Members of the Cabinet or the Chief Executive. A list of the Chair of the Council's engagements since the previous meeting is enclosed.

**5 Urgent items**

Items not on the agenda which the Chair of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances as defined in Section 100B(4)(b) of the Local Government Act 1972.

**6 Questions from members of the public**

To deal with questions which members of the public may wish to put to members of the Cabinet in accordance with Council Procedure Rule 11 (if any).

**7 Petitions**

To receive petitions from councillors or members of the public in accordance with Council Procedure Rule 13 (if any).

**8 Urgent decisions taken by the Cabinet or Cabinet members (Pages 15 - 18)**

In accordance with Policy and Performance Procedure Rule 17, to receive details of any urgent decisions taken by the Cabinet or Cabinet members since the previous meeting. The following decisions have been made by the Leader of the Council:

[Omicron Hospitality and Leisure Grant Scheme](#) – 14 January 2022

[COVID-19 Additional Relief Fund Scheme](#) – 31 January 2022.

**9 Recommendations from Cabinet, Committees and Other Council bodies**

**(a) Council Budget and Setting of the Council Tax 2022/23 (Pages 19 - 48)**

Report of the Chief Finance Officer and Councillor Nicholson on behalf of the Cabinet. Referred from Cabinet on 3 February 2022, incorporating the recommendations from the Cabinet reports on:

- General Fund Revenue Budget 2022/23 and Capital Programme
- Treasury Management and Prudential Indicators 2022/23, Capital Strategy and Investment Strategy.

- Housing Revenue Account (HRA) Revenue Budget and Rent Setting 2022/23 and HRA Capital Programme 2021-25

*Please note that the Local Authorities (Standing Orders) (England) Amendment) Regulations 2014 requires named votes to be taken and recorded when setting the annual budget and council tax, including on substantive motions and any amendments.*

**(b) Council Tax Reduction Scheme for the Working Age 2022/23** (Pages 49 - 50)

Report of Councillor Nicholson on behalf the meeting of Cabinet on 9 December 2021.

**(c) Arrangements for Appointing External Auditors** (Pages 51 - 64)

Report of the Chief Finance Officer. Referred from Audit and Standards Committee on 17 January 2022.

**(d) Approval of Licensing Fees 2022/23** (Pages 65 - 72)

Report of Councillor Macleod on behalf of the Licensing Committee, referred from the meeting of Licensing Committee held on 20 January 2022 and to recommend an amendment to Appendix 1 received from the Director of Services Delivery to include an additional line 15a for a 'Fee for training of new drivers – including safeguarding, disability training and English test of £130'. This is highlighted in the revised Appendix 1.

**10 Notices of motion.**

There are no notices of motion for this meeting.

**11 Members' Allowances Scheme** (Pages 73 - 110)

Report of the Head of Democratic Services.

**12 Calendar of Meetings 2022-23** (Pages 111 - 112)

To agree the proposed Calendar of Meetings for 2022/23.

Please note: The Council dates will be subject to final approval at the annual meeting of the Council, in accordance with legislation.

**13 Written questions from Councillors**

To deal with written questions which councillors may wish to put to the Chair of the Council, a Lead Councillor on the Cabinet or the Chair of any committee or sub-committee in accordance with Council Procedure Rule 12 (if any).

**14 Questions to the Leader of the Council**

To deal with questions (if any) which councillors may wish to put to the Leader of the Council. It will be at the Leader's discretion to re-direct questions to relevant Members of the Cabinet. A councillor wishing to raise a question must notify the

Chair of the Council of the text of the question prior to the commencement of the meeting. (NB This item is limited to a maximum of 5 questions, with no more than 1 question being asked per councillor. If a question requires a detailed or technical response, the Leader may decide that a written response is more appropriate).

**15 Standards Panel Decision** (Pages 113 - 116)

In accordance with Council's adopted Code of Conduct Hearings Procedure, a copy of a decision made by a Standards Panel held on 23 November 2021 in respect of allegations made against Councillor Linington is attached for information.

**16 Ward issues**

To deal with ward issues which councillors wish to raise (if any).

**17 Reporting back on meetings of outside bodies** (Pages 117 - 122)

To receive any reports from the Council's representatives who serve on outside bodies in respect of meetings they have attended.

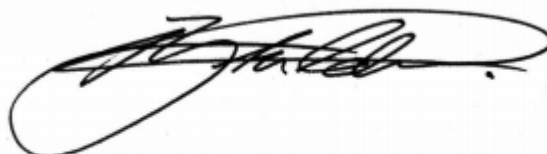
**18 Date of Next Meeting**

The next meeting is scheduled to take place on 23 May 2022.

**2 FIELD\_TITLE**

(a) FIELD\_TITLE

(b) FIELD\_TITLE



**Robert Cottrill**  
**Chief Executive**

## Information for the public

**Accessibility:** Please note that the venue for this meeting is wheelchair accessible and has an induction loop to help people who are hearing impaired. This agenda and accompanying reports are published on the Council's website in PDF format which means you can use the "read out loud" facility of Adobe Acrobat Reader.

**Filming/Recording:** This meeting may be filmed, recorded or broadcast by any person or organisation. Anyone wishing to film or record must notify the Chair prior to the start of the meeting. Members of the public attending the meeting are deemed to have consented to be filmed or recorded, as liability for this is not within the Council's control.

**Public participation:** Up to 30 minutes will be allowed at ordinary meetings of the Council during which members of the public may ask questions of Cabinet members. Questions must be received by midday 3 working days before the day of the meeting and include the name and address of the questioner and the organisation they represent (if applicable), and the name of the Cabinet member to whom it is to be put. No more than 3 questions are allowed but person or per organisation. Please contact Democratic Services (see end of agenda) for further information.

## Information for Councillors

**Disclosure of interests:** Members should declare their interest in a matter at the beginning of the meeting.

In the case of a disclosable pecuniary interest (DPI), if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation).

**Councillor right of address:** A member of the Council may ask the Chair, the Leader, a Cabinet member, the Chair of any committee or sub-committee, or a member of the Council to any external body or joint authority a question on any matter in relation to which the Council has powers of duties of which affects the district.

A member must give notice of the written question to Democratic Services in writing or by electronic mail no later than close of business on the fourth working day before the meeting at which the question is to be asked.

## Democratic Services

For any further queries regarding this agenda or notification of apologies please contact Democratic Services.

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

**Telephone:** 01323 410000

**Council website:** <https://www.lewes-eastbourne.gov.uk/>

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## Full Council

**Minutes of meeting held in Council Chamber, County Hall, St Anne's Crescent, Lewes, East Sussex, BN7 1UE on 22 November 2021 at 6.00 pm.**

### **Present:**

Councillor Christine Brett (Chair).

Councillors Adrian Ross (Vice-Chair), Graham Amy, Robert Banks, Nancy Bikson, Matthew Bird, Liz Boorman, Julie Carr, Roy Clay, Chris Collier, Phil Davis, Sharon Davy, Johnny Denis, Tom Jones, Isabelle Linington, Jim Lord, Sylvia Lord, James MacCleary, Imogen Makepeace, Milly Manley, Ron Maskell, William Meyer, Zoe Nicholson, Emily O'Brien, Ruth O'Keeffe, Nicola Papanicolaou, Christine Robinson, Geoff Rutland, Richard Turner, Steve Saunders and Christoph von Kurthy.

### **Officers in attendance:**

Robert Cottrill (Chief Executive), Simon Russell (Head of Democratic Services), Oliver Dixon (Monitoring Officer and Head of Legal Services) and Sarah Lawrence (Senior Committee Officer).

### **47 Minute of Silence**

The Chair of the Council stated that since the last meeting of Full Council, two former Councillors, Jon Freeman and Peter Harper, had sadly passed away.

Councillor MacCleary paid tribute to Jon Freeman and Councillor Carr paid tribute to Peter Harper for their service on the Council and the impact they had in their communities of Seaford and Newhaven.

The Council then held a minute's silence in memory.

### **48 Minutes of the meeting held on 20 September 2021**

**Resolved** – That the minutes of the meeting held on 20 September 2021 be confirmed and signed as a correct record.

### **49 Apologies for absence**

Apologies for absence had been received from Councillors Adeniji, Burman, Duhigg, Gauntlett, Macleod, Miller, O'Connor, Peterson, Rigden and Wallraven.

### **50 Declarations of interest**

No declarations of interests were made.

### **51 Announcements**

The Chair advised that a list of her engagements as Chair of the Council since

the last meeting was set out in the supplement to the agenda, and these were noted.

## **52 Urgent items**

There were no urgent items for consideration at the meeting.

## **53 Questions from members of the public**

No questions had been received from members of the public.

## **54 Petitions**

No petitions had been received.

## **55 Urgent decisions taken by the Cabinet or Cabinet members**

In accordance with the Policy and Performance Committee Procedure Rule 17, the Council received details of one decision which had been taken by the Leader of the Council under special urgency procedures on 24 September 2021, in relation to the Asset Regeneration Newhaven.

## **56 Review of the Lewes District Council Governance Changes**

The Council considered a report of the Head of Democratic Services reviewing the Democratic Governance changes at Lewes District Council implemented in May 2020, including the establishment of the Policy and Performance Advisory Committee and changes to the debating rules around motions. These had been discussed by a Governance Working Group reconvened in September 2021, following a year of operation of the new arrangements. Councillor Banks moved and Councillor Manley seconded the recommendations set out in the report, including the recommendation that no further changes be made to the governance arrangements.

### **Resolved -**

- (1) To note and endorse the recommendations of the Governance Working Group that no changes be made to the current governance arrangements at Lewes District Council;
- (2) To note that a training and development session would be scheduled for the membership of the Policy and Performance Advisory Committee, to assist it in making best use of all of its functions; and
- (3) To note the various opportunities for elected members to participate in the democratic process, as set out at Appendix 1 to the report.

## **57 Review of the Lewes District Council Statement of Licensing Policy**

Councillor Robinson moved and Councillor Denis seconded the recommendations set out in the report of the Director of Service Delivery to adopt the 'Lewes District Council Statement of Licensing Policy'.

It was noted that the proposed amendments to the Statement of Licensing



Policy had been considered by the Licensing Committee on 29 July and then put out to public consultation. As the changes had received support in the consultation, these were referred directly to Full Council for approval in accordance with the Committee's resolution. It was expected the Statement of Licensing Policy would come into force on 10 January 2022.

**Resolved** – That Council approves the Statement of Licensing Policy made under Section 5(4) of the Licensing Act 2003 for 2022-2027.

## **58 Review of the Lewes District Council Gambling Act Statement of Principles**

Councillor Robinson moved and Councillor Denis seconded the recommendations set out in the report of the Director of Service Delivery to adopt the 'Lewes District Council Gambling Act Statement of Principles'.

It was noted that the proposed minor amendment to the Statement of Principles had been considered by the Licensing Committee on 27 July and then put out to public consultation. As the changes had received support in the consultation, the Statement of Principles was referred directly to Full Council for approval in accordance with the Committee's resolution. It was expected the Statement of Principles would come into force on 10 January 2022.

**Resolved**– That Council approves the Gambling Statement of Principles made under S349 of the Gambling Act 2005 for 2022-2025.

## **59 Appointments**

The Council noted the appointments to the following committees and outside bodies made under delegated authority since the last meeting, as a result of Councillor Gauntlett's appointment by the Leader to be the Cabinet Member for Planning and Infrastructure:

- Policy and Performance Advisory Committee - Councillor Brett had replaced Councillor Gauntlett.
- Audit and Standards Committee – Councillor Macleod had replaced Councillor Gauntlett.
- East Sussex County Council Health and Overview Committee – Councillor Brett had replaced Councillor Gauntlett.
- Licensing Committee – Councillor Amy had replaced Councillor Gauntlett.

**Resolved** – To note the above changes in appointments.

## **60 Motions**

There were no notices of motion.

**61 Written questions from Councillors**

The Chair advised that two written questions had been received in accordance with Council Procedure Rule 12 from Councillor Turner and Councillor Manley and as set out in the Agenda Supplement.

1. Question from Councillor Richard Turner to Councillor Stephen Gauntlett (Cabinet Member for Planning and Infrastructure).

“There are many occasions over the years when we, on the Planning Committee, are faced with changes in Affordable Housing numbers at reserved matters. Should viability be assessed in decision making?”

There are occasions when the applicant at Reserved Matters stage submits detailed evidence of the new extra costs that have changed since the application and this reduces the Affordable Housing. A separate valuation is also submitted.

Whilst there are occasions when extra costs must be considered for genuine reasons. As the Conservative Shadow Lead Member for Planning, I would ask that reviews should be included in our new local plan policies as far as viability. This would strengthen the Planning Committee’s decision making and give the Council strength to any appeal.”

Response from Councillor Nicholson (on behalf of Councillor Gauntlett):

As Councillor Gauntlett had given apologies for the meeting, Councillor Nicholson responded verbally to the question at the meeting but indicated that Councillor Gauntlett would provide a further written response after the meeting.

Councillor Nicholson advised that the Government Guidance on this was clear that a viability review to claw back contributions, should the viability position improve, could only take place if the provision to do so was set out in the local plan. No such provision was in the current plan agreed by the previous administration. However, this was something that could be considered for the emerging Local Plan, and Councillor Nicholson invited Councillor Turner and the Conservative Group to be part of the Local Plan Steering Group shaping its development. In the interim, the Council had introduced open book viability assessments that were now more transparent, and had sought independent expert assistance to assess viability reports to make sure the community did not lose out.

Supplementary Question - Councillor Turner indicated that he did not have a supplementary question, but thanked Councillor Nicholson for the response and indicated as Shadow Portfolio Holder for Planning he would wish to be involved in any decision-making on the emerging local plan.

2. Question from Councillor Manley to Councillor Julie Carr (Cabinet Member for Recycling, Waste and Open Spaces) or Councillor Zoe Nicholson (Leader of the Council)

“Why is Lewes District Council finding it so difficult to keep the A27 clean, and to stop other authorities strimming litter? What else is LDC doing to improve the state of our roadsides with regards to litter?”

Response from Councillor Nicholson and Councillor Carr

Councillor Nicholson that she understood this question related to a recent incident where strimming took place in an area before litter collection and where no notification had been received of the works, which was very disappointing.

Councillor Carr echoed this frustration with the incident, as the Council had worked closely with National Highways and their Network Contractor and neighbouring local authorities since 2018/19 to clear litter from arterial routes running through the district, including the A27 and A26. National Highways provided the Council with a 20-week forward plan of plan land closures and temporary traffic management controls, updated weekly, which enabled the Council to send out highly trained teams to carry out litter picking sessions, mainly at night. This team could be mobilised at very short notice if there was a change to the schedule, which was why this incident where work was done without notice or consultation was particularly frustrating. Councillor Carr highlighted that in addition the Council had used a roadside anti-littering campaign and social media messages to discourage littering across the District. Councillor Carr gave assurance that the Council would continue to engage with National Highways to seek a better way of working which translated into tangible results on the ground.

Supplementary Question - Councillor Manley indicated that she did not have a supplementary question but thanked Councillor Nicholson and Councillor Carr for their responses.

**62 Questions to the Leader of the Council**

No questions had been submitted for the Leader.

**63 Ward issues**

Councillor Ross raised a ward issue set out in full in the agenda supplement.

He advised that he was concerned that a developer had applied for pre-application advice on a proposal to demolish the bus station in Lewes Bridge Ward, and to replace it with a block of flats. Bus companies, businesses, the Lewes Chamber of Commerce, the Town Council and many residents had expressed significant concerns about the impact the loss of the bus station would have on the Town. He was concerned that the South Downs National Park authority had not yet given assurance that it would consider the application in line with its Strategic Site Policy SD57 (North Street Quarter and Adjacent Eastgate Area) that stated that "Alternative uses on the bus station site are subject to the facility being replaced by an operationally satisfactory and accessible site elsewhere".

He asked that the Leader of the Council speak to the Chief Executive of the South Downs National Park Authority as soon as possible and seek assurance that any application received would be assessed in accordance with the policies consulted on and approved in Local Plans. In addition, he asked that she seek the Authority's commitment to meaningful engagement with interested parties and the public if and when a full application was received.

The Leader responded that she supported the concern raised on this matter which was also in her ward, and she gave assurance that she had met with the Chair of the National Park last week and raised this issue, and was happy to raise it again. She confirmed that the Council would be a consultee on the application and would seek to hold the National Park Authority to account on the way it applied its policies and engaged on the consultation.

#### **64 Reporting back on meetings of outside bodies**

The following reports had been received on outside bodies set out in the agenda and were noted:

- Sussex Police and Crime Panel – Councillor Denis
- Equalities and Fairness Stakeholder Group - Councillor Denis
- Community Safety Partnership- Councillor Denis
- Wave Leisure Trust – Councillor Denis and Councillor O'Connor
- Seaford Head Local Nature Reserve Management Committee – Councillor Brett
- South Downs National Park Authority AGM – Councillor Meyer
- South Downs National Park Authority Board Meeting – Councillor Meyer
- South Downs National Park Authority transfer of Seven Sisters Country Park from ESCC to SDNPA and subsequent operation of the Country Park by South Downs Commercial Operations Ltd – Councillor Meyer
- Armed Forces Champion – Councillor Davy
- Lewes District Citizens Advice – Councillor Makepeace
- Seaford to Brighton Line Steering Group Meeting – Councillor O'Brien

#### **65 Date of next meeting**

It was confirmed that the next meeting of Full Council was scheduled to take place at 6 pm on Monday 21 February 2022.

The meeting ended at 6.34 pm

Councillor Christine Brett (Chair)



## Lewes District Council

Southover House  
Southover Road  
Lewes  
East Sussex BN7 1AB

Civic & Member Services Officer: 01323 415502

**CHAIR**  
Councillor CHRISTINE BRETT

**VICE-CHAIR**  
Councillor ADRIAN ROSS

[caroline.hanlon@lewes-eastbourne.gov.uk](mailto:caroline.hanlon@lewes-eastbourne.gov.uk)

### CHAIR'S ENGAGEMENTS 23 November 2021 – 21 February 2022

Date	Time	Event
28/11/2021	18:30	Chair: To attend a service at Arundel Cathedral of the Pontifical Sung Vespers
02/12/2021	17:30 – 21:30	Chair: To host the Santa's Grotto for Late Night Shopping at Lewes House
07/12/2021	11.00	Chair: To attend the opening of Peacehaven's First Water Refill Station, The Dell, Peacehaven
07/12/2021	18:00	Chair: To attend the Mayor of Newhaven's Carol Service & Refreshments, at St Michaels Church, Newhaven
08/12/2021	19:00	Chair: To attend the Mayor of Seaford's Carol Service & Refreshments, Seaford Baptist Church
22/12/2021	17:30	Chair: To participate in the prizegiving draw on Seahaven FM (presented by Clive Mellor) for the Christmas Shop Independent Campaign
22/12/2021	19:00	Chair: To deliver the prizes for the Shop Independent Campaign in Seaford.
19/01/2021	11:00	Chair: To attend a tour of the new Council housing in Plumpton
25/01/2022	20:00	Chair: To attend a screening of the film 'Final Account' at the Depot Cinema, Lewes, for Holocaust Memorial Day

<b>Date</b>	<b>Time</b>	<b>Event</b>
28/01/2022	18:00 – 19:00	Chair: To attend the Holocaust Memorial Day Launch at Lewes Town Hall hosted by the Mayor of Lewes
29/01/2022	19:30 – 21:00	Chair: Service at St John sub Castro Church, Lewes by invitation of Lewes Holocaust Group. Chair to provide the closing remarks
05/02/2022	15:00 – 16:00	Chair: To meet with Mark Perryman and volunteers to help with the United Food Bank Collection outside Waitrose, Lewes
11/02/2022	18:30	Chair: To attend the opening of the Landport Community Café, Landport, Lewes



## Executive decision taken by Leader/Cabinet portfolio holder

***Decision taken by:***

Councillor Zoe Nicholson

***Date of decision:***

14 January 2022

***Subject of report:***

On 21<sup>st</sup> December 2021 the Government announced a new CV-19 business grant funding package to support businesses hospitality and leisure businesses impacted by the rise in the Omicron variant. The announcement included a scheme that will operate to support hospitality and leisure businesses within the business rates system.

The funding is aimed at those businesses in occupation in rateable premises as at 30<sup>th</sup> December 2021.

It is essential that the Council develops a robust policy to administer the scheme whilst at the same time working within budget and ensuring support to those that most need it.

***Exempt matter (if any as given under Schedule 12A of the Local Government Act 1972):***

No

***Key decision:***

Yes

***Open summary of decision made:***

The Leader of the Council approves the Omicron Hospitality and Leisure Grant Scheme and grants the Director of Service Delivery delegated authority, to

implement, and if necessary, amend each Policy (in consultation with the Leader). Such delegated authority will include any measures necessary for or incidental to its management and administration.

In accordance with section 17 of the Council's Policy and Performance Advisory Committee Procedure Rules, the call-in procedure shall not apply to this decision given its urgency. A decision is urgent if, in the view of the decision maker, any delay likely to be caused by the call-in process would, for example, seriously prejudice the Council's or the public's interests.

***Reason(s) for decision:***

This is a new scheme which needs to be implemented as a matter of urgency and so executive approval for the scheme is being sought from the Leader. The Leader is being asked to authorise the Director of Service Delivery to implement and administer the scheme as there is no existing officer delegation in place.

***Alternative options considered:***

This additional funding has been made available by Government as an emergency measure to support hospitality and leisure businesses over the next few weeks. Time does not permit alternative options.

***Was an executive councillor(s) consulted before decision was taken? If so, what was the result of this consultation?***

None

***Does the proposal involve any unplanned expenditure? If so, please confirm that you have consulted with the Chief Finance officer and include the date of consultation***

The cost of the scheme is being met by Central Government and any additional expenditure will be met through the New Burdens Funding.

Date of consultation: Not applicable

***Signed:***

Councillor Zoe Nicholson, Leader of the Council

***Leader/Cabinet portfolio holder***



# Executive decision taken by Leader/Cabinet portfolio holder



**Decision taken by:**

Councillor Zoe Nicholson

**Date of decision:**

31 January 2022

**Subject of report:**

On 25th March 2021, the government announced plans to provide an additional business rates support package, worth £1.5 billion, to support businesses in England affected by COVID-19 but not eligible for existing support, namely Expanded Retail Discount (covering retail, hospitality and leisure sectors) linked to business rates. The bill received royal assent on 15 December 2021 and guidance was issued by the Department for Levelling Up, Housing and Communities.

Billing Authorities are responsible for designing their own schemes using discretionary relief powers under section 47 of the Local Government Finance Act. Eligible businesses will receive a reduction in their business rates bill for 2021/22.

It is essential that the Council develops a robust policy to administer the scheme whilst at the same time working within the relief allocation provided by the Department to ensure business rates support goes to those businesses that most need it.

**Exempt matter (if any as given under Schedule 12A of the Local Government Act 1972):**

No

**Key decision:**

Yes

**Open summary of decision made:**

The Leader of the Council approves the Covid-19 Additional Relief Fund – Discretionary Non-Domestic Rate Relief scheme and grants the Director of Service Delivery delegated authority, to implement, and if necessary, amend each Policy (in consultation with the Leader). Such delegated authority will include any measures necessary for or incidental to its management and administration.

In accordance with section 17 of the Council's Policy and Performance Advisory Committee Procedure Rules, the call-in procedure shall not apply to this decision given its urgency. A decision is urgent if, in the view of the decision maker, any delay likely to be caused by the call-in process would, for example, seriously prejudice the Council's or the public's interests.

**Reason(s) for decision:**

This is a new scheme which needs to be implemented as a matter of urgency and so executive approval for the scheme is being sought from the Leader. The Leader is being asked to authorise the Director of Service Delivery to implement and administer the scheme as there is no existing officer delegation in place.

**Alternative options considered:**

This additional relief funding has been made available by Government as a measure to support businesses affected by the pandemic but that are ineligible for existing support linked to business rates. Time does not permit alternative options as the relief must be awarded before the end of the current financial year.

**Was an executive councillor(s) consulted before decision was taken? If so, what was the result of this consultation?**

None

**Does the proposal involve any unplanned expenditure? If so, please confirm that you have consulted with the Chief Finance officer and include the date of consultation**

The cost of the scheme is being met by Central Government. Local Authorities will be provided with New Burdens Funding to support the administration of the scheme.

Date of consultation: Not applicable

**Signed:**

Councillor Zoe Nicholson

**Leader/Cabinet portfolio holder**

**Meeting:** FULL COUNCIL

**Date:** Monday 21 February 2022

**Subject** COUNCIL BUDGET AND SETTING OF THE COUNCIL TAX FOR 2022/23

**Report of:** Councillor Zoe Nicholson (Leader and Portfolio Holder for Finance and Assets)

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The Council is asked to consider the reports to Cabinet and also the Cabinet minutes and resolutions from the meeting held on 3 February 2022.

The budget book 2022/23 will be circulated to all Members of the Council in March, once the budget has been formally adopted. A copy will be on the Council's website for public inspection purposes.

The reports may also be viewed on the Council's website at:

<https://democracy.lewes-eastbourne.gov.uk/ieListDocuments.aspx?CId=417&MId=3394&Ver=4>

(This is the listing for the [Cabinet meeting held on 3 February 2022](#))

Please contact Democratic Services (see below for contact details) in the first instance if you require a printed copy of any of the reports.

In order to comply with Section 25 of the Local Government Act 2003; the Authority's Chief Finance Officer is required to report on the robustness of the estimates made for the purposes of the budget calculations and the adequacy of the proposed reserves. A statement covering this requirement is attached at Appendix 1.

The resolutions in this report, which must include the requirements of all precepting authorities, are based on the budgets approved by the East Sussex County Council, East Sussex Fire Authority and the Police and Crime Commissioner for Sussex.

A summary of the demand on the Collection Fund is as follows:

Authority	Precept/Demand		2022/23 Band D Council Tax	Change over 2021/22	
	£	%	£	£	%
<b>Lewes District Council:</b>					
Council Tax Requirement (incl Special Expenses*)	8,062,598	9.62%	<b>219.53</b>	5.00	2.39%
Town and Parish Councils	4,564,518	5.45%	<b>124.28</b>	5.97	5.24%
<b>Total Lewes District Council</b>	<b>12,627,116</b>	<b>15.07%</b>	<b>343.81</b>	<b>10.97</b>	<b>7.62%</b>
East Sussex County Council	59,252,493	70.72%	<b>1,613.34</b>	69.30	4.64%
The Police and Crime Commissioner for Sussex	8,260,179	9.86%	<b>224.91</b>	10.00	5.00%
East Sussex Fire Authority	3,649,522	4.36%	<b>99.37</b>	1.94	2.03%
<b>Total</b>	<b>83,789,310</b>	<b>100.00%</b>	<b>2,281.43</b>	<b>170.40</b>	<b>8.07%</b>

*Special Expenses					
LDC Council Tax Requirement	8,062,598	-	219.53	5.00	2.39%
Less Total amount to be charged as Special Expenses	(640,880)	-	(17.45)	-	0.00%
<b>Council Tax to be levied on all LDC taxpayers</b>	<b>7,421,718</b>	<b>-</b>	<b>202.08</b>	<b>5.00</b>	<b>2.60%</b>

The Council has adopted a system of 'Special Expenses' in respect of the cost of General Fund Open Spaces. In setting the basic amount of the Council Tax for 2022/23, it is necessary for the Council to determine the costs which are to be its Special Expenses for the year, with all other costs being charged as its 'General Expenses'.

After consideration of the foregoing, **the Council is asked to approve the following:**

#### Recommendations:

1. To approve the recommendations as detailed in the reports from the Chief Finance Officer to Cabinet on 3 February 2022 as summarised below:
  - (i) To approve the General Fund budget for 2021/22 (Revised) and 2022/23 (Original). An increase in the Council Tax for Lewes District Council of £5 resulting in a Band D charge for general expenses of £202.08 for 2022/23.
  - (ii) To approve the revised General Fund capital programme 2022/23.
  - (iii) To endorse the continuation of the Flexible use of Capital Receipts.
  - (iv) To note the Section 151 Officer's sign off as outlined in the Cabinet Report and at Appendix 1.
  - (v) To endorse Cabinet's agreement for £350k being earmarked from General Fund reserves to create a Hardship Fund to support households with the energy and cost of living pressures.
  - (vi) To approve the Treasury Management Strategy and Annual Investment Strategy for 2022/23.
  - (vii) To approve the Minimum Revenue Provision Policy Statement for 2022/23.

- (viii) To approve the Prudential and Treasury Indicators for 2022/23 to 2024/25.
- (ix) To approve the Capital Strategy.
- (x) To approve the Housing Revenue Account (HRA) income and expenditure proposals, including revised HRA budget for 2021/22 and the budget for 2022/23, rents and service charges and the HRA Capital Programme, including:
  - That social and affordable rents (including Shared Ownership) be increased by 4.1% in line with Government policy;
  - That private sector leased property rents are increased by 4.1% (CPI+1%);
  - That garage rents are increased by 4.86% (RPI); and
  - That £150k be earmarked from the HRA reserve to create a Hardship fund to support households with their energy and cost of living pressures.

2. That delegated authority is given to the Chief Finance Officer to amend the budget for any presentational changes ensuring the Council Tax Requirement remains unchanged.

3. That it be noted, that since the Cabinet meeting on 3 February the Business Rates return to the Government (NNDR1) has been finalised. As a result of the latest Business Rates position, it has been possible to add £384K to the General Fund reserve. This will subsequently be allocated to the specific reserves set out below, which were identified in the budget report, once the exact allocations have been determined.

- The creation of a capital programme acceleration reserve.
- The creation of a commercial asset resilience planning reserve.
- To top up those reserves used to fund Covid-19 reserve.

4. That the expenses incurred by the Council set out below be approved as Special Expenses chargeable to the residents of each of the Town/Parish areas indicated and that any other expenses (excluding local precepts) incurred by the Council be approved as general expenditure for the purposes of Section 35 of the Local Government Finance Act 1992.

<b>Town/Parish Area</b>	<b>Special Expense 2022/23 £</b>
Lewes	343,000
Newhaven	134,940
Telscombe	57,720
Seaford	58,590
Peacehaven	41,100
Chailey	1,120
Ringmer	4,410
<b>Total</b>	<b>640,880</b>

5. That consequent upon a General Fund budget of £8,062,598 and other matters, the basic amount (Band D) of Council Tax for the Borough Council's functions will be £219.53 calculated as follows:

	<b>General Expenses only</b>	<b>Total including special items</b>
	£000's	£000's
Gross Expenditure:		
General Fund	56,437	
HRA	18,090	
Business Rates payable to Government	7,805	
Contributions to Reserves	80	
	82,412	82,412
Special expenses		641
Less Income:		
Service Income	(59,147)	
Other Government Grants	(3,378)	
Business Rates income	(12,017)	
Collection Fund Surplus (Council Tax)	(448)	
	(74,990)	(74,990)
<b>COUNCIL TAX REQUIREMENT</b>	<b>7,422</b>	<b>8,063</b>
<b>Band D Council Tax</b>	<b>£202.08</b>	<b>£219.53</b>

The statutory resolutions relating to this matter are given at paragraphs 6 and 7 below.

6. That it be noted that at its meeting on 3 February 2022 Cabinet approved the following calculations for the year 2022/23, being made in accordance with regulations made under Sections 31(B)(4) and 34(4) of the Local Government Act 1992, as amended:
- (a) 36,726.6 being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of the Council Tax Base) Regulations 1992, as amended, as its Council Tax Base for the year ) Item T in the formula in Section 31B of the Local Government Finance Act 1992).

b)

<u>Part of the Council's Area</u>	<u>Tax Base</u>
Parish of Barcombe	634.40
Parish of Beddingham and Glynde	182.30
Parish of Chailey	1,385.10
Parish of Ditchling	1120.20
Parish of East Chiltington	196.50
Parish of Falmer	67.60
Parish of Firle	124.30
Parish of Hamsey	279.10
Parish of Iford	89.60
Parish of Kingston	424.60
Town of Lewes	6049.60
Town of Newhaven	3638.40
Parish of Newick	1103.60
Town of Peacehaven	4752.60
Parish of Piddinghoe	126.10
Parish of Plumpton	677.70
Parish of Ringmer	1950.40
Parish of Rodmell	214.20
Parish of St Ann Without	39.60
Parish of St John Without	27.10
Town of Seaford	9406.70
Parish of Southease	22.90
Parish of South Heighton	255.40
Parish of Streat	80.20
Parish of Tarring Neville	9.70
Town of Telscombe	2498.80
Parish of Westmeston	160.50
Parish of Wivelsfield	1,209.40

Being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as amended, as the amounts of its Council Tax base for the year for dwelling in those parts of its area to which one or more special items relate.

7. That the following amounts be now calculated by the Council for the year 2022/23 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended:
- (a) £87,617,418 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
  - (b) £74,990,302 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
  - (c) £12,627,116 being the amount by which the aggregate at 5(a) above exceeds the aggregate at 5(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).

- (d) £343.81 being the amount at 6(c) above (Item R), all divided by Item T (5 above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including local precepts).
- (e) £5,205,398 being the aggregate amount of all special items referred to in Section 34(1) of the Act.
- (f) £202.08 being the amount at 6(d) above less the result given by dividing the amount at 6(e) above by the amount at 4(a) above (Item T), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates,
- (g) Parts of the Council's area

Barcombe	252.82	Piddinghoe	289.05
Beddingham and Glynde	267.10	Plumpton	296.35
Chailey	252.26	Ringmer	271.47
Ditchling	300.42	Rodmell	271.17
East Chiltington	242.39	St Ann Without	202.08
Falmer	209.48	St John Without	202.08
Firle	286.55	Seaford	319.40
Hamsey	267.34	Southease	202.08
Iford	204.87	South Heighton	255.51
Kingston	319.84	Streat	269.60
Lewes	467.02	Tarring Neville	202.08
Newhaven	398.37	Telscombe	329.82
Newick	263.87	Westmeston	283.08
Peacehaven	355.30	Wivelsfield	285.72

Being the amounts given by adding the amount at 5(f) above, the amounts of the special items or items relating to dwelling in those parts of the Council's area mentioned above divided in each case by the amount at 5(B) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.



## (h) Parts of the Council's area

Council Tax Valuation Bands								
	A	B	C	D	E	F	G	H
	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9
	£	£	£	£	£	£	£	£
Barcombe	168.55	196.64	224.73	252.82	309.00	365.18	421.37	505.64
Beddingham and Glynde	178.07	207.74	237.42	267.10	326.46	385.81	445.17	534.20
Chailey	168.17	196.20	224.23	252.26	308.32	364.38	420.43	504.52
Ditchling	200.28	233.66	267.04	300.42	367.18	433.94	500.70	600.84
East Chiltington	161.59	188.53	215.46	242.39	296.25	350.12	403.98	484.78
Falmer	139.65	162.93	186.20	209.48	256.03	302.58	349.13	418.96
Firle	191.03	222.87	254.71	286.55	350.23	413.91	477.58	573.10
Hamsey	178.23	207.93	237.64	267.34	326.75	386.16	445.57	534.68
Iford	136.58	159.34	182.11	204.87	250.40	295.92	341.45	409.74
Kingston	213.23	248.76	284.30	319.84	390.92	461.99	533.07	639.68
Lewes	311.35	363.24	415.13	467.02	570.80	674.58	778.37	934.04
Newhaven	265.58	309.84	354.11	398.37	486.90	575.42	663.95	796.74
Newick	175.91	205.23	234.55	263.87	322.51	381.15	439.78	527.74
Peacehaven	236.87	276.34	315.82	355.30	434.26	513.21	592.17	710.60
Piddinghoe	192.70	224.82	256.93	289.05	353.28	417.52	481.75	578.10
Plumpton	197.57	230.49	263.42	296.35	362.21	428.06	493.92	592.70
Ringmer	180.98	211.14	241.31	271.47	331.80	392.12	452.45	542.94
Rodmell	180.78	210.91	241.04	271.17	331.43	391.69	451.95	542.34
St Ann Without	134.72	157.17	179.63	202.08	246.99	291.89	336.80	404.16
St John Without	134.72	157.17	179.63	202.08	246.99	291.89	336.80	404.16
Seaford	212.93	248.42	283.91	319.40	390.38	461.36	532.33	638.80
Southeast	134.72	157.17	179.63	202.08	246.99	291.89	336.80	404.16
South Heighton	170.34	198.73	227.12	255.51	312.29	369.07	425.85	511.02
Streat	179.73	209.69	239.64	269.60	329.51	389.42	449.33	539.20
Tarring Neville	134.72	157.17	179.63	202.08	246.99	291.89	336.80	404.16
Telscombe	219.88	256.53	293.17	329.82	403.11	476.41	549.70	659.64
Westmeston	188.72	220.17	251.63	283.08	345.99	408.89	471.80	566.16
Wivelsfield	190.48	222.23	253.97	285.72	349.21	412.71	476.20	571.44

Being the amounts given by multiplying the amounts at 6(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

8. To note that East Sussex County Council, East Sussex Fire and Rescue Authority and Police and Crime Commissioner for Sussex have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992, as amended, for each category of dwellings in the Council's area as indicated in the table below.

2022-23		Council Tax Valuation Bands							
	A	B	C	D	E	F	G	H	
	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9	
	£	£	£	£	£	£	£	£	
<b>Precepting Authorities</b>									
East Sussex County Council	1,075.56	1,254.82	1,434.08	1,613.34	1,971.86	2,330.38	2,688.90	3,226.68	
Sussex Police Authority	149.94	174.93	199.92	224.91	274.89	324.87	374.85	449.82	
East Sussex Fire Authority	66.25	77.29	88.33	99.37	121.45	143.53	165.62	198.74	
<b>Aggregate of Council Tax Requirements</b>	<b>1,291.75</b>	<b>1,507.04</b>	<b>1,722.33</b>	<b>1,937.62</b>	<b>2,368.20</b>	<b>2,798.77</b>	<b>3,229.38</b>	<b>3,875.24</b>	

9. That having calculated the aggregate in each case of the amounts at 6(h) and 7 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2021/22 for each of the categories of dwellings shown below:

Council Tax Valuation Bands								
	A	B	C	D	E	F	G	H
	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9
	£	£	£	£	£	£	£	£
Barcombe	1,460.30	1,703.68	1,947.06	2,190.44	2,677.20	3,163.96	3,650.74	4,380.88
Beddingham and Glynde	1,469.82	1,714.78	1,959.75	2,204.72	2,694.66	3,184.59	3,674.54	4,409.44
Chailey	1,459.92	1,703.24	1,946.56	2,189.88	2,676.52	3,163.16	3,649.80	4,379.76
Ditchling	1,492.03	1,740.70	1,989.37	2,238.04	2,735.38	3,232.72	3,730.07	4,476.08
East Chiltington	1,453.34	1,695.57	1,937.79	2,180.01	2,664.45	3,148.90	3,633.35	4,360.02
Falmer	1,431.40	1,669.97	1,908.53	2,147.10	2,624.23	3,101.36	3,578.50	4,294.20
Firle	1,482.78	1,729.91	1,977.04	2,224.17	2,718.43	3,212.69	3,706.95	4,448.34
Hamsey	1,469.98	1,714.97	1,959.97	2,204.96	2,694.95	3,184.94	3,674.94	4,409.92
Iford	1,428.33	1,666.38	1,904.44	2,142.49	2,618.60	3,094.70	3,570.82	4,284.98
Kingston	1,504.98	1,755.80	2,006.63	2,257.46	2,759.12	3,260.77	3,762.44	4,514.92
Lewes	1,603.10	1,870.28	2,137.46	2,404.64	2,939.00	3,473.36	4,007.74	4,809.28
Newhaven	1,557.33	1,816.88	2,076.44	2,335.99	2,855.10	3,374.20	3,893.32	4,671.98
Newick	1,467.66	1,712.27	1,956.88	2,201.49	2,690.71	3,179.93	3,669.15	4,402.98
Peacehaven	1,528.62	1,783.38	2,038.15	2,292.92	2,802.46	3,311.99	3,821.54	4,585.84
Piddinghoe	1,484.45	1,731.86	1,979.26	2,226.67	2,721.48	3,216.30	3,711.12	4,453.34
Plumpton	1,489.32	1,737.53	1,985.75	2,233.97	2,730.41	3,226.84	3,723.29	4,467.94
Ringmer	1,472.73	1,718.18	1,963.64	2,209.09	2,700.00	3,190.90	3,681.82	4,418.18
Rodmell	1,472.53	1,717.95	1,963.37	2,208.79	2,699.63	3,190.47	3,681.32	4,417.58
St Ann Without	1,426.47	1,664.21	1,901.96	2,139.70	2,615.19	3,090.67	3,566.17	4,279.40
St John Without	1,426.47	1,664.21	1,901.96	2,139.70	2,615.19	3,090.67	3,566.17	4,279.40
Seaford	1,504.68	1,755.46	2,006.24	2,257.02	2,758.58	3,260.14	3,761.70	4,514.04
Southease	1,426.47	1,664.21	1,901.96	2,139.70	2,615.19	3,090.67	3,566.17	4,279.40
South Heighton	1,462.09	1,705.77	1,949.45	2,193.13	2,680.49	3,167.85	3,655.22	4,386.26
Streat	1,471.48	1,716.73	1,961.97	2,207.22	2,697.71	3,188.20	3,678.70	4,414.44
Tarring Neville	1,426.47	1,664.21	1,901.96	2,139.70	2,615.19	3,090.67	3,566.17	4,279.40
Telscombe	1,511.63	1,763.57	2,015.50	2,267.44	2,771.31	3,275.19	3,779.07	4,534.88
Westmeston	1,480.47	1,727.21	1,973.96	2,220.70	2,714.19	3,207.67	3,701.17	4,441.40
Wivelsfield	1,482.23	1,729.27	1,976.30	2,223.34	2,717.41	3,211.49	3,705.57	4,446.68

10. To determine that the Council's basic amount of Council Tax for 2022/23 is not excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992, as amended.

As the billing authority, the Council has **not** been notified by a major precepting authority that its relevant basic amount of Council Tax for 2021/22 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992, as amended.

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For a copy of the report please contact Democratic Services, Telephone (01323) 415023, Email: [committees@lewes-eastbourne.gov.uk](mailto:committees@lewes-eastbourne.gov.uk)

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### **Appendices:**

Appendix 1 - Section 25 Statement of the Chief Finance Officer.

Appendix 2 - Detail Town/Parish Precept, Tax Base and Band D analysis.

Appendix 3 - Cabinet Minute Extract, 3 February 2022, General Fund Budget 2022/23 and Capital Programme.

Appendix 4 – Cabinet Minute Extract, 3 February 2022, Treasury Management and Prudential Indicators 2021/22, Capital Strategy and Investment Strategy.

Appendix 5 – Cabinet Minute Extract, 3 February 2022, Housing Revenue Account (HRA) Revenue Budget and Rent Setting 2022/23 and HRA Capital Programme 2022-25.

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## **Section 25 – Statement of the Section 151 Officer**

### **1. Introduction**

**1.1.** The Chief Financial Officer is required to make a statement on the adequacy of reserves and the robustness of the budget. This is a statutory duty under Section 25 of the 2003 Local Government Act which states the following:

a) Where an authority to which Section 32 or 43 of the Local Government Finance Act 1992 (billing or major precepting authority) or Section 85 of the Greater London Authority Act 1999 (c.29) (Great London Authority) applies is making calculations in accordance with that section, the Chief Finance Officer of the authority must report to it on the following matters:

- The robustness of the estimates made for the purposes of the calculations, and
- The adequacy of the proposed financial reserves.

b) An authority to which a report under this section is made shall have regard to the report when making decisions about the calculations in connection with which it is made. This includes reporting and considering:

- The key assumptions in the proposed budget and to give a view on the robustness of those assumptions.
- The key risk areas in the budget and to assess the adequacy of the Council's reserves when reviewing the potential financial impact of these risk areas on the finances of the Council. This should be accompanied by a Reserves Strategy.

**1.2.** CIPFA published a new Financial Management (FM) Code in October 2019. One of the 17 standards included in the new Code is 'the budget report includes a statement by the chief financial officer on the robustness of the estimates and a statement on the adequacy of the proposed financial reserves.' The first full year of compliance with the new FM Code was 2021/22. This is a good practice approach that the Council will follow, and the statement is updated in light of the prevailing circumstances and assessment of relevant risks each financial year.

**1.3.** This statement must be considered and approved by full Council as part of the budget approval and Council Tax setting process.

**1.4.** This document concentrates on the General Fund budget, the Housing Revenue Account and Capital Investment Programme, but in addition it also considers key medium-term issues faced by the Council.

**1.5.** The importance of this overall approach and need for prudent and realistic levels of reserves and provisions has been brought sharply into focus by the impact of COVID-19 on both the finances and operations of the Local Government Sector throughout 2020/21 and 2021/22.

## **2. Assurance Statement of the Council's Section 151 Officer**

**2.1.** The following are the summary assurances and recommendations of the Council's Section 151 Officer (currently the Chief Finance Officer). They must be read in conjunction with the supporting statement in this Appendix, which together make up the Section 151 Officer's statutory duty to report under Section 25 of the Local Government Act 2003.

2.1.1. In relation to the 2022/23 General Fund Revenue budget, I have examined the budget proposals and I believe that, whilst the spending and service delivery proposals are challenging, they are nevertheless achievable given the political and management desire to implement the changes. Good management and the sound monitoring of performance and budgets will be essential. I am satisfied that sufficient management processes exist within the Council to deliver this budget and to identify and deal with any problems which may arise unexpectedly during the year.

2.1.2. The key process risks in making the above statement are the level of resources within the Council dedicated to providing financial support services and advice to managers, which will need the finance teams to be focused on key risk budgets.

2.1.3. My recommendations are also conditional upon:

a) The Council continuing to assess, learn, report, and respond appropriately to the impact of COVID-19 across all aspects of its operations but in particular its locally generated income from tourism and commercial portfolio.

b) The Council approving the updated Medium Term Financial Strategy for 2022/23 to 2025/26

c) A recognition in the medium-term planning approach that the level of reserves and corporate risk assessment need to be regularly reviewed in the light of changing circumstances and that it may not be possible to match the two at any single point in time. The Council needs to show a commitment to maintain reserves at a level which provides adequate cover for most identified risks during the planning period. This approach is pragmatic and shows a clear commitment to prudent contingency planning.

d) It must be noted, however, that the recommended levels of reserves could still leave the Council exposed to the very exceptional risks identified in this review and, if all those risks crystallised at the same time, then the total level of reserves could be inadequate.

e) Cabinet Members, Chief Executive, Executive Directors and managers not exceeding their cash limits for 2022/23 (and future years covered by the Medium Term Financial Strategy).

f) Taking every opportunity to meet the Reserves Policy as a first call on windfall underspends.

g) Not considering further calls on reserves other than for those risks that have been identified, those that could not have been reasonably foreseen and that cannot be

dealt with through management or policy actions. The exception to this is where the Reserves Policy (introduced in Sept 2021) is met. Even in those circumstances, it is not prudent to finance ongoing spending from one-off reserves. Any excess reserves should be targeted towards business transformation (including redundancies and invest to save initiatives), key services particularly housing need, environmental services, contributions to support asset maintenance, Local Government funding changes and the impacts of significant changes in national policy.

h) Where there is a draw-down on reserves, which causes the approved Reserves Policy to be off target, that this is replenished as part of a revised Medium Term Financial Strategy.

i) That the Council has arrangements and resources in place to consider and assess value for money across the delivery of all its services and operations in preparation for future years' budgets.

2.1.4. In relation to the adequacy of reserves, I recommend the following Reserves Policy based on an approach to evidence the requisite level of reserves by internal financial risk assessment. The Reserves Policy will need to be reviewed annually and adjusted in the light of the prevailing circumstances.

a) An absolute minimum level of unallocated General Fund reserves of £2 million is maintained throughout the period between 2022/23 to 2025/26.

b) An optimal level of unallocated General Fund reserves of £4 million over the period 2022/23 to 2025/26 to cover the absolute minimum level of reserves, in-year risks, cash flow needs and unforeseen circumstances.

c) A maximum recommended level of unallocated General Fund reserves of £5 million for the period 2022/23 to 2025/26 to provide additional resilience to implement the Medium Term Financial Strategy.

d) A Reserves Policy to remain within the recommended level of reserves over the relevant period of 2022/23 to 2025/26.

2.1.5. The estimated level of unallocated General Fund reserves at 31 March 2022, based on current projections is £3.5 million depending on the final outturn position. Therefore:

a) The absolute minimum level of reserves of £2 million is currently being achieved.

b) The optimal level of reserves of £3.5 million criteria is being achieved for 2021/22, if departments spend against budget as currently projected.

c) The maximum level of unallocated reserves of £5 million is not being exceeded.

d) Reserves should remain within the recommended range of reserves during 2022/23. This is subject to the cash limited budget for 2022/23 being met.

2.1.6. These recommendations are made based on:

a) The risks identified by the Chief Executive and Executive Directors reviews of their budgets.

- b) My own enquiries during the development of the current budget proposals.
- c) The resilience and sustainability required to deliver the Medium Term Financial Strategy.
- d) One-off unallocated reserves not being used to fund new on-going commitments.
- e) That the reserves in 2022/23 and the foreseeable future are used only if risks materialise and cannot be contained by management or policy actions.
- f) That where reserves are drawn down, the level of reserves is maintained in line with the latest Medium Term Financial Strategy.

2.1.7. There are also serious exceptional risks which, if they crystallise, could significantly impact the Council's reserves, and leave its financial standing seriously in question. These include:

- a) A national failure to mobilise and roll out an effective on-going vaccination and booster programme to reduce the spread and impact of COVID-19 as new variants emerge and reduced financial support for the continuing local implications of the pandemic.
- b) The potential for unforeseen Council owned infrastructure issues.
- c) Waste Management (Disposal) – this is to be kept under review in view of the rising inflationary costs and pay demands in 2022/23.
- d) The Waste Management is one of the largest areas of expenditure for the Council where there is a considerable volatility, new legislative and environmental requirements, which will potentially add extra risks and costs nationally in the market, any implications for the Council will be considered by the Cabinet in due time.
- e) The financial implications from the Care Act, adult social care and other welfare reform changes or other associated Housing legislation.
- f) The risk surrounding the non-delivery of savings and exceeding investment proposals within the Recovery and Reset budget package for 2022/23.
- g) The financial uncertainty for the public sector arising from the prevailing and continuing national and local conditions.
- h) The risk of further significant reductions in income and Government grant funding, particularly in relation to:
  - Growth and decline in the Council's Tax base and Business Rates base.
  - Business Rates appeals from the 2017 revaluation.
  - Academies funding.
  - The Local Council Tax Support Scheme with reduction in subsidy funding and no protection for caseload increases.



- Further changes to the way in which Local Government is financed given the Government's intended Local Government reform in 2022/23 as part of its 'Levelling Up' agenda and potential redistribution of existing funding levels to other local authority areas from 2023/24.
- Future Government changes in policy and funding for Local Government, particularly the unknown impact of the next Spending Round in 2024.
- The need to address the Country's ongoing Public Sector Borrowing Requirement (PSBR) and the structural financial deficit.
- The economic impact of the withdrawal of the UK from the European Union.

i) Insurance Claims.

j) Any impact on Council services and Budget in 2022/23 and later years arising from the withdrawal from the European Union on 01/01/2021.

2.1.8. In relation to the Housing Revenue Account (HRA) in 2022/23 and the medium to long term:

a) Given the current status of housing management provision the recommendation is that general reserves be maintained within the at the target figure of £2.275m.

b) A 2022/23 budget has been formulated to maintain a balanced HRA.

c) Forward projections for the HRA beyond 2022/23 are being remodelled. In addition, this is linked to the HRA's own Medium Term Financial Strategy for the period 2022/23 to 2025/26.

The current position demonstrates that it is possible to:

- Maintain a balanced HRA throughout that period.
- Meet current level of capital investment, and
- Repayment of required debt.

2.1.9. In relation to the General Fund and HRA Capital Investment Programme 2021/22 to 2025/26 (including commitments from previous years and new starts):

a) The HRA Capital Programme will need to be contained within the total programme cost.

b) The General Fund Capital Budget is considerable and is based on the best information available in terms of project costs. What is less certain is the actual phasing of expenditure and any material increases in the costs caused by the supply and labour shortage.

c) The key strategic schemes identified in the Capital Investment Programme will be closely monitored in-year.

d) That the funding identified for the approved Capital Investment Programme is delivered and is proportionate, prudent, affordable, and sustainable.

2.1.10. In relation to the medium to long term Capital Investment Programme:

a) The delivery of the agreed Capital Strategy and Asset Management Plan is a critical priority to enable the matching of resources to needs and priorities.

**2.2.** Assurance Given all these factors, I, as the Council's Section 151 Officer, consider the estimates for 2022/23 to be sufficiently robust and recommend for approval by the Council. I am also able to advise the Council that the level of General Fund Reserves is adequate and to recommend a Reserves Strategy which is achievable for 2022/23 – 2025/26.

## **Supporting Statement**

### **3.1. Processes**

3.1.1. Budget estimates are exactly that – estimates of spending and income made at a point in time and which will change as circumstances change. This statement about the robustness of estimates cannot give a 100% guarantee about the budget but gives Members reasonable assurance that the budget has been based on the best information and assumptions available at the time.

3.1.2. To meet the requirement on the robustness of estimates several key processes have been put in place, including:

- a) The issuing of clear guidance to Services on preparing budgets.
- b) The development of a Council wide risk assessment.
- c) The use of extensive budget monitoring and its escalation process to identify risks.
- d) The Council's S151 Officer providing advice throughout the process of budget preparation and budget monitoring.
- e) The Chief Executive and Executive Directors review of their budgets and appropriate sensitivity analysis.
- f) A review of all budget proposals and implications by CMT from April 2021 to January 2022.
- g) A review of budget proposals and implications by Cabinet Members from July 2021 to January 2022.
- h) Enquiries made directly by the Section 151 Officer and Finance Officers.

3.1.3. Notwithstanding these arrangements, which are designed to rigorously test the budget throughout its various stages of development, considerable reliance is placed on the Chief Executive, Executive Directors and Directors having proper arrangements in place to identify issues, project costs, service demands, income levels, to consider value for money and efficiency, and to implement changes in their service plans. These arrangements are supported by appropriately qualified financial staff.

3.1.4. A summary of the key budget assumptions considered by Services and financial staff in terms of assessing the robustness of their budgets are shown below:

- a) The treatment of inflation and interest rates.
- b) The treatment of demand led pressures.
- c) The treatment of efficiency savings/productivity gains.
- d) The financial risks inherent in any significant new funding partnerships, major outsourcing deals, or major capital developments.
- e) The availability of other funds to deal with major contingencies.
- f) The Service's track record in budget and financial management.
- g) The Service's capacity to manage in-year budget pressures.

3.1.5. The full key budget assumptions and comments by the Chief Executive and Executive Directors have been used in constructing all budget proposals.

3.1.6. Corporate and service processes are under continuous review and improvement. Over the last few years there has been a sustained emphasis on a robust scheme of budget monitoring with an improved reporting format to Cabinet and Members in 2020/21, which was further improved in 2021/22. Additionally, the regular review and monitoring of the annual budget savings that was introduced by the current Chief Finance Officer will continue in 2022/23.

3.1.7. There are also plans in place for the continuous improvement and development of the Financial systems. This will strengthen the authority's capacity and ability to monitor more effectively the overall budget. Continual improvement in these processes will also assist in the prevention or at least the earlier identification of issues to be dealt with in the budget and Medium Term Financial Strategy and allow for any in-year rebalancing to be undertaken as soon as possible if required. Nevertheless, in preparing a comprehensive budget for such a complex Organisation, unforeseen issues will undoubtedly still arise throughout the year and in the future.

## **3.2. Robustness of Estimates - General Fund Revenue Budget**

3.2.1. The 2022/23 budget and the Council's Corporate Plan set out the roadmap to target our financial resources to delivering better outcomes and effectively manage risks. In addition to improving efficiency, there are clearly choices for the Council in this respect:

- a) To increase financial resources to meet demand and reduce risk, and/or
- b) To reduce (where possible) service levels and standards, frequency of service delivery, and eligibility for services.

3.2.2. As part of developing the budget, Members of the administration have considered these options and the outcome of these deliberations are reflected in the proposed overall budget package.

3.2.3. Most notably the Council has had to address major cost increases and pressures as well as corporate priorities including:

- a) Employee costs.
- b) Demand led costs.
- c) The cost of capital financing within the capital programme.
- d) Shortfalls in income and grant income.
- e) Inflation.

3.2.4. The factors and risks considered in developing the proposed budget and recommendations on reserves are contained in each of the Executive Directors proposals surrounding their Service budget.

3.2.5. These assumptions will require the forecasts for future years to be reviewed early in each financial year leading to more detailed budgets during the autumn of each financial year.

### **3.3. Financial Sustainability Strategy**

3.3.1. The Council has previously developed a high-level long-term strategy that is designed to frame its financial future and intentions. This strategy helps set the context for the Medium Term Financial Strategy, guide the Council's approach to maximising resources, prioritising investment and the effective targeting of resources to deliver the ambitions and outcomes contained within the Corporate plan.

3.3.2. Its primary purpose is to outline the Council's approach, desire, and commitment to achieving financial sustainability by embracing the area's economic potential, growing our local tax base and increase sustainable income capabilities.

3.3.3. Given the unprecedented circumstances and challenges caused by COVID-19 in 2020/21 and 2021/22, the Council has committed to reviewing this strategy again as part of the budget process for 2022/23.

### **3.4. Medium Term Financial Strategy**

3.4.1. The Council needs to deliver its Medium Term Financial Strategy reflecting the continuing impact of the proposed budget and only planned growth in relation to issues that are unavoidable. Within the current uncertain financial climate, it is very likely that service improvement and reasonable Council Tax increases, without key service reductions, will only be achieved through improving efficiency, clear prioritisation and adopting a new more commercial approach to income generation.

### **3.5. Adequacy of Reserves – General Fund Revenue Budget**

3.5.1. Under the Local Government 2003 Act the Secretary of State has powers to set a minimum level of reserves. The most likely use of this power is where an authority is running down its reserves against the advice of their S151 Officer.

3.5.2. Determining the appropriate levels of reserves is not a precise science or a formula e.g. a simple percentage of the Council's budget. It is the Council's safety net for risks, unforeseen or other circumstances. The reserves must last the lifetime of the Council unless contributions are made from future years' revenue budgets.

The minimum level of balances cannot be judged merely against the current risks facing the council as these can and will change over time.

3.5.3. Determining the appropriate levels of reserves is a professional judgement based on local circumstances including the overall budget size, risks, robustness of budget preparation, major initiatives being undertaken, budget assumptions, other earmarked reserves and provisions, and the Council's track record in budget management. It is also a professional judgement on the external factors that influence the Council's current and future funding position.

3.5.4. The consequences of not keeping a minimum prudent level of reserves can be serious. In the event of a major problem or a series of events, the Council would run the serious risk of a deficit or of being forced to cut spending during the year in a damaging and arbitrary way.

3.5.5. The recommendation on the prudent level of reserves has been based on the robustness of estimate information and the Corporate Risk Register. In addition, the other strategic operational and financial risks considered when recommending the minimum level of unallocated General Fund reserves include:

- a) There is always some degree of uncertainty over whether the full effects of any economising measures and/or service reductions will be achieved. The Executive Directors have been requested to be prudent in their assumptions and that those assumptions, particularly about demand led budgets, will hold true in changing circumstances.
- b) The Bellwin Scheme Emergency Financial Assistance to Local Authorities provides assistance in the event of an emergency. The Local Authority can claim assistance with the cost of dealing with an emergency over and above a threshold set by the Government.
- c) The risk of major litigation, both current and in the future. Risks in the inter-relationship between various agencies and local authorities coupled with the responsibilities of Public Health.
- e) The Local Council Tax Support Scheme with less Government funding and increases in caseload at the Council's own risk
- f) Issues arising from the final Housing Benefit Subsidy Claim.
- g) The localisation of Business Rates including the impact of businesses declining in the district/ borough boundaries.
- h) New and impending legislation.
- i) Unplanned volume increases in major demand led budgets, particularly in housing and benefit services.
- j) The need to retain a general contingency to provide for some measure of unforeseen circumstances which may arise. This part of the reserves is not provided for directly but indirectly on the assumption that the financial risks identified will not all crystallise.

k) The need to retain reserves for general day-to-day cash flow needs. This is minimal given the level of cash the Council holds at any given time.

l) The potential impact nationally, regionally, and locally of new climate change initiatives and commitment to our green agenda.

m) The longer-term impact of the pandemic on the finances and operational arrangements of the Council.

n) There remains some ongoing uncertainty over the impact of Brexit.

3.5.6. Further exceptional risks identified may have a potential and serious call on reserves. The Council is advised to be cautious about these risks and commit to restoring any drawn down reserves in line with the Medium Term Financial Strategy.

3.5.7. In these circumstances, I will require the Council, Cabinet, Chief Executive, Executive Directors and Directors:

a) To remain within their service budget for 2022/23 and within agreed medium term financial strategy parameters for future years (2023/24 to 2025/26) with a strict adherence to recovering overspends within future years' financial plan targets.

b) Repayment to reserves in line with the Medium Term Financial Strategy should these risks materialise.

c) Direct any windfall revenue savings/underspends to reserves should the General Fund Revenue Reserves Policy require it.

### **3.6. Estimated Earmarked General Fund Revenue Reserves**

3.6.1. I have reviewed the Council's General Fund earmarked revenue reserves. Further consideration and potential reassessment of all earmarked reserves will be undertaken considering budget decisions taken in July 2022 as part of the outturn process.

### **3.7. Estimated Earmarked Housing Revenue Account Revenue Reserves**

3.7.1. I have reviewed the Council's Housing Revenue Account earmarked revenue reserves. This is compiled mainly of a Capital Investment reserve and Major Repairs reserve.

### **3.8. Capital Investment Programme – 2022/23 to 2025/26**

#### **The Capital Budget**

3.8.1. Projects, included in the capital investment programme, were prepared by Directors and managers in line with financial regulations and guidance. All projects were agreed by the relevant member of CMT and Cabinet Member and are fully funded for their estimated cost.

3.8.2. Projects have been costed at outturn prices with many subject to tender after inclusion in the programme. This may lead to variance in the final costs.

3.8.3. Services are required to work within the given cash envelope so any under or over provision must be found within these limits.

### **Capital Investment Programme Risks**

3.8.4. The risk of the Council being unable to fund variations in the programme is minimal mainly due to phasing of projects. The Council can freeze parts of the programme throughout the year to ensure spend is within the agreed financial envelope, although this may have service implications. 3.8.5. A further key risk to the capital investment programme is the ability of the Council to fully deliver it within the agreed timescales.

3.8.6. In relation to the General Fund and HRA Capital Investment Programme specifically for 2022/23 (including commitments from previous years and new starts):

- a) The HRA Capital Investment Programme will need to be contained within total programme cost by delaying or stopping specified schemes.
- b) The General Fund Capital Budget is substantial but is based on the best information available in terms of project costs. What is less certain is the phasing of expenditure.
- c) The strategic schemes identified in the Capital Investment Programme will be closely monitored in-year.
- d) That the funding identified for the approved Capital Investment Programme is delivered and is proportionate, prudent, affordable, and sustainable.

### **Conclusion**

Given all these factors, I, as the Council's Section 151 Officer, consider the estimates for 2022/23 to be sufficiently robust and recommend for approval by the Council. I am also able to advise the Council that the level of General Fund Reserves is adequate and to recommend a Reserves Policy which is achievable for 2022/23 – 2025/26.

Homira Javadi (CPFA, FCCA, ACCA)

Chief Finance Office (Section 151 Officer)

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## Appendix 2

Please find below additional information on the parish precept, to support the Council Tax Resolutions report.

### TOWN AND PARISH COUNCILS

2021/22 COUNCIL TAX PRECEPT £	2021/22 BAND D TAX BASE £	2021/22 BAND D COUNCIL TAX £	TOWN/PARISH	2022/23 COUNCIL TAX PRECEPT £	2022/23 BAND D TAX BASE £	2022/23 BAND D COUNCIL TAX £
31,872	635.5	50.15	Barcombe	32,190	634.4	50.74
11,508	186.0	61.87	Beddingham and Glynde	11,854	182.3	65.02
68,388	1,292.7	52.90	Chailey	68,388	1,385.1	50.18
98,905	1,113.1	88.86	Ditchling	110,156	1,120.2	98.34
7,411	191.1	38.78	East Chiltington	7,920	196.5	40.31
500	66.7	7.50	Falmer	500	67.6	7.40
10,046	125.0	80.37	Firle	10,500	124.3	84.47
18,213	274.3	66.40	Hamsey	18,215	279.1	65.26
250	89.9	2.78	Iford	250	89.6	2.79
50,000	421.3	118.68	Kingston	50,000	424.6	117.76
1,213,829	6,078.6	199.69	Lewes	1,259,778	6,049.6	264.94
540,118	3,697.9	146.06	Newhaven	579,241	3,638.4	196.29
68,196	1,101.3	61.92	Newick	68,196	1,103.6	61.79
640,705	4,805.0	133.34	Peacehaven	687,081	4,752.6	153.22
10,967	129.0	85.02	Piddinghoe	10,967	126.1	86.97
62,172	664.4	93.58	Plumpton	63,885	677.7	94.27
130,924	1,883.3	69.52	Ringmer	130,924	1,950.4	69.39
14,800	213.5	69.32	Rodmell	14,800	214.2	69.09
-	40.0	0.00	St Ann Without	-	39.6	0.00
-	25.7	0.00	St John Without	-	27.1	0.00
984,150	9,457.9	104.06	Seaford	1,044,965	9,406.7	117.32
-	22.6	0.00	Southease	-	22.9	0.00
12,996	266.7	48.73	South Heighton	13,646	255.4	53.43
4,625	79.5	58.18	Streat	5,415	80.2	67.52
-	9.2	0.00	Tarring Neville	-	9.7	0.00
248,733	2,493.5	99.75	Telscombe	261,489	2,498.8	127.74
13,000	159.0	81.76	Westmeston	13,000	160.5	81.00
101,158	1,188.7	85.10	Wivelsfield	101,158	1,209.4	83.64
<b>4,343,466</b>	<b>36,711.4</b>	<b>118.31</b>		<b>4,564,518</b>	<b>36,726.6</b>	<b>124.28</b>

(Average)

(Average)

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## Lewes District Council

<b>Meeting:</b>	<b>Council</b>
<b>Date:</b>	<b>21 February 2022</b>
<b>Subject:</b>	<b>General Fund Revenue Budget 2022/23 and Capital Programme</b>
<b>Report of:</b>	<b>Councillor Zoe Nicholson on behalf of the Cabinet</b>

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The Council is asked to consider the minute and resolution of the **Cabinet meeting** held on **3 February 2022** as set out below.

---

### **The Council is recommended:-**

- (1) To approve the General Fund budget for 2021/22 (Revised) and 2022/23 (original).
  - (2) To approve an increase in the Council Tax for Lewes District Council of £5 (per annum) resulting in a Band D charge for general expenses of £202.08 (per annum) for 2022/23.
  - (3) To approve the revised General Fund capital programme 2022/23 as set out at Appendix 3 to the Cabinet report.
  - (4) To approve the continuation of the Flexible use of Capital Receipts.
  - (5) To note the section 151 Officer's sign off as outlined in the report.
  - (6) To earmark £350k from the GF reserves to create a Hardship fund to support households with their energy and cost of living pressures
  - (7) To give delegated authority to Chief Finance Officer, in consultation with the Cabinet member for finance and assets to make the necessary changes to the report following the final financial settlement announcement.
- 

### **Minute extract Cabinet – 3 February 2022.**

The Cabinet considered the report of the Chief Finance Officer, asking it to recommend to Full Council, the updated General Fund budget and Medium Term Financial Strategy, together with the updated Capital Programme position.

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The proposals set out in the report would limit the rise in council tax to just 9p a week. The limited rise being proposed would directly fund the frontline services that residents and local businesses rely on.

Policy and Performance Advisory Committee (PPAC), held on 27 January 2022, considered the report and was supportive of the officer recommendations in full. Councillor Linington, Leader of the Opposition, was in attendance to present PPAC's discussion.

To reflect the announcement of the energy price cap rising by 54% and concerns over a fall in living standards, the Cabinet unanimously agreed to the addition of two additional recommendations, and these were detailed below (recommendations 6 and 7). The proposed new Hardship Fund scheme would be shared with the Opposition Group, in advance of the matter being considered by Full Council.

**Recommended to Full Council (Budget and policy framework):**

- (1) The General Fund budget for 2021/22 (Revised) and 2022/23 (original).
- (2) An increase in the Council Tax for Lewes District Council of £5 (per annum) resulting in a Band D charge for general expenses of £202.08 (per annum) for 2022/23.
- (3) The revised General Fund capital programme 2022/23 as set out at Appendix 3 to the report.
- (4) That Cabinet endorses the continuation of the Flexible use of Capital Receipts and refers on to Council for approval.
- (5) To note the Section 151 Officer's sign off as outlined in the report.
- (6) To earmark £350k from the GF reserves to create a Hardship fund to support households with their energy and cost of living pressures
- (7) To give delegated authority to Chief Finance Officer, in consultation with the Cabinet Member for Finance and Assets to make the necessary changes to the report following the final financial settlement announcement.

**Reason for decisions:**

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.

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For a copy of the report please contact Democratic Services:

Tel. (01273) 471600. E-mail: [committees@lewes-eastbourne.gov.uk](mailto:committees@lewes-eastbourne.gov.uk)

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## Lewes District Council

<b>Meeting:</b>	<b>Council</b>
<b>Date:</b>	<b>3 February 2022</b>
<b>Subject:</b>	<b>Treasury Management and Prudential Indicators 2022/23, Capital Strategy &amp; Investment Strategy</b>
<b>Report of:</b>	<b>Councillor Zoe Nicholson on behalf of the Cabinet</b>

---

The Council is asked to consider the minute and resolution of the **Cabinet** meeting held on **3 February 2022** as set out below.

---

### **The Council is recommended:-**

- (1) To approve the Treasury Management Strategy and Annual Investment Strategy for 2022/23 as set out at Appendix A to the Cabinet report.
  - (2) To approve the Minimum Revenue Provision Policy Statement 2022/23 as set out at paragraph 8 in the Cabinet report.
  - (3) To approve the Prudential and Treasury Indicators 2022/23 to 2024/25, as set out at paragraph 6 in the Cabinet report.
  - (4) To approve the Capital Strategy set out at Appendix E to the Cabinet report.
- 

### **Minute extract Cabinet – 3 February 2022.**

The Cabinet considered the report of the Chief Finance Officer, asking it to recommend to Full Council, the Council's Annual Treasury Management Strategy, Capital Strategy and Investment Strategy together with the Treasury and Prudential Indicators.

The Deputy Chief Finance Officer updated Cabinet on its approach to ethical investments. Further details were contained at 7.13 of Appendix A. The Council would continue to be updated as progress was made.

Policy and Performance Advisory Committee (PPAC), held on 27 January 2022, considered the report and was supportive of the officer recommendations in full. Councillor Linington, Leader of the Opposition, was in attendance to present PPAC's discussion.

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**Recommended to Full Council (Budget and policy framework):**

(1) To approve the Treasury Management Strategy and Annual Investment Strategy for 2022/23 as set out at Appendix A to the report.

(2) To approve the Minimum Revenue Provision Policy Statement 2022/23 as set out at paragraph 8 in the report.

(3) To approve the Prudential and Treasury Indicators 2022/23 to 2024/25, as set out at paragraph 6 in the report.

(4) To approve the Capital Strategy set out at Appendix E to the report.

**Reason for decisions:**

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.

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## Lewes District Council

<b>Meeting:</b>	<b>Council</b>
<b>Date:</b>	<b>21 February 2022</b>
<b>Subject:</b>	<b>Housing Revenue Account (HRA) Revenue Budget and Rent Setting 2022/23 and HRA Capital Programme 2021-2025</b>
<b>Report of:</b>	<b>Councillor Zoe Nicholson on behalf of the Cabinet</b>

---

The Council is asked to consider the minute and resolution of the **Cabinet** meeting held on **3 February 2022** as set out below.

---

### **The Council is recommended:-**

- (1) To approve the HRA budget for 2022/23 and revised 2021/22 budget as set out at Appendix 1 to the Cabinet report.
  - (2) To approve that social and affordable rents (including Shared Ownership) be increased by 4.1% in line with government policy.
  - (3) To approve that private sector leased property rents are increased by 4.1% (CPI+1%).
  - (4) To approve that the revised service charges are implemented
  - (5) To approve that garage rents are increased by 4.86% (RPI).
  - (6) To approve the HRA Capital Programme as set out at Appendix 2 to the Cabinet report.
  - (7) To earmark £150k from the HRA reserve to create a Hardship fund to support households with their energy and cost of living pressures.
- 

### **Minute extract Cabinet – 7 February 2022.**

The Cabinet considered the report of the Chief Finance Officer, asking it to recommend the Full Council, the detailed Housing Revenue Account budget proposals, rent levels, service charges for 2022/23 and the HRA Capital Programme 2021-25.

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The Deputy Chief Executive and Director of Regeneration and Planning confirmed that positive consultation sessions were held with Tenants of Lewes District (TOLD) over the contents of the report.

Policy and Performance Advisory Committee (PPAC), held on 27 January 2022, considered the report and was supportive of the officer recommendations in full. Councillor Linington, Leader of the Opposition, was in attendance to present PPAC's discussion. Councillor Linington commented that the proposed increase in garage rents would potentially deter use and interest.

To reflect the announcement of the energy price cap rising by 54% and concerns over a fall in living standards, the Cabinet unanimously agreed to an additional recommendation (7), and this was detailed below.

**Recommended to Full Council (Budget and policy framework):**

- (1) The HRA budget for 2022/23 and revised 2021/22 budget as set out at Appendix 1 to the report.
- (2) That social and affordable rents (including Shared Ownership) are increased by 4.1% in line with government policy.
- (3) That private sector leased property rents are increased by 4.1% (CPI+1%).
- (4) That the revised service charges are implemented
- (5) That garage rents are increased by 4.86% (RPI).
- (6) The HRA Capital Programme as set out at Appendix 2 to the report.
- (7) To earmark £150k from the HRA reserve to create a Hardship fund to support households with their energy and cost of living pressures.

**Reason for decisions:**

The Cabinet has to 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.

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## Lewes District Council

<b>Meeting:</b>	<b>Council</b>
<b>Date:</b>	<b>21 February 2022</b>
<b>Subject:</b>	<b>Local Council Tax Reduction Scheme for the Working Age 2022/23</b>
<b>Report of:</b>	<b>Councillor Zoe Nicholson on behalf of the Cabinet</b>

---

The Council is asked to consider the minute and resolution of the Cabinet meeting held on **9 December 2021** as set out below.

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### **The Council is recommended to:-**

(1) To agree the revised LCTR Scheme for the working age for 2022/23, comprising the features proposed at paragraph 2.1 of the Cabinet report.

(2) To continue the Exceptional Hardship Scheme in 2022/23.

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### **Minute extract Cabinet – 9 December 2021.**

The Cabinet considered the report of the Director of Service Delivery, asking them to consider and then recommend to Full Council for adoption, a revised Local Council Tax Reduction scheme for 2022/23 and continuation of the existing Exceptional Hardship scheme.

Policy and Performance Advisory Committee (PPAC), held on 30 November 2021, considered the report and were supportive of the officer recommendations in full. Councillor Boorman, Vice-Chair of PPAC, was in attendance to present PPAC's discussion. Visiting member and Leader of the Opposition, Councillor Linington addressed the Cabinet on the consultation that was undertaken and commented on the opposing views received from the major precepting organisations.

A statutory consultation took place on 2 August to 31 October over proposals to increase the maximum reduction to 100%, remove the minimum awards so a claimant can qualify for, and be awarded, less than £5 per week and to base a self-employed claimant's income on their actual earnings. Full details of this consultation were detailed in the report and contained at Appendix 2 to the report.

In reaching their decision, Cabinet gave due regard to all the responses received from the consultation, including from the major precepting organisations, East Sussex

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County Council, Sussex Police and Crime Commissioner and East Sussex Fire and Rescue, who had confirmed that they could not support the proposals contained in the report.

**Recommended to Full Council (Budget and policy framework):**

(1) To recommend to Full Council the revised LCTR Scheme for the working age for 2022/23, comprising the features proposed at paragraph 2.1 of the report.

(2) That the Exceptional Hardship Scheme continues in 2022/23.

**Reasons for decisions:**

(1) The proposed changes provide more financial support to some of the most financially challenged residents and supports the Corporate goal of 'A fairer council tax for those on lowest incomes'.

(2) The Exceptional Hardship Scheme provides additional

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For a copy of the report please contact Democratic Services:

Tel. (01273) 471600.

E-mail: [committees@lewes-eastbourne.gov.uk](mailto:committees@lewes-eastbourne.gov.uk)

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<https://democracy.lewes-eastbourne.gov.uk/mgGeneric.aspx?MD=CommitteesLanding&bcr=1>

<b>Report To:</b>	<b>Full Council</b>
<b>Date:</b>	<b>21 February 2022</b>
<b>Report Title:</b>	<b>Arrangements for Appointing External Auditors</b>
<b>Report of:</b>	<b>Chief Finance Officer</b>
<b>Ward(s):</b>	<b>All</b>
<b>Purpose of report:</b>	<b>For Full Council to agree a procurement route for the appointment of the Council's External Audit arrangements post for the 2023/24 financial year onwards.</b>
<b>Officer Recommendations:</b>	<b>a. That the Council approves the Audit and Standards Committee's recommendation to accept the Public Sector Audit Appointments' (PSAA's) opt-in invitation into the sector-led option for the appointment of external auditors from 1<sup>st</sup> April 2023; and b. That delegated authority be given to the Section 151 Officer to complete and submit the 'opt in' form (Appendix B) to PSAA by the deadline of the 11 March 2022.</b>
<b>Reasons for recommendations:</b>	<b>The Council has a statutory responsibility to appoint an external auditor to audit its accounts.</b>
<b>Contact Officer(s)-</b>	<b>Name: Ola Owolabi Post title: Deputy Chief Finance Officer E-mail: <a href="mailto:ola.owolabi@lewes-eastbourne.gov.uk">ola.owolabi@lewes-eastbourne.gov.uk</a> Telephone number: 01273 485083</b>

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## 1. Introduction

- 1.1 The current auditor appointment arrangements cover the period up to and including the audit of the 2022/23 accounts. The Council opted into the 'appointing person' national auditor appointment arrangements established by Public Sector Audit Appointments (PSAA) for the period covering the accounts 2018/19 to 2022/23.
- 1.2 All local government bodies need to make important decisions about appointing their external auditors, and have options to arrange their own procurement, make the appointment themselves, or in conjunction with others, or they can join and take advantage of the national collective scheme administered by PSAA.
- 1.3 The Council has recently been contacted by PSAA regarding the potential to again Opt-in to the national exercise to procure External Auditors from 1 April 2023. The closing date to give notice to PSAA of the Council's acceptance of the invitation is Friday, 11 March 2022, and the full Council must make the decision as to whether to accept the offer.

## 2. Appointment of External Auditor from 2023/24 - Options

- 2.1 The Council current External Audit provider was appointed under the PSAA procurement contract. Current scale fees are based on rates negotiated by PSAA and reflect market share offered in framework contracts. If the Council wishes to remain in the PSAA framework and allow PSAA to continue to manage the appointment of the external auditors, it can do so.
- 2.2 There are three ways for a principal local government body to appoint its auditor for the five financial years from 2023/24, namely:
- **Option 1** - Undertake an individual auditor procurement and appointment exercise.
  - **Option 2** - Undertake a joint audit procurement and appointing exercise with other bodies, those in the same locality for example, or
  - **Option 3** - Join PSAA's sector led national scheme.
- 2.3 Under both Option 1 and Option 2, the Council would need to establish an Auditor Panel to advise it on:
- Selecting and appointing an auditor.
  - Whether to adopt a policy on obtaining non-audit services from the auditor.
  - Maintaining an independent relationship with its auditor; and
  - The outcome of any investigation into an auditor's resignation or removal from office.
- 2.4 Members of the Auditor Panel would need to be wholly or by majority independent members, and an independent member must chair the Panel. Under Option 2 the Council could set up an Auditor Panel with one or more other authorities or ask another authority's Auditor Panel to carry out its functions.
- 2.5 Options 1 and 2 provide greater scope for the audit contract to be tailored but would incur higher costs from setting up and administering the Auditor Panel either in isolation or jointly and the staff time involved in the procurement exercise.
- 2.6 The preferred option (supported by the LGA) is Option 3. The benefits of opting into the sector led national scheme are that it:
- reduces the financial and administrative burden on the Council as there would, for example, be no requirement for an Auditor Panel.
  - will enhance the procurement exercise by offering a high volume of work likely to be of greater interest to the main accountancy firms and therefore lead to more competitive audit fees. Audit fees, as is currently the case, will be linked to size, quality, complexity, and risk associated with each local council.
- 2.7 All of the above options require a local auditor to be appointed not later than 31 December in the financial year preceding the financial year of the accounts to be audited. So, for the audit of the accounts of the 2023/24 financial year, there must be a local auditor appointed by 31 December 2022.

2.8 PSAA sent an invite to “opt-in” (September 2021) to the Chair of Audit and Standard Committee, the Chief Executive, and the Section 151 Officer, requesting a decision on/before Friday 11<sup>th</sup> March 2022. Details relating to the PSAA’s invitation are attached as **Appendix B1 and B2** to this Report.

### **3. Audit and Standards Committee Conclusion**

3.1 The Audit and Standards Committee considered the available options regarding the appointment of auditors at its meeting on 12 January 2022. The Committee supported officers’ recommendation (Appendix A) to opt into the PSAA arrangement and to seek Council approval for this decision.

3.2 Committee also acknowledged that concerns over external audit delay and timeliness should continue to be raised with PSAA and requested assurance as to how the risk of capacity, standards and quality would be managed through the procurement and contract management process. Further updates will be provided to Audit and Standards Committee on these matters as the process develops.

### **4. Financial Appraisal**

4.1 The proposed external audit fees will not be known until the procurement process has been completed, as the costs will depend on proposals from the audit firms. Given the widespread prevalence of fee variations, market uncertainty and the revision to an 80% quality weighting within the procurement, it is almost certain that the fee payable by the Council will rise.

4.2 Opting-in to a national scheme provides a strong opportunity to ensure fees are as low as possible, whilst ensuring the quality of audit is maintained by entering into a large-scale collective procurement arrangement. If the national scheme is not used some additional resource may be needed to establish an auditor panel and conduct a local procurement. Until a procurement exercise is completed it is not possible to state what, if any, additional resource may be required for audit fees for 2023/24.

### **5. Risk Management Implications**

5.1 It is the Council’s policy to proactively identify and manage significant risks which may prevent delivery of business objectives. It is not possible to eliminate or manage all risks all the time and risks will remain which have not been identified. However, it is the officer’s opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls will be put in place to manage them effectively.

5.2 There is no immediate risk to the Council, however, early consideration by the Council of its preferred approach will enable detailed planning to take place so as to achieve successful transition to the new arrangement in a timely and efficient manner.

### **6. Equality Analysis**

6.1 This is a routine report for which detailed Equality Analysis is not required to be undertaken.

## **7. Legal Implications**

- 7.1 The Local Audit and Accountability Act 2014 (Part 3) gives powers to appoint auditors. In July 2016, the Secretary of State for Housing Communities and Local Government specified PSAA as an appointing person for principal local government and police bodies for audits from 2018/19, under the provisions of the Local Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015. The implications arising therefrom in relation to the audit of the council's accounts are set out in the report.

## **8. Appendices:**

- Appendix A - Audit and Standards Committee referral minute from the 12 January 2022 meeting.
- Appendix B1 - Invitation to opt into the national scheme for auditor appointments from April 2023.
- Appendix B2 - Appointing Period 2023/24 to 2027/28 - Form of notice of acceptance of the invitation to opt in.



**Meeting:** Full Council  
**Date:** 21 February 2022  
**Subject:** Arrangements for Appointing External Auditors  
**Report of:** Chief Finance Officer

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The Council is asked to consider the minute and resolution of the Audit and Standards Committee meeting held on 17 January 2022 as set out below.

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**The Council is recommended to: -**

**Accept Public Sector Audit Appointments' (PSAA's) invitation to opt into the sector-led option for the appointment of external auditors from 1<sup>st</sup> April 2023.**

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#### **Minute extract**

#### **Audit and Standards Committee – 17 January 2022**

#### **44. Arrangements for Appointing External Auditors**

The Committee considered the report which outlined the timeline and options available to the Council in appointing an External Auditor when the current arrangements reach their end.

The Deputy Chief Finance Officer (DCFO) presented the report and its findings, explaining in detail the three options that were available and associated risks in respect of the Council appointing its External Auditor for the five financial years from 2023/24.

The DCFO highlighted that Council officers could write (if the Committee decided) to the Secretary of State to express concerns in relation to the appointment process of External Auditors by the PSAA (Public Sector Audit Authority), following previous communications by senior officers with the Local Government Association (LGA) and the PSAA.

The DCFO further highlighted the 2021 independent review by Sir Tony Redmond into the effectiveness of external audit and transparency of financial reporting in local authorities. In response to the review, the DCFO explained that from 1 April 2023, the only role the PSAA would have in future was the auditor procurement and monitoring contracts, as all other responsibilities would now be undertaken by the Government's newly formed Audit Reporting Governance Authority (ARGA).

Following the presentation of the report by the DCFO, the Chair thanked officers for their continued efforts and hard work, including arranging additional briefing sessions for

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Members in respect of the PSAA arrangements. The Chair also thanked members of the Committee for their diligence and continued engagement in what had been a lengthy and challenging process.

It was requested that if Option 3 was recommended by this Committee and agreed by Full Council, the members of the Committee had the opportunity to review the officers' letter to the Secretary of State prior to its official submission. In addition, it asked that assurance be given by the PSAA that it had noted the Councils' request for a different auditor and would continue to monitor the completion of the outstanding audits. The DCFO agreed.

The Committee queried if Deloitte, the Council's External Auditor, had begun the 2019/20 audit. The DCFO explained that Deloitte had not yet begun the Council's 2019/20 audit, and that he would request that Deloitte attend the Committee's next meeting on 14 March 2022 to provide an update and an audit plan.

The Committee asked whether the Council should submit a press release in respect of its discussions surrounding the appointment of its External Auditor. The DCFO confirmed he could liaise with the Council's Press Officer after the Council decision, and could circulate a copy in draft to members of the Committee.

The Committee agreed to recommend option 3, to join the PSAA's sector led national scheme, as members of the Committee felt that there were no other viable options due to the possible unacceptable risks and potential costs to the Council.

**Resolved:**

That Full Council be recommended to approve the Committee's decision to accept Public Sector Audit Appointments' (PSAA's) invitation to opt into the sector-led option for the appointment of external auditors from 1 April 2023, as set out in Option 3 in paragraph 3.3 of the report.

For a copy of the report please contact Democratic Services.

Tel: (01273) 471600

E-mail: [committees@lewes-eastbourne.gov.uk](mailto:committees@lewes-eastbourne.gov.uk)

A copy may be downloaded on the Council's website by following the link below:

<https://democracy.lewes-eastbourne.gov.uk/ieListDocuments.aspx?CId=423&MId=3453&Ver=4>

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22 September 2021

To: Mr Cottrill, Chief Executive  
Lewes District Council

Copied to: Mrs Javadi, S151 Officer  
Mr Peterson, Chair of Audit Committee or equivalent

Dear Mr Cottrill,

### **Invitation to opt into the national scheme for auditor appointments from April 2023**

I want to ensure that you are aware the external auditor for the audit of your accounts for 2023/24 has to be appointed before the end of December 2022. That may seem a long way away but, as your organisation has a choice about how to make that appointment, your decision-making process needs to begin soon.

We are pleased that the Secretary of State has confirmed PSAA in the role of the appointing person for eligible principal bodies for the period commencing April 2023. Joining PSAA's national scheme for auditor appointments is one of the choices available to your organisation.

In June 2021 we issued a draft prospectus and invited your views and comments on our early thinking on the development of the national scheme for the next period. Feedback from the sector has been extremely helpful and has enabled us to refine our proposals which are now set out in the [scheme prospectus](#) and our [procurement strategy](#). Both documents can be downloaded from our website which also contains a range of useful information that you may find helpful.

The national scheme timetable for appointing auditors from 2023/24 means we now need to issue a formal invitation to you to opt into these arrangements. In order to meet the requirements of the relevant regulations, we also attach a form of acceptance of our invitation which you must use if your organisation decides to join the national scheme. We have specified the five consecutive financial years beginning 1 April 2023 as the compulsory appointing period for the purposes of the regulations which govern the national scheme.

Given the very challenging local audit market, we believe that eligible bodies will be best served by opting to join the scheme and have attached a short summary of why we believe that is the best solution both for individual bodies and the sector as a whole.

I would like to highlight three matters to you:

1. if you opt to join the national scheme, we need to receive your formal acceptance of this invitation by Friday 11 March 2022;

2. the relevant regulations require that, except for a body that is a corporation sole (e.g. a police and crime commissioner), the decision to accept our invitation and to opt in must be made by the members of the authority meeting as a whole e.g. Full Council or equivalent. We appreciate this will need to be built into your decision-making timetable. We have deliberately set a generous timescale for bodies to make opt in decisions (24 weeks compared to the statutory minimum of 8 weeks) to ensure that all eligible bodies have sufficient time to comply with this requirement; and
3. if you decide not to accept the invitation to opt in by the closing date, you may subsequently make a request to opt in, but only after 1 April 2023. We are required to consider such requests and agree to them unless there are reasonable grounds for their refusal. PSAA must consider a request as the appointing person in accordance with the Regulations. The Regulations allow us to recover our reasonable costs for making arrangements to appoint a local auditor in these circumstances, for example if we need to embark on a further procurement or enter into further discussions with our contracted firms.

If you have any other questions not covered by our information, do not hesitate to contact us by email at [ap2@psaa.co.uk](mailto:ap2@psaa.co.uk). We also publish answers to [frequently asked questions](#) on our website.

If you would like to discuss a particular issue with us, please send an email also to [ap2@psaa.co.uk](mailto:ap2@psaa.co.uk), and we will respond to you.

Yours sincerely

Tony Crawley  
Chief Executive

Encl: Summary of the national scheme

## Why accepting the national scheme opt-in invitation is the best solution

### Public Sector Audit Appointments Limited (PSAA)

We are a not-for-profit, independent company limited by guarantee incorporated by the Local Government Association in August 2014.

We have the support of the LGA, which in 2014 worked to secure the option for principal local government and police bodies to appoint auditors through a dedicated sector-led national body.

We have the support of Government; MHCLG's Spring statement confirmed our appointment because of our "strong technical expertise and the proactive work they have done to help to identify improvements that can be made to the process".

We are an active member of the new Local Audit Liaison Committee, chaired by MHCLG and attended by key local audit stakeholders, enabling us to feed in body and audit perspectives to decisions about changes to the local audit framework, and the need to address timeliness through actions across the system.

We conduct research to raise awareness of local audit issues, and work with MHCLG and other stakeholders to enable changes arising from Sir Tony Redmond's review, such as more flexible fee setting and a timelier basis to set scale fees.

We have established an advisory panel, which meets three times per year. Its membership is drawn from relevant representative groups of local government and police bodies, to act as a sounding board for our scheme and to enable us to hear your views on the design and operation of the scheme.

### The national scheme for appointing local auditors

In July 2016, the Secretary of State specified PSAA as an appointing person for principal local government and police bodies for audits from 2018/19, under the provisions of the Local Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015. Acting in accordance with this role PSAA is responsible for appointing an auditor and setting scales of fees for relevant principal authorities that have chosen to opt into its national scheme. 98% of eligible bodies made the choice to opt-in for the five-year period commencing in April 2018.

We will appoint an auditor for all opted-in bodies for each of the five financial years beginning from 1 April 2023.

We aim for all opted-in bodies to receive an audit service of the required quality at a realistic market price and to support the drive towards a long term competitive and more sustainable market for local audit. The focus of our quality assessment will include resourcing capacity and capability including sector knowledge, and client relationship management and communication.

### What the appointing person scheme from 2023 will offer

We believe that a sector-led, collaborative, national scheme stands out as the best option for all eligible bodies, offering the best value for money and assuring the independence of the auditor appointment.

The national scheme from 2023 will build on the range of benefits already available for members:

- transparent and independent auditor appointment via a third party;
- the best opportunity to secure the appointment of a qualified, registered auditor;
- appointment, if possible, of the same auditors to bodies involved in significant collaboration/joint working initiatives, if the parties believe that it will enhance efficiency;
- on-going management of any independence issues which may arise;
- access to a specialist PSAA team with significant experience of working within the context of the relevant regulations to appoint auditors, managing contracts with audit firms, and setting and determining audit fees;
- a value for money offer based on minimising PSAA costs and distribution of any surpluses to scheme members - in 2019 we returned a total £3.5million to relevant bodies and more recently we announced a further distribution of £5.6m in August 2021;
- collective efficiency savings for the sector through undertaking one major procurement as opposed to a multiplicity of smaller procurements;
- avoids the necessity for local bodies to establish an auditor panel and undertake an auditor procurement, enabling time and resources to be deployed on other pressing priorities;
- updates from PSAA to Section 151 officers and Audit Committee Chairs on a range of local audit related matters to inform and support effective auditor-audited body relationships; and
- concerted efforts to work with other stakeholders to develop a more sustainable local audit market.

We are committed to keep developing our scheme, taking into account feedback from scheme members, suppliers and other stakeholders, and learning from the collective post-2018 experience. This work is ongoing, and we have taken a number of initiatives to improve the operation of the scheme for the benefit of all parties.

Importantly we have listened to your feedback to our recent consultation, and our response is reflected in [the scheme prospectus](#).

## **Opting in**

The closing date for opting in is 11 March 2022. We have allowed more than the minimum eight-week notice period required, because the formal approval process for most eligible bodies is a decision made by the members of the authority meeting as a whole [Full Council or equivalent], except police and crime commissioners who are able to make their own decision.

We will confirm receipt of all opt-in notices. A full list of eligible bodies that opt in will be published on our website. Once we have received an opt-in notice, we will write to you to request information on any joint working arrangements relevant to your auditor appointment, and any potential independence matters which may need to be taken into consideration when appointing your auditor.

## **Local Government Reorganisation**

We are aware that reorganisations in the local government areas of Cumbria, Somerset, and North Yorkshire were announced in July 2021. Subject to parliamentary approval shadow elections will take place in May 2022 for the new Councils to become established from 1 April 2023. Newly established local government bodies have the right to opt into PSAA's scheme under Regulation 10 of the Appointing Person Regulations 2015. These Regulations also set out that a local government body that ceases to exist is automatically removed from the scheme.

If for any reason there is any uncertainty that reorganisations will take place or meet the current timetable, we would suggest that the current eligible bodies confirm their acceptance to opt in to avoid the requirement to have to make local arrangements should the reorganisation be delayed.

## **Next Steps**

We expect to formally commence the procurement of audit services in early February 2022. At that time our procurement documentation will be available for opted-in bodies to view through our e-tendering platform.

Our recent webinars to support our consultation proved to be popular, and we will be running a series of webinars covering specific areas of our work and our progress to prepare for the second appointing period. Details can be found on [our website](#) and in [the scheme prospectus](#).

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**Appointing Period 2023/24 to 2027/28**  
**Form of notice of acceptance of the invitation to opt in**

(Please use the details and text below to submit to PSAA your body's formal notice of acceptance of the invitation to opt into the appointing person arrangements from 2023)

Email to: [ap2@psaa.co.uk](mailto:ap2@psaa.co.uk)

Subject: <b>Lewes District Council</b> <b>Notice of acceptance of the invitation to become an opted-in authority</b>
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This email is notice of the acceptance of your invitation dated 22 September 2021 to become an opted-in authority for the audit years 2023/2024 to 2027/2028 for the purposes of the appointment of our auditor under the provisions of the Local Audit and Accountability Act 2014 and the requirements of the Local Audit (Appointing Person) Regulations 2015.

I confirm that **Lewes District Council** has made the decision to accept your invitation to become an opted-in authority in accordance with the decision making requirements of the Regulations, and that I am authorised to sign this notice of acceptance on behalf of the authority.

Name: **[insert name of signatory]**

Title: **[insert role of signatory]** (authorised officer)

For and on behalf of: **Lewes District Council**

Date: **[insert date completed]**

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**Meeting:** Full Council  
**Date:** 21 February 2022  
**Subject:** Approval of Licensing Fees  
**Report of:** Director of Service Delivery

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The Council is asked to consider the minute and resolution of the Licensing Committee held on 20 January 2022 as set out below.

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### **Recommendation to Full Council**

That the Council be recommended to approve the licensing fees proposed within Appendix 1 to apply from 1 April 2022.

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### **Minute extract**

#### **Licensing Committee – 20 January 2022**

#### **14. Approval of Licensing Fees**

The Committee considered the report which sought its recommendation to Full Council that the licensing fees proposed within Appendix 1 apply from 1 April 2022.

The Regulatory Services Lead (RSL) presented the report and its findings, highlighting the taxi licensing surplus and its change in presentation within the report from the previous year; reduced private hire driver fees; the introduction of new software; and the substantial increase in the licence fees relating to Dangerous Wild Animal Licences, as set out in the report and Appendix 1.

The Committee discussed costing surplus figures related to paragraph 3.4; a timeline for reviewing figures; new DBS requirements; training; and the deficit as referenced in paragraph 4.1 of the report.

The Committee requested an update on its previous request for child safeguarding training and disability awareness training, as referenced in bullet point 14 of Appendix 1. Officers explained that the Council was currently looking for suppliers to implement the training programs.

The Committee queried its previous request in respect of officers providing an expanded list of MOT providers to taxi and private hire licensees. Officers explained that the priority

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had been the implementation of the new guidance and the fixed door sign rollout, but that the matter was in hand.

**Resolved:**

That Full Council be recommended to approve the licensing fees proposed within Appendix 1 to apply from 1 April 2022.

For a copy of the report please contact Democratic Services.

Tel: (01273) 471600

E-mail: [committees@lewes-eastbourne.gov.uk](mailto:committees@lewes-eastbourne.gov.uk)

A copy may be downloaded on the Council's website by following the link below:

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Appendix 1 – Proposed Licensing Fees and Charges 2022/23

Lewes District Council Licensing Fees and Charges Proposals 2022/2023

LICENSING

1 Street Trading Consents (Lewes and Newhaven Precincts)

Individual Traders

Application Fee

£25.00

£25.00

e

-

0.00%

2 Daily Rate

Daily Rate

£10.00

£10.00

e

-

0.00%

3 Weekly Rate

Weekly Rate

£75.00

£75.00

e

-

0.00%

4

Annual Rate

£475.00

£475.00

e

-

0.00%

5

7 Market Operators

Annual Rate

£475.00

£475.00

e

-

0.00%

8 Total Estimated Annual Income (Street Trading Consents)

£3,000.00

£4,500.00

-

50.00%

9 Concessions

Event by a charity (inc street collections)

Free upon approval from Licensing Officer

-

10 TAXI LICENSING

11 Knowledge Test Hackney Carriage

£55 in 20/21

£0.00

£0.00

e

Nil

12 Knowledge Test Private Hire

£45 in 20/21

£0.00

£0.00

e

Nil

13 Dual Knowledge Test Additional Test

new in 21/22

£45.00

£45.00

14 CSE, Safeguarding test

To be sourced

TBD

15 Drivers License Application Fee

£130.00

£130.00

e

-

0.00%

15a Additional fees for new drivers only

Includes safeguarding, disability training & English test

£130.00

£130.00

16 Additional DBS fee

£44.00

£44.00

e

-

0.00%

17 Hackney Carriage/Private Hire/Dual Driver's Licence (Renewal)

1 Year £115 in 20/21

£77.00

£77.00

e

-

0.00%

18

3 Years £300 in 20/21

£200.00

£200.00

e

-

0.00%

19

1 Year £160 in 20/21

£107.00

£107.00

e

-

0.00%

20 Private Hire Operator Licence 5 Year up to 5 Vehicles

£490 in 20/21

£441.00

£441.00

e

-

0.00%

21 Private Hire Operator Licence 5 Year 6 - 10 Vehicles

£625 in 20/21

£562.50

£562.50

e

-

0.00%

22 Private Hire Operator Licence 5 Year 11 - 20 Vehicles

£895 in 20/21

£805.50

£805.50

e

-

0.00%

23 Private Hire Operator Licence 5 Year 21 - 40 Vehicles

£1,440 in 20/21

£1,296.00

£1,296.00

e

-

0.00%

24 Private Hire Operator Licence 5 Year 41 - 80 Vehicles

£2,530 in 20/21

£2,277.00

£2,277.00

e

-

0.00%

25 Private Hire Operator Licence 5 Year 81-100 Vehicles

£3,070 in 20/21

£2,763.00

£2,763.00

e

-

0.00%

26 Private Hire Operator Licence 5 Year 101+ Vehicles

£New in 20/21

£3,500.00

£3,500.00

e

-

0.00%

27 Replacement of Lost /Damaged Licence Plates

£40.00

£40.00

e

-

0.00%

28 Replacement of Lost /Damaged Door Signs

new in 21/22

£10.00

£10.00

e

-

0.00%

29 Replacement of Driver's Badge

£10.00

£10.00

e

-

0.00%

30 Transfer of Licence Plate to Different Vehicle

Private Hire & Hackney

£50.00

£37.50

e

12.50

-25.00%

31 Temporary Transfer of Vehicle Licence (Inc. Test and Seal)

£90.00

£50.00

e

40.00

-44.44%

32 Transfer of Ownership

£40.00

£37.50

e

2.50

-6.25%

33 Vehicle Change of Use

From Private Hire to Hackney Carriage and vice versa

£50.00

£37.50

e

12.50

-25.00%

34 Driver's Licence - Change of Use as Above

£40.00

£37.50

e

2.50

-6.25%

35 Change of Address

£10.00

£0.00

e

10.00

-100.00%

36 Missed Appointment

£10.00

£0.00

e

10.00

-100.00%

37 Total Estimated Annual Income (Taxi Licensing)

£150,000.00

£128,200.00

21,800.00

-14.53%

**Appendix 1 – Proposed Licensing Fees and Charges 2022/23**

**Lewes District Council Licensing Fees and Charges Proposals 2022/2023**

**Licensing Act 2003**

38 Premises Licence and Club Premises Certificates Statutory fees apply as shown below  
(Licence fees are linked to non-domestic rateable value of the premises)

39 Application Fee

40 Band A

41 Band B

42 Band C

43 Band D

44 Band E

45 Annual Charge

46 Band A

47 Band B

48 Band C

49 Band D

50 Band E

51 Minor variation application

52 Dis Application DPS

53 Personal Licence

54 Temporary Event Notice

55 Theft, loss etc of premises licence summary

56 Application for a provisional statement where premises being built etc.

57 Notice of change of name or address

58 Application to vary a licence to specify individual as Designated Premises Supervisor

59 Application for transfer of Premises Licence

60 Interim authority notice following death etc. of licence holder

61 Theft, loss etc. of certificate or summary

62 Notification of change of name or alteration of rules of club

63 Change of relevant registered address of club

64 Theft, loss etc. of Temporary Event Notice

65 Theft, loss etc. of Personal Licence

66 Duty to notify of change of name or address

67 Right of freeholder etc. to be notified of licensing matters

68

69 Premises Licences Additional Fees

Where the number of people that the applicant allows on the premises at any one time is 5,000 or more an additional fee will be charged.

70 **Total Estimated Annual Income (Licensing Act 2003)**

£82,000 in 20/21

2021/2022 Current charge	2022/2023 Proposed charge		Increase	Increase
			-	
			-	
			-	
			-	
£100.00	100.00	e	-	0.00%
£190.00	190.00	e	-	0.00%
£315.00	315.00	e	-	0.00%
£450.00	450.00	e	-	0.00%
£635.00	635.00	e	-	0.00%
			-	
£70.00	70.00	e	-	0.00%
£180.00	180.00	e	-	0.00%
£295.00	295.00	e	-	0.00%
£320.00	320.00	e	-	0.00%
£350.00	350.00	e	-	0.00%
			-	
£89.00	89.00	e	-	0.00%
£23.00	23.00	e	-	0.00%
£37.00	37.00	e	-	0.00%
£21.00	21.00	e	-	0.00%
£10.50	10.50	e	-	0.00%
£315.00	315.00	e	-	0.00%
£10.50	10.50	e	-	0.00%
£23.00	23.00	e	-	0.00%
£23.00	23.00	e	-	0.00%
£23.00	23.00	e	-	0.00%
£10.50	10.50	e	-	0.00%
£10.50	10.50	e	-	0.00%
£10.50	10.50	e	-	0.00%
£10.50	10.50	e	-	0.00%
£10.50	10.50	e	-	0.00%
£21.00	21.00	e	-	0.00%
			-	
			-	
<b>£82,300.00</b>	<b>£70,000.00</b>		12,300.00	-14.95%
			-	

**Appendix 1 – Proposed Licensing Fees and Charges 2022/23**

**Lewes District Council Licensing Fees and Charges Proposals 2022/2023**

**71 ENVIRONMENTAL HEALTH LICENSING**

- 71 Acupuncture, tattooing ear piercing and electrolysis
- 72 Register premises only
- 73 Register a person
- 74 Register a person and premises
- 75 Amendment to registered premises
- 76 Replacement Certificate

**77 Zoo Licensing Act 1981**

- 77 Vet Fee +
- 78 Guard Dogs Act 1975 £145 in 20/21
- 79 Dangerous Wild Animals Act 1976 Initial Application Vet fee +
- 80 Dangerous Wild Animals Act 1976 Renewal Vet Fee +
- 81 Dangerous Wild Animals Act 1976 Variation Vet Fee +
- 82 Application for a boat hire licence £85 in 20/21
- 83 Application to change a boat hire licence £85 in 20/21

**85 Stage Hypnotism**

**86 Sex Establishments**

- 86 Initial Grant of Licence
- 87 Annual Renewal
- 88 Variation

**90 Scrap Metal Dealers Act 2013**

- 90 Site Licence - New
- 91 Site Licence - Renewal
- 92 Collector - New
- 93 Collector - Renewal
- 94 Licence Variation

**95 Total Estimated Annual Income (Env Health)**

96

2021/2022 Current charge	2022/2023 Proposed charge		Increase	Increase
			-	
£93.00	£93.00			0.00%
£41.50	£41.50			0.00%
£135.00	£135.00			0.00%
£0.00	£0.00			0.00%
£0.00	£0.00			0.00%
£590.00	£590.00	e		0.00%
£145.00	£145.00	e		0.00%
£180.00	£750.00	e		316.67%
	£250.00			250.00%
	£200.00			200.00%
£0.00	£0.00	e		Nil
£0.00	£0.00	e		Nil
£65.00	£65.00	e		0.00%
£3,250.00	£3,250.00	e		0.00%
£1,750.00	£1,750.00	e		0.00%
£1,750.00	£1,750.00	e		0.00%
£375.00	£375.00	e	-	0.00%
£375.00	£375.00	e	-	0.00%
£255.00	£255.00	e	-	0.00%
£255.00	£255.00	e	-	0.00%
£75.00	£75.00	e	-	0.00%
<b>£2,000.00</b>	<b>£2,000.00</b>		-	0.00%

**Appendix 1 – Proposed Licensing Fees and Charges 2022/23**

**Lewes District Council Licensing Fees and Charges Proposals 2022/2023**

**97 ANIMAL WELFARE**

98	Animal Welfare Regs 2018 Dog Day Care	
99	Animal Welfare Regs 2018 Sale of animals	
100	Animal Welfare Regs 2018 Breeding Dogs	Vet Fee + 1st inspection only
101	Animal Welfare Regs 2018 Cat and Dog Home Boarding	
102	Animal Welfare Regs 2018 Horses (upto 10)	Vet Fee +
103	Animal Welfare Regs 2018 Horses (between 11and 20)	Vet Fee +
104	Animal Welfare Regs 2018 Horses (More than 20)	Vet Fee +
105	Animal Welfare Regs 2018 Keeping or training animals	
106	Animal Welfare Regs 2018 Dog Day Care ADDITIONAL ACTIVITY	
107	Animal Welfare Regs 2018 Sale of animals ADDITIONAL ACTIVITY	
108	Animal Welfare Regs 2018 Breeding Dogs ADDITIONAL ACTIVITY	
109	Animal Welfare Regs 2018 Cat and Dog Home Boarding ADDITIONAL ACTIVITY	
110	Animal Welfare Regs 2018 Horses (upto 10) ADDITIONAL ACTIVITY	
111	Animal Welfare Regs 2018 Horses (between 11and 20) ADDITIONAL ACTIVITY	
112	Animal Welfare Regs 2018 Horses (More than 20) ADDITIONAL ACTIVITY	
113	Animal Welfare Regs 2018 Keeping or training animals ADDITIONAL ACTIVITY	
114	Animal Welfare Regs 2018 Dog Day Care PLV	
115	Animal Welfare Regs 2018 Sale of animals PLV	
116	Animal Welfare Regs 2018 Breeding Dogs PLV	
117	Animal Welfare Regs 2018 Cat and Dog Home Boarding PLV	
118	Animal Welfare Regs 2018 Horses (upto 10) PLV	
119	Animal Welfare Regs 2018 Horses (between 11and 20) PLV	
120	Animal Welfare Regs 2018 Horses (More than 20) PLV	
121	Animal Welfare Regs 2018 Keeping or training animals PLV	
122	Animal Welfare Regs 2018 Dog Day Care RESCORE	
123	Animal Welfare Regs 2018 Sale of animals RESCORE	
124	Animal Welfare Regs 2018 Breeding Dogs RESCORE	
125	Animal Welfare Regs 2018 Cat and Dog Home Boarding RESCORE	
126	Animal Welfare Regs 2018 Horses (upto 10) RESCORE	
127	Animal Welfare Regs 2018 Horses (between 11and 20) RESCORE	
128	Animal Welfare Regs 2018 Horses (More than 20) RESCORE	
129	Animal Welfare Regs 2018 Keeping or training animals RESCORE	
130	Animal Welfare Regs 2018 Dog Day Care APPEAL	
131	Animal Welfare Regs 2018 Sale of animals APPEAL	
132	Animal Welfare Regs 2018 Breeding Dogs APPEAL	
133	Animal Welfare Regs 2018 Cat and Dog Home Boarding APPEAL	
134	Animal Welfare Regs 2018 Horses (upto 10) APPEAL	
135	Animal Welfare Regs 2018 Horses (between 11and 20) APPEAL	
136	Animal Welfare Regs 2018 Horses (More than 20) APPEAL	
137	Animal Welfare Regs 2018 Keeping or training animals APPEAL	
138		
139	<b>Total Estimated Annual Income (Animal Welfare Licensing)</b>	

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2021/2022 Current	2022/2023 Proposed	Increase	Increase
charge	charge		
£225.00	£225.00 e		0.00%
£250.00	£250.00 e		0.00%
£250.00	£250.00 e		0.00%
£225.00	£225.00 e		0.00%
£225.00	£225.00 e		0.00%
£316.00	£316.00 e		0.00%
£415.00	£415.00 e		0.00%
£145.00	£145.00 e		0.00%
£69.00	£69.00 e		0.00%
£91.00	£91.00 e		0.00%
£101.00	£101.00 e		0.00%
£59.00	£59.00 e		0.00%
£107.00	£107.00 e		0.00%
£123.00	£123.00 e		0.00%
£251.00	£251.00 e		0.00%
£46.00	£46.00 e		0.00%
£138.00	£138.00 e		0.00%
£144.00	£144.00 e		0.00%
£156.00	£156.00 e		0.00%
£113.00	£113.00 e		0.00%
£162.00	£162.00 e		0.00%
£177.00	£177.00 e		0.00%
£305.00	£305.00 e		0.00%
£145.00	£145.00 e		0.00%
£115.00	£115.00 e		0.00%
£101.00	£101.00 e		0.00%
£111.00	£111.00 e		0.00%
£90.00	£90.00 e		0.00%
£117.00	£117.00 e		0.00%
£133.00	£133.00 e		0.00%
£261.00	£261.00 e		0.00%
£0.00	£0.00		0.00%
£82.00	£82.00 e		0.00%
£71.00	£71.00 e		0.00%
£82.00	£82.00 e		0.00%
£60.00	£60.00 e		0.00%
£87.00	£87.00 e		0.00%
£103.00	£103.00 e		0.00%
£231.00	£231.00 e		0.00%
£0.00	£0.00 e		0.00%
<b>£6,000.00</b>	<b>£6,000.00</b>		0.00%

**Appendix 1 – Proposed Licensing Fees and Charges 2022/23**

**Lewes District Council Licensing Fees and Charges Proposals 2022/2023**

140 **Gambling Act 2003**

141 *Lotteries (Statutory Fee)*

142

Initial  
Renewal

143 *Gaming Machines (Licensed Premises - Licensing Act 2003)*

144 Notify Licensing Authority of intention to provide a maximum of 2 gaming

145 New licensed premises gaming permit

146 Vary an existing licensed premises gaming permit

147 Transfer an existing licensed premises gaming permit

148 Annual Fee (Permits over 2 machines)

149

150 *Bingo Premises Licence*

151 Annual Fee

152 Application to vary a licence

153 Application to transfer a licence

154 Application for reinstatement of a licence

155 Application for provisional statement

156 Application for a new premises licence

157 Application for a new premises licence (Provisional Statement Holder)

158

159 *Adult gaming centre premises licence*

160 Annual Fee

161 Application to vary a licence

162 Application to transfer a licence

163 Application for reinstatement of a licence

164 Application for provisional statement

165 Application for a new premises licence

166 Application for a new premises licence (Provisional Statement Holder)

167

168 *Club Gaming/Machine Permit*

169 Application for a new permit

170 Application for a permit (Club Premises Certificate Holder)

171 Application for a permit (Existing Operator)

172 Application to vary a permit

173 Renewal

174 Renewal (Club Premises Certificate Holder)

175 Annual Fee

176 Copy of Permit

177

178 *Betting premises (Track licence)*

179 Annual Fee

180 Application to vary a licence

181 Application to transfer a licence

182 Application for reinstatement of a licence

183 Application for provisional statement

184 Application for a new premises licence

185 Application for a new premises licence (Provisional Statement Holder)

186

Statutory Fees  
machines - category C and/or D

Statutory Fees

Statutory Fees

Statutory Fees

Statutory Fees

2021/2022 Current charge	2022/2023 Proposed charge	Increase	Increase
£40.00	£40.00	e	0.00%
£20.00	£20.00	e	0.00%
£50.00	£50.00	e	0.00%
£150.00	£150.00	e	0.00%
£100.00	£100.00	e	0.00%
£25.00	£25.00	e	0.00%
£50.00	£50.00	e	0.00%
£800.00	£800.00	e	0.00%
£1,500.00	£1,500.00	e	0.00%
£1,000.00	£1,000.00	e	0.00%
£1,000.00	£1,000.00	e	0.00%
£2,700.00	£2,700.00	e	0.00%
£2,700.00	£2,700.00	e	0.00%
£1,000.00	£1,000.00	e	0.00%
£800.00	£800.00	e	0.00%
£800.00	800.00	e	0.00%
£1,000.00	1,000.00	e	0.00%
£1,000.00	1,000.00	e	0.00%
£1,500.00	1,500.00	e	0.00%
£1,500.00	1,500.00	e	0.00%
£200.00	200.00	e	0.00%
£100.00	100.00	e	0.00%
£100.00	100.00	e	0.00%
£100.00	100.00	e	0.00%
£200.00	200.00	e	0.00%
£100.00	100.00	e	0.00%
£50.00	50.00	e	0.00%
£15.00	15.00	e	0.00%
£800.00	800.00	e	0.00%
£1,000.00	1,000.00	e	0.00%
£800.00	800.00	e	0.00%
£800.00	800.00	e	0.00%
£2,000.00	2,000.00	e	0.00%
£2,000.00	2,000.00	e	0.00%
£800.00	800.00	e	0.00%

**Appendix 1 – Proposed Licensing Fees and Charges 2022/23**

**Lewes District Council Licensing Fees and Charges Proposals 2022/2023**

187	<i>Betting premises (other) licence</i>	Statutory Fees
188	Annual Fee	
189	Application to vary a licence	
190	Application to transfer a licence	
191	Application for reinstatement of a licence	
192	Application for provisional statement	
193	Application for a new premises licence	
194	Application for a new premises licence (Provisional Statement Holder)	
195		
196	<i>Temporary use notice</i>	
197	<i>Family entertainment centre premises licence</i>	Statutory Fees
198	Annual Fee	
199	Application to vary a licence	
200	Application to transfer a licence	
201	Application for reinstatement of a licence	
202	Application for provisional statement	
203	Application for a new premises licence	
204	Application for a new premises licence (Provisional Statement Holder)	
205		
206	<i>Family Entertainment Centre Gaming Machine Permit</i>	Statutory Fees
207	Application for a new permit	
208	Renewal	
209	Application to Substitute name	
210	Copy of permit	
211		
212	<b>Total Estimated Annual Income (Gambling Act 2003)</b>	
213	<b>TOTAL ESTIMATED ANNUAL INCOME FOR ALL LICENSING SERVICES</b>	

	2021/2022 Current charge	2022/2023 Proposed charge	Increase	Increase
	£500.00	500.00	e	0.00%
	£1,200.00	1,200.00	e	0.00%
	£1,000.00	1,000.00	e	0.00%
	£1,000.00	1,000.00	e	0.00%
	£2,300.00	2,300.00	e	0.00%
	£2,300.00	2,300.00	e	0.00%
	£1,000.00	1,000.00	e	0.00%
	£250.00	£250.00	e	0.00%
	£600.00	600.00	e	0.00%
	£800.00	800.00	e	0.00%
	£800.00	800.00	e	0.00%
	£800.00	800.00	e	0.00%
	£1,500.00	1,500.00	e	0.00%
	£1,500.00	1,500.00	e	0.00%
	£800.00	800.00	e	0.00%
	£300.00	300.00	e	0.00%
	£300.00	300.00	e	0.00%
	£25.00	25.00	e	0.00%
	£15.00	15.00	e	0.00%
	<b>£5,000.00</b>	<b>£5,000.00</b>		
	<b>£248,300.00</b>	<b>£215,700.00</b>		



<b>Report to:</b>	<b>Full Council</b>
<b>Date:</b>	<b>21 February 2022</b>
<b>Title:</b>	<b>Members' Allowances Scheme – Report of the Independent Remuneration Panel (IRP)</b>
<b>Report of:</b>	<b>Simon Russell, Head of Democratic Services and Deputy Monitoring Officer</b>
<b>Ward(s):</b>	<b>All</b>
<b>Purpose of report:</b>	<b>To revisit the Independent Remuneration Panel's recommended changes to the Council's Allowances Scheme, as per the Full Council resolution in November 2020.</b>
<b>Officer recommendation(s):</b>	<p><b>(1) To reconsider the recommendations of the Independent Remuneration Panel as set out at appendix 1 to the report and decide on one of the following options:</b></p> <ul style="list-style-type: none"><li><b>(a) To accept the Panel's recommendation in full in relation to the levels of Basic Allowance, Special Responsibility Allowances and IT Allowance.</b></li><li><b>(b) To partially accept the Panel's recommendation in relation to allowances with compelling reasons for doing so.</b></li><li><b>(c) To reject the Panel's recommendation in full with compelling reasons for doing so.</b></li></ul> <p><b>(2) That the Head of Democratic Services be authorised to make the necessary amendments (if approved) to the Council's Members' Allowances Scheme to come into operation on 1 April 2022.</b></p>
<b>Reasons for recommendations:</b>	<b>To meet the statutory requirement for Council to have regard to the recommendations made to it by the Independent Remuneration Panel.</b>
<b>Contact Officer(s):</b>	<b>Name: Simon Russell</b> <b>Post title: Head of Democratic Services</b> <b>E-mail: <a href="mailto:simon.russell@lewes-eastbourne.gov.uk">simon.russell@lewes-eastbourne.gov.uk</a></b> <b>Telephone number: 01323 415021</b>

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## **1 Introduction**

- 1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 require the Council to have regard to the recommendations made to it by an

Independent Remuneration Panel (IRP) before it agrees its Members' Allowances Scheme.

1.2 In accordance with regulation 20.2 (a) of the above regulations, an IRP comprising of a minimum of three members, was appointed and tasked with carrying out a review of the Council's Allowances Schemes and this took place during 2020.

1.3 The Panel for this review comprised the following members:-

**Mr Mark Palmer (Chair)** – Development Director at South East Employers. Has strong experience undertaking and chairing IRPs for a variety of Councils.

**Mr Ian Buckingham** – Is a senior cross-industry “Business and Brand Transformation, Change Communication and Engagement Specialist”. Has previously served on an IRP for Decorum District Council.

**Ms Daphne Bagshaw** – Previously an East Sussex County Councillor (around 1997-2005) serving on the Cabinet including in a Finance Portfolio. No longer actively involved in politics. Also appointed to another IRP to be undertaken this year.

1.4 Notification of the review was given to each Town and Parish Council within the District. No specific matters were raised in response and therefore the IRP was not requested to review and/or make recommendations on the current allowances of any such Town or Parish Council.

## **2 Recommendations made by the Panel**

2.1 Under the regulations the Council is required to have regard to the advice of their IRP. The phrase “...shall have regard to the recommendations made...” is used in the regulations. Should the Council wish to implement arrangements not fully in accordance with the Panel's recommendations they will need to give compelling reasons for doing so. In addition, it should be noted that details of any variations between the Panel's recommendations and the Council's final decision must be detailed in a public notice.

2.2 The full recommendations of the Panel are detailed in their report but a summary is set out below:

- **Basic allowance** (payable to all 41 Councillors):- **£3,964**
- **Special responsibility allowances (SRA)** (no councillor shall be entitled to receive at any time more than one SRA):-

	<b>Full Year Total:</b>
<b>Leader of the Council</b>	<b>£14,865</b>
<b>Deputy Leader of the Council</b>	<b>£8,919</b>
<b>Members of the Cabinet with Portfolio</b>	<b>£6,689</b>
<b>Members of the Cabinet without Portfolio</b>	<b>No SRA</b>
<b>Chair of the Council</b>	<b>£2,973</b>
<b>Deputy Chair of the Council</b>	<b>No SRA</b>
<b>Chair of Planning Applications Committee</b>	<b>£4,460</b>
<b>Vice Chair of Planning Applications Committee</b>	<b>£892</b>
<b>Other Members of Planning Applications Committee</b>	<b>£669</b>
<b>Chair of Policy &amp; Performance Advisory Committee</b>	<b>£4,460</b>
<b>Chair of the Audit and Standards Committee</b>	<b>£4,460</b>
<b>Leader of the Largest Opposition Group</b>	<b>£5,203</b>
<b>Deputy Leader of the Largest Opposition Group</b>	<b>No SRA</b>
<b>Chair of the Joint Staff Advisory Committee</b>	<b>£1,116</b>

<b>Chair of the Licensing Committee</b>	<b>£65 per meeting</b>
<b>Chairman of a Licensing Sub-Committee</b>	<b>£65 per meeting</b>
<b>Ordinary Member of a Licensing Sub-Committee</b>	<b>0-12 meetings (£0 per annum)</b>  <b>13-26 meetings (£575 per annum)</b>  <b>27-40 meetings (£861 per annum)</b>
<b>Member of Standards Panel</b>	<b>£33 per meeting (maximum of £160 per annum)</b>

- **Travel and subsistence allowance:-**  
No change to current scheme
- **Dependants' carers' allowances (DCA):-**  
DCA to be based on two rates:  
Rate 1: Childcare at market rate with no monthly maximum claim  
Rate 2: Specialist care based at cost

➤ **Information technology allowance:-**

£429 per annum.

➤ **Indexing of allowances:-**

The basic allowance, SRAs and IT allowance to be increased annually in line with the percentage increase in staff salaries until 2024, at which time the allowances scheme shall be reviewed again by an IRP.

➤ **Implementation of new scheme of allowances:-**

Recommended to be implemented with effect from the beginning of the 2020-21 financial year.

### **3 Full Council determination**

3.1 Full Council, at its meeting on 23 November 2020 considered the recommendations of the IRP and passed the following resolution:

1) Having considered the recommendations of the Independent Remuneration Panel (IRP) as set out at Appendix 1 to the report, the Council is grateful to the Panel for its work and recognises the logic of the recommendations put forward, but is unable to accept them in full in light of the current financial challenges facing the Council whilst responding to the Covid 19 pandemic;

2) The Council resolves as follows in relation to each of the recommendations:

a) To set the basic allowance payable to all members of Lewes District Council at the current level of £3,260 per annum for April 2021 onwards, and to review the IRP's report again in February 2022 to consider if it would be possible to adopt the higher level of basic allowance recommended from April 2022 subject to any future indexation that may apply;

b) To accept the recommendation that no Councillor shall be entitled to receive at any time more than one Special Responsibility Allowance and that this One SRA Only Rule be adopted into the Scheme of Allowances;

c) To retain the current levels of remuneration for all Special Responsibility Allowances, and to review the IRP's report again in February 2022 to consider if it would be possible to adopt the IRP's recommendations in relation to the Special Responsibility Allowances from April 2022 subject to any future indexation that may apply;

d) That further to c) above, to retain the existing allowance for the Scrutiny Committee Chair and attribute it to the Chair of the Policy, Performance and Advisory Committee and retain the existing allowance for Employment Committee and attribute it the Chair of the

Joint Staff Advisory Committee in the years in which this Joint Committee is chaired by a Lewes District Councillor;

e) To accept the recommendation that travelling and subsistence allowances should continue to be payable to Councillors and any co-opted members in connection with any approved duties in accordance with the current scheme of allowances;

f) To accept the recommendation that the Dependants Carers' Allowance should be based on two criteria. Rate one for Childcare should be at the market rate, reimbursed upon production of receipts, with no monthly maximum claim. Rate two should be for specialist care based at cost upon production of receipts and requiring medical evidence that this type of care is required. There should also be no monthly maximum claim;

g) To accept the recommendation that no change should be made to the current eligibility conditions for receipt of the Dependants Carers' Allowance, except that the duties for which this allowance is payable should be in accordance with the list of approved Councillor duties. The Council should also actively promote the allowance to prospective and new Councillors both before and following an election;

h) To accept the recommendation that the recommended duties for Dependants' Carers' Allowance and Travelling and Subsistence Allowance should be payable should be in accordance with the Approved Councillor Duties;

i) To accept the recommendation in relation to the approach to be adopted as a policy to support parental leave for Councillors;

j) To accept the recommendation that an IT Allowance for Councillors of £429 per annum be introduced from April 2021, subject to any future indexation that may apply and subject to it being reviewed again at the same time as the Council is scheduled to revisit the question of Councillor allowances overall in February 2022;

k) To accept the recommendation that the level at which the Council sets the basic allowance, each of the SRAs and the IT allowance, be increased on 1 April annually in line with the percentage increase in staff salaries up until 2024; and

l) To agree that the changes made to the allowances scheme will be implemented with effect from the beginning of the 2021-22 financial year, and to revoke the current scheme of allowances from the same date.

3) That the Head of Democratic Services be authorised to make the necessary amendments (if approved) to the Council's Members' Allowances Scheme; and

4) That thanks be conveyed to the Panel for the work undertaken and report produced.

3.2 As per the above resolution, Full Council is now required to revisit the IRP's recommendations and determine whether:

(a) To accept the Panel's recommendation in full in relation to the Basic Allowances, Special in relation to the Basic Allowance, Special Responsibility Allowances and IT Allowance.

(b) To partially accept the Panel's recommendation in relation to the level of allowances with compelling reasons for doing so.

(c) To reject the Panel's recommendation in full with compelling reasons for doing so.

3.3 It is recommended that any changes in the Members Allowances Scheme be implemented from 1 April 2022.

#### **4 Financial appraisal**

4.1 The cost of the review has been met within an existing budget.

4.2 The current Members' Allowances budget will not be sufficient to fund the changes proposed in this report, and as detailed at Appendix 4 to the IRP's report, its recommendation would result in an increase in basic allowance, SRA and IT allowance totalling £56,307 on the current cost. The current budget was set at £236,900 which is 6% more than the current cost, but still £13,460 less than the proposed cost.

4.3 If the recommendations were approved, this would create a budget pressure of £56,307 for 2022/23 and additional growth within future budgets. Any changes agreed to the allowances scheme in February will come into effect from 1 April 2022 and will not be backdated to April 2020. Any additional cost will need to be funded through other available corporate resources and/or contingency budget. This pressure will be reflected within the draft budget for 2022/23, and for the Council to identify savings in order to fund this additional cost.

#### **5 Legal implications**

5.1 It is statutory requirement that a local authority has regard to the recommendations of an IRP before it makes or amends a members' allowances scheme

#### **6 Risk management implications**

6.1 There are none.

## **7 Equality analysis**

7.1 The scheme as a whole is intended to assist the objective of overcoming any financial and other disincentive that an individual might experience in being a councillor and encourage persons from all sections of the community to become and remain councillors.

7.2 The Panel have given consideration to the subject of equalities in their report.

## **8 Environmental sustainability implications**

8.1 There are no implications arising from this report.

## **9 Appendices**

- Appendix 1 – Report from the Independent Remuneration Panel of May 2020.

## **10 Background papers**

- None

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The report of the Independent Remuneration Panel  
appointed to review the allowances paid to  
Councillors of Lewes District Council

May 2020

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## 1 INTRODUCTION AND BACKGROUND

- 1.1 The Local Authorities (Members' Allowances) (England) Regulations 2003 ("the 2003 Regulations"), as amended, require all local authorities to appoint an independent remuneration panel (IRP) to advise on the terms and conditions of their scheme of Councillors' allowances.
- 1.2 Lewes District Council formally appointed the following persons to undertake this process and make recommendations on its future scheme:
- Daphne Bagshawe - MA JP Consultant on Local Government  
Ian Buckingham - Management Consultant and Local Resident  
Mark Palmer - Development Director, South East Employers (Chair)
- 1.3 Our terms of reference were in accordance with the requirements of the 2003 Regulations, together with "Guidance on Consolidated Regulations for Local Authority Allowances" issued jointly by the former Office of the Deputy Prime Minister and the Inland Revenue (July 2003). Those requirements are to make recommendations to the Council as to:
- (a) the amount of basic allowance to be payable to all Councillors.
- (b) the level of allowances and whether allowances should be payable for:
- special responsibility allowances.
  - travelling and subsistence allowance.
  - dependants' carers' allowance.
- and the amount of such allowances.
- (c) whether adjustments to the level of allowances may be determined according to an index and if so which index and how long that index should apply, subject to a maximum of four years before its application is reviewed.
- 1.4 In addition, the Panel was invited to review the allowances payable to the Chair and Vice-Chair of the Council to meet the expenses of their respective offices under Sections 3 and 5 of the Local Government Act 1972. Whilst the 2003 Regulations do not require councils to include such allowances in any formal review, the Council has agreed that it would be appropriate in terms of openness and transparency to ask the Panel to review these allowances as part of the general review of the scheme of Councillors' allowances.
- 1.5 We have also made a recommendation in respect of parental leave for Councillors.

## 2 CURRENT SCHEME

- 2.1 The last full review of Councillors' allowances was undertaken by Lewes District Council in December 2014. The scheme of allowances was brought into effect in 2015 and have remained at the same level since 2019.
- 2.2 The Scheme currently provides that all Councillors are each entitled to a total basic allowance of **£3,260** per annum. In addition, some Councillors receive special responsibility allowances for undertaking additional duties.

- 2.3 Councillors may also claim the cost of travel and subsistence expenses and for expenditure on the care of children or dependants whilst on approved duties.

### **3 PRINCIPLES UNDERPINNING OUR REVIEW**

#### **The Public Service Principle**

- 3.1 This is the principle that an important part of being a Councillor is the desire to serve the public and therefore, not all of what a Councillor does should be remunerated. Part of a Councillor's time should be given voluntarily. The consolidated guidance notes the importance of this principle when arriving at the recommended basic allowance.<sup>1</sup> Moreover, we found that a public service concept or ethos was articulated and supported by all of the Councillors we interviewed and in the responses to the questionnaire completed by Councillors as part of our review.
- 3.2 We noted that the principle of public service had been recognised in previous IRP review in Lewes DC but was not clearly quantified. Therefore, to provide transparency and increase understanding of the Panel's work, we will recommend the application of an explicit Public Service Discount (or PSD). Such a PSD is applied to the time input necessary to fulfil the role of a Councillor.
- 3.3 Further explanation of the PSD to be applied is given below in section 4.

#### **The Fair Remuneration Principle**

- 3.4 Alongside the belief that the role of the elected Councillor should, in part, be viewed as unpaid voluntary service, we advocate a principle of fair remuneration. The Panel in 2020 subscribes to the view promoted by the independent Councillors' Commission:

*Remuneration should not be an incentive for service as a Councillor. Nor should lack of remuneration be a barrier. The basic allowance should encourage people from a wide range of backgrounds and with a wide range of skills to serve as local Councillors. Those who participate in and contribute to the democratic process should not suffer unreasonable financial disadvantage as a result of doing so.<sup>2</sup>*

- 3.5 We are keen to ensure that our recommended scheme of allowances provides reasonable financial compensation for Councillors. Equally, the scheme should be fair, transparent, logical, simple, and seen as such.
- 3.6 Hence, we continue to acknowledge that:
- allowances should apply to roles within the Council, not individual Councillors.

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<sup>1</sup> The former Office of Deputy Prime Minister – now the Ministry of Housing, Communities, and Local Government, and Inland Revenue, *New Council Constitutions: Guidance on Consolidated Regulations for Local Authority Allowances*, London: TSO, July 2003, paragraph 68.

<sup>2</sup> Rodney Brooke and Declan Hall, *Members' Remuneration: Models, Issues, Incentives and Barriers*. London: Communities and Local Government, 2007, p.3.

- allowances should represent reasonable *compensation* to Councillors for expenses they incur and time they commit in relation to their role, not *payment* for their work; and
  - special responsibility allowances are used to recognise the *significant* additional responsibilities which attach to some roles, not merely the extra time required.
- 3.7 In making our recommendations, we have therefore sought to maintain a balance between:
- the voluntary quality of a Councillor’s role.
  - the need for appropriate financial recognition for the expenses incurred and time spent by Councillors in fulfilling their roles; and
  - the overall need to ensure that the scheme of allowances is neither an incentive nor a barrier to service as a Councillor in Lewes.
- 3.8 The Panel will also ensure that the scheme of allowances is understandable in the way it is calculated, this includes ensuring the bandings and differentials of the allowances are as transparent as possible.
- 3.9 In making our recommendations, we wish to emphasise that any possible negative impact they may have is not intended and should not be interpreted as a reflection on any individual Councillor’s performance in the role.

## 4 CONSIDERATIONS AND RECOMMENDATIONS

### Basic Allowance

- 4.1 A Council’s scheme of allowances must include provision for a basic allowance, payable at an equal flat rate to all Councillors. The guidance on arriving at the basic allowance states,

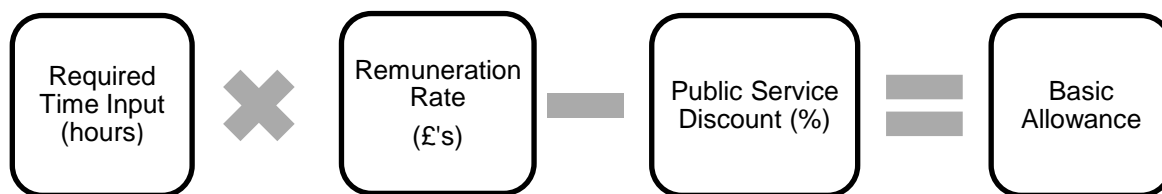
*“Having established what local Councillors do, and the hours which are devoted to these tasks the local authorities will need to take a view on the rate at which, and the number of hours for which, Councillors ought to be remunerated.”<sup>3</sup>*

- 4.2 In addition to the regular cycles of Council and committee meetings, several working groups involving Councillors may also operate. Many Councillors are also appointed by the Council to several external organisations.
- 4.3 We recognise that Councillors are responsible to their electorate as:
- Representatives of a ward.
  - Community leaders.
  - Decision makers for the whole Council area.
  - Policy makers for future activities of the Council.
  - Scrutineers and auditors of the work of the Council; and
  - Regulators of planning, licensing and other matters required by Government.

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<sup>3</sup> paragraph 67.

4.4 The guidance identifies the issues and factors an IRP should have regard to when making a scheme of allowances.<sup>4</sup> For the basic allowance we considered three variables in our calculation: the time required to execute the role effectively; the public service discount; and the rate for remuneration.



4.5 Each of the variables is explained below.

### Required Time Input

- 4.6 We ascertained the average number of hours necessary per week to undertake the role of a Councillor (with no special responsibilities) from questionnaires and interviews with Councillors and through reference to the relevant Councillor information. In addition, we considered information about the number, range, and frequency of committee meetings.<sup>5</sup>
- 4.7 Discounting attendance at political meetings (which we judged to be centred upon internal political management), we find that the average time commitment required to execute the role of a Councillor with no special responsibilities is 9 hours per week.

### Public Service Discount (PSD)

4.8 From the information analysed, we found Councillors espoused a high sense of public duty. Given the weight of evidence presented to us concerning, among other factors, the levels of responsibility, the varied nature of the role, the need for learning and development, and the increasing accessibility and expectations of the public, we recommend a Public Service Discount of 50 per cent to the calculation of the basic allowance. This percentage sits at the top within the range of PSDs applied to basic allowances by councils in the south east.

### Remuneration Rate

- 4.9 After establishing the expected time input to be remunerated, we considered a remuneration rate and came to a judgement about the rate at which the Councillors ought to be remunerated for the work they do.
- 4.10 To help identify an hourly rate for calculating allowances, we utilised relevant statistics about the local labour market published by the Office for National

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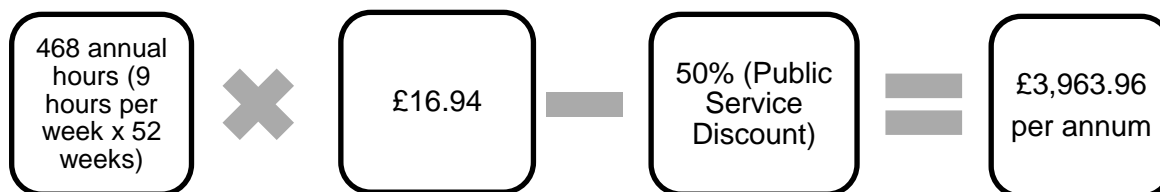
<sup>4</sup> paragraphs 66-81.

<sup>5</sup> Summary responses to the questionnaires are available on request.

Statistics. We selected the average (median), full-time gross<sup>6</sup> wage per hour by place of residence for Lewes. The latest available figure is £16.94.<sup>7</sup>

### Calculating the basic allowance

4.11 After determining the amount of time required each week to fulfil the role (9 hours), the level of PSD to be applied (50%) and the hourly rate to be used (£16.94), we calculated the basic allowance as follows:



4.12 The gross Basic Allowance before the PSD is applied is **£7,927.92**. Following the application of the PSD this leads to a basic allowance of **£3,963.96** per annum. This is then rounded to **£3,964**.

4.13 This amount is intended to recognise the overall contribution made by Councillors, including their work on council bodies, and ward work and attendance on external bodies.

4.14 We did also note the levels of basic allowance currently allocated by other Sussex District and Borough Councils (see table below).

Council	Sussex District and Borough Councils: Basic Allowances (£) 2019 <sup>8</sup>
Adur District Council	4,511
Arun District Council	5,481
Chichester District Council	4,725
Crawley Borough Council	6,190
Eastbourne Borough Council	2,808
Horsham District Council	5,070
<b>Lewes District Council</b>	<b>3,260</b>
Mid Sussex District Council	5,000
Rother District Council	4,475
Wealden District Council	4,611
Worthing Borough Council	4,929
<b>Average</b>	<b>4,642</b>

4.15 The Panel wished to ensure the level of basic allowance does not constitute a barrier to candidates from all sections of the community standing, or re-standing, for election as Councillors. The Panel was of the view that the 2020 review has *begun* to make recommendations to ensure that the recommended

<sup>6</sup> The basic allowance, special responsibility allowance, dependants' carers' allowance, and co-optees' are taxable as employment income.

<sup>7</sup> The Nomis official labour market statistics: Hourly Pay – Gross median (£) For full-time employee jobs by place of residence: UK December 2019.

<sup>8</sup> Figures drawn from the South East Employers, Members' Allowances Survey 2019 (November 2019).



basic is in accordance with the principle of fair remuneration, although the rate is still low by comparison with similar size District and Borough Councils and lower than the Sussex average.

**WE THEREFORE RECOMMEND that the Basic Allowance payable to all members of Lewes District Council be £3,964 per annum.**

### **Calculating Special Responsibility Allowances (SRAs)**

4.16 Special Responsibility Allowances are awarded to Councillors who perform significant additional responsibilities over and above the roles and expenses covered by the basic allowance. These special responsibilities must be related to the discharge of the Council's functions.

4.17 The 2003 Regulations do not limit the number of SRAs which may be paid, nor do they prohibit the payment of more than one SRA to any one Councillor. They do require that an SRA be paid to at least one Councillor who is not a member of the controlling group of the Council. As the guidance suggests, if the majority of Councillors receive an SRA the local electorate may rightly question the justification for this.<sup>9</sup>

4.18 We conclude from the evidence we have considered that the following offices bear significant additional responsibilities:

- Leader of the Council
- Deputy Leader of the Council
- Members of the Cabinet with Portfolio
- The Chair of Council
- Chair of Planning Applications Committee
- Vice-Chair of Planning Applications Committee
- Other Members of the Planning Applications Committee
- Chair of the Policy and Performance Advisory Committee
- Chair of the Audit and Standards Committee
- Chair of the Licensing Committee
- Chair of a Licensing Sub-Committee
- Member of a Licensing Sub-Committee
- Chair of a Policy and Performance Advisory Panel
- Member of a Policy and Performance Advisory Panel
- Chair of Joint Staff Advisory Committee
- Leader of the Largest Opposition Group

### **One SRA Only Rule**

4.19 To improve the transparency of the scheme of allowances, we feel that no Councillor should be entitled to receive at any time more than **one SRA**.

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<sup>9</sup> paragraph 72. Local Government Regulations 2003

4.20 The One SRA Only Rule avoids the possible anomaly of the Leader receiving a lower allowance than another Councillor. If two or more allowances are applicable to a Councillor, then the higher-valued allowance would be received. The One SRA Only Rule is common practice for many Councils. Our calculations for the SRAs are based on this principle, which should be highlighted:

**WE THEREFORE RECOMMEND that that no Councillor shall be entitled to receive at any time more than one Special Responsibility Allowance and that this One SRA Only Rule be adopted into the Scheme of Allowances.**

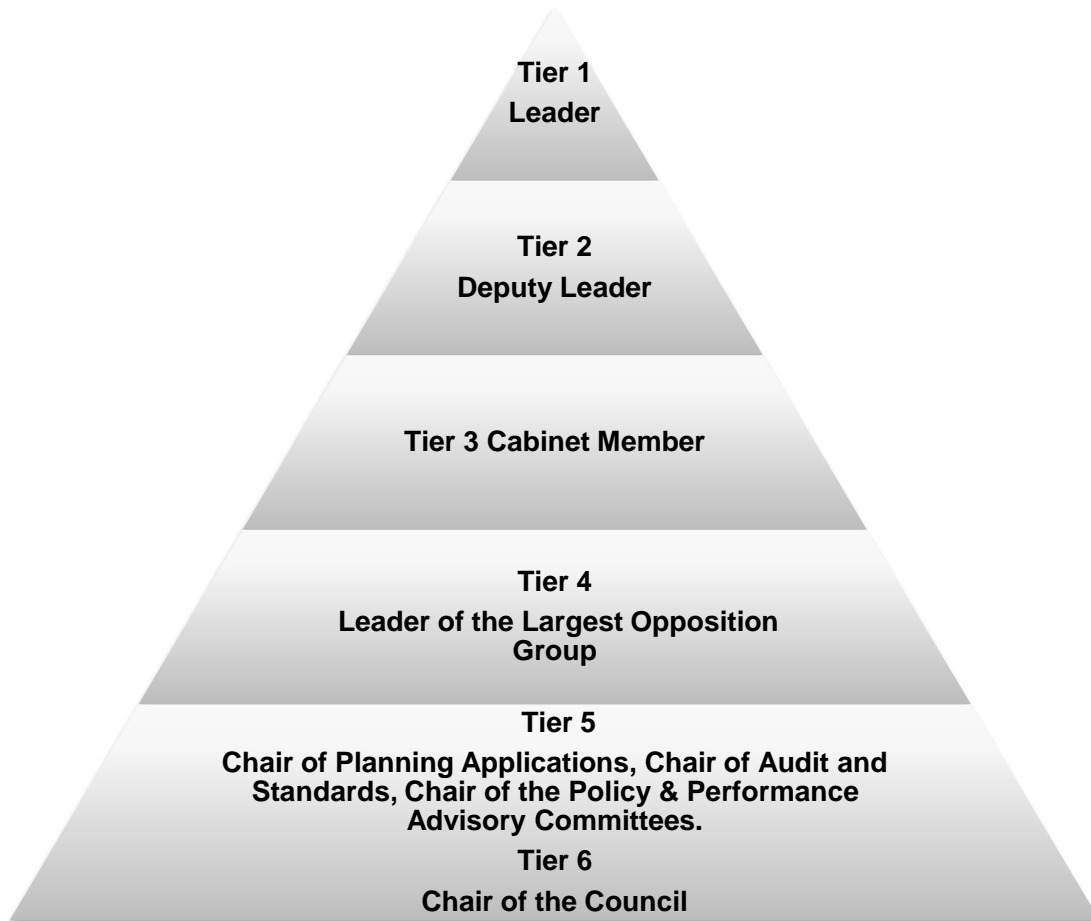
### **The Maximum Number of SRAs Payable**

4.21 In accordance with the 2003 Statutory Guidance (paragraph 72) the Panel is of the view that no more than 50% of Council Members (21 Members) should receive an SRA at any one time. However, we recognise that this is a future aspiration rather than a recommendation.

### **Calculating SRAs**

4.22 The Panel agreed to apply a criteria and formula for calculating the Leader of the Council's SRA. This will be based on a multiplier of the Basic Allowance. The Leader is the role that carries the most significant additional responsibilities and is also the most time consuming.

4.23 We applied a multiplier of the basic allowance to establish the Leader's SRA. Other SRAs are then valued downwards as a percentage of the Leader's allowance. This approach has the advantage that, when future adjustments to the SRAs are required, changing the Leader's SRA will have a proportionate and easily calculable effect on the other SRAs within the scheme.



4.24 We grouped together in Tiers those roles that we judged to have a similar level of responsibility. The outline result of this approach is illustrated in a pyramid of responsibility:

4.25 The rationale for these six tiers of responsibility is discussed below:

Leader (Tier One)

4.26 The Council elects a Leader who is ultimately responsible for the discharge of all executive functions of the Council. The Leader is the principal policy maker and has personal authority to determine delegated powers to the rest of the Cabinet. The Leader is also responsible for the appointment (and dismissal) of members of the Cabinet and their respective areas of responsibility.

4.27 The multiplier we applied to calculate the Leader’s SRA is 375%, or 3.75 x the basic allowance. If the recommended option of a basic allowance with a PSD of 50% is adopted, this results in a Leader’s Allowance of £14,865.

**WE RECOMMEND that the Leader of the Council receive a Special Responsibility Allowance of 375% of the basic allowance, £14,865 per annum.**

Deputy Leader (Tier Two)

4.28 The Deputy Leader usually acts on the Leader’s behalf in their absence. From the information we gathered we consider this additional responsibility should be reflected in the level of allowance. Therefore, we recommend the Deputy

Leader's SRA be set at 60% of the Leader's SRA. If our recommendations concerning the basic allowance and the Leader's SRA are adopted, this results in an allowance of £8,919.

**WE RECOMMEND that the Deputy Leader receive a Special Responsibility Allowance of 60% of the Leader's Special Responsibility Allowance, £8,919**

#### Cabinet Member (Tier Three)

4.29 From the evidence gathered, including questionnaire response and face to face interviews we consider the members of the Cabinet should receive an allowance of £6,689, 45% of the Leader's Allowance.

4.30 Evidence from the from the interviews we undertook with Councillors, underlines the responsibility of the members of the Cabinet for many of the Council's functions. Members of the Cabinet hold considerable responsibility for their respective portfolios. In addition, we found the time commitment for the role to be significant.

**WE RECOMMEND that the Cabinet Members receive a Special Responsibility Allowance of 45% of the Leader's Special Responsibility Allowance, £6,689.**

#### The Leader of the Largest Opposition Group (Tier Four)

4.31 The role of the Leader of the Largest Opposition Group is instrumental to ensure accountability of the leadership and requires a high level of organisation to manage a political group. The Panel therefore recommends that the Leader of the Largest Opposition Group receive a Tier-Three allowance of £5,203, 35% of the Leader's Special Responsibility Allowance

**WE RECOMMEND that the Leader of the Largest Opposition Group receive a Special Responsibility Allowance of 35% of the Leader's Special Responsibility Allowance, £5,203.**

#### The Chair of the Planning Applications Committee, Chair of the Policy and Performance Advisory Committee and Chair of the Audit and Standards Committee (Tier Five)

4.32 The Panel is of the view that the Chair of the Planning Applications Committee performs a significant role that has a high impact across the District. The frequency of meetings also mean that the role is demanding of time and resource. The Panel therefore recommend an allowance of 30% of the Leader's Allowance, £4,460.

4.33 The newly constituted Policy and Performance Advisory Committee performs the role of overview and scrutiny and therefore, does not have formal decision-making powers. The Committee should be influential and recent Government Statutory Guidance (May 2019) has sought to increase the scope and influence of the scrutiny function. We have considered the requirements of the role of Chair and consider that it is a significant statutory function. We consider this role should also receive a Tier Four allowance of £4,460, 30% of the Leader's Allowance.

4.34 The Panel is also of the view that the Audit and Standards Committee continues to perform a key role and should receive a Tier- Four allowance of £4,460, 30% of the Leader's Allowance.

**WE RECOMMEND that the allowance for the Chair of Planning Applications Committee, Chair of Policy and Performance Advisory Committee and the Chair of the Audit and Standards Committee should receive a Special Responsibility Allowance of 30% of the Leader's Special Responsibility Allowance, £4,460.**

#### Chair of the Council (Tier Six)

4.35 The Panel was of the view that the role of the Chair of the Council continues to have a key role impact and profile in a similar capacity to a mayor in wards without a town mayor. We therefore, recommend that the role continues to be recognised at Tier Five and receive an allowance of £2,973, 20% of the Leader's Special Responsibility Allowance.

**WE RECOMMEND that the allowance for the Chair of the Council should receive a Special Responsibility Allowance of 20% of the Leader's Special Responsibility Allowance, £2,973.**

#### Other Allowances

4.36 Following discussion and from an analysis of the role the Panel is of the view that the allowance for Deputy Chair of Planning Applications should be increased. The Panel consider that this allowance should be increased to £892, 20% of the Chair of Planning Applications' Special Responsibility Allowance.

4.37 With regard to the role of Other Members of the Planning Appointments Committee the Panel consider that they should receive an allowance of 15% of the Chair of the Planning Appointments Committee £669.

4.38 In the case of the Chair of Licensing Committee this allowance should be increased to £65 per meeting. The Chair of a Licensing Sub-Committee or Policy and Performance Advisory Panel (formally a 'Scrutiny Panel') should also be increased to £65 per meeting and a Member of a Licensing Sub-Committee or Policy and Performance Advisory Panel should receive the following allowances:

- 0-12 meetings £0 p.a.
- 13-26 meetings £575 p.a. and
- 27-40 meetings £861 p.a.

4.39 The Employment Committee is due from May 2020 to become a joint committee with Eastbourne Borough Council, the Joint Staff Advisory Committee and will have a rotating Chair. The Panel was of the view that the Chair of the Committee should receive a Special Responsibility Allowance, and this should be calculated as a percentage of the Leader's Allowance for both Councils. The Panel therefore recommends that the Chair of the Joint Staff Advisory Committee should receive an allowance of 5% of the recommended combined Leader's allowance, £7,464 and £14,865, a Special Responsibility Allowance of £1,116.

- 4.40 The Panel also recommends that the members of the Standards Panel and should receive an allowance of £33 per meeting up to a maximum of £160 per annum.
- 4.41 With regard to the Deputy Chair of Council, Cabinet Member (without Portfolio) and the Deputy Leader of the Largest Opposition Group the Panel recommends that in each case no Special Responsibility Allowance should be payable.

**WE RECOMMEND that the aforementioned Special Responsibility Allowances should be payable as outlined in paragraphs 4.36 to 4.40. The Panel also recommends that no Special Responsibility Allowances should be payable to the roles of Deputy Chair of Council, Cabinet Member (without Portfolio) and Deputy Leader of the Largest Opposition Group.**

### **Travelling and Subsistence Allowance**

- 4.42 A scheme of allowances may provide for any Councillor to be paid for travelling and subsistence undertaken in connection with any of the duties specified in Regulation 8 of the 2003 Regulations including any other duties approved by the Council. Similarly, such an allowance may also be paid to co-opted members of a committee or sub-committee of the Council in connection with any of those duties, provided that their expenses are not also being met by a third party.
- 4.43 The amounts payable to Members in respect of car and motorcycle mileage payments will be at the maximum rate per mile that can be paid tax-free as defined by HM Revenue and Customs.

**WE RECOMMEND that travelling and subsistence allowance should continue to be payable to Councillors and any co-opted members in connection with any approved duties in accordance with the current scheme of allowances.**

### **Dependants Carers' Allowance**

- 4.44 The current level of dependant carers' allowance is £10.70 per hour for Childcare and Carers' of Dependents. The dependant carers' allowance should ensure that potential candidates are not deterred from standing for election and should enable current Councillors to continue despite any change in their personal circumstances. However, the current maximum remuneration for those with caring responsibilities could leave Councillors out of pocket particularly if they are required to cover the cost of specialist care for adults or children with special needs.
- 4.45 The Panel therefore is of the view that the Dependants Carers' Allowance should be based on two criteria, general childcare and specialist care. The Panel was of the view that specialist care provision should be reimbursed for the actual cost incurred by the Councillor upon production of receipts. Medical evidence that this type of care provision is required must also be provided and approved by an appropriate officer of the Council. Childcare rates should be at market rates upon production of receipts.

**WE THEREFORE RECOMMEND** that the **Dependants Carers' Allowance** should be based on two criteria. Rate one for **Childcare** be at the market rate, reimbursed upon production of receipts, with no monthly maximum claim. Rate two should be for **specialist care** based at cost upon production of receipts and requiring medical evidence that this type of care is required. There should also be no monthly maximum claim

**WE ALSO RECOMMEND** that no change should be made to the current eligibility conditions for receipt of this allowance, except that the duties for which this allowance is payable should be in accordance with the list of approved Councillor duties. The Council should also actively promote the allowance to prospective and new Councillors both before and following an election.

### **Approved Councillor Duties**

4.46 Panel reviewed the recommended duties for which Dependants' Carers' Allowance and Travelling and Subsistence Allowance should be payable and have recommended that no changes be made.

**WE THEREFORE RECOMMEND** that the recommended duties for which **Dependants' Carers' Allowance and Travelling and Subsistence Allowance** should be payable should be in accordance with the **Approved Councillor Duties**.

### **Parental Leave**

4.47 There is no uniform/ national policy to support Councillors who require parental leave for maternity, paternity or adoption leave. According to the Fawcett Society (Does Local Government Work for Women, 2018) a '*lack of maternity, paternity provision or support*' is a *real barrier for women aged 18-44 to fulfil their role as a Councillor*'.

4.48 We are of the view that support should be provided for parental leave although we do not wish to stipulate an exact policy/procedure of another Council, the Panel is aware that the Local Government Association (LGA) has developed a model policy that has been adopted by a growing number of councils across the south east region.

4.49 There is no legal right to parental leave of any kind for people in elected public office. However, as a way of improving the diversity of Councillors the Panel would recommend that the Members' Allowance Scheme should be amended to include provisions that clarify that:

- All Councillors shall continue to receive their Basic Allowance in full for a period up to six months in the case of absence from their Councillor duties due to leave relate to maternity, paternity, adoption shared parental leave or sickness absence
- Councillors entitled to a Special Responsibility Allowance shall continue to receive their allowance in full for a period of six months, in the case of absence from their Councillor duties due to leave related to maternity, paternity, adoption, shared parental leave or sickness absence

- Where for reasons connected with sickness, maternity leave, adoption leave, paternity leave or shared parental leave a Councillor is unable to attend a meeting of the Council for a period of six months, a dispensation by Council can be sought in accordance with Section 85 of the Local Government Act 1972
- If a replacement to cover the period of absence under these provisions is appointed by Council or the Leader (or in the case of a party group position the party group) the replacement shall be entitled to claim a Special Responsibility Allowance pro rata for the period over which the cover is provided.

4.50 The Panel is conscious that these provisions do not replicate the LGA policy but that policy introduces elements that are more akin to employees which in terms of employment legislation does not include Councillors. We feel that our recommendations more simply and adequately reflect the situation relating to Councillors and clarify for them what they can expect.

4.51 District Councillors however may wish to further develop the above recommendations so that they reflect the LGA policy.

**WE RECOMMEND that the approach outlined is adopted as a basis of a policy to support parental leave for Councillors.**

### **Information Technology Allowance**

4.52 The Council does not currently have a separate Information Technology (IT) Allowance but does provide paper and ink cartridges to Councillors when required.

4.53 The Panel is of the view that the current arrangement should be replaced with a separate IT Allowance to the value of £429 per annum subject to any future Indexation that may apply.

4.54 However, should the Council review its existing approach to IT provision for Councillors during the next four- year period then the Panel will review the recommended IT Allowance when and if required.

**WE RECOMMEND that an IT Allowance for Councillors of £429 per annum be introduced, this will be subject to any future indexation that may apply. However, should the Council review its existing approach to IT provision for Councillors during the next four -year period then the Panel will review the IT Allowance if and when required.**

### **Indexing of Allowances**

4.55 A scheme of allowances may make provision for an annual adjustment of allowances in line with a specified index. The previous scheme made provision for the basic allowance, the special responsibility allowances (SRAs) and the dependants' carers' allowance to be adjusted annually. The Panel recommends that this indexation should be in line with increases in staff salaries at Lewes District Council.

**WE RECOMMEND that the basic allowance, each of the SRAs and the IT allowance be increased annually in line with the percentage increase in**



**staff salaries until 2024, at which time the Scheme shall be reviewed again by an Independent Remuneration Panel.**

### **Revocation of current Scheme of Allowances / Implementation of new Scheme**

4.56 The 2003 Regulations provide that a scheme of allowances may only be revoked with effect from the beginning of a financial year, and that this may only take effect on the basis that the authority makes a further scheme of allowances for the period beginning with the date of revocation.

**WE THEREFORE RECOMMEND that the new scheme of allowances to be agreed by the Council be implemented with effect from the beginning of the 2020-21 financial year, at which time the current scheme of allowances will be revoked.**

## **5 OUR INVESTIGATION**

### **Background**

- 5.1 As part of this review, a questionnaire was issued to all Councillors to support and inform the review. Responses were received from 30 of the 41 Councillors, which represents 73% of the Council. The information obtained was helpful in informing our deliberations.
- 5.2 We interviewed eight current Councillors, including the Leader of the Council and the Leader of the Largest Opposition Group. We are grateful to all our interviewees for their assistance.

### **Councillors' views on the level of allowances**

- 5.3 A summary of the Councillors' responses to the questionnaire is attached as Appendix 2.

Mark Palmer (Independent Remuneration Panel, Chair)  
Daphne Bagshawe (Independent Remuneration Panel)  
Ian Buckingham (Independent Remuneration Panel)

May 2020

## Appendix 1 – Summary of Panel Recommendations

<b>Basic Allowance:</b>	<b>Current Amount for 2019-20</b>	<b>Number</b>	<b>Recommended Allowance (50% PSD)</b>	<b>Recommended Allowance Calculation</b>
Total Basic	£3,260	41	£3,964	n/a

<b>Special Responsibility Allowances:</b>	<b>Current Amount for 2019-20</b>	<b>Number</b>	<b>Recommended Allowance (50% PSD)</b>	<b>Recommended Allowance Calculation</b>
Leader of the Council	£15,117	1	£14,865	375% of BA
Deputy Leader of the Council	£6,047	1	£8,919	60% of Leader's Allowance
Members of the Cabinet	£6,047	7	£6,689	45% of Leader's Allowance
Cabinet Member (without Portfolio)	£3,023	0	No SRA to be payable	n/a
Leader of the Largest Opposition Group	£4,535	1	£5,203	35% of the Leader's Allowance
Deputy Leader of the Largest Opposition Group	£0	1	No SRA to be payable	n/a
Chair of the Policy and Performance Advisory Committee	£3,628	1	£4,460	30% of the Leader's Allowance
Chair of Council	£2,268	1	£2,973	20% of Leader's Allowance
Deputy Chair of Council	£0	1	No SRA to be payable.	n/a
Chair of Planning Applications Committee	£4,535	1	£4,460	30% of the Leader's Allowance
Vice Chair of Planning Applications Committee	£756	1	£892	20% of the Planning Chairs Allowance
Other Members of the Planning Applications Committee	£544	9	£669	15% of the Planning Chairs Allowance
Chair of Audit and Standards Committee	£4,535	1	£4,460	30% of the Leader's Allowance
Chair of Licensing Committee	£61 per meeting	1	£65 per meeting	n/a
Chair of a Licensing Sub-Committee or a Policy and Performance Advisory Panel	£61 per meeting		£65 per meeting	n/a
Member of a Licensing Sub-Committee or a Policy and Performance Advisory Panel	£0 £544 £815		£0 £575 £861	0-12 meetings 13-26 meetings 27-40 meetings

<b>Special Responsibility Allowances:</b>	<b>Current Amount for 2019-20</b>	<b>Number</b>	<b>Recommended Allowance (50% PSD)</b>	<b>Recommended Allowance Calculation</b>
Members of a Standards Panel	£32 per meeting to a maximum of £160 per annum		£33 per meeting to a maximum of £160 per annum	n/a
Chair of the Joint Staff Advisory Committee*	£1,134 (Employment Committee)	1	£1,116	5% of the combined Leader's allowance <sup>1</sup>
Dependents Carers' Allowance	Childcare and Dependents Carers' allowance £10.70 per hour		Childcare and Carers of Dependents: reimbursed at cost upon production of receipts	
IT allowance	n/a	41	£429	

<sup>1</sup>Allowance payable every other year, due to a rotating Chair with Eastbourne BC.

## Appendix 2 - IRP Review of Councillor Allowances – Responses to Questionnaire 2020

### Q1 In a typical week how many hours do you spend on Council business?

(Answered: 29, Skipped: 1)

The responses ranged from 2 to 60 hours per week with the mean average been 13 hours

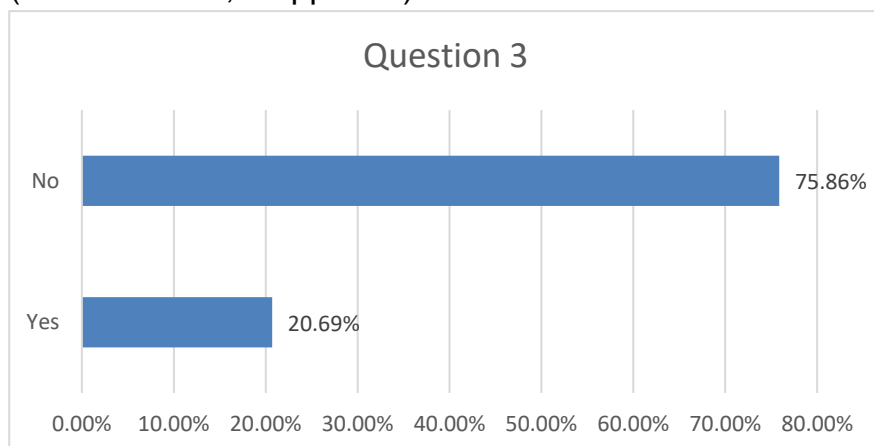
### Q2 If you hold a role(s) within the Council i.e. Portfolio Holder, Chair etc., how many hours do you spend in a typical week on Council business relevant to the role(s). Please provide details separately for each role if more than one additional role is held. Please specify specific roles below and hours spent on each role:

(Answered: 25, Skipped: 5)

The responses ranged from 1 hour to 28 hours per week with the mean average been 7 hours per week although several respondents found the question hard to quantify in hours.

### Q3 Do you incur any significant costs which you believe are not covered by your present allowance?

(Answered: 29, Skipped: 1)



Answer Choices	% of Responses	Number of Responses
Yes	20.69%	6
No	75.86%	22

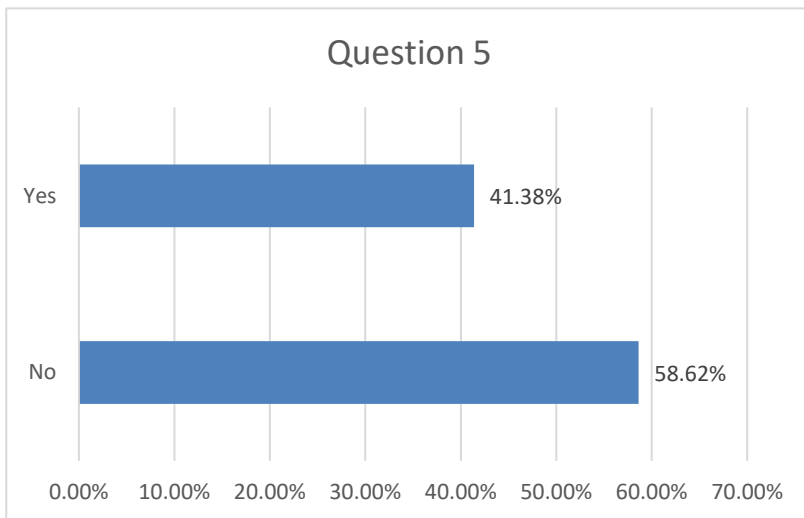
### Q4 Government guidance states that “it is important that some element of the work of Councillors continues to be voluntary”. As part of their deliberations, Independent Remuneration Panels will assess what Public Service Discount should apply to the basic allowance - that is the percentage of their time Councillors expect to give without any financial remuneration. Accordingly, what do you feel is an acceptable amount of time to be given, unremunerated, if any, expressed as a percentage?

(Answered: 29, Skipped: 1)

The responses ranged from 10% to 100% although some found it hard to equate to a percentage. The average was around 32%.

**Q5 The present level of Basic Allowance payable to all Councillors is £3,196. Do you think this is appropriate?**

(Answered: 29, Skipped: 1)



Answer Choices	% of Responses	Number of Responses
Yes	41.38%	12
No	58.62%	17

**Q6 If you can, please indicate an appropriate level £:**

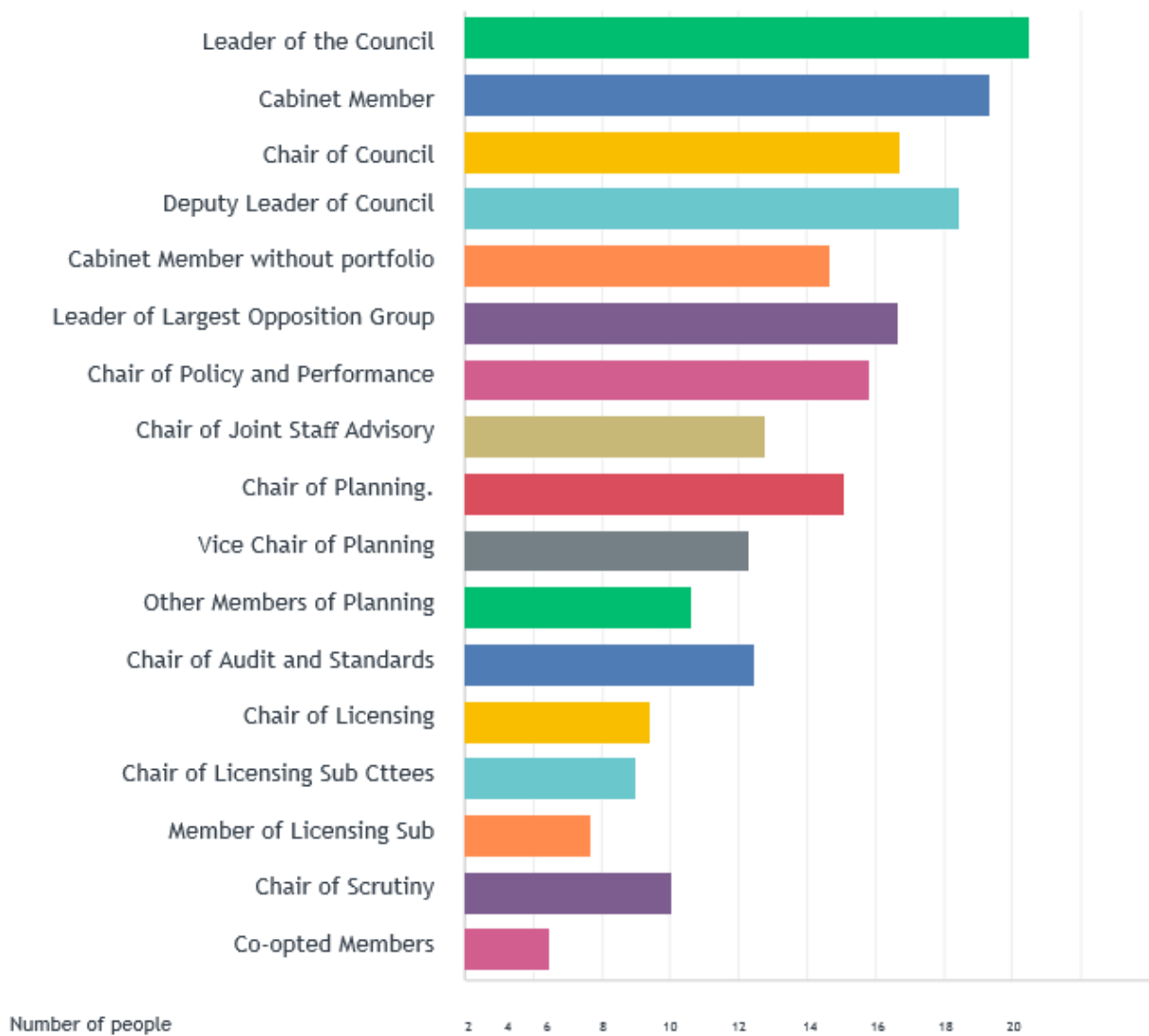
(Answered: 19, Skipped: 11)

The responses ranged from £4,000 to £9,000 per annum. Several respondents felt that the current allowance was about right.

**Q7 Special Responsibility Allowances (SRAs) are currently paid as follows:**

**[To assist the Panel to produce a more consistent group of allowances, please can you score each role / position in respect of importance and impact, with 1 being the most important.]**

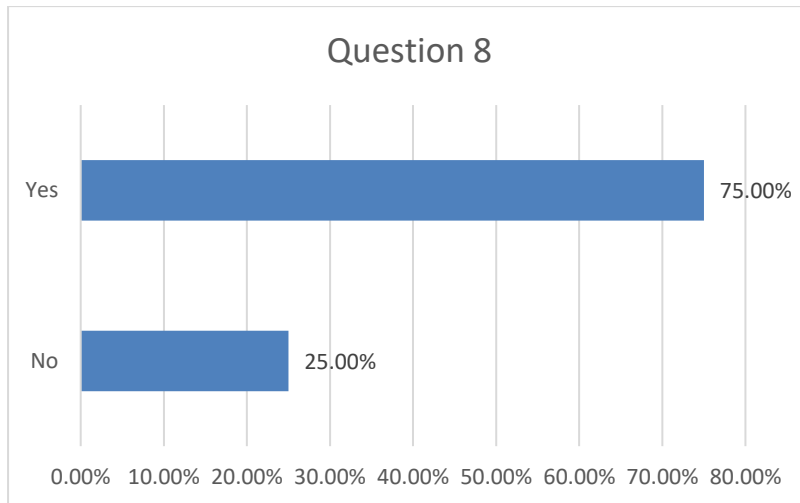
(Answered: 27, Skipped: 3)



Rank	1	2	3	4	5	6	7	8	9	10	11	12	13
Roles													
Leader of the Council	88.46% 23	3.85% 1	0.00% 0	0.00% 0	3.85% 1	0.00% 0	0.00% 0	3.85% 1	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0
Cabinet Member	4.00% 1	48.00% 12	32.00% 8	12.00% 3	4.00% 1	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0
Chair of Council	0.00% 0	8.70% 2	17.39% 4	8.70% 2	26.09% 6	13.04% 3	8.70% 2	8.70% 2	0.00% 0	8.70% 2	0.00% 0	0.00% 0	0.00% 0
Deputy Leader of Council	8.33% 2	29.17% 7	29.17% 7	8.33% 2	8.33% 2	4.17% 1	4.17% 1	4.17% 1	4.17% 1	0.00% 0	0.00% 0	0.00% 0	0.00% 0
Cabinet Member without Portfolio	0.00% 0	0.00% 0	8.33% 2	8.33% 2	16.67% 4	29.17% 7	12.50% 3	0.00% 0	4.17% 1	0.00% 0	0.00% 0	8.33% 2	0.00% 0
Leader of Largest Opposition Group	0.00% 0	8.33% 2	8.33% 2	33.33% 8	12.50% 3	16.67% 4	4.17% 1	0.00% 0	4.17% 1	8.33% 2	4.17% 1	0.00% 0	0.00% 0
Chair of Policy and Performance Advisory Committee	0.00% 0	10.00% 2	0.00% 0	15.00% 3	15.00% 3	5.00% 1	25.00% 5	15.00% 3	15.00% 3	0.00% 0	0.00% 0	0.00% 0	0.00% 0
Chair of Joint Staff Advisory Committee	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	10.53% 2	36.84% 7	21.05% 2	10.53% 2	10.53% 2	0.00% 0	10.53% 2
Chair of Planning Appointments Committee-	0.00% 0	0.00% 0	0.00% 0	15.00% 3	15.00% 3	10.00% 2	20.00% 4	10.00% 2	30.00% 6	0.00% 0	0.00% 0	0.00% 0	0.00% 0
Vice Chair of Planning Appointments Committee	0.00% 0	0.00% 0	0.00% 0	4.76% 1	0.00% 0	0.00% 0	4.76% 1	4.76% 1	14.29% 3	52.38% 11	14.29% 3	0.00% 0	0.00% 0
Other Members of Planning Appointments Committee	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	5.00% 1	0.00% 0	5.00% 1	0.00% 0	0.00% 0	55.00% 11	20.00% 4	5.00% 1
Chair of Audit and Standards	0.00% 0	0.00% 0	4.35% 1	8.70% 2	0.00% 0	17.39% 4	0.00% 0	8.70% 2	0.00% 0	4.35% 1	8.70% 2	43.48% 10	0.00% 0
Chair of Licensing Committee	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	5.56% 1	0.00% 0	5.56% 1	0.00% 0	0.00% 0	11.11% 2	55.56% 11
Chair of Licensing Sub Committee	0.00% 0	5.00% 1	0.00% 0	0.00% 0	0.00% 0	5.00% 1	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	10.00% 2	5.00% 1
Member of Licensing Sub Committee	0.00% 0	0.00% 0	0.00% 0	0.00% 0	4.76% 1	0.00% 0	4.76% 1	0.00% 0	4.76% 1	0.00% 0	0.00% 0	0.00% 0	0.00% 0
Chair of Scrutiny Panels	4.76% 1	0.00% 0	4.76% 1	4.76% 1	4.76% 1	0.00% 0	0.00% 0	4.76% 1	0.00% 0	4.76% 1	4.76% 1	0.00% 0	19.05% 4
Co-opted Members of the Standards and Audit Committee or members of Standards Panel	0.00% 0	0.00% 0	0.00% 0	0.00% 0	5.00% 1	5.00% 1	0.00% 0	0.00% 0	0.00% 0	5.00% 1	0.00% 0	0.00% 0	0.00% 0

**Q8 Would you like to see any of these changes made to these allowances?**

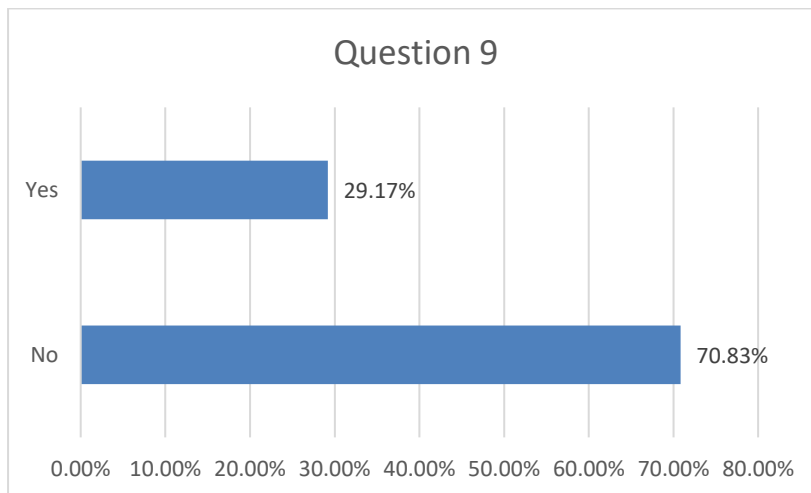
(Answered: 24, Skipped: 6)



Answer Choices	% of Responses	Number of Responses
Yes	75%	18
No	25%	6

**Q9 Would you like to see any new SRAs introduced?**

(Answered: 24, Skipped: 6)

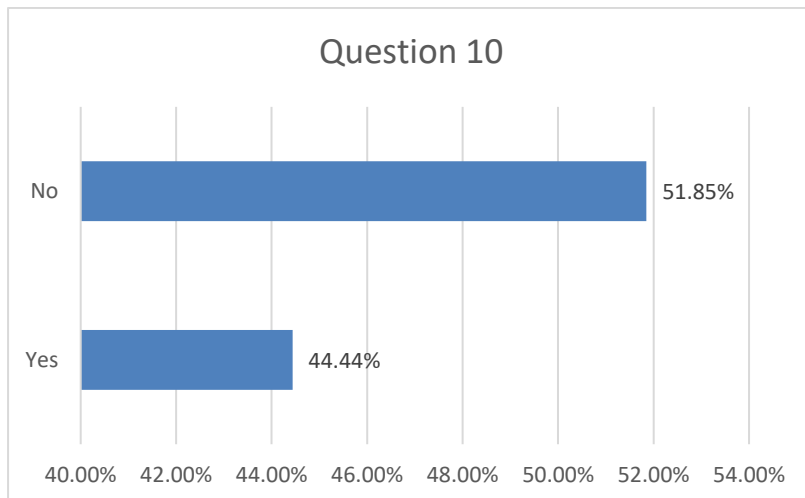


Answer Choices	% of Responses	Number of Responses
Yes	29.17%	7
No	70.83%	17



**Q10 Dependent Relative Care - up to £10.60 per hour. Do you think these rates should be increased?**

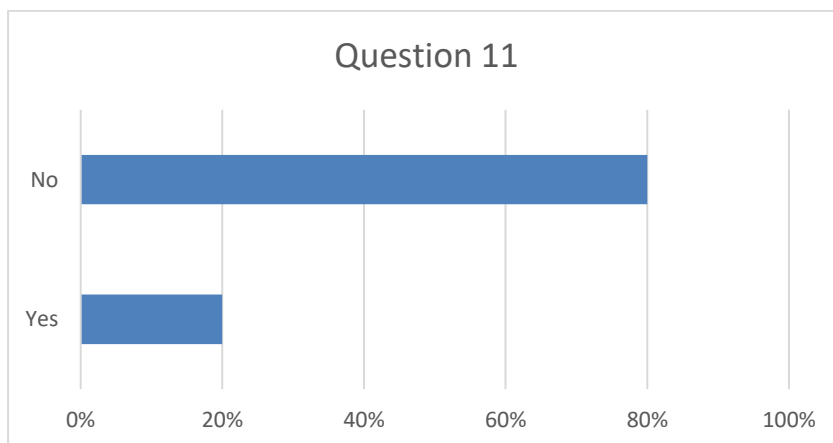
(Answered: 27, Skipped: 3)



Answer Choices	% of Responses	Number of Responses
No	51.85%	14
Yes	44.44%	12

**Q11 The current scheme of travel allowances is linked to those recommended by HMRC level. Do you have any comments on the current scheme for Councillors?**

(Answered: 25, Skipped: 5)



Answer Choices	% of Responses	Number of Responses
No	80%	20
Yes	20%	5

### Appendix 3. Comparative data of allowances paid to Sussex District and Borough Councillors (South East Employers, Members Allowances Survey 2019)

#### BASIC ALLOWANCES:

Council name	Type of council	County area	Population	Basic Allowance for 2019/2020	Overall budget for Member Allowances	Total number of councillors	Budget per councillor	Percentage of Public Service Discount*, if applicable (%)	Comments on Basic Allowance
Adur District Council	District	West Sussex	70,000	£4,511.04	£208,636.00	29	£7,194.34	33.00%	
Arun District Council	District	West Sussex	230,000	£5,481.00	£434,620.00	54	£8,048.52	30.00%	Index linked to officer pay increases
Chichester District Council	District	West Sussex	113,794	£4,725.00	£332,100.00	36	£9,225.00	0.00%	
Crawley Borough Council	District	West Sussex	111,664	£6,190.00	£61,155.00	36	£1,698.75	N/A	
Eastbourne Borough Council	District	East Sussex	107,000	£2,808.00	£133,731.00	27	£4,953.00	No percentage agree but scheme states that basic allowance reflects an element of voluntary public service.	
Horsham District Council	District	West Sussex	142,217	£5,070.00	£352,800.00	48	£7,350.00	N/A	The Basic Allowance rate is increased each year in accordance with the percentage increase of the Local Government Staff pay award
Lewes District Council	District	East Sussex	102,744	£3,260.00	£223,000.00	41	£5,439.02	Not specified	
Mid Sussex District Council	District	West Sussex	141,000	£5,000.00	£425,625.00	54	£7,881.94	0.00%	Basic allowance has increased by 2.5% per annum to a total of £5,000.
Rother District Council	District	East Sussex	95,656	£4,475.00	£242,760.00	38	£6,388.42	N/A	The Council's IRP felt that the Basic Allowance should not be set at a level to attract candidates, but compensate those that devote the time and effort to the role. Indeed it was the view expressed by a number of Councillors that remuneration is not and should not be a driver at all to being a Councillor.
Wealden District Council	District	East Sussex	148,915	£4,611.00		45		N/A	
Worthing Borough Council	District	West Sussex	109,600	£4,929.72	£269,960.00	37	£7,296.22	0.00%	
		MINIMUM		£2,808.00	£61,155.00		£1,698.75		
		MAXIMUM		£6,190.00	£434,620.00		£9,225.00		
		AVERAGE		£4,641.89	£268,438.70		£6,547.52		

SPECIAL RESPONSIBILITY ALLOWANCES:

Council name	Type of council	County area	Population	Leader	Deputy Leader	Cabinet Member / Portfolio Holder	Cabinet Member / Non Portfolio Holder	Chair Audit Committee	Licensing Committee Chair
Adur District Council	District	West Sussex	70,000	£13,533.12	£6,766.56	£5,638.80	£0.00	£2,255.52	£3,383.28
Arun District Council	District	West Sussex	230,000	£14,196.00	£10,400.00	£8,320.00	£0.00	£3,750.00	£4,000.00
Chichester District Council	District	West Sussex	113,794	£14,500.00	£7,700.00	£7,000.00	£0.00	£4,800.00	£4,800.00
Crawley Borough Council	District	West Sussex	111,664	£14,281.00	£0.00	£7,729.00	£0.00	£2,578.00	£5,307.00
Eastbourne Borough Council	District	East Sussex	107,000	£4,212.00	£2,808.00	£2,808.00	£0.00	£0.00	£1,404.00
Horsham District Council	District	West Sussex	142,217	£13,790.00	£8,685.00	£7,090.00	£0.00	£2,465.00	£2,465.00
Lewes District Council	District	East Sussex	102,744	£15,117.00	£6,047.00	£6,047.00	£3,023	£4,535.00	£61.00
Mid Sussex District Council	District	West Sussex	141,000	£20,596.00	£11,000.00	£8,500.00	8,500	£2,000.00	£1,000.00
Rother District Council	District	East Sussex	95,656	£13,071.00	£3,685.00	£2,843.00	£0.00	£2,080.00	£2,080.00
Wealden District Council	District	East Sussex	148,915	£13,488.00	£5,577.00	£5,577.00	£0.00	£3,774.00	£1,371.00
Worthing Borough Council	District	West Sussex	109,600	£14,789.16	£7,394.58	£6,162.15	£0.00	£2,464.86	£3,697.29
		<b>MINIMUM</b>		<b>£4,212.00</b>	<b>£0.00</b>	<b>£2,808.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£61.00</b>
		<b>MAXIMUM</b>		<b>£20,596.00</b>	<b>£11,000.00</b>	<b>£8,500.00</b>	<b>£8,500.00</b>	<b>£4,800.00</b>	<b>£5,307.00</b>
		<b>AVERAGE</b>		<b>£13,779.39</b>	<b>£6,369.38</b>	<b>£6,155.90</b>	<b>£1,047.55</b>	<b>£2,791.13</b>	<b>£2,688.05</b>

Council name	Planning Committee Chair	Deputy Chair Planning Committee	Members of Planning Committee	Overview and Scrutiny Committee Chair	Deputy Chair Overview and Scrutiny Committee	Overview and Scrutiny Co-optee	Working/ Joint Committee	Chair/Civic Mayor
Adur District Council	£4,511.04	£1,127.76	£0.00	£3,383.28	£1,127.76	£0.00	£0.00	£2,255.52
Arun District Council	£6,000.00	£1,980.00	£750.00	£4,870.00	£1,607.00	£60.00	£0.00	£8,320.00
Chichester District Council	£6,000.00	£0.00	£0.00	£4,800.00	£0.00	£0.00	£0.00	£5,000.00
Crawley Borough Council	£6,440.00	£0.00	£0.00	£6,916.00	£0.00	£0.00	£0.00	£11,239.00
Eastbourne Borough Council	£2,106.00	£0.00	£1,404.00	£1,404.00	£0.00	£0.00	£0.00	£2,808.00
Horsham District Council	£3,890.00	£1,305.00	£0.00	£5,165.00	£1,725.00	£0.00	£0.00	£5,165.00
Lewes District Council	£4,535.00	£756.00	£544.00	£3,624.00	£0.00	£0.00	£1,134.00	£2,268.00
Mid Sussex District Council	£5,000.00	£1,250.00	£0.00	£4,000.00	£1,000.00	£0.00	£0.00	£6,572.00
Rother District Council	£2,843.00	£0.00	£0.00	£2,843.00	£0.00	£0.00	£0.00	£0.00
Wealden District Council	£4,251.00	£1,404.00	£0.00	£3,774.00	£0.00	£0.00	£0.00	£4,782.00
Worthing Borough Council	£4,929.72	£1,232.43	£0.00	£3,697.29	£1,232.43	£0.00	£0.00	£2,464.86
	<b>£2,106.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£1,404.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>	<b>£0.00</b>
	<b>£6,440.00</b>	<b>£1,980.00</b>	<b>£1,404.00</b>	<b>£6,916.00</b>	<b>£1,725.00</b>	<b>£60.00</b>	<b>£1,134.00</b>	<b>£11,239.00</b>
	<b>£4,591.43</b>	<b>£823.20</b>	<b>£245.27</b>	<b>£4,043.32</b>	<b>£608.38</b>	<b>£5.45</b>	<b>£103.09</b>	<b>£4,624.94</b>

Council name	Deputy Chair/Civic Mayor	Opposition Group Leader	Deputy Opposition Leader	Group Leader	Opposition Spokesperson	Committee Chair	Independent Person Allowance	Do you operate the '1 SRA per councillor' rule?	Do you operate the 50% rule?
Adur District Council	£1,127.76	£2,255.52	£0.00	£0.00	£0.00	£0.00	£0.00	No	No
Arun District Council	£2,745.00	£3,917.00	£0.00	£0.00	£0.00	£1,000.00	£1,440.00	No	No
Chichester District Council	£0.00	£4,500.00	£0.00	£0.00	£0.00	£0.00	£0.00	Yes	No
Crawley Borough Council	£1,752.00	£7,143.00	£0.00	£0.00	£0.00	£0.00	£750.00	Yes	No
Eastbourne Borough Council	£1,404.00	£2,106.00	£1,404.00	£0.00	£0.00	£93.00	£1,000.00	No	No
Horsham District Council	£1,730.00	£4,170.00	£0.00	£0.00	£0.00	£2,465.00	£1,305.00	No	No
Lewes District Council	£0.00	£4,535.00	£0.00	£0.00	£0.00	£0.00	£1,000.00	Yes	No
Mid Sussex District Council	£2,251.00	£250.00	£0.00	£250.00	£0.00	£0.00	£750.00	Yes	No
Rother District Council	£0.00	£445.00	£0.00	£445.00	£0.00	£0.00	£361.00	Yes	No
Wealden District Council	£1,182.00	£381.00	£0.00	£0.00	£0.00	£0.00	£825.00	Yes	No
Worthing Borough Council	£0.00	£2,464.86	£1,232.43	£0.00	£0.00	£0.00	£0.00	No	No
	£0.00	£250.00	£0.00	£0.00	£0.00	£0.00	£0.00		
	£2,745.00	£7,143.00	£1,404.00	£445.00	£0.00	£2,465.00	£1,440.00		
	£1,108.34	£2,924.31	£239.68	£63.18	£0.00	£323.45	£675.55		

## Appendix 4. Financial Implications

Basic Allowance (BA)	Current Allowance (2019-20) £	Number	Current total per annum £	Recommended Allowance (50% PSD) £	Recommended Allowance Calculation	Recommended Allowance total per annum £
Total Basic:	3,260	41	133,660	3,964	n/a	162,524
Increase £						28,864

Special Responsibility:	Current Allowance (2019-20) £	Number	Current total per annum £	Recommended Allowance (50% PSD) £	Recommended Allowance Calculation	Recommended Allowance total per annum £
Leader of the Council	15,117	1	15,117	14,865	375% of BA	14,865
Deputy Leader	6,047	1	6,047	8,919	60% of the Leader's SRA	8,919
Members of the Cabinet	6,047	7	42,329	6,689	45% of the Leader's SRA	46,823
Cabinet Member (without Portfolio)	3,024	0	0	0	No SRA to be payable	0
Leader of the Largest Opposition Group	4,535	1	4,535	5,203	35% of the Leader's SRA	5,203
Deputy Leader of the Largest Opposition Group	0	1	0	0	No SRA to be payable	0
Chair of the Policy and Performance Advisory Committee	3,628	1	3,628	4,460	30% of the Leader's SRA	4,460
Chair of Council	2,268	1	2,268	2,973	20% of the Leader's SRA	2,973
Deputy Chair of Council	0	1	0	0	No SRA to be payable	0
Chair of Planning Applications Committee	4,535	1	4,535	4,460	30% of the Leader's SRA	4,460
Vice Chair of Planning Applications Committee	756	1	756	892	20% of the Planning Chair's SRA	892
Other Members of the Planning Applications Committee	544	9	4,896	669	15% of the Planning Chair's SRA	6,021

<b>Special Responsibility:</b>	<b>Current Allowance (2019-20) £</b>	<b>Number</b>	<b>Current total per annum £</b>	<b>Recommended Allowance (50% PSD) £</b>	<b>Recommended Allowance Calculation</b>	<b>Recommended Allowance total per annum £</b>
Chair of Audit and Standards Committee	4,535	1	4,535	4,460	30% of the Leader's SRA	4,460
Chair of Licensing Committee	61 per meeting	1		65 per meeting		
Chair of a Licensing Sub-Committee or Policy and Performance Advisory (Scrutiny) Panel	61 per meeting			65 per meeting		
Member of a Licensing Sub-Committee or Policy and Performance Advisory (Scrutiny) Panel	0 544 815			0 575 861	0-12 meetings 13-26 meetings 27-40 meetings	
Members of a Standards Panel	32 per meeting to a maximum of 160 per annum			33 per meeting to a maximum of 160 per annum		
Chair of Joint Staff Advisory Committee	1,134 (Employment Cttee)	1	<b>1,134</b>	1,116	5% of the Combined Leader's SRA	1,116 <sup>1</sup> (cost shared with EBC)
<b>Total SRA'S</b>			<b>89,780</b>			<b>99,634</b>
<b>Increase £</b>						<b>9,854</b>
IT allowance	n/a	41	n/a	429		17,589
Dependants' Carers' Allowance	Childcare and Dependents' Carers' Allowance of £10.70 per hour			Childcare and Carers of Dependents reimbursed at cost upon production of receipts		
<b>BA + SRAs + IT allowance</b>			<b>223,440</b>			<b>280,305</b>
<b>Increase £</b>						<b>56,307</b>

1. Allowance payable every other year, due to a rotating Chair with Eastbourne BC.

# Calendar of Meetings

## May 2022 - May 2023



MEETING:	Day	Time	May 2022	June	July	Aug	Sept	Oct	Nov	Dec	Jan 2023	Feb	Mar	Apr	May
Annual Council	M	6pm	23												22
Council	M	6pm	23		18		26		21			20			22
Cabinet	Th	2.30pm		9	7		22		10	8		2	23		
Policy and Performance Advisory Committee	Th	2.30pm	31(Tu)	29(W)			14(W)		3	1	26		16		
Planning Applications Committee	W	5pm		8	6	3	7	5	9	7	11	15	15	19	
Licensing Committee	Th	10.30am		23				13			12		9		
Audit and Standards Committee	M	10am			4		12		14		16		20		
Devolution Committee**	Ad hoc														
Joint Staff Advisory Committee***	M (L) / W (E)	2.30pm		13(M)			21(W)			12(M)			1(W)		
Bank Holidays			2	2, 3		29				26, 27	2			7, 10	1, 2
Elections+															4 (L) (Parish)
Other				LGA Ann Conf 28 - 30											

**Notes:**

- \*\*The dates of other Committees, Sub-Committees and Panels which do not meet regularly will be announced as and when.
- \*\*\*Meetings of Joint Staff Advisory Committee will alternate venues and days between Lewes (L) and Eastbourne (E).
- + Scheduled Elections during 2022/23 – Lewes District Council (LDC) and Lewes Parish and Town Councils (Parish) – May 2023.

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**Lewes District Council Standards Panel**

**Hearing Date: 23 November 2021**

**Hearing into allegations that Cllr Isabelle Linington failed to comply**

**with the Council's Code of Conduct for Members**

**Localism Act 2011, section 28**

DECISION NOTICE

**1. Whether Councillor Linington failed to comply with the Council's Code of Conduct for members**

Having carefully considered the investigating officer's written report, the subject member's written statement and the verbal submissions made by all parties at today's hearing, and having taken into account the views of the Independent Person, the Panel concluded as follows:

- (i) That Councillor Linington was acting in an official capacity when making calls to Councillors Davis and Burman on 18 March 2021, and that her alleged conduct therefore comes within the scope of the Code of Conduct.
- (ii) By reason of what Councillor Linington said during those telephone calls, she attempted to improperly influence the way in which Councillors Davis and Burman would deal with the allegation against Councillor Gauntlett, to be heard at the Standards Panel taking place on 19 March 2021. The Panel concluded that although the exact content of the call is open to interpretation, it is evident that Councillor Linington did refer to the Standards Panel due on 19 March and did use words to the effect that it would be advantageous if Councillor Gauntlett were to be found in breach of the Code of Conduct. Even if Councillor Linington had intended for her words to be taken in jest, they were capable of being interpreted as an attempt to influence the outcome of the 19 March hearing. The Panel also concluded that her words were improper, as it was not Councillor Linington's role to influence the way that individual Panel members conduct themselves when sitting on a Standards Panel. In view of this, the Panel concluded that Councillor Linington was in breach of paragraph 3(2)(c) of the Code of Conduct.
- (iii) In view of the above, the Panel also concluded that Councillor Linington's actions had been in breach of the Code at paragraph 5,

which confers an obligation not to conduct herself in a manner that could reasonably be considered as bringing her office into disrepute.

- (iv) The Panel concluded that Councillor Linington had not breached paragraph 6(a) of the Code, in that she did not attempt to use her position as a member improperly to confer on or secure for herself or any other person an advantage or disadvantage. The Panel was not satisfied that an advantage or disadvantage would have occurred as a result of Councillor Linington's actions.
- (v) The Panel agreed with the investigating officer's report that paragraphs 3(1) and 2(b) of the code were not applicable in relation to Councillor Linington's alleged conduct.

In summary, the Panel decided that Cllr Linington had failed to comply with paragraphs 3(2)(c) and 5 of the Code of Conduct for Members.

## **2. Sanctions**

The Panel considered whether a sanction should be imposed on Councillor Linington in respect of her failure to comply with the Code of Conduct and, if so, what sanction(s) would be appropriate. The Panel was mindful of Councillor Linington's previous record of good service to the Council and considered that she had held an honest but mistaken belief that her calls to Councillors Davis and Burman were not in breach of the Code.

The Panel wished to stress to Councillor Linington that Standards Panel hearings are a statutory and quasi-judicial process and under no circumstances should the Panel be interfered with, even in jest.

In terms of sanctions, the Panel noted that, as a matter of course, its findings in respect of Councillor Linington's conduct will be published in the form of a decision notice and its findings will be reported to the next meeting of the Full Council.

The Panel instructed the Monitoring Officer to write a formal letter to Councillor Linington to make her fully aware of the gravity of her actions which amounted to a breach of the Code of Conduct. The Panel also instructed the Monitoring Officer to write an advice note to all members of Lewes District Council to reiterate that the integrity of the Standards Panel process should not be undermined.

## **3. Appeal**

There is no internal right of appeal against the decision of the Standards Panel. This is without prejudice to an interested party's right to make an

application to the court for a judicial review of the Panel's decision. That party is responsible for meeting any costs they incur in obtaining legal advice and in making such an application.

#### **4. Publication**

A copy of this Notice will be sent to the subject member, Cllr Linington, and to the complainant, Councillor Davis. The Notice will be uploaded to the Council's website and reported to the next convenient meeting of the full Council.

Date of Notice: [24 November 2021]

**Oliver Dixon**  
**Monitoring Officer, Lewes District Council**

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# Agenda Item 17

## Outside Bodies – Reports from Councillors

The following updates have been received from Councillors in relation to the outside bodies to which they have been appointed by Full Council:

	Outside Body	Councillor	Update
1	Wave Leisure	Laurence O'Connor	<p>Wave Leisure Trust has started the year well as it recently opened a brand-new gym incorporating a multi-use activity space at the Downs Leisure Centre. Despite the continuing constraints of the pandemic people are returning to health and fitness activities. Direct debit collection on memberships is continuing to improve with membership revenue slightly above the Trusts' budgetary forecasts.</p> <p>Membership fees have been reviewed from January with any increases kept to a minimum. It is also the intention to consider pay scales to ensure that Wave is one of the better paying employers in the sector.</p> <p>The emphasis within the Trust Board is now to move away from looking at the operational impacts of Covid and to focus upon the things that it considers are important to the ongoing sustainability of the business, particularly with forthcoming challenges of such things as utility price increases. This would also include the social and environmental impact of Wave within the local community.</p> <p>One aspect of that was a recent discussion about looking into installing boiler optimisers at two of the sites. Fortunately, the District's Lead Officer for Sustainability is working closely with the Trust on looking at funding opportunities for a project. There are already photo voltaic panels on Lewes and Downs roof, which were previously installed by Lewes District Council and have generated significant amounts of electricity over the years.</p>
2	Impact Seaford	Christine Brett	<p><u>Date of meeting:</u> 29 November 2021</p> <p><u>Business discussed:</u></p> <ul style="list-style-type: none"> <li>• Short and Long term project progress was updated including signage in the town and plans for future tourism</li> </ul>

	Outside Body	Councillor	Update
			<p>investment which has rather been on hold during the pandemic.</p> <ul style="list-style-type: none"> <li>• It was agreed that information would be sought about vaccination centre in Seaford and progress with Talland Parade. Dialogue continues.</li> <li>• New board member Rachel Brown welcomed from the Chamber of Commerce (CofC). The CofC has details of the survey material collected in the past about desirability of a local hotel with meeting rooms, which she agreed to provide.</li> <li>• The meeting also welcomed Kevin Rice from the Community Partnership.</li> <li>• Update was received from the Youth Forum about the 'Use it or Lose it Scheme' for local shops.</li> <li>• We are pleased Seaford will join the independent Christmas shops Hamper competition this year as well.</li> <li>• Next meeting to be held on 7 March 2022.</li> </ul>
3	Health Overview and Scrutiny Committee (HOSC)	Christine Brett	<p><u>Date of meeting:</u> 2 December 2021</p> <p><u>Business discussed:</u></p> <ul style="list-style-type: none"> <li>• Reconfiguration of cardiology services at Maidstone and Tunbridge Wells NHS Trust – an overview was given.</li> <li>• The transformation of Cardiology Services at East Sussex Healthcare NHS Trust (ESHT).</li> <li>• The transformation of ophthalmology Services at East Sussex Healthcare NHS Trust (ESHT).</li> </ul> <p><u>Decisions made:</u> To set up Review Boards to review both these potential changes at ESHT. Public consultations will also be taking place.</p> <ul style="list-style-type: none"> <li>• East Sussex Winter Plan was discussed and questions were answered by the witnesses especially about staffing and beds to be made available.</li> <li>• Community Mental Health Services in East Sussex - discussed and questions</li> </ul>

	Outside Body	Councillor	Update
			<p>answered.</p> <ul style="list-style-type: none"> <li>• Redesigning Inpatient Mental Health Services in East Sussex. The decision to build at Sidley had already been made public.</li> <li>• Next meeting 3 March 2022.</li> </ul>
4	Armed Forces Champion for Council	Sharon Davy	<p><u>Visit to Battle on 23 November 2021</u></p> <p>I learnt about a wonderful charity called Veterans' Growth when I heard the founder, a veteran of 16 years in the Army who undertook tours in Afghanistan, Iraq, Northern Ireland, Sierra Leone and spent time in Germany.</p> <p>It is hard to give a sense of soul on virtual meetings, but I was inspired and determined to visit and see for myself what great work this charity is doing.</p> <p>The charity offers horticulture therapy and support for our ex-service personnel who are suffering from mental health issues. Visiting the Oast Farm, near Battle I met one of the veterans who said how much the enjoyment and benefit of being outdoors in a green environment, growing vegetables, plants, learning new skills and interacting with the local community have made a big difference to his life and many others. The charity is available for all veterans throughout our country.</p> <p>We owe so much to our Armed Forces – past and present.</p> <p><u>Armed Forces Bill 2021-22</u></p> <p>I regularly follow the progress of the Bill. While we are prepared to place our armed forces in harm's way during conflict, we also rely on them to lead on the reconstruction of devastated communities abroad and in civil emergencies at home, such as the current pandemic. We know we can rely on them. Too often, it can be easy to forget the additional challenges of a community whose experiences are often invisible to the rest of us.</p>

	<b>Outside Body</b>	<b>Councillor</b>	<b>Update</b>
4	<b>South Downs National Park Authority Meeting and Budget Workshops</b>	William Meyer	<p><u>Date of meeting:</u> 16 December 2021</p> <p><u>Business discussed:</u> The meeting is broadcast and recorded and available for public view.</p> <p><u>Decisions made:</u> See public website for full details and conduct of meeting.</p> <p>The Operating Agreement between the SDNPA and South Downs Commercial Operations Ltd (Seven Sisters County Park) was included in the public papers and formed a key element of the business of the meeting and was formally agreed. The Company becomes operational on 1 April 2022 initially for a 3-year period.</p> <p>The Budget meeting held prior to the public meeting is held in private session. This was the third of such meetings since summer 2021. Key discussions have concerned how to budget in light of the flat cash NPG settlement since end of 2019/2020. In additions there is a considered risk that the Glover Report response may increase expectations but without new funding being available. The latter point is also current below.</p>
5	<b>South Downs Commercial Operations Ltd</b>	William Meyer	<p><u>Dates of meetings:</u> Shadow Board of Directors meetings and various management meetings with the Manager the shadow South Downs Commercial Operations Ltd company have taken place on various dates.</p> <p><u>Business discussed:</u></p> <ul style="list-style-type: none"> <li>• Work is continuing at the Seven Sisters Country Park as visitors to the site will witness. The building works are extensive across the whole site. These are unlikely to be fully completed until the Autumn of 2022, including the final fit of new tourist accommodation cottages and the Camping Barn all sited at Foxholes.</li> <li>• An additional (external) Director was appointed by the shadow Board of Directors in December 2021.</li> </ul>



	<b>Outside Body</b>	<b>Councillor</b>	<b>Update</b>
6	<b>South Downs National Park Authority – Members’ Workshop</b>	William Meyer	<p><u>Date of meeting:</u> 27 January 2022</p> <p><u>Business discussed:</u>  Members’ Workshop held in Midhurst to discuss the SDNPA’s formal response to the recently published (15 January, 2022) Government response to the Glover Report (National Parks and AONBs) commissioned in May 2018 and published by the expert panel, led by Julian Glover, on 21 September 2019.</p> <p>It was noted by those Members present on 27 January that it had taken longer than originally anticipated to receive a formal response from Defra. Despite understandable problems created by the prevailing Covid 19 crisis, the length of the delay left many Members disappointed. Nevertheless, Members welcomed finally receiving the response from Defra and a full reply will be provided, in line with expectations by the due date.</p> <p>Decisions made: The Authority will be making a full response by 15 April.</p> <p>Park Members (not Officers) will be responding to those elements concerned with the governance of the Park following on from the Glover recommendations and question raised in the Defra response. I have been asked to work on the Task and Finish Group focussed exclusively on these issues.</p> <p>I expect to attend several meetings prior to April, alongside other Members chosen by the Chairman to formulate the SDNPA’s response.</p>

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