



Lewes District Council

To all Members of the Scrutiny Committee

A meeting of the **Scrutiny Committee** will be held in the **Ditchling Room, Southover House, Southover Road, Lewes Southover House, Southover Road, Lewes** on **Thursday, 14 September 2017** at **10:00** which you are requested to attend.

Please note the venue for this meeting which is wheelchair accessible and has an induction loop to help people who are hearing impaired.

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.

06/09/2017

Catherine Knight
Assistant Director of Legal and Democratic Services

Agenda

- 1 Minutes**
To approve the Minutes of the meeting held on 23 March 2017 (copy previously circulated).
- 2 Apologies for Absence/Declaration of Substitute Members**
- 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 Written Questions**
To deal with written questions from councillors pursuant to Council Procedure Rule 12.3 (page D8 of the Constitution).
- 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 Portfolio Progress and Performance Report 2017-18 - Quarter 1 (April - June 2017) - Report (page 3)**
To consider the Report of the Director of Regeneration and Planning (Report No 116/17 herewith).
- 7 Scoping Reports for proposed Scrutiny Review of Affordable Workspace in Lewes District (page 42)**
To consider the Report of the Director of Regeneration and Planning (Report No 117/17 herewith).
- 8 Chair of the Council's Civic Programme - Report (page 48)**
To receive the Report of the Assistant Director of Legal and Democratic Services (Report No 118/17 herewith).
- 9 Scrutiny Work Programme 2017-18 - Report (page 58)**
To consider the Report of the Assistant Director of Legal and Democratic Services (Report No 119/17 herewith).
- 10 Forward Plan of Decisions - 1 September 2017 - 31 December 2017 (page 73)**
To receive the Forward Plan of the Council (copy herewith).
- 11 Date of Next Meeting**
To note that the next meeting of the Scrutiny Committee is scheduled to be held on 9 November 2017 in the Ditchling Room, Southover House, Southover Road, Lewes commencing at 10:00am.

For further information about items appearing on this Agenda, please contact Jazmin Victory at Southover House, Southover Road, Lewes, East Sussex, BN7 1AB. Telephone 01273 471600

Distribution:

Councillors: P Gardiner (Chair), S Adeniji, B Bovington, J Carter, N Enever, J Harrison-Hicks, V lent, R O'Keeffe, S Osborne, J Peterson and C Sugarman

Agenda Item No: 6

Report No: 116/17

**Report Title: Portfolio Progress and Performance Report 2017/18 - Quarter 1
(April - June 2017)**

**Report To: Scrutiny
Cabinet**

Date: 14 September 2017

Cabinet Member: Councillor Elayne Merry, Portfolio Holder

Ward(s) Affected: All

Report By: Nazeya Hussain, Director of Regeneration and Planning

Contact Officer

Name: Jo Harper

Post Title: Head of Business Planning and Performance

E-mail: Jo.Harper@lewes.gov.uk

Tel No: 01273 484049

Purpose of Report:

1. To consider the Council's progress and performance in respect of key projects and targets for the first quarter of the year (April to June 2017 (Quarter 1)) as shown in Appendix 1.
2. Additionally as an exception for this report, the progress and performance in respect of key projects and targets for the fourth quarter of last year (January to March 2017 (Quarter 4)) is included in Appendix 2.

The Scrutiny Committee is recommended to;

3. Consider progress and performance for Quarter 1 and make any relevant recommendations to Cabinet.

The Cabinet is recommended to;

4. Consider progress and performance for Quarter 1 and consider any relevant recommendations made by the Scrutiny Committee.

Reasons for Recommendations

5. To enable Scrutiny and Cabinet to consider specific aspects of the Council's progress and performance.

Background

6. The Council has an annual cycle for the preparation, implementation and monitoring of its business plans and budgets. This cycle enables us regularly to review the Council's work, and the targets it sets for performance, to ensure these continue to reflect customer needs and Council aspirations.
7. It is important to monitor and assess progress and performance on a regular basis, to ensure the Council continues to deliver priority outcomes and excellent services to its customers and communities. These priorities are set out in the Council Plan that was adopted by the Council in February 2016, supported by associated projects and service performance targets approved by Cabinet in July 2016.
8. The Scrutiny Committee has a key role in terms of oversight of the Council's progress and performance and challenging areas of under-performance. This report sets out the Council's performance against its targets and projects for the first quarter of 2017/18 (the period running from 1st April to 31st June 2017).

Annual Summary of Scrutiny 2016/17

9. 2016/17 was once again a productive year for the Lewes Scrutiny Committee. The Council performance was reviewed on a quarterly basis ahead of Cabinet, and this has been helpful in providing Members with early information about any performance issues/concerns, as well as assuring Members that such issues are being addressed by robust management actions.
10. It is good practice for the Scrutiny Committee to reflect annually on its performance. The paragraph below sets out what was achieved by the committee in 2016/17 and a full copy of the 2016/17 quarter four performance is included in Appendix Two.
11. Along with a thorough assessment of Council performance throughout the year, the Scrutiny Committee has also given consideration to various other issues as part of its overview and scrutiny function. These have included;
 - Scrutiny of the Council's draft budget for 2017/18
 - Scrutiny of the financial support provided by the Council to the voluntary and community sector
 - Scrutiny of the options for the establishment of a Housing Investment Company
 - Response to Petition to Full Council regarding Children's Play Facilities in Lewes
 - Scoping Reports for proposed Scrutiny Review of rail/public transport services in Lewes

- Scrutiny of the 2017/18 Budget overview and Tax Base
- Scrutiny of the annual equalities report 2016
- Scrutiny of the Voluntary Sector Support
- Scrutiny of the work of the Lewes District Community Safety Partnership
- Scrutiny Review of the Council Tax Reduction Scheme
- Scoping report for potential tourism review, followed by a report detailing the Strategic Tourism Vision and Action Plan
- Scrutiny of the Turkish Baths development plan

Performance in the First Quarter of 2017/18

12. [Appendix 1](#) provides a high level summary of progress and performance arranged by Cabinet portfolio. The summary shows where performance and projects are 'on track/on target' and where there are areas of risk, concern or under-performance. Where performance or projects are 'off track/below target', an explanation of the management action being taken to address this is also provided.

13. Detailed project/performance tracking information is recorded in the Council's performance management information system (Covalent). The system uses the following symbols to indicate the current status of projects and performance targets:

-  = Performance that is at or above target;
-  = Project is on track;
-  = Performance that is slightly below target but is within an acceptable tolerance/projects where there are issues causing significant delay or change to planned activities;
-  = Performance that is below target/projects that are not expected to be completed in time or within requirements;
-  = Project has changed or been discontinued;
-  = Data with no performance target.

Portfolio Progress and Performance – Quarter 1

14. An overview of the Council's performance for the year as at the end of the 1st quarter is set out below:

- 95% of the Council's key projects were either completed or on track at the end of the 1st quarter. There are no project delays which constitute any serious risk to the Council.
- 96% of the Council's performance targets were either met, exceeded or within acceptable levels during the 1st quarter.
- One indicator did not meet its planned target during the 1st quarter (see paragraph 30 below).

The Good News for Quarter 1 –  Notable project milestones or service performance achieved.

15. This section of the report provides specific highlights by portfolio in terms of notable project progress or performance achievements.

Customers and Partners

16. **Devolution of Open Spaces** remains on schedule, with transfer of sites to Lewes Town Council and Newhaven Town Council progressing well.

17. The outturn in quarter one for **Number of people registering for our email service** has outperformed expectations, achieving 500%+ of the annual target in the first three months.

Environmental Impact

18. The **Energy & Sustainability Joint Venture** has been initiated, providing the capability to deliver a range of capital projects with embedded environmental and sustainability objectives at a low cost and with low risk for the next 20 years.

Finance

19. **Percentage of Council Tax collected during the year** exceeded both its quarter one target and the performance achieved in the same period during 2016/17.

Housing

20. Both the **Housing Investment Company** and the **Rural Housing Project** have been successfully started, with the former being incorporated in July 2017.

21. The **Average number of days to re-let Council homes (excluding temporary let)** is well below its target, achieving 19 against 25; while **Total number of days that families need to stay in emergency/B&B accommodation** also performs well, recording 0 for the first three months of 2017/18.

People and Performance

22. Significant developments have been made in respect of the Council's **Joint Transformation Programme** with Eastbourne. This key strategic programme cuts across most areas of the Council's work and is subject to separate, more detailed reporting to Cabinet. The programme has mobilised the phase one teams successfully and consultation is now underway with staff affected by phase 2.

Planning

23. The **Neighbourhood Planning** project on schedule, currently delivering two Regulation 14 Consultations (Newhaven and Plumpton) and looking to begin a third (Seaford).

24. Five out of the six targeted Performance Indicators for the Planning portfolio have outperformed their targets in quarter one.

Regeneration and Business

25. The **North Street Quarter, Newhaven Port Access Road (ESCC Project)** and **Newhaven Enterprise Zone** projects are all on schedule, while the **Newhaven Growth Quarter** is now complete and only being monitored to meet funding conditions.

Waste and Recycling Transformation

26. The **Waste Improvement Project** has been mobilised, and the **Waste Strategy: Green Waste Services** is now complete.

Areas for Improvement –  Project/performance is slightly off track (but within acceptable/5% tolerance). The 'amber' warning flags up performance that has fallen very slightly below target or projects that are slipping behind schedule or going slightly off-track.

27. There were six performance indicators which fell into this category during the first quarter:

- Average working days lost due to sickness per FTE equivalent staff
- Percentage of Business Rates collected during the year
- The number of days taken to process new housing/council tax benefit claim
- Overall tenants' satisfaction
- Wave Leisure: Visitors to leisure centres
- Average time taken to answer telephone calls

The context regarding these performance issues is set out in Appendix 1. Only one project is being reported as amber at the end of the fourth quarter;

28. The Local Plan (Part 2): Timeline to October publication looks reasonable. Financial 'overspend' includes the joint commissioning (~£18,000 split 50:50 with DNPA) of the HRA Addendum previously not accounted for, however not thought to exceed 5% of total budget. Results of the Addendum (air quality impacts on Ashdown Forest SAC) unknown and therefore stakeholder engagement with Natural England and WDC is required. Risk and issues and stakeholder matters have therefore been elevated to moderate in consideration of the fact that the results of this work are at this stage unknown. Potential for some minor mitigation (generation of further, possibly detailed work e.g. local labour agreements) to be considered for the Plan (JCS and LPP2) remains in place until results are known.

Areas for Improvement – ● Performance well below target and/or project significantly off-schedule or revised. Where service performance falls well below target levels, or a project is significantly off track or has been significantly revised or cancelled, priority is given to addressing these issues.

29. There was one area where this was the case in the first quarter.

30. Total number of households living in other temporary accommodation: At the end of Quarter 1 the number of people in emergency accommodation was 58. This is higher than the last quarter and higher than the target of 50. Work is underway to revise the structure of the team dealing with homelessness which will focus on finding housing solutions to move people on from emergency accommodation and reduce reliance on Council accommodation to discharge a housing duty.

31. The Homelessness Reduction Act will come into force in April 2018 and on housing authorities. The revised structure has been suggested to take account of this additional demand for service and enable officers to fulfil all statutory duties in a timely manner. In turn this should minimise the numbers in emergency accommodation and reduce associated costs place additional statutory duties

Financial Appraisal

32. Project and performance monitoring and reporting arrangements are contained within existing estimates. Corporate performance information should also be considered alongside the Council's financial update reports (also reported to Cabinet each quarter) as there is a clear link between performance and budgets/resources.

Legal Implications

33. Comment from the Legal Services Team is not necessary for this routine monitoring report.

Risk Management Implications

34. It is important that corporate performance is monitored regularly otherwise there is a risk that reductions in service levels, or projects falling behind schedule, are not addressed in a timely way.

Equality Analysis

35. The equality implications of individual decisions relating to the projects/services covered in this report are addressed within other relevant Council reports or as part of programmed equality analysis. The equality implications of projects that form part of the Joint Transformation Programme are addressed through separate Equality and Fairness assessments.

Background Papers

[Council Plan 2016 to 2020](#)

Appendices

Appendix 1 – Portfolio Progress and Performance Report (Quarter One 2017/18).

Appendix 2 – Portfolio Progress and Performance Report (Quarter Four 2016/17)

APPENDIX 1

PORTFOLIO PROGRESS AND PERFORMANCE QUARTER 1 (April to June 2017)

Key to Symbols



- Project is complete; Performance is at or above target (please note, in some instances performance data has been rounded to the nearest whole number/percentage);



- Project is on track or yet to commence;



- Project has issues causing significant delay or change to planned activities; Performance is below target but within 5% tolerance;



- Project is not expected to be completed in time or within requirements; Performance is below target;



- Project scope has changed/project has been discontinued;



- No performance target set.

Regeneration and Business

Portfolio: Councillor Andy Smith

Portfolio Projects and Initiatives

Project/Initiative	Target Project Completion	Current Status	Update
North Street Quarter	2021		The landowners (Lewes District Council and Santon North Street) are currently progressing acquisition of the outstanding land interests in the area. Work is also ongoing to discharge the conditions that formed part of the planning permission for the scheme. Demolition work is due to commence on site in the Spring of 2018.
Newhaven Port Access Road (ESCC Project)	April 2019		ESCC are assembling all relevant background information, which will go with the tender pricing to DfT for evaluation. Programme still on track as per previous updates.
Newhaven Enterprise Zone	March 2042		Work is progressing well at both Eastside South (new business units) and East Quay (Rampion O&M Base). LDC is exploring development options for the Railway Quay and Town Centre, consulting the public on proposals for the East Quay, and awaiting a government decision regarding a Commercial Support Fund bid for Avis Way.
Newhaven Growth Quarter	Complete		This has already completed. The project remains on the quarterly reports as we are committed to monitoring outputs for 12 years as one of the conditions for Coastal

			Communities Funding.
Newhaven Town Masterplan	tbc		Work is ongoing to assemble all of the relevant information. The next steps will be to brief Strategic Property Board, then other stakeholders, including Newhaven Town Council.

Key Performance Indicators

There are no Performance Indicators attached to this Portfolio.

People and Performance

Portfolio: Councillor Elayne Merry

Portfolio Projects and Initiatives

Project/Initiative	Target Project Completion	Current Status	Update
Joint Transformation Project	May 2020		<p>Significant progress has been made this quarter with the Phase Two consultation launching on time and a huge amount of staff feedback being received and reviewed. Key technology building blocks are in place and we are making good progress towards the joint website, housing, finance and CRM systems.</p> <p>The migration of staff to the shared network has been problematic which mean this important project is two months behind schedule. This has been reported to the Programme Board and mitigation is in place.</p>

Key Performance Indicators

KPI Description	2016-17 Q1 Outturn	2017-18 Target	2017-18 Q1	Status	Explanatory Note
Average working days lost due to sickness per FTE equivalent staff	3.00	2.25	2.60		For Quarter One of 2017/18 the number of working days lost due to sickness was 2.6 per FTE. This is a reduction from the days lost in the same quarter of 2016/17 and the preceding Quarter (Quarter 4 of 2016/17). The Council's target for the year is 9 days. The reasons for absence are considered

					and continue to be varied with no particular trends either by service area or medical condition. All long term absences are being supported by Managers and HR appropriately.
Number of new self-serve accounts on our website	411	Data Only	1,533		

Environmental Impact

Portfolio: Councillor Isabelle Linington

Portfolio Projects and Initiatives

Project/Initiative	Target Project Completion	Current Status	Update
Upper Ouse Flood Protection and Water	March 2019		An underspend in the first year has been identified and discussions are underway to agree additional priority projects
Newhaven Flood Alleviation Scheme (Environment Agency)	April 2017		An access issue with Network Rail is still ongoing, but EA have escalated and are now in legal and technical discussions. Works to Area 3 (<i>Riverside Park to Swing Bridge (West)</i>) are nearing completion, with just the Denton Island bridge junction works outstanding although these have now commenced. Works to Area 4 (<i>Swing Bridge (West) to West Quay</i>) now complete.
Joint Venture	April 2037		<p>Setting up an Energy & Sustainability Joint Venture is a low cost, low risk option for the Councils to deliver a range of capital projects with embedded environmental and sustainability objectives. The partnership will accelerate the delivery of large capital schemes as contractors, including local businesses, will be engaged without the need for lengthy and costly procurement exercises.</p> <p>While a key focus of the partnership is to deliver innovative energy and sustainability projects, it is also possible that many projects related to the Councils' existing service provision that have an element of energy</p>

			and sustainability could be delivered through the Joint Venture.
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Key Performance Indicators

There are no Performance Indicators attached to this Portfolio.

Finance

Portfolio: Councillor Bill Giles

Portfolio Projects and Initiatives

There are no Corporate Projects attached to this Portfolio.

Key Performance Indicators

KPI Description	2016-17 Q1 Outturn	2017-18 Q1 Target	2017-18 Q1	Status	Explanatory Note
Percentage of invoices paid on time (within 30 days)	96%	95%	97%		
Percentage of Council Tax collected during the year	30%	30%	30%		
Percentage of Business Rates collected during the year	30%	30%	29%		The collection is slightly below target as a result of the number of appeals. This is common to many authorities across the country.

Housing

Portfolio: Councillor Ron Maskell

Portfolio Projects and Initiatives

Project/Initiative	Target Project Completion	Current Status	Update
Local Growth Fund	June 2017		No significant change in the risk level.
Housing Investment Company	October 2017		The project is on time and the LLP was incorporated in July 2017. A decision has been made to call the LLP Aspiration Homes.
Rural Housing	June 2020		This project was put forward through the refreshed Council Plan. Recruitment for this project has begun, and an SLA has been prepared and cleared by Legal Services, and agreed by partners/agencies involved.
Modular Housing	tbc		The Council are currently scoping suppliers/providers with a shortlist looking to be assigned to one of the Councils garage courts redevelopment sites within the next Quarter.
Air Source Heat Pumps	complete		The term contract for installing heating and hot water systems powered from air source heat pumps has been completed. There were a total of 247 systems installed over four years. The scheme was partly funded through grant that is being claimed back through the Renewable Heat Incentive Scheme.

Key Performance Indicators

KPI Description	2016-17 Q1 Outturn	2017-18 Target	2017-18 Q1	Status	Explanatory Note
Percentage of rent collected during the year (cumulative)	94%	95%			<i>Due to technical issues which are currently being worked on data is unavailable.</i>
Total number of days that families need to stay in emergency/B&B accommodation	0	15	0		
Total number of households living in emergency accommodation	15	15	5		
Total number of households living in other temporary accommodation	47	50	58		At the end of Quarter 1 the number of people in emergency accommodation was 58. This is higher than the last quarter and higher than the target of 50. Work is underway to revise the structure of the team dealing with homelessness which will focus on finding housing solutions to move people on from emergency accommodation and reduce reliance on Council accommodation to discharge a housing duty.
Performance Improvement Plan	The Homelessness Reduction Act will come into force in April 2018 and on housing authorities. The revised structure has been suggested to take account of this additional demand for service and enable officers to fulfil all statutory duties in a timely manner. In turn this should minimise the numbers in emergency accommodation and reduce associated				

	costs place additional statutory duties.				
Average number of days to re-let Council homes (excluding temporary let)	21	25	19		
The number of days taken to process new housing/council tax benefit claim	19	20	21		The first month of the quarter was slower than the target due to the high level of telephone activity following main billing and new annual award notifications.
Overall tenants' satisfaction	88%	90%	87%		The survey is carried out quarterly with a random sample of Tenants. All specific comments returned are acted upon. Officers will continue to monitor but a 1% drop is not of major concern.

Planning

Portfolio: Councillor Tom Jones

Portfolio Projects and Initiatives

Project/Initiative	Target Project Completion	Current Status	Update
Neighbourhood Planning	February 2020		This project is progressing well; two areas are consulting on proposed Neighbourhood Plans, and four others are in the drafting stage.
The Local Plan (Part 2)			We are now in a position to present the proposed Local Plan Part 2 to Cabinet in November. Technical work

	March 2018		assessing air quality impacts of the Local Plan (part 1 and part 2) is nearing completion and raises no issues for the Local Plan at this stage. It is therefore anticipated that there will be a period of consultation between late November 2017 and late January 2018, and submission to the Secretary of State for Examination in Spring 2018 with an anticipated Adoption in December 2018.
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Key Performance Indicators

KPI Description	2016-17 Q1 Outturn	2017-18 Target	2017-18 Q1	Status	Explanatory Note
Percentage of major planning applications determined within 13 weeks (LDC only)	100%	80%	83%		
Percentage of minor planning applications determined within 8 weeks (LDC/SDNP combined)	66%	75%	78%		
Percentage of all planning appeals allowed (officer/committee decisions)	40%	33%	33%		
Percentage of major planning applications allowed on appeal (as a percentage of all major application made to LDC)	50%	Less than 10%	0%		
Outcome of planning appeals (Costs awarded (£))	£0	Data only	£0		
Number of appeals where the Inspector has considered that there has been unreasonable behaviour by the Local Planning Authority	0	0	0		

Number of major applications for new housing granted planning permission following appeal (LDC only)	1	0	0		
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Waste and Recycling Transformation

Portfolio: Councillor Paul Franklin

Portfolio Projects and Initiatives

Project/Initiative	Target Project Completion	Current Status	Update
Waste Improvement Project	May 2019		The service is mobilising for the new recycling collection system. This includes new supplies of LDC logo embossed wheelie bins, refurbishment of trucks for roll out. And a communications and engagement plan underway with leaflets designed ready for sign off on 23 August
Waste Strategy: Green Waste Services	May 2019		The garden waste roll out is ahead of schedule with final phase of implementation in August 2017, by which time the whole of the district will be in scope

Key Performance Indicators

KPI Description	2016-17 Q1 Outturn	2017-18 Q1 Target	2017-18 Q1	Status	Explanatory Note
Percentage of household waste sent for reuse, recycling and composting	27%	Data only	27%		
KG waste collected per household	143kg	Data only	143kg		

Customers and Partners

Portfolio: Councillor Tony Nicholson

Portfolio Projects and Initiatives

Project/Initiative	Target Project Completion	Current Status	Update
Lewes Lottery	tbc		A meeting has been arranged with an External Lottery Manger for the 31st August to discuss options for a Lewes Local Lottery. A report will be taken to Cabinet once options have been identified.
Devolution of Open Spaces	March 2018		The template terms have been agreed by NTC and we are waiting for LTC to approve the terms of the transfer documents. We have agreed with the solicitor for LTC how to progress the transfer of the Landport Bottom site. Agreement reached with Leader to retain the Lewes Malling Recreational Ground at present and for the site to be the last to be devolved.

New Arts and Culture Brand and Tourism Offer	tbc		This project is being presented as a summary report to Cabinet in September.
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Key Performance Indicators

KPI Description	2016-17 Q1 Outturn	2017-18 Q1 Target	2017-18 Q1	Status	Explanatory Note
Number of new sign-ups to the Council's social media channels	231	n/a	196		Although our social media profiles continue to grow in popularity there was a dip in the number of new followers compared to the same period in 16/17. This is despite issuing a greater number of tweets during the same period.
Number of people registering for our email service	766	501	2,593		This service continues to grow in popularity. The boost in Q1 is as a result of adding customers who have registered an interest in this service when completing an online form on the LDC website during 2017 so far.
Wave Leisure: Visitors to leisure centres	234,787	236,250	227,950		<p>With a 2016/17 twelve-month total dry side participation figure of 689,151 against 697,160 for the same period in the previous year there has been a decrease in dry side participation of 8,009 (-1.1%).</p> <p>Total wet side participation in 2016/17 was 325,731 compared with 322,205 in the previous year, an overall increase of 3,526 visits (1.1%).</p>

					With a 2016/17 twelve month total children and young people participation figure of 388,379 against 389,568 for the previous year there has been a very small overall decrease in participation of 1,189 (-0.3%).
Average time taken to answer telephone calls	13secs	30 secs	32 secs		This PI covers all calls coming into LDC across all teams. In the customer services hub the average speed of answer for incoming calls was 31 seconds for Q1 with 93% of calls being answered within agreed levels. The Joint Transformation Projects project will see all other calls being filtered to the CS hub and answered by a larger pool of staff across both Eastbourne and Lewes providing greater resilience and potential to achieve the targets set.
Proportion of complaints (received by Customer Hub) responded to within target (currently 2 working days)	97%	93%	97%		

APPENDIX 2

PORTFOLIO PROGRESS AND PERFORMANCE QUARTER 4 (January to March 2017)

Key to Symbols



- Project is complete; Performance is at or above target (please note, in some instances performance data has been rounded to the nearest whole number/percentage);



- Project is on track or yet to commence;



- Project has issues causing significant delay or change to planned activities; Performance is below target but within 5% tolerance;



- Project is not expected to be completed in time or within requirements; Performance is below target;



- Project scope has changed/project has been discontinued;



- No performance target set.

PLACE - GROWTH AND PROSPERITY

Portfolio: Councillor Andy Smith (Regeneration and Business)

Portfolio Projects and Initiatives

Project / Initiative	Target Project Completion	Current Status	Update
North Street Quarter	September 2017		Work now being done to look at delivery of Phase 1 with Cabinet reports due in June and September 2017.
Newhaven Flood Alleviation Scheme	April 2017		Work continues on site, with areas 3 and 4 (western side of the river) close to completion. Detailed design work ongoing on area 5 (the port) and discussions with stakeholders continues for area 2 (North Quay) due some unsafe buildings that may need moving on the Skip-It site. The design and treatment at the point the defences meet the A26 are being considered further to ensure lowest possible long-term running costs.
Newhaven Enterprise Zone	December 2018		The EZ is live and there are a number of ongoing activities including the rescheduling of the launch event due to the General Election, a fully operational EZ website now available at www.newhavenenterprisezone.com , and enquiries already being received from potential occupiers regarding EZ benefits
Tourism Strategy	March 2018		Further work to consider future management and operation of the tourism service forms part of the wider Joint Transformation Programme in partnership with Eastbourne Borough Council, and the Tourism function in Lewes is being looked at by Scrutiny Committee.

VALUE FOR MONEY

Portfolio: Councillor Bill Giles (Finance)

Portfolio Projects and Initiatives

Note:

- 1) There are no strategic projects currently within this portfolio.
- 2) There is a separate process for monitoring the Council's financial performance including key targets. This is reported as part of the regular financial update reports to Cabinet.

Key Performance Indicators

KPI Description	2016-17 Target	Q1 Apr-June	Q2 July-Sept	Q3 Oct-Dec	Q4 Jan-Mar	Status	Explanatory Note
Percentage of invoices paid on time (within 30 days)							There has been an improvement in the payment of all invoices within target times compared with 2015/16. Payment of housing invoices exceeded the target for 2016/17 in three of the four quarters of the year, and for the year as a whole. Payment of all other invoices stepped up after Qtr 1 and was slightly below target for the remainder of the year. Action has been taken to ensure that staff with a role in the payment of invoices have the appropriate skills and knowledge needed to ensure that valid invoices are processed promptly. Authorisation limits have been standardised to reduce bottlenecks. This approach will continue through 2017/18 and is of increasing importance in light of the JTP organisational changes which are taking place. Work is underway to implement a new (shared) Finance system for LDC from 1 April 2018. This will incorporate electronic purchase
a) Housing	a) 95%	a) 97%	a) 93%	a) 96%	a) 97%		
b) All Other	b) 98%	b) 95%	b) 96%	b) 97%	b) 97%		

KPI Description	2016-17 Target	Q1 Apr-June	Q2 July-Sept	Q3 Oct-Dec	Q4 Jan-Mar	Status	Explanatory Note
							ordering for all service areas, which is expected to reduce invoice payment times by removing the need for manual authorisation of invoices.
Percentage of Council Tax collected during the year	98%	29.7%	57.8%	85.6%	98.2%		
Percentage of Business Rates collected during the year	98%	29.8%	56.4%	83.5%	98%		

PLACE - DELIVERING SUSTAINABLE NEW HOUSING AND INFRASTRUCTURE

Portfolio: Councillor Ron Maskell (Housing)

Portfolio Projects and Initiatives

Project / Initiative	Target Completion	Current Status	Update
Local Growth Fund (Affordable Housing) Project	June 2017		3 of the 5 sites are completed and occupied. The completion of the remaining two sites has slipped and will now be by the middle of June 2017.
Housing Investment Company	October 2017		<p>At Lewes Cabinet on 20th March the set up of a Housing Investment Company, Lewes Housing Investment Company Ltd (LHICL) was agreed. The asset holding vehicle will predominately be used to develop residential housing on a commercial basis. At the same meeting the Lewes Cabinet also agreed to set up a Joint Housing Investment Partnership (JHIP) with Eastbourne Borough Council. The JHIP will initially develop affordable housing products. Eastbourne Borough Council also agreed to the set up of JHIP at their Cabinet on 23rd March.</p> <p>At present draft documentation is being agreed to incorporate LHICL and JHIP. This work will be completed by the end of April 2017.</p>
Extension of temporary accommodation	October 2016		As reported in quarter 3, the project is now complete and the Member Working Group met to sign off the project in October 2016. The project has delivered 24 private sector leasehold properties into the market place. Marketing assistance, advice and support to landlords has been developed and streamlined to ensure leasehold properties meet suitable standards and are sustainable in the longer term.

Key Performance Indicators

KPI Description	2016-17 Target	Q1 Apr-June	Q2 July-Sept	Q3 Oct-Dec	Q4 Jan-Mar	Status	Explanatory Note
Percentage of rent collected during the year (cumulative)	95%	94%	94%	98%			<i>Data currently unavailable due to systems issues</i>
Total number of days that families need to stay in emergency/B&B accommodation	15 days	0 days	0 days	0 days	0 days		
Total number of households living in: a) emergency accommodation b) other temporary accommodation	a) 15 or fewer b) 50 or fewer	a) 15 b) 47	a) 13 b) 49	a) 15 b) 58	a) 11 b) 55	 	b) The number in TA is above the target of 50 due to the decision by Council in February 2016 to increase the Private Sector Leased stock to reduce reliance on emergency/B&B accommodation, which was overseen by a cross-party Working Panel, Chaired by the Cabinet Member for Housing, and with the Director of Service Delivery. This figure includes 24 households living in PSL accommodation leased by LDC.
Performance Improvement Plan		The development and implementation of an extension to the private sector leasing scheme in Lewes District was an invest to save proposal by reducing reliance on emergency/B&B accommodation. The success of this can be seen in the increase in TA and decrease in emergency /B&B, and next years' target should perhaps be amended to reflect this.					
Average number of days to re-let Council homes (excluding temporary lets)	25 days	21 days	21 days	21 days	19 days		
The number of days taken to process new housing benefit/ Council tax benefit claims	20 days	18.9 days	19.8 days	18.4 days	18.1 days		

KPI Description	2016-17 Target	Q1 Apr-June	Q2 July-Sept	Q3 Oct-Dec	Q4 Jan-Mar	Status	Explanatory Note
Overall tenants satisfaction	90%	88 %	90 %	98%	88%		

CUSTOMERS - CLEAN AND GREEN DISTRICT

Portfolio: Councillor Paul Franklin (Waste and Recycling)

Portfolio Projects and Initiatives

Project / Initiative	Target Completion	Current Status	Update
Waste Strategy	April 2018		<p>Cabinet in February agreed to adopt a co-mingled recycling collection service, continuing on a fortnightly basis.</p> <p>The garden waste service has been rolled out to Lewes, Ringmer and surrounding villages. There are over 1,300 subscribers.</p>

Key Performance Indicators

KPI Description	2016-17 Target	Q1 Apr-June	Q2 July-Sept	Q3 Oct-Dec	Q4 Jan-Mar	Status	Explanatory Note
Percentage of household waste sent for reuse, recycling and composting	To be confirmed	27%	28%	27%	27%		

PLACE - DELIVERING SUSTAINABLE NEW HOUSING AND INFRASTRUCTURE

Portfolio: Councillor Tom Jones (Planning)

Portfolio Projects and Initiatives

Project / Initiative	Target Completion	Current Status	Update
The Local Plan (Part 2)	March 2018		Work on the Local Plan (Part 2) is progressing to Pre-submission stage. The public consultation is not due to start until October 2017. Work is ongoing to ensure we have a 5 year housing land supply and the timetable remains the same.
Neighbourhood Plans	February 2020		<p>All on track. Neighbourhood Planning officer in post.</p> <p>The Wivelsfield Neighbourhood Plan was adopted on 7 December 2017.</p> <p>Newhaven Town Council is consulting on their Draft Neighbourhood Plan under Regulation 14 until 21 June 2017.</p> <p>Plumpton Parish Council will be carrying a second Regulation 14 consultation late June 2017 (the first consultation showed that a number of sites allocated for housing were not deliverable and therefore the Parish decided to review their proposal).</p> <p>Seaford Neighbourhood Plan is progressing well.</p> <p>Barcombe and Chailey Parish Councils are both at early stages of preparing their neighbourhood plans.</p> <p>Peacehaven and Telscombe Town Councils have now gathered a group of volunteers to start preparing their joint neighbourhood plan.</p>

Project / Initiative	Target Completion	Current Status	Update
Newhaven Port Access Road (ESCC Project)	April 2019 (revised)		ESCC are continuing to develop the scheme's detailed design. Procurement documentation is being prepared and the scheme will go out for tender in Spring 2017. Final submission of the business case to DfT is planned for early Summer 2017. Subject to approval of the business case, construction will start in late Summer 2017 financial year with completion anticipated in early 2019.
Upper Ouse Flood Protection and Water Prevention Project	March 2019		The project is on schedule. A small underspend has been identified in year one and this will be reassigned to priority projects currently not in the work schedule.

Key Performance Indicators

KPI Description	2016-17 Target	Q1 Apr-June	Q2 July-Sept	Q3 Oct-Dec	Q4 Jan-Mar	Status	Explanatory Note
Percentage of major planning applications determined within 13 weeks (LDC only)	80%	100%	100%	88%	33%		Three major planning applications were determined, but each was decided beyond the prescribed timescale, without extensions of time being agreed with each respective applicant. In each case steady progress was made while the application was live, the reasons for delay including resolving highway and Environment Agency issues, programming to meet Planning Applications Committee timescales and liaising with Brighton and Hove CC (on a University of Sussex application).

KPI Description	2016-17 Target	Q1 Apr-June	Q2 July-Sept	Q3 Oct-Dec	Q4 Jan-Mar	Status	Explanatory Note
Performance Improvement Plan		In order to improve performance in future, extensions of time will be agreed with applicants where it can be anticipated that the 13 week deadline will not be achievable due to external factors					
Percentage of minor planning applications determined within 8 weeks (LDC/SDNP combined)	75%	66%	88%	90%	94%		
Percentage of all planning appeals allowed (officer/committee decisions)	Less than 33%	40%	0%	33%	28%		
Number of major applications for new housing granted planning permission following appeal (LDC Only)	0	1	0	1	0		
Percentage of major planning applications allowed on appeal (as a percentage of all major applications made to LDC)	Less than 10%	50%	0%	16%	0%		
Outcome of planning appeals (Costs awarded (£))	Data Only	£0	£0	£0	£0		
Number of appeals where the Inspector has considered that there has been unreasonable behaviour by the Local Planning Authority	0	0	1	0	0		

VALUE FOR MONEY

Portfolio: Councillor Elayne Merry (People and Performance)

Portfolio Projects and Initiatives

Project / Initiative	Target Completion	Current Status	Update
Joint Transformation Programme (JTP) (Implementation)	May 2020		On track. Progress of this project is reported separately to Cabinet.
Dementia Friends	March 2018		This project has now completed successfully. Two volunteer Dementia Friends Champions within the council have been recruited so we can offer periodic Dementia Friends Information sessions to staff and Councillors into the future. The Havens and Lewes Dementia Action Alliance Groups are now established and are meeting regularly and are in the process of forming their action plans. Our grant to 3VA to support the establishment and development of these groups will enable support to be in place until March 2018.

Key Performance Indicators

KPI Description	2016-17 Target	Q1 Apr-June	Q2 July-Sept	Q3 Oct-Dec	Q4 Jan-Mar	Status	Explanatory Note
Average working days lost to sickness per FTE equivalent staff	9.0 days	3.0 Days	2.0 days	2.7 days	2.0 days		The Quarter 4 sickness figures for Lewes was 2 days (per FTE) which means the overall total for the year was 9.7 days. This is the closest to target of 9 days that we have ever been and a reduction on the 12 days from last year (and many other years prior to that), the lowest it's been in the last 5 years has been 10.5

KPI Description	2016-17 Target	Q1 Apr-June	Q2 July-Sept	Q3 Oct-Dec	Q4 Jan-Mar	Status	Explanatory Note
							days. The hard work undertaken for the new Attendance Management Policy which was introduced in September 2016 is clearly now having a very visible positive impact not only in reducing absence levels but also in supporting those who are absent from work due to sickness in a consistent manner across the organisation.
Number of relevant staff/councillors receiving dementia awareness training	Data Only	7	0	3	5		In the 4th quarter a number of sessions were arranged, with one attracting 5 staff and councillors. Approach to be reviewed.

CUSTOMERS – IMPROVED CUSTOMER SERVICE

Portfolio: Councillor Tony Nicholson (Customers and Partners)

Portfolio Projects and Initiatives

Project / Initiative	Target Completion	Current Status	Update
Devolution of Open Spaces	March 2017		Work has recommenced with Newhaven Town Council. Progress is being made on the transfer of 5 sites and terms have been agreed. Discussions have re-opened with Lewes Town Council and the Legal team has been instructed to offer a transfer of sites at Malling and Landport Bottom on the same basis as that agreed with Newhaven TC. Discussions with Telscombe and Peacehaven Town Councils will commence within the next month. It is proposed that the target date for the project be revised to better reflect the current position.

Key Performance Indicators

KPI Description	2016-17 Target	Q1 Apr-June	Q2 July-Sept	Q3 Oct-Dec	Q4 Jan-Mar	Status	Explanatory Note
Average time taken to answer telephone calls	Less than 30 seconds	13 seconds	12 seconds	10 seconds	14 seconds		
Proportion of complaints (received by Customer Hub) responded to within target (currently 2 working days)	90%	97%	97%	98%	96%		
Number of new sign-ups to the Council's social media channels	Data Only	231	246	171	234		
Number of people registering for our email service	1,500	766	2,271	1,070	1,379		
Wave Leisure: Visitors to leisure centres	945,000	234,787	204,418	213,087	268,824		Last quarter showed improved visitor figures and exceeded the quarterly

KPI Description	2016-17 Target	Q1 Apr-June	Q2 July-Sept	Q3 Oct-Dec	Q4 Jan-Mar	Status	Explanatory Note
	(Revised)						<p>target. Annual target was missed by 2.5% which can be attributed to functions that did not occur in 2016/2017, a risk which Wave are already attempting to mitigate for 2017/18.</p> <p>Peacehaven Leisure Centre was awarded "Best Facility Managed by Quest". Downs Leisure Centre and Seahaven Swim and Fitness Centre have been upgraded to 'Very Good' after Quest assessments in Dec and Jan.</p>

Agenda Item No: 7 **Report No:** 117/17
Report Title: Scoping Reports for proposed Scrutiny Review of Affordable Workspace in Lewes District
Report To: Scrutiny Committee **Date:** 14 September 2017
Cabinet Member: Councillor Andy Smith
Ward(s) Affected: All wards
Report By: Nazeya Hussain, Director of Regeneration and Planning
Contact Officer(s)-
Name(s): Kerry Barrett
Post Title(s): Regeneration Project Manager
E-mail(s): kerry.barrett@eastbourne.gov.uk
Tel No(s): 01323 415624

Purpose of Report:

1. To consider a potential future scrutiny review into supply of low-cost and affordable workspace in the Lewes District, and with specific attention to the employment space requirements of the creative sector.

Officers Recommendations:

1. To agree the scope for a scrutiny review of affordable workspace, as set out in Appendix A, and
2. If the Committee wish to proceed with a scrutiny review, to agree the appointment, including size and make up, of a Scrutiny Panel to oversee the work.

Reasons for Recommendation

3. To provide a focussed programme of work which will enable the District Council to consider whether any changes to its existing policies, or any other actions, are to be recommended.
-

Information

- 1 The topic under consideration within this report was put forward for consideration by this Committee at its meeting on 17 February 2017. Details of the potential scope for the review are listed in Appendix A with a number of options given for Members consideration.
- 2 The Committee is asked to consider whether the scope, set out in Appendix A, adequately covers all the matters members wish to examine in any review, or whether any adjustments are required. Members are then asked to agree which, if any, of the options suggested they would wish to pursue within a scrutiny review.

- 3 If the Committee wishes to proceed with the review, a Scrutiny Panel will need to be appointed. It is usual for Scrutiny Panels to be made up of an odd number of Members (either 3 or 5) and maintaining political balance.
- 4 Should a review be agreed, a Project Plan for the review would be prepared by officers in conjunction with the Scrutiny Panel.

Financial Appraisal

- 5 An annual budget of £1,000 is available to support the work of the Scrutiny Committee and its Scrutiny Panels. Any external costs associated with the review proposed are expected to be minor, given that the research work can be carried out by Council staff. The main resource implications will therefore be Officer time.

Legal Implications

- 6 In considering the recommendations of this report, the Committee should adhere to the Scrutiny Procedure Rules set out in part 4 of the Council's constitution.

Risk Management Implications

- 7 There is no requirement for an analysis of risk.

Equality Screening

- 8 An equalities impact assessment is not considered necessary at this stage. If the Committee decides to proceed with the Review, an equality analysis would be undertaken as part of the review and would be reported along with the review findings.

Background Papers

- 9 None

Appendices

- 10 Appendix A – Scoping Report for Affordable Workspace

Scoping Proposal: Supply of low-cost and affordable workspace in the Lewes District, and with specific attention to the employment space requirements of the creative sector

Report Author: Kerry Barrett, Regeneration Project Manager

Reasons for Scrutiny

The suggestion for scrutiny in this area arose from a request by the Scrutiny Committee on 17 February 2017. The reasons given for having a review into this issue would be for the Committee:

- To better understand the supply of low-cost and affordable workspace in the Lewes District, and with specific attention to the employment space requirements of the creative sector
- To understand the council's role in meeting demand, and supporting the creative sector
- To make relevant recommendations in light of the above and sources of information

Background Information

Available sources of information we will look at include:

Supply and Demand

Employment Land Review

The Employment Land Review is a source of information providing a technical evidence document which focuses on employment space needs within the District.

Database of Supply and Cost

Available commercial property and rates in the Lewes District are listed online on the Locate East Sussex (the county's inward investment service) and the Greater Brighton Commercial Property Database websites. The study could look at how effective these are.

Online Demand Enquiry

Between 5 January 2017 to 28 February 2017 East Sussex County Council and Rother District Council conducted an online enquiry to gain insight into the demand of creative workspace in East Sussex. There were 58 responses (13 from the Lewes district).

North Street Quarter

- A mixed use development regenerating the area around North Street and the Phoenix Industrial Estate in Lewes town.
- Includes 65,000 square feet of flexible employment space. Using the National

Park's planning Section 106 powers, workspace has been secured for creative start up sustainable businesses. There will be subsidised rents specifically for start-up creative businesses.

- Since flood damage in 2000, Phoenix Ironworks on the Phoenix Industrial Estate has fallen into disrepair but has subsequently become a hub for creative type businesses attracted by peppercorn rents. Affordable workspaces and premises similar to Phoenix Ironworks are deemed critical to local community development group Lewes Phoenix Rising.

Creative and Digital Workspace Strategy

- The South East Creative Economy Network (SECEN) works to accelerate growth in the digital, creative and cultural sector and was established in 2013 to work with the South East Local Enterprise Partnership (SELEP) to identify barriers to growth for the Creative Economy in the South East.
- The SECEN is developing a Creative and Digital Workspace Strategy in order to take a more strategic approach to supporting creative workspace development in the area. The process includes mapping current workspace supply.

Business Support

- The Council actively promotes capital and revenue funding opportunities for local businesses to start up or grow a business. An example includes the LEADER grants scheme where so far grants totalling £208,724 have been approved in the Lewes District to fund 8 projects which will create more than 11 full time jobs.
- Residents and businesses can contact Business East Sussex (covering the South East Local Enterprise Partnership) and Business Navigator Growth Hub (Coast to Capital Local Enterprise Partnership) to talk to someone about available funding streams for commercial activity, as well access business support.

Defining the Creative Sector

East Sussex County Council has defined key themes, sectors, sub-sectors and niche sub-sectors that feature in their economic development and skills strategies and plans. The types of businesses included in the county's definition of the Creative, Cultural and Media sector can be downloaded visiting following website link: <http://tinyurl.com/hwj985>.

Link to Strategic Objectives

Local - Lewes

The LDC Council Plan for 2016 - 2020 recognises the creative industry as a key sector for the Lewes District; and has committed to creating new employment space.

The Lewes District Local Plan Joint Core Strategy for 2010 – 2030 states that the local planning authority will take a flexible and supportive approach to economic development through: promoting the development of sustainable tourism, including

recreation, leisure, cultural and creative sectors; when and where appropriate identify sufficient sites in sustainable locations for a flexible range of employment space to meet current and future needs; support the delivery of new office space; and encourage and support small, flexible, start-up and serviced business units (Core Policy 4 – Encouraging Economic Development and Regeneration).

Sub-regional - East Sussex

The East Sussex Growth Strategy for 2014 – 2020 identifies the creative and cultural sector as one of the key growth sectors for the county. Furthermore, it recognises the need for flexible workspace to support entrepreneurs, home workers, home-based businesses and small and medium sized enterprises in particular in rural areas.

Regional - Local Enterprise Partnerships

The SELEP Strategic Economic Plan (March 2014) identifies the creative, cultural and media sector as one of the priority sectors for the region which has potential for growth. The SELEP is also committed to unlocking key commercial sites with public, European and private sector investment to accelerate growth.

The Coast to Capital Local Enterprise Partnership Strategic Economic Plan (March 2014) identifies creative, digital and IT as one of the region's sectors of competitive advantage to focus investment and development. The Strategic Economic Plan also includes targets for delivering new employment space with public, European and private sector investment.

Both Local Enterprise Partnerships are currently refreshing their Strategic Economic Plans.

Objectives of the Review

The Scrutiny Committee are to consider which of the potential recommendations below they would wish to pursue in the scope of the review:

- A. How can LDC engage and influence SECEN and other strategic partnerships to support the development of affordable workspace?

AND/OR

- B. What can LDC do better to support creative businesses?

AND/OR

- C. How effective are the commercial property databases, and the Locate East Sussex service in searching for affordable, and creative workspace?

These recommendations have been made taking into account the available intelligence and partnerships previously outlined.

Not in Scope of Review

Should a review be agreed, it will be a high level document highlighting the opportunities and shortfalls that need addressing. The review won't be a new Employment Land Review focused solely on low cost workspace.	
Timeframe	
This will be determined once the recommendations of the review have been agreed.	
Outlining the stakeholders and evidence required	
<p>This will be finalised once the recommendations of the review have been agreed, however, it is likely, dependent on the final scope that the Review Panel may wish to call the following to provide evidence</p> <ul style="list-style-type: none"> - Locate East Sussex - Basepoint - Phoenix Rising - So Sussex, developers of the Spithurst Hub. 	
Resources	
Officer time from the Regeneration team. No financial resources are considered likely at this stage.	
Approval of Scope	
(a) Head of Service	
(b) CMT	
(c) Scrutiny Committee	

Agenda Item No: 8 **Report No:** 118/17
Report Title: Chair of the Council's Civic Programme
Report To: Scrutiny Committee **Date:** 14 September 2017
Report By: Catherine Knight, Assistant Director of Legal and Democratic Services
Contact Officer(s)-
Name(s): Caroline Hanlon
Post Title(s): Civic and Member Services Officer
E-mail(s): caroline.hanlon@lewes.gov.uk
Tel No(s): 01273 085030

Purpose of Report:

To consider (a) the outgoing Chair's civic programme and (b) the civic programme for the forthcoming year and budget provision.

Officers Recommendation(s):

- 1 To note the Report.
-

Information

- 1 The role of the Chair of the Council is as detailed in the Constitution:
 - To Chair Council Meetings.
 - To focus his/her activities on the communities of the District (including communities of interest, as well as geographical ones) and, by focusing on the Council's priorities, strengthen links between those communities and the Council.
 - To act as an enabler and ambassador by arranging meetings between the Council and other parties for the benefit of the District.
 - To celebrate those people or groups in the District who do extraordinary things to help others in the community, and to recognise those whose everyday lives are a challenge but who succeed in spite of their difficulties.
 - To celebrate successes of partners involved in major projects with the Council, particularly projects steered by the voluntary sector.
 - To encourage activities that recognise and support staff.
- 2 During the year 2016/17, 79 engagements were carried out by the Chair (Councillor Nigel Enever) and Vice-Chair (Councillor Stephen Gauntlett), excluding Council meetings. It is worth noting that it is not the volume of

engagements that a Chair manages to attend or host during their year of office but the 'quality' of the engagements in terms of the local community that is important.

A 'quality' engagement is one which is in support of the Council's priorities and which takes place within the District. If the Chair is invited to attend an event hosted by a Mayor/Chairman of a neighbouring authority, unless the event is something that will enhance or support this Council's priorities and those of its residents, then the Chair is advised not to accept in an official capacity. He/she can of course attend if they wish but attendance is then financed by the Chair themselves.

- 2.1 One of the first events attended by the Chair was a special service of thanksgiving at Chichester Cathedral to celebrate the 90th birthday of Her Majesty The Queen. The event was hosted by the Lord-Lieutenants of East and West Sussex, and the Dean and Chapter of Chichester Cathedral.
- 2.2 The Chair's theme of office for 2016-17 was 'Supporting arts and heritage in the District'. Councillor Enever supported Artwave 2016 (held 20 August – 4 September 2016), attended several of the artists' studios to meet the artists and view their work, hosted the Artwave Awards at Lewes House on 9 September and presented an award. He also visited the Artwave Surrealist Café at Lewes House.
- 2.3 Lewes Heritage Open Days (held 8 - 11 September 2016) was once again supported by Lewes District Council, and the Chair hosted the launch event at Lewes House on 1 September and provided the welcome remarks. He also visited several of the venues and tours that were open to the public.
- 2.4 In January this year, Holocaust Memorial Day was marked by an event held at the All Saints Centre, Lewes, called 'How Can Life Go On?' The event featured stories from refugees of the past and today, and included presentations from Jenny Matthews, photographer, Gaby Weiner, author of 'Tales of Loving and Leaving', and Melanie McFadyean from the Baobab Centre for Young Survivors in Exile.
- 2.5 The event was organised by the Holocaust Memorial Day Group in association with the Lewes Group in Support of Refugees and Asylum Seekers and Lewes Amnesty International Group. It was supported by Lewes District Council, Lewes Town Council and Chalk Cliff Trust. Councillor Dr Graham Mayhew, Mayor of Lewes, provided the opening welcome address, and Councillor Enever, Chair, provided the closing remarks. Lewes District Council's Graphics Officer designed the promotional material for the event, and also for an associated exhibition entitled 'Refugees' Stories', which was well received. An exhibition related to Holocaust Memorial Day was also held in Lewes Library.
- 2.6 This was the third Holocaust Memorial event organised by the Lewes Holocaust Memorial Day Group, and the numbers of attendees, and comments received, were encouraging. A film event at the Harveys Depot Cinema is being planned for Holocaust Memorial Day in January 2018 and will again be supported by Lewes District Council.

- 2.7 One of the Chair's last events of the year was 'Unsung Heroes' held at Lewes House on 22 April 2017. 42 local residents were nominated as Unsung Heroes by a range of people, including Councillors Enever, Saunders, Neave, Ient, O'Keeffe, and Murray. Nominees included the Kingston Action Group, who clear footpaths and litter in Kingston, Emily Sanders who works with young people with Autism and Sally Cronk from the Raystede Centre for Animal Welfare. Nominees received lunch in the gardens of Lewes House and were entertained by students of the East Sussex Music Service. They were also presented with a certificate by the Chair and his Consort. Civic guests included the Mayor of Lewes, the Mayor of Newhaven, the Deputy Mayor of Seaford, the Deputy Mayor of Peacehaven, and the Chair of East Sussex County Council. The event was the fourth of its kind to be hosted by the Chair of Lewes District Council.
- 2.8 The Chair also attended several performances by local theatre and music groups, including the East Sussex Music Service, Rotary Club of Lewes, Seaford Musical Theatre, the Lewes Area Music Centre, LOS Musical Theatre and East Sussex Youth Orchestra.
- 2.9 The Chair had the honour of being presented to HRH The Princess Royal, Patron of the Restorative Justice Council, along with other dignitaries including the High Sheriff, at a celebration of the work of the Sussex Restorative Justice Partnership. The event was hosted by Katy Bourne, Sussex Police and Crime Commissioner, and was held at her office on 23 February 2017.
- 2.10 In 2016-17, the Chair hosted and attended events as diverse as AGMs, award ceremonies, charity fundraising events, festivals, film screenings, commemorative and remembrance ceremonies, exhibitions and opening ceremonies.
- 2.11 23% of the Chair's engagements took place outside the boundaries of the District, all of which were in support of Council's initiatives and included the Brighton University winter graduation ceremonies at the Brighton Centre, the Chair of East Sussex County Council's Summer Reception in Battle, the Sussex 100 Centenary Celebration of Cub Scouting in Ardingly, and the East Sussex Music Service Secondary Schools' Prom at the Eastbourne Winter Garden.
- 2.12 Wherever possible local caterers and/or suppliers of organic produce and fair trade were used for each event.
- 2.13 At the end of his term of office, Councillor Enever made donations to Children With Cancer, LOS Musical Theatre, Seaford Musical Theatre and Peacehaven Players.

3 Year 2017/18

Councillor Stephen Gauntlett's theme of office for 2017-18 is 'to encourage and affirm wildlife conservation throughout the District, particularly with young people.'

It is not possible at this time to set out a detailed programme for the whole year; this has still to be determined. The following events will take place/or have taken place:

- The 75th Anniversary of the Dieppe Raid Commemorations, 18-20 August 2017.
- The launch of the Heritage Open Days weekend, 31 August 2017.
- The annual bonfire night celebrations at Lewes House, 4 November 2017 (as Bonfire falls on a Sunday this year, the event will take place on the Saturday).
- A film festival to mark Holocaust Memorial Day around 27 January 2018.
- An Unsung Heroes event in April 2018.

4 Financial Appraisal

The total budget available to Councillor Enever as Chair of the Council in the municipal year 2015/16 was £10,000. Total expenditure incurred was £10,000.11. The total budget currently available to Councillor Gauntlett in the municipal year 2017/18 will be £10,000, which covers the period May 2017 to May 2018.

5 Legal Implications

There are no legal implications arising from this Report.

6 Risk Management Implications

There are no risk management implications arising from this Report.

7 Equality Screening

This is a routine, procedural Report with no potential for negative impacts. Therefore, an Equality Analysis is not required.

8 Background Papers

None

9 Appendix

A list of the Chair's engagements for 2016/17 is appended for information.



Lewes District Council

Southover House
Southover Road
Lewes
East Sussex BN7 1AB

Civic and Member Services Officer: 01273 085030

CHAIR
Councillor NIGEL ENEVER

civic.office@lewes.gov.uk

CHAIR'S ENGAGEMENTS 12 May 2016 – 10 May 2017

2016		
Thursday 26 May	7.30pm	Vice-Chair: To attend Lewes District Churches HOMELINK's Annual General Meeting at St Peter's Church, Seaford.
Thursday 2 June	2.30pm	Chair: To attend a meeting with the Lord Lieutenant of East Sussex at the Mayors Parlour, Brighton Town Hall.
Sunday 12 June	3.30pm	Chair & Consort: To attend a Special Service of Thanksgiving to celebrate the 90 th Birthday of HM The Queen at Chichester Cathedral hosted by the Lord Lieutenants of East and West Sussex.
Thursday 16 June	7pm	Chair: To attend the SERFCA Sussex Armed Forces Briefing at the Checkland Building, Brighton University.
Friday 17 June	12.30pm	Chair: To attend a celebration of the new CTLA accessible minibus, starting from the depot at Hillcrest Road, Newhaven.
Wednesday 22 June	7.30pm	Chair: To attend the East Sussex Music Service summer concert at Sussex Downs College, Lewes.
Saturday 25 June	7pm	Chair: To attend the Rotary Club of Lewes Annual Skittle event and to present the prizes in Grange Gardens, Lewes.
Sunday 26 June	10am – 5pm	Chair and Consort: To attend the JOY Festival in Convent Field, Lewes.
Monday 27 June	6.30pm	Chair and Consort: To attend the ESCC Chairman's Summer Reception at Ashburnham Place, Battle.
Thursday 30 June	7pm	Chair and Consort: To attend the East Sussex Music Service Lewes Area Music Centre Summer Concert at Lewes Town Hall.
Tuesday 12 July	7pm	Chair: To attend the Judicial Service and Summer Reception hosted by the High Sheriff of East Sussex in Battle.
Thursday 14 July	6.30pm	Chair: To attend the Lewes District Business Awards 2016 at Lewes Town Hall.
Saturday 30 July	2pm	Vice-Chair: To attend the Sussex 100 Cub

		Scout Centenary Camp at the South of England Showground, Ardingly.
Monday 1 August	7.30pm	Chair and Consort: To attend the East Sussex Music Service Youth Orchestra Concert at the De La Warr Pavilion, Bexhill-on-Sea.
Sunday 14 August	12.30pm	Chair and Consort: To attend the 74 th Anniversary of the Dieppe Raid memorial service and reception, hosted by the Mayor of Newhaven, at Newhaven Fort and War Memorial Green, Newhaven.
Thursday 18 August	8pm – 10pm	Chair: To attend the 74 th Anniversary of the Dieppe Raid commemorations in Dieppe, hosted by the Mayor of Dieppe.
Friday 19 August	8am – 2.30pm	
Thursday 25 August	10am	Chair: To visit the Artwave Lewes Trail.
Saturday 27 August	10am	Chair: To visit the Artwave Seahaven Trail.
Monday 29 August	10am	Chair: To visit the Artwave Eastern and Northern Trails.
Thursday 1 September	10am	Chair: To visit the Artwave Northern Trail.
Thursday 1 September	5pm	Chair: To host the Heritage Open Days Launch 2016 and to give the welcome speech at Lewes House.
Saturday 3 September	10am	Chair: To visit the Artwave Surrealist Café at Lewes House and the Artwave Lewes Trail.
Saturday 3 September	12pm	Chair: To visit the Societies Fayre at Lewes Town Hall.
Friday 9 September	6pm	Chair and Consort: To host the Artwave Favourites Awards and to give the welcome speech at Lewes House.
Saturday 10 September	10am	Chair: To visit the Heritage Open Days Priory Trail.
Saturday 10 September	5.30pm	Vice-Chair: To attend the Royal Sussex Regimental Association Annual Reunion Dinner at Lewes Town Hall.
Sunday 11 September	10am	Chair: To attend the Heritage Open Days tour of Lewes Town Hall.
Sunday 11 September	7pm	Chair and Consort: To attend a performance of 'Calamity Jane' at The Barn Theatre, Seaford.
Thursday 15 September	7pm	Chair and Consort: To attend the Royal Society of St George (Seahaven Branch) Battle of Britain Day Commemoration Dinner at Seaford Golf Club.
Saturday 24 September	4pm	Chair and Consort: To attend Music To The Virgin Mary at Lancing College Chapel, hosted by the Chair of Adur District Council, in aid of Friends of Sussex Hospices.
Wednesday 28 September	10am	Chair and Consort: To attend the Macmillan Coffee Morning at Southover House Reception and to give the welcome speech.
Thursday 29	10am	Chair and Consort: To attend the Chailey

September		Heritage Foundation's official launch of the Patchwork Farm project at the Chailey Heritage Foundation, North Chailey.
Friday 30 September	10am	Chair: to attend a meeting of the Association of Chambers of East Sussex (ACES) in Crowborough
Friday 7 October	7.30pm	Chair and Consort: To attend LOS Musical Theatre's production of Made in Dagenham at Lewes Town Hall.
Monday 17 October	10am	Chair: To attend a Peacehaven & District Chamber of Commerce breakfast meeting.
Thursday 20 October	7.30pm	Chair: To attend Her Majesty's Lord Lieutenants of Sussex SERFCA Awards Ceremony at Christ's Hospital School, Horsham.
Friday 21 October	7pm	Vice-Chair: To attend the Battle of Trafalgar Day commemoration dinner hosted by the Royal Society of St George Seahaven Branch at Deans Place Hotel, Alfriston.
Saturday 22 October	1pm	Chair and Consort: To have lunch and a trip on the Great Northern Saloon, starting at The Bluebell Railway, Sheffield Park Station.
Sunday 23 October	12pm	Chair: To attend the Cuckmere Buses 40th Anniversary Celebration at the Cavendish Hotel, Eastbourne
Friday 28 October	7pm	Chair: To attend the Anne of Cleves House Annual General Meeting at Anne of Cleves House, Lewes.
Saturday 5 November	5.30pm	Chair and Consort: To host the annual Bonfire Celebrations for staff and civic guests at Lewes House, Lewes.
Monday 7 November	7pm	Chair: To attend East Sussex Music Service's Secondary Schools' Prom at the Winter Garden, Eastbourne.
Friday 11 November	10.45am	Chair: To attend the Peacehaven Town Council Maroon launch service for Remembrance at Meridian Park and the War Memorial, Peacehaven.
Friday 11 November	6.30pm	Chair: To attend the Reimagined Buildings screening of Jigsaw at the Gateway Café, Centenary Park, Peacehaven.
Sunday 13 November	9.45am	Chair: To attend Newhaven Town Council's Remembrance Sunday events and to lay a wreath, at St Michaels Church, the Town Memorial, and Mencap Hall, Newhaven.
Sunday 13 November	2pm	Chair: To attend Lewes Town Council's Remembrance Sunday events and to lay a wreath, at the War Memorial, Lewes.
Thursday 17 November	6.30pm	Chair and Consort: To attend the Rotary Club of Lewes Youth Music Concert at Lewes Town Hall.

Saturday 19 November	8am	Vice-Chair: To attend the East Sussex Prayer Breakfast hosted by the High Sheriff at the East Sussex National Golf Resort, Little Horsted, Uckfield.
Sunday 20 November	7.30pm	Chair and Consort: To attend New Sussex Opera's production of Trial by Jury at Lewes Crown Court.
Thursday 1 December	6pm	Chair and Consort: To host Santa's Grotto and mulled wine at Lewes House as part of Lewes Late Night Shopping (Chamber of Commerce event).
Friday 2 December	6pm	Chair: To attend Peacehaven's Annual Community Carol Concert hosted by the Mayor of Peacehaven at Community House, Peacehaven.
Sunday 4 December	3pm	Chair and Consort: To attend the HOMELINK Christmas Concert by the Ashdown Singers at The Church of St Thomas More, Seaford
Thursday 8 December	6.30pm	Chair: To attend the Chair of East Sussex County Council's Christmas Reception at Pilgrim Hall, Uckfield
Tuesday 13 December	7.30am	Chair: To attend a Festive Delivery Office visit at the Royal Mail Peacehaven delivery office, Peacehaven
Tuesday 13 December	7pm	Chair: To provide the music and do the raffle at the Age UK Kempton House Day Club Christmas lunch, Peacehaven
Wednesday 14 December	12pm	Chair: To visit the Newhaven and Seaford Sailing Club to be shown the plans for the building of a new clubhouse
Wednesday 14 December	7.30pm	Chair and Consort: To attend the East Sussex Academy of Music Christmas Concert at the Birley Centre, Eastbourne
Thursday 15 December	12pm	Chair and Consort: To attend a Festive delivery office visit at the Royal Mail Delivery office, Newhaven
2017		
Sunday 22 January 2017	7pm	Chair and Consort: To attend The Barn Theatre's production of Cinderella at The Barn Theatre, Seaford
Friday 27 January 2017	2pm	Chair: To visit the Refugees' Stories exhibition along Lewes High Street as part of Holocaust Memorial Week
Friday 27 January 2017	6.30pm	Chair: To attend the Holocaust Memorial Day 2017 'How Can Life Go On?' event and provide the closing remarks at the All Saints Centre, Lewes
Tuesday 31 January	4.30pm	Chair: To attend "The men and women who didn't return - Lewes's wartime casualties 1914-1918" - An illustrated lecture by the

		Mayor of Lewes, Councillor Dr Graham Mayhew JP at Lewes Town Hall Council Chamber
Thursday 9 February	2.30pm	Chair: To attend The University of Brighton's winter graduation ceremonies at The Brighton Centre, Brighton.
Sunday 12 February	3pm	Chair and Consort: To attend Peacehaven Town Council's Renaming Day service to celebrate Peacehaven's 100 years, at the Evangelical Free Church, Peacehaven.
Thursday 23 February	9am	Chair: To attend a Royal Visit by The Princess Royal, Patron, Restorative Justice Council, at the Sussex Restorative Justice Partnership Meeting, Sackville House, Brooks Close, Lewes
Saturday 25 February	7pm	Chair and Consort: To attend the 'First World War Lewes Music Hall' event hosted by the Mayor of Lewes at the Assembly Room, Lewes Town Hall.
Wednesday 1 March	3pm	Chair: To attend the Re-imagined Buildings presentation of saplings to the Peacehaven Community garden at the Big Parks café, Peacehaven.
Saturday 4 March	2pm	Chair and Consort: To attend the Sussex Historic Churches Trust 2016 Ride & Stride event and the presentation of the awards ceremony at St. Anne's Church Lewes.
Tuesday 21 March	10am	Chair: To attend the Peacehaven Chamber of Commerce Breakfast Meeting to talk about the role of the Chair.
Wednesday 22 March	7.30pm	Chair and Consort: To attend Delius's 'A Village Romeo and Juliet by the New Sussex Opera Society at Lewes Town Hall.
Saturday 25 March	7pm	Chair and Consort: To attend the Royal British Legion Peacehaven and Telscombe branch buffet to celebrate 90 years of the branch at the Meridian Centre Peacehaven.
Saturday 22 April	12.30pm	Chair and Consort: To host the 'Unsung Heroes' event at Lewes House, Lewes.
Saturday 22 April	7pm	Chair and Consort: To attend the Mayor of Newhaven's Charity Dinner at Denton Island Bowls Club.
Sunday 23 April	7pm	Chair and Consort: To attend the Royal Society of St George, St George's Day church service and formal dinner at St Andrews Church and Deans Place Hotel, Alfriston.
Friday 28 April	7pm	Chair and Consort: To attend the Mayor of Peacehaven's Civic Reception at Community House, Peacehaven.
Monday 1 May	10am	Chair and Consort: Chair to attend Lewes Garland Day and judge the childrens'

		garlands at Lewes Castle Gun Garden.
Friday 5 May	7pm	Chair and Consort: to attend the Seahaven Business Awards at Jerrom Hall, Peacehaven.
Saturday 6 May	7pm	Chair and Consort: To attend the Mayor of Telscombe's end of term celebration at the Telscombe Civic Centre.

Agenda Item No: 9 **Report No:** 119/17
Report Title: Scrutiny Work Programme 2017/18
Report To: Scrutiny Committee **Date:** 14 September 2017
Cabinet Member: n/a
Ward(s) Affected: All wards
Report By: Catherine Knight, Assistant Director for Legal and Democratic Services
Contact Officer(s)-
 Name(s): Jazmin Victory
 Post Title(s): Scrutiny Officer
 E-mail(s): Jazmin.Victory@lewes.gov.uk
 Tel No(s): 01273 661374

Purpose of Report:

1. For the Scrutiny Committee to agree its work programme for 2017/18.

Officers Recommendations:

2. That the Scrutiny Committee agree its work programme as set out at Appendix A, together with any additional items agreed by Councillors for scrutiny.

Reasons for Recommendation

3. To meet the requirement of the Council's Constitution with regard to the preparation, execution and adjustment of the work programme.
-

Information

- 1 Scrutiny is a process for councillors to review decisions and policies of the Council and Cabinet, and to consider whether they are right for the District. Scrutiny gives councillors the opportunity to explore issues in depth and undertake reviews on specific topics where appropriate as well as examine the Council's performance.
- 2 It is usual for Committees to agree their work programme at the first meeting of a new Council year. For the Scrutiny Committee, the work programme may require more flexibility than some other committees, to allow for the scrutiny of emerging issues during the year. However, there are a number of on-going issues that form the normal part of the Committee's business, such as monitoring of the Council's performance and the Council's budget.

- 3 These standard items, together with some further items which officers are suggesting be considered, are included in a draft work programme set out at Appendix A.
- 4 For any new items being proposed by Members for inclusion on the work programme, the Committee previously agreed a scoring system which is set out at Appendix B. This will assist the Committee to assess the relative importance and relevance of suggested scrutiny topics in a systematic and considered manner, to ensure the Committee's time is used as constructively and efficiently as possible, for the benefit of the Council.
- 5 Any new topics which are suggested and agreed by the Committee (or which are submitted using the form attached at Appendix C by an individual Councillor and then agreed by the Committee for inclusion in the work programme) would then be brought forward, initially in the form of a scoping report, to a future meeting for further consideration.
- 6 Councillor Gardiner will update the Scrutiny Committee in relation to the Local Government Ombudsman's decision regarding a planning complaint which was partly upheld. A copy of the Ombudsman's decision letter is set out at Appendix D.
- 7 Councillor Gardiner will update the Scrutiny Committee regarding Fire Risk Assessments in relation to his question posed and the answer given at the Full Council meeting on 17th July 2017, as set out in the minute extract at Appendix E.

Financial Appraisal

- 8 There are no direct financial implications as a result of this report. The Scrutiny Committee has a limited budget for use when undertaking scrutiny reviews if required.

Legal Implications

- 9 There are no legal implications arising from this report.

Risk Management Implications

- 10 There is no requirement for an analysis of risk.

Equality Screening

- 11 An equalities impact assessment is not considered necessary for this routine report. Individual projects and service areas are subject to separate equality analysis as part of the Council's wider equality programme.

Background Papers

- 12 None

Appendices

13 Appendix A – Scrutiny Committee Work Programme 2017/18

Appendix B – Scrutiny Review Scoring System

Appendix C - Request by Councillor for a Scrutiny Review - Guidance Notes

Appendix D - Ombudsman's decision letter

Appendix E – Minute extract in relation to the question posed by Councillor Gardiner and the answer given at the Full Council meeting on 17th July 2017 regarding Fire Risk Assessments

Appendix A

Scrutiny Committee Work Programme 2017/18

14th September 2017	Performance Monitoring 2017/18 – Quarter 1 (Performance Monitoring 2016/2017– Quarter 4 appended) Affordable Workspace in Lewes District Chair of the Council's Annual Business Report Consider Work Programme 2017/18
9th November 2017	Performance Monitoring 2017/18 – Quarter 2 Equality and Fairness Policy and Analysis - report to Cabinet on 13 November Community Safety Partnership Merger and Action Plan - report to Cabinet on 3 January
18th January 2018	Council Budget proposals 2018/19 Equalities Annual Report - report to Cabinet on 5 February Council Plan Grants to Voluntary Organisations - report to Cabinet on 5 February
22nd February 2018	Performance Monitoring 2017/18 – Quarter 3
19th April 2018	Consult relevant bodies for suggestions for 2018/19 Work Programme

To be scheduled:

- Housing Supply and Demand
- Transport
- Monitoring of Recommendations/Updates on Reviews
- Call in

Scrutiny Review Scoring System

Impact

Score	Indicator
0	No potential benefits likely to result. Reject.
1	Minor potential benefits affecting only one ward/customer/client group
2	Minor potential benefits affecting two or more wards/customers/client groups
3	Moderate potential benefits affecting multiple wards/customers/client groups or substantial potential benefits affecting one or more ward/customer/client group
4	Substantial potential benefits community wide or for a significant proportion or section of the community

Importance

Score	Indicator
0	No evidence that the topic is related to the Council's aims and priorities, as set out in the Council Plan. Reject.
1	Some evidence that the topic is linked to the Council's aims and priorities, as set out in the Council Plan, but only indirectly.
2	Good evidence that the topic is linked to the Council's aims but not to current Council priorities, as set out in the Council Plan.
3	Good evidence linking the topic to the Council's aims and priorities, as set out in the Council Plan.
4	The topic links directly to the Council's aims and priorities, as set out in the Council Plan.

Request by Councillor for a Scrutiny Review - Guidance Notes

Members can request the Scrutiny Committee to hold a review into an important subject or matter of concern in the District. It need not relate purely to services provided by the Council and could cover any matter effecting local residents or businesses, as well as external organisations such as the Environment Agency.

And The Council focuses its scrutiny activities on the things that matter most and on outcomes that can make a real difference for local people. It simply has not got the resources to look at everything that might be suggested and therefore has to prioritise. The Council's suggested criteria for selecting reviews are as follows (this information is also contained within the Scrutiny Guide, which all members will have received a copy):

- Members identify key issue for the public
- Poor performing services
- High level of user dissatisfaction
- High level of resource in the area
- Government/council high priority area
- New government guidance or legislation
- Media attention

For each review undertaken there should be:

- Key reasons for undertaking the review
- What the review is expected to achieve
- Agreed measures for identifying a successful review
- A Scoping Report specifying the timetable and methodology (what evidence will be gathered, what consultation will take place)
- Consultation as to the composition of the panel which maybe undertaking the review

Please bear in mind when suggesting a topic for review that the following information will be needed and that where possible you provide as much information for the Scope and Terms of reference. This will assist the Chair when considering which three items will be selected for inclusion into the Annual Work Programme.

Scrutiny does not get involved in minor matters or individual concerns which are not of wider community significance. These need to be pursued through the appropriate Service Unit, Ward Councillors or Executive Member responsible. Nor does scrutiny deal with individual complaints which are dealt with through the Council's complaints procedure. Other topics not appropriate for scrutiny include: matters already being addressed, matters prejudicial to the Council's interests, individual disciplinary or grievance matters and matters unlikely to result in improvements for local people.

Subject	
Brief Scope (outline for review)	
Suggested Consultation	

Reasons for Review and Supporting Information (continue on a separate sheet if necessary)	
Reasons for Review:	
1. Why should topic be reviewed?	
2. How does it link to Council's corporate objectives?	
3. What benefits could result in conducting this review?	
Supporting Evidence:	
1. What evidence is there to support the reasons and need for a scrutiny review?	
2. What are the facts?	
Desired Outcome:	
1. What would you wish to see happen as a result of any review?	
2. Why do you think the desired outcome is achievable as a result of a review?	

Name: (please print)	
Signed:	

Date:

Please complete and return this form to the Scrutiny Officer, Southover House, Southover Road, Lewes, BN7 1AB, or email the form to Jazmin.Victory@lewes.gov.uk Should you have any queries about completing the form please telephone 01273 085811.

FOR OFFICE USE ONLY

Date Received:

Date Acknowledged:

Decision Date:

Decision; Accept Reject Defer

Date Decision Notified:

By:

Complaint reference:
16 013 084

Complaint against:
Lewes District Council

The Ombudsman's decision

Summary: The Council was not at fault in the way in which it considered the enforcement issues relating to an airstrip close to Mr and Mrs G's home. There was a degree of fault through delay in responding to Mr and Mrs G's complaint. But, this did not cause them significant injustice.

The complaint

1. The complainants, to whom I shall refer as Mr and Mrs G, complained about the way in which the Council has dealt with their complaints about the intensification of use of an airstrip on farmland close to their home. Mr and Mrs G said the Council's failure to restrict activities at the site meant they continued to suffer over flying of their property at low heights with all the nuisance and risk this entailed.

What I have investigated

2. I have exercised the Ombudsman's discretion to investigate matters from August 2015, when the Council undertook a planning enforcement investigation. I have done this because Mr and Mrs G were consistently trying to pursue matters with the Council from that date. In the final section of this statement, I explain what I have not looked at, and why not.

The Ombudsman's role and powers

3. We cannot investigate late complaints unless we decide there are good reasons. Late complaints are when someone takes more than 12 months to complain to us about something a council has done. (*Local Government Act 1974, sections 26B and 34D, as amended*)
4. We investigate complaints of injustice caused by maladministration and service failure. I have used the word fault to refer to these. We cannot question whether a council's decision is right or wrong simply because the complainant disagrees with it. We must consider whether there was fault in the way the decision was reached. (*Local Government Act 1974, section 34(3), as amended*)
5. If we are satisfied with a council's actions or proposed actions, we can complete our investigation and issue a decision statement. (*Local Government Act 1974, section 30(1B) and 34H(i), as amended*)

How I considered this complaint

6. I have considered the information Mr and Mrs G provided in support of their complaint, together with [Page 66 of 82](#) provided by the Council.

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7. I have written to Mr and Mrs G and the Council with my draft decision and considered their comments.

What I found

The Council's Planning Enforcement policy

8. The policy says:
- the Council has a duty to investigate alleged breaches of planning controls. It has powers to remedy proven breaches by statutory and other means;
 - where officers decide it is not expedient to take enforcement action, they will inform complainants of the reasons for this decision;
 - the Council needs as much information as possible regarding the alleged breach to enable the investigating officer to investigate fully; and
 - officers might ask the person alleging the breach of planning controls to assist them by providing a written log detailing the dates, times, duration and nature of the suspected breach; and
 - if the person reporting the suspected breach of planning controls is unwilling to assist, officers will advise them this may hinder the Council's investigation, due to the difficulty of gathering sufficient evidence.

The 2009 Certificate of Lawful Use

9. This confirmed as lawful: "Use of land at as a farm airstrip catering for light aircraft and microlights. Use of agricultural building for light aircraft storage in association with the farm airstrip. Use of a second agricultural building for light aircraft storage in association with the farm airstrip."
10. It further certified as lawful: "Use of the Site as a private airstrip for pleasure/recreational flying, limited to a) daylight hours only (from sunrise to sunset); b) storage of a maximum of 13 aircraft and microlights within and outside the buildings; and c) annual external aircraft movements of between 69 and 206."

Key events after August 2015

11. In August 2015 the Council approved a planning application by the flying club. As a result of Mr G's representations to the Planning Committee, members asked for the Planning Enforcement Team to investigate activities at the airstrip.
12. Officers wrote to the flying club which owned the airstrip. The flying club responded in late August. Officers were satisfied from the information it provided, and from the lack of evidence to the contrary, that the flying club was not exceeding the provisions of the Certificate of Lawful Use.
13. In the following weeks, Mr and Mrs G wrote several times to the Council about significant changes in activities at the club. At the end of October officers replied that the planning enforcement investigation had found no breaches of planning controls. But, in mid-December Mr and Mrs G again questioned the flying club's claims about the number of aircraft being stored and operated from the airstrip.

The Council's complaint responses

14. Early in January 2016, officers replied to Mr and Mrs G. They said:
- it would serve no useful purpose to re-examine the considerations which had led to the Council granting the Certificate of Lawful Use in 2009;

-
- they considered the issue was that of whether use of the airstrip constituted a material change from the use as limited by the Certificate;
 - it was immaterial that the club had no connection with the farm, or that the owners of the farm had leased the airstrip to the club;
 - they noted what Mr and Mrs G had said about the previous landowner not having stored as many as 13 aircraft. But, this was the authorised number. The club had confirmed it was not exceeding this;
 - the club had said no flights were carried out for hire or reward. The terms of their lease prohibited this. Flying for hire or reward also required aircraft to be registered as public transport. All of their aircraft were private ones;
 - the majority of aircraft had been based at the airstrip for a number of years. The lease also prohibited any flying school, chartering or training at the site;
 - flying was confined to daylight hours. Twin engined aircraft or helicopters could not land at the airstrip, except in an emergency;
 - the number of aircraft movements were difficult to assess. But, the club had said it did not anticipate any appreciable change from previous years. Officers would seek further information about this in March 2016, when the club would have been operating for a year; and.
 - if it became apparent that the the club was exceeding the authorised use, the Council would investigate and take action, if appropriate.
15. Following further representations from Mr and Mrs G in February 2016, officers responded early in September 2016. They said:
- again that they did not propose to re-examine considerations leading to the issue of the Certificate of Lawful use. When the Council had moved from paper records to electronic ones, it had destroyed many of the relevant documents;
 - they still considered the issue was one of whether the current use of the airstrip constituted a material change of use authorised by the Certificate;
 - those changes relating to the airstrip that Mr and Mrs G had identified had no bearing on the uses defined by the Certificate; and
 - if they alleged that the club was exceeding the limitations this imposed, there would be grounds for the Council to investigate further.

The Council's comments

16. Officers told me that:
- Mr and Mrs G had written to the Council periodically but infrequently. But, they had not to date raised concerns with the Council about aircraft flying over their property at low heights, with the associated risk and nuisance;
 - it was unlikely the Council could deal with these matters through planning controls. The Environmental Health Team had also not received complaints about this;
 - the airspace above the airstrip was visible from the Planning office. They also often drove along the road past the airstrip and Mr and Mrs G's home; so
 - they checked for aircraft activity, but had not witnessed an aircraft in the vicinity. To this extent, the Council was regularly monitoring the site; and

-
- there were a number of houses located along the road, and there was a village close by. The local parish meeting was active. But, the Council had received no complaints from other residents or the Parish Council. The absence of such complaints indicated that flying activities were low key; and
 - so far Mr and Mrs G's correspondence had focussed on the basis on which the Council had granted the Certificate of Lawful Use. But, if they alleged breaches of this, the Council would investigate accordingly.

Was there fault and if so, was there injustice requiring a remedy?

17. From the information the Council has provided I am satisfied that it initiated an enforcement investigation in August 2015.
18. I would not expect the Council to have relied solely on what the flying club said in response to its enquiries. But, officers have not been able to find evidence of what Mr and Mrs G said about an increase in flying activities in excess of the number the Certificate of Lawful Use permits.
19. This may be because the flights are occurring mainly at weekends. But, Mr and Mrs G have not given any indication of when the flights might be occurring, so as to give officers the best chance of witnessing these. Mr G has told me he does not consider it would be practicable for him to keep diary sheets.
20. So, I do not consider that the Council has acted with fault with regard to the enforcement issues. It can only consider the expediency of enforcement action on the basis of clear evidence of breaches of planning controls which are causing planning harm.
21. The Council has said that Mr and Mrs G have not complained about the risks and nuisance from aircraft flying at low altitudes. I have seen no evidence to the contrary. I do not consider, therefore, that the Council has been at fault in not alerting its Environmental Services Team, or any other relevant regulatory authority. However, it remains open to Mr and Mrs G to approach these services directly, if they wish to pursue matters.
22. I note that the Council took in excess of six months to respond to Mr and Mrs G's letter of complaint in February 2016. I have seen no reason or explanation for why this should have been the case. So, I must conclude that this was unreasonable delay amounting to fault. But, in the absence of evidence of the number of flights exceeding those permitted by the Certificate of Lawful Use, I do not consider that Mr and Mrs G suffered significant injustice. I further note that the Council did apologise for the delay in responding. So, I do not propose to ask it to do anything further to remedy matters.

Decision

23. I can only uphold Mr and Mrs G's complaint in part. For the reasons I have given above, I have completed my investigation.

Parts of the complaint that I did not investigate

24. In accordance with the restriction on the Ombudsman's jurisdiction I have set out in my paragraph 3 above, I have not considered matters prior to August 2015. I have not seen evidence of Mr and Mrs G persistently pursuing complaints with the Council prior to that date.

-
25. It would also be difficult to effectively investigate matters that occurred several years ago. Documentary records have been destroyed, and officers will have forgotten what happened, or moved on.

Investigator's decision on behalf of the Ombudsman

Appendix E

Minute extract from the meeting of the Council held on 17 July 2017

18 Questions to the Leader of the Council

Councillor
Gardiner

Question:

Can the Lead Councillor advise on the investigations that the Council had completed since the Grenfell tower disaster, especially on the currency of Fire Risk Assessments carried out by the Council on its own properties, and can the Lead Councillor advise as to when the current Conservative administration intended to implement the proposals for sprinkler systems in all new Council buildings as previously proposed by the Liberal Democrats and as the motion carried at the 16 October 2013 Meeting of the Council?

Response (by Councillor Maskell, Cabinet Member for Housing):

Councillor Maskell felt that the Council's hearts went out to those who were caught up in the tragic event at Grenfell Tower and reported that the safety of the Council's tenants was of key importance.

DSD

He reported that there were 125 general needs blocks with communal areas that were subject to Fire Risk Assessment. Additionally, there were eight Sheltered blocks that were subject to such Assessments. The Council had reviewed its accommodation and none of its properties had cladding of the type that would give concern. The majority of the Council's blocks were low level with 2, 3 or 4 stories. The Council had only one five story block and one seven story block.

DSD

Over the past year the Council had issued new Fire Risk Assessments on 62 general needs blocks and the sheltered accommodation. It had also reviewed all Fire Risk Assessments and had commissioned any necessary work.

DSD

The Council was also working closely with East Sussex Fire and Rescue, Building Control and the Housing team to review the private sector blocks in the District. Councillor Maskell confirmed that no areas of concern had currently been identified.

DSD

The Council could see the clear benefits of the use of sprinkler systems and had committed to reviewing the Motion from the 16 October 2013 Meeting of the Council. In doing so, the Council would look to take into account any emerging guidance and lessons learnt from the Grenfell tragedy.

DSD

Over the past two years the Council had built 22 new affordable homes with communal facilities. Councillor Maskell outlined the fire safety features that had been incorporated into their construction.

DSD

Following recent events, the Council was exploring what additional actions it could take in relation to fire safety in order to provide peace of mind to those who might be living in self-contained flats with communal entrances. The Council would like to consider all the options including the installation of sprinkler systems in consultation with East Sussex Fire and Rescue Service. The Council would seek expert advice from its partners.

DSD

The Council would always put the safety of its residents first and would take all necessary steps to ensure that was the case for the homes that it provided directly and for those that it was responsible for regulating.

DSD

(Note: Councillor Smith invited the Liberal Democrat Group on the Council to nominate one of its Members to participate in the review process in respect of the Motion from the 16 October 2013 Meeting of the Council, as referred to above).

DSD

Agenda Item No: 10

Lewes District Council's Forward Plan of Decisions – 1 September 2017 to 31 December 2017

Published: 25 August 2017

KD = Key Decision

NKD = Non-Key Decision

Proposed decision to be considered	Date of Cabinet meeting	Consultation: How, with whom and by what date	Representations: How, by whom and by what date	Background documents	Contact Officer
To agree a revised Housing Allocations Policy (KD) (Lead Councillor: Councillor Maskell)	27 September 2017	A consultation draft is to be finalised at the beginning of March and will then be circulated and discussed with tenants' representatives and other key stakeholders including local Registered Providers of housing and colleagues across East Sussex	Via email from Registered Providers of housing, East Sussex County Council and Tenants of Lewes District group by the end of May 2017	Current Housing Allocations Policy	Ian Fitzpatrick Director of Service Delivery 01273 471600 ian.fitzpatrick@lewes.gov.uk

Proposed decision to be considered	Date of Cabinet meeting	Consultation: How, with whom and by what date	Representations: How, by whom and by what date	Background documents	Contact Officer
<p>To agree the preferred delivery option for the North Street Quarter (Part of the Report is likely to contain Exempt (ie confidential) information as defined by Part 1 of Schedule 12A of the Local Government Act 1972 (as amended), as it will include information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption outweighs the public interest in disclosing the information) (KD) (Lead Councillor: Councillor Smith)</p>	<p>27 September 2017</p>	<p>Public consultation has taken place during the planning application stages of the North Street Quarter scheme, and at subsequent points during its detailed development.</p>	<p>See responses to planning application ref: SDNP/15/01146/FUL</p>	<p>Not applicable</p>	<p>Bev Lucas Regeneration Specialist – North Street Quarter 01273 085523 beverley.lucas@lewes.gov.uk</p>

Proposed decision to be considered	Date of Cabinet meeting	Consultation: How, with whom and by what date	Representations: How, by whom and by what date	Background documents	Contact Officer
Update on the Contract Between Lewes District Council and Other Parties to Manage Upper Ouse Flood Protection and Water Retention Work as Agreed by the Council on 25 February 2016 (KD) (Lead Councillor: Councillor Linington)	27 September 2017	None	None	Minutes of the Meeting of the Council held on 25 February 2016	Tim Bartlett Specialist Advisor (Environment) 01273 085490 tim.bartlett@lewes.gov.uk
Request for Capital spend to Repair Groyne 19 at Friars Bay, Peacehaven (KD) (Lead Councillor: Councillor Smith)	27 September 2017	Local Ward Councillors	None	Brighton Marina to Newhaven Western Harbour Arm Plan - Summary of findings for the Local Community	Tim Bartlett Specialist Advisor (Environment) 01273 085490 tim.bartlett@lewes.gov.uk
Quarterly Financial Update: Revenue Budgets and Capital Programme (KD) (Lead Councillor: Councillor Giles)	27 September 2017	None	Direct to Contact Officer by email, writing or telephone by 8 September 2017	None	Steve Jump Deputy Head of Finance 01273 085257 Steve.Jump@lewes.gov.uk

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Quarterly Corporate Performance – LDC (NKD) (Lead Councillor: Councillor Smith)	27 September 2017	None	None	Council Plan 2016-2020	Jo Harper Head of Business Planning and Performance 01273 484049 jo.harper@lewes.gov.uk
Update to members on Joint Transformation Project progress (NKD) (Lead Councillor: Councillor Smith)	27 September 2017	None	None	None	Henry Branson Assistant Director of Business Transformation 01273 471600 henry.branson@eastbourne.gov.uk
Draft Lewes Tourism Strategy 2018-2021 (NKD) (Lead Councillor: Councillor Nicholson)	27 September 2017	Not applicable	Not applicable	Draft Summary of Tourism Strategy	Phil Evans Director of Tourism and Enterprise philip.evans@eastbourne.gov.uk 01323 415411 07799 582287
To agree business support package for the Lewes District (NKD) (Lead Councillor: Councillor Smith)	27 September 2017	Ongoing through set-up and delivery of Local Enterprise & Apprenticeship Platform (LEAP) Business Start-up Programme	Not applicable	LEAP – Employment and Skills Cabinet Report 20 November 2014	Kerry Barrett Regeneration Project Manager 01323 415624 kerry.barrett@eastbourne.gov.uk

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Ward Issues Raised by Councillors at Council (NKD) (Lead Councillors: Councillors Franklin, Giles and Linington)	27 September 2017	Not applicable	Not applicable	Not applicable	Trevor Hayward Committee Officer 01273 085429 trevor.hayward@lewes.gov.uk
To advise members of an allocation for £180,179 of Community Housing Funds from Central Government and to outline planned expenditure in respect of the grants funding (NKD) (Lead Councillor: Councillor Maskell)	27 September 2017	Not applicable	Not applicable	Not applicable	Laura Webster Development Project Manager, 01323 415616 laura.webster@eastbourne.gov.uk
Wave Leisure Service Plan 2018/19 (NKD) (Lead Councillor: Councillor Nicholson)	27 September 2017	None	None	Wave Service Plan 2018/19	Robert Brennan Procurement Manager 01323 415502 robert.brennan@lewes.gov.uk
Land at Pinwell Road (KD) (Lead Councillor: Councillor Giles)	13 November 2017	Not applicable	Not applicable	Not applicable	Bee Lewis Head of Property and Facilities 01323 415521 bee.lewis@lewes.gov.uk

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To approve the publication of Local Plan Part 2 Site Allocations and Development Management Policies - Proposed Submission for consultation and subsequent submission to the Secretary of State for Examination (KD) (Lead Councillor: Councillor Jones)	13 November 2017	Extensive formal and informal consultation undertaken in developing the document during the past 4 years	Formal public consultation for a period of 10 weeks from 27 th November 2017 to 4 th February 2018. All previous consultees will be invited to make representations on Local Plan Part 2 over the 10 week consultation period. All representations will be considered by the Inspector who conducts the Examination	Local Plan Part 2 (LLP2) Site Allocations and Development Management Policies Habitat Regulations Assessment (HRA) Addendum 2017 responding to the Judgement of Justice Jay on the Joint Core Strategy Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA) of LLP2 Strategic Housing and Economic Land Availability Assessment (SHELAA) 2017	Tondra Thom Planning Policy Lead 01273 085677 Tondra.thom@lewes.gov.uk
Local Council Tax Support Scheme (KD) (Lead Councillor: Councillor Giles)	13 November 2017	With major preceptors	At East Sussex Finance officers meeting	None	Ian Morris Head of Customer Service 01273 085079 ian.morris@lewes.gov.uk

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Local Business Rates Relief Scheme (KD) (Lead Councillor: Councillor Giles)	13 November 2017	Consultation will take place with such persons and groups as the council considered likely to have an interest in the operation of the scheme	Consultation will commence in August 2017. Representations to the Contact Officer by the middle of September 2017.	None	Nick Ducatel Senior Specialist Advisor 01323 415914 Nick.ducatel@eastbourne.gov.uk

Proposed decision to be considered	Date of Cabinet meeting	Consultation: How, with whom and by what date	Representations: How, by whom and by what date	Background documents	Contact Officer
<p>To authorise the publication of the draft New Affordable Housing Technical Note: Supplementary Planning Document (SPD) for public consultation for an 8 week period (KD) (Lead Councillor: Councillor Jones)</p>	<p>13 November 2017</p>	<p>Extensive 8 week formal consultation to be undertaken with stakeholders with an interest in the implementation of the document</p>	<p>Formal public consultation for a period of 8 weeks from late November 2017 to late January 2018. All previous and potential consultees will be invited to make representations on the draft Affordable Housing Supplementary Planning Document over the 8 week consultation period</p>	<p>New Affordable Housing Technical Note: Supplementary Planning Document.</p> <p>Strategic Environmental Assessment (SEA) Report.</p> <p>Lewes District Local Plan Part 1 – Joint Core Strategy.</p> <p>House of Commons: Written Statement (HCWS50) made by: The Minister of State for Housing and Planning (Brandon Lewis) on 28 Nov 2014.</p> <p>Skipton Properties Ltd, R (On the Application Of) v Craven District Council [2017] EWHC 534 (Admin). Case No: CO/5521/2016.</p>	<p>Anthony Howell Strategic Policy Officer 01273 085355 anthony.howell@lewes.gov.uk</p>

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Community Safety Partnership and Action Plan (KD) (Lead Councillor: Councillor Nicholson)	13 November 2017	The proposals and action plan will be developed in consultation with members of the current Community Safety Partnerships in Lewes and Eastbourne, including the office of the Police and Crime Commissioner, Sussex Police, the Safer East Sussex team and East Sussex Fire and Rescue. The action plan will also be developed in consultation with members of the Joint Action Groups in each area, including local businesses, voluntary agencies such as Neighbourhood Watch and Town Council representatives. Consultation will take place between August and end of October 2017.	By email from stakeholder organisations and their members by 31 October 2017.	None	Pat Taylor Strategy and Partnerships Lead – Thriving Communities 01323 415909 pat.taylor@lewes-eastbourne.gov.uk

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Equality and Fairness Policy and analysis (KD) (Lead Councillor: Councillor Merry)	13 November 2017	A consultation draft of the policy and outline proposals was circulated to members of the Council's current Equality and Fairness Working Group in July, and to members of local organisations representing groups protected under the Equality Act.	Via email from stakeholder organisations and their members by 30 September 2017.	Current Lewes District Council Equality Policy	Pat Taylor Strategy and Partnerships Lead – Thriving Communities 01323 415909 pat.taylor@lewes-eastbourne.gov.uk
Quarterly Financial Update: Revenue Budgets and Capital Programme (KD) (Lead Councillor: Councillor Giles)	13 November 2017	None	Direct to Contact Officer by email, writing or telephone by 20 October 2017	None	Steve Jump Deputy Head of Finance 01273 085257 Steve.Jump@lewes.gov.uk
Quarterly Corporate Performance – LDC (NKD) (Lead Councillor: Councillor Smith)	13 November 2017	None	None	Council Plan 2016-2020	Jo Harper Head of Business Planning and Performance 01273 484049 jo.harper@lewes.gov.uk