



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** on **Thursday, 09 November 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.

01/11/2017

Catherine Knight
Assistant Director of Legal and Democratic Services

Agenda

1 Minutes

To confirm and sign the Minutes of the meeting held on 14 September 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. A Supplementary Report will be circulated at the meeting to update the main Reports with any late information.

- 6 North Street Quarter Due Dilligence Report (page 3)**
To consider the Report No 158/17 herewith.
- 7 Portfolio Progress and Performance Report 2017-18 - Quarter 2 (July - September 2017) (page 23)**
To consider the Report of the Director of Regeneration and Planning (Report No 159/17 herewith).
- 8 Annual Lewes District Community Safety Partnership Report (page 47)**
To consider the Report of the Director of Service Delivery (Report No 160/17 herewith).
- 9 Equality and Fairness Policy Report (page 89)**
To consider the Report of the Director of Regeneration and Planning (Report No 161/17 herewith).
- 10 Scrutiny Work Programme Report (page 119)**
To consider the Report of the Assistant Director of Legal and Democratic Services (Report No 162/17 herewith).
- 11 Forward Plan of Decisions - 1 November 2017 - 28 February 2018 (page 125)**
To receive the Forward Plan of the Council (copy herewith).

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:** 158/17
Report Title: Review of North Street Quarter Due Diligence
Report To: Scrutiny Committee **Date:** 9 November 2017
Cabinet Member: Councillor Andy Smith
Ward(s) Affected: All Lewes Wards
Report By: Ben Bix, Committee Services Lead
Contact Officer(s)-

Name(s): Ben Bix
Post Title(s): Committee Services Lead
E-mail(s): ben.bix@lewes-eastbourne.gov.uk
Tel No(s): 01323 415702

Purpose of Report:

- 1 This report proposes the method for the Scrutiny Committee to conduct the review of the North Street Quarter (NSQ) due diligence undertaken by the Council to date, in an open, transparent and efficient way with regard to the timeline set out in section 14 of this report.

Officers Recommendation:

- 2 That the Scrutiny Committee review the due diligence undertaken by the Council to date, and report back to the Director of Planning and Regeneration and the North Street Quarter Members' Oversight Board.
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Reasons for Recommendations

- 3 To discharge Cabinet resolution 22.2 of 27 September 2017, that the Scrutiny Committee be invited to conduct a review of the due diligence to date of the North Street Quarter Development Partner.

Background and Due Diligence

- 4 Cabinet received a report entitled North Street Quarter – Delivery Route at its meeting on 27 September 2017. That report and appendices set out the proposed delivery route, draft timeline and proposed that the Land Collaboration Agreement would include an 'option' for NSQ Ltd to appoint Artisan as the Phase 1 Development Partner on terms approved by Lewes District Council. Appendix 4 identifies the information that NSQ Ltd must provide to the council by 31 December 2017 in order for the Council to consider the appointment of Artisan.

- 5** Any decision to appoint a Development Partner for Phase 1 will have regard to the Council's due diligence.

Scope of Due Diligence

- 6** The scope of due diligence includes financial and legal checks in respect of the following companies:
- a) North Street Quarter Limited (NSQ Ltd), incorporated in the Isle of Man British. The owner of part of the proposed development site.
 - b) MAS Real Estate Incorporated (MAS REI), incorporated in the British Virgin Isles. The ultimate owner of North Street Quarter Limited (see below for further details).
 - c) Artisan Real Estate Incorporated (Artisan) incorporated in the Isle of Man. A potential Development Partner in respect of Phase 1.
- 7** The extent of due diligence carried out at any particular point in time depends on the stage reached in the project. Due diligence is always based on a snapshot in time and may have to be updated depending on circumstances and timing of events.
- 8** The matters covered in a legal opinion vary depending on the stage reached in the particular transaction. If a proposed agreement has been finalised a full opinion will be commissioned, including an opinion as to whether the company has the necessary corporate powers and corporate authorisations to enter into the particular agreement. Sometimes an initial opinion is sought where the documentation has not been settled and the foreign lawyer is being asked to opine on whether the company has the legal capacity and power to enter into certain types of documentation, such as an English law governed guarantee.
- 9** The meeting will be limited to the scope of due diligence **to date** by the Chair.

Financial and legal due diligence

- 10** Appendix 2 sets out an overview of legal due diligence for transactions where companies are not incorporated in England and Wales. The three companies referred to above are not incorporated in England and Wales.
- 11** In January 2016 Cabinet authorised the negotiation and execution of a Land Collaboration Agreement (LCA) between the Council and North Street Quarter Ltd. The LCA will be an agreement between the two landowners: Lewes District Council and NSQ Ltd. It will set out the framework within which the two partners will work together to deliver all three phases of the North Street Quarter development. This framework includes governance arrangements, the duties and mutual obligations of the landowners and a framework for agreeing such matters as disposals, sales proceeds and equalisation.

- 12 At its meeting in June 2017, Cabinet approved work on a delivery route for Phase 1 of the scheme which involved carrying out due diligence on Artisan as potential Development Partner for Phase 1.
- 13 In September 2017 Cabinet considered a report proposing that the LCA include an 'option' for NSQ Ltd. to appoint Artisan as the Phase 1 Development Partner on terms approved by the Council. The report identified the information that NSQ Ltd should provide by 31 December 2017 in order for the Council to consider the appointment of Artisan. Cabinet gave delegated authority to the Director of Regeneration and Planning (in consultation with the North Street Quarter Members Oversight Board) to appoint Artisan as Phase 1 Development Partner, having regard to Scrutiny Committee's feedback on due diligence.
- 14 In order to satisfy the timeline to 31 December 2017, the North Street Quarter Members Oversight Board would need to convene to receive the findings of the Scrutiny Committee, as made to the Director of Planning and Regeneration, in the week commencing 4 December.
- 15 The project documentation will include the following:

a) The Land Collaboration Agreement

When the LCA agreement has been finalised the Council will require a full foreign legal opinion in respect of NSQ Ltd before entering into the agreement.

Publicly available records show no negative financial factors relating to NSQ Ltd. A further review will be carried out prior to entering into the agreement, including checking audited accounts.

b) The Development Agreement (Phase 1)

If Artisan is to be appointed as Phase 1 Development Partner the Council must first be satisfied that Artisan is capable of delivering the project. A decision will be based on the information that NSQ Ltd must provide by 31 December 2017.

If a decision is taken to appoint Artisan it will still be necessary for a foreign legal opinion to be obtained unless the Council is satisfied that this has been covered in the information to be provided by NSQ Ltd.

Publicly available records, including 3 years audited accounts, show no negative financial factors relating to Artisan. It is anticipated that detailed financial information including the most recently audited accounts will be covered in the information to be provided by NSQ Ltd.

If Artisan is not appointed it will be necessary to go through the normal due diligence process when appointing the Development Partner, covering capability and capacity to deliver the project and legal and financial due diligence to the extent not already covered in that process.

c) A Guarantee

A guarantee will be sought in connection with the Phase 1 Development Agreement. If Artisan is appointed as Phase 1 Development Partner the Council will look to MAS REI to provide the guarantee. An initial foreign legal opinion has been obtained in respect of MAS REI, showing that it is capable of providing an English law governed guarantee. A full foreign legal opinion will be required in respect of the actual guarantee agreement. Publicly available records show no negative financial factors relating to MAS REI. The records include MAS REI's Integrated Annual Report 2017.

Appendix 3 contains tables showing legal and financial due diligence carried out to date and what officers expect to do as the project moves forward. This builds on and summarises the information set out above.

Group structure and ownership

- 16 MAS REI owns 100% of the shares in MAS (BVI) Holdings Ltd, which owns 100% of the shares in MAS (Isle of Man Holdings Ltd), which owns 100% of the shares in NSQ Ltd.
- 17 MAS REI's Integrated Annual Report 2017 states that there is no ultimate controlling party and that the group is controlled by its ordinary shareholders in aggregate. The Integrated Annual Report goes on to say that Artisan is a real estate management company over which directors of MAS REI were able to exert significant influence.

Involvement of MAS REI / NSQ Ltd

- 18 The proposed development relates to adjoining lands owned by the Council and NSQ Ltd. This is not a conventional procurement exercise, in that NSQ Ltd owns a major part of the site and will not agree to anyone else carrying out the development. In public procurement terms the "exclusive right" to undertake the whole of the development can fall to NSQ Ltd.
- 19 MAS REI is the ultimate owner of NSQ Ltd. MAS REI has substantial experience in major regeneration schemes across Europe. Established in 2008, the company has assembled, through acquisition and development, a high quality portfolio of retail, office, industrial logistics and hotel properties across Europe. There are examples in the UK that demonstrates MAS REI's experience and success in delivering major regeneration schemes.
 - New Waverley is a large scale £180 million mixed-use regeneration project in the historic heart of Edinburgh in the former industrial areas off the Royal Mile. The scheme was purchased in 2011 and with planning subsequently secured. The project is set to create 2,000 jobs for the city and will create 732,000sq ft of new space. Two of the three new hotels have been completed and leases have been concluded with major hotel operators. 28 new retail and leisure units have also been completed.

- Langley Park in Chippenham is a 48 acre site which was bought for £32 million in December 2014. Planning permission was recently achieved for 19 acres of residential redevelopment for 280 homes alongside a supermarket and hotel with ground floor retail. The 69 room hotel has been pre-let to Travelodge and the 1,741 sq. m. food retailer space has been pre-sold to Aldi.

Review Method

20 Scrutiny Procedure Rule 19 (b) sets out three principles for how scrutiny reviews will be undertaken. These are summarised as follows:

- i) that the review be conducted fairly and all members of the Committee be given the opportunity to ask questions of attendees, and to contribute and speak;
- ii) that those assisting the committee by giving evidence (witnesses) be treated with respect and courtesy; and
- iii) that the review be conducted so as to maximise the efficiency of the review.

Witnesses

21 Four witnesses have been invited to attend the committee:

- Nazeya Hussain, Director of Regeneration and Planning, Lewes and Eastbourne Councils
- Jonathan Knight, Chief Investment Officer, MAS Real Estate Investors
- Mark Reynard, Senior Lawyer, Lewes and Eastbourne Councils
- Steve Jump, Head of Finance, Lewes and Eastbourne Councils

22 The Chair will conduct the meeting with regard to the principles set out at 4 above as follows:

- (a) The Chair will welcome the witnesses and introduce the scope of the review (as set out in 6 above)
- (b) Relevant written questions submitted under agenda item 4 will be heard first and responded to by the witnesses
- (c) The Chair shall then call each Member indicating their intention to ask a question, to each ask their question in turn, and a response will be provided by the witnesses
- (d) One supplementary question from the Member that put the original question will be permitted by the Chair, the supplementary question must arise directly out of the original question or the reply
- (e) Once all questions have been disposed of, the Chair will sum up the review and move a recommendation to the Director of Planning and Regeneration and the North Street Quarter Members' Oversight Board
- (f) The Chair will seek a seconder for the recommendation and seek the agreement of the Committee
- (g) The Director of Planning and Regeneration and the North Street Quarter Members' Oversight Board will receive and consider the

recommendation of the Scrutiny Committee at its next meeting according to the timeline set out at 13 above

- 23 Section 9FA of the Localism Act 2011 limits the scope of questions insofar as a witness would not be obliged to answer any question which the person would be entitled to refuse to answer in or for the purposes of proceedings in a court in England and Wales.

Financial Appraisal

- 24 There are no financial implications arising from this report. The Scrutiny function is budgeted for and any recommendations made by the Committee would be subject to a financial appraisal by the decision maker to which the recommendations were made. A comprehensive summary of the financial due diligence undertaken to date has been provided in Appendix 3.

Legal Implications

- 25 This report refers to normal due diligence procedures in respect of transactions where companies are not incorporated in England and Wales. The extent of due diligence carried out at any particular point in time depends on the stage reached in the project. Due diligence has been carried out to date and appropriate further due diligence will be completed as the project moves forward.
- 26 Cabinet resolution 22.2 of 27 September 2017, delegated the making of the decision to appoint the Phase 1 development partner to the Director of Planning and Regeneration. The Director of Planning and Regeneration is therefore the executive decision maker for the purposes of the Scrutiny Procedure Rules.

Risk Management Implications

- 27 The Strategic Risk Register 2016/17, reported to Cabinet, includes the project, and a comprehensive project risk register is maintained which includes risks and mitigations relating to planning, scheme delivery, project management and governance, and communications.

Equality Screening

- 28 Equality screening has been carried out for previous North Street Quarter reports to Cabinet. This report raises no new equality issues.

Background Papers

- 29 [Cabinet Report number 4/16 - 7 January 2016](#)
[Cabinet Report number 95/17 - 26 June 2017](#)
[Cabinet Report number 128/17 - 27 September 2017](#)

Appendices

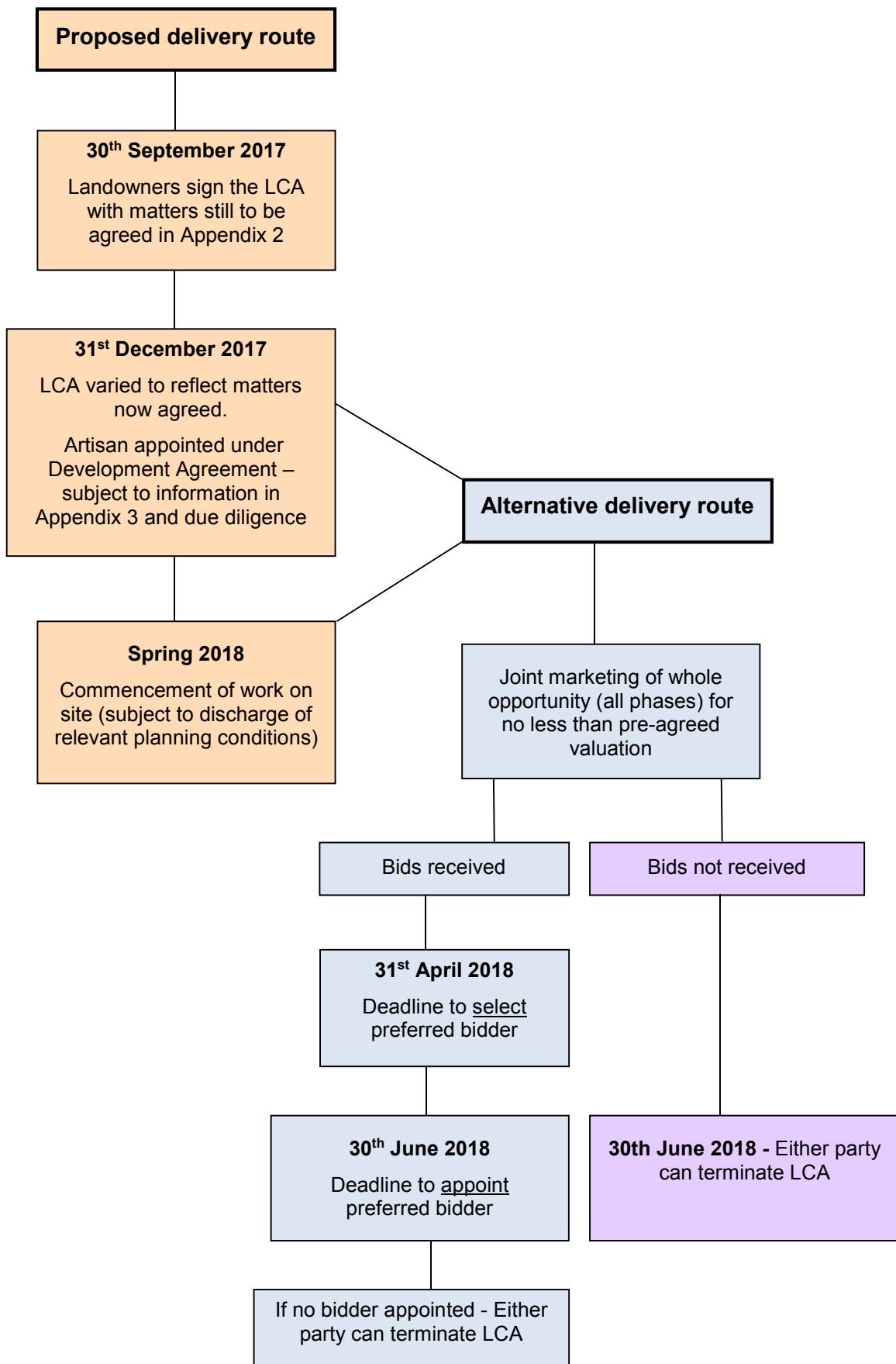
28 Appendix 1 – NSQ Development Delivery Route: draft timeline

Appendix 2 - Overview of legal Due Diligence

Appendix 3 - Due Diligence Table

Appendix 4 – Clause 8 of the Land Collaboration Agreement: Appointing Artisan as Development Partner

Appendix 1 – NSQ Development Delivery Route: Draft timeline



Appendix 2 - Overview of legal due diligence – companies not incorporated in England and Wales

1. Where a party giving contractual obligations is incorporated in one jurisdiction (for example the Isle of Man) but the transaction documents are expressed to be governed by the laws of a different jurisdiction (for example England and Wales), the party wishing to enforce those obligations will usually require an opinion from a lawyer operating in the jurisdiction of incorporation. This is known as a foreign legal opinion.
2. This process often includes obtaining certificates of incumbency, fact and good standing. The precise form of certificate or certificates depends on the particular jurisdiction, timing and the particular requirements relating to the transaction.
3. Matters covered by opinions and certificates can include the following:
 - Whether the company is duly incorporated under local laws (i.e. the laws of its jurisdiction of incorporation).
 - Whether strike-off action is pending under local laws.
 - Whether the company is subject to insolvency proceedings.
 - Whether any legal actions are pending against the company in local civil proceedings cause books.
 - Whether the company has the necessary corporate powers and corporate authorisations to enter into a particular agreement.
 - Whether the agreement is enforceable in the foreign jurisdiction.
 - What steps need to be taken to enforce an English court judgment abroad (for example registration of judgment in the local High Court).
 - The due execution of documents (i.e. the manner in which the company can enter into legally binding documents).
 - Who can legally bind the company when signing/executing contracts (acting as an authorised signatory).
 - The list of directors.

Appendix 3

Due Diligence Table

MAS REI (incorporated in the British Virgin Isles)

Form of Due Diligence	
Legal	
Initial Foreign Legal Opinion and Certificate of Incumbency	<p><u>Legal Opinion</u></p> <p>Obtained from Appleby (Isle of Man) LLC, one of the longest established legal practices in the Isle of Man. Appleby provides legal advice in relation to Isle of Man and British Virgin Islands law and facilitates the provision of legal advice in Bermuda, the Cayman Islands, Guernsey, Jersey, Mauritius and the Seychelles. The firm is ranked in the top tier of legal directories for corporate advice. The following is a summary of the opinions given by Appleby.</p> <ul style="list-style-type: none"> • MAS REI is incorporated under British Virgin Islands law with limited liability. • It is of good standing with the Registrar of Corporate Affairs of the BVI. • MAS REI has the legal capacity and power to enter into a standard form English law governed guarantee. • A judgment obtained in the High Court of England would be enforced in the High Court of the BVI without re-examination of the merits of the case provided that the English judgment is registered in the BVI Court. The opinion letter sets out the steps required to be satisfied before a foreign judgment may be registered in the BVI High Court. • There are no legal actions pending against MAS REI in the civil proceedings cause book of the BVI High Court. • No currently valid order or resolution for winding up MAS REI and no current notice of appointment of a receiver over the company or its assets appears on the records maintained in respect of the company. <p>The opinion was commissioned on an interim basis in advance of any guarantee document being available. The capacity and enforceability opinions are given on a general basis and Appleby recommend that an additional specific opinion is obtained at the point when any actual guarantee</p>

	<p>is to be executed by MAS REI.</p> <p>Certificate of Incumbency</p> <p>The Certificate of Incumbency has been issued by Midocean Management and Trust Services (BVI) Limited, a subsidiary of Maitland International Holdings plc. The certificate includes details of the directors.</p> <p>A Certificate of Incumbency of an offshore company is issued by its registered agent or authorities of the jurisdiction of incorporation. A registered agent provides management services for companies. A certificate attests that the persons listed are actually directors of the company. This assists in terms of determining who can legally bind the company when signing/executing contracts as an authorised signatory.</p>
Final Foreign Legal Opinion and Certificate of Incumbency	To be obtained prior to completion of guarantee, as recommended by Appleby.
Financial	
Review of publicly available records	<p>Completed, including a review of MAS REI's Integrated Annual Report 2017.</p> <p>MAS REI is registered on the Johannesburg Stock Exchange (JSE) and Luxembourg (LSE) Stock Exchange.</p> <p>No negative factors have been identified in the research undertaken to date.</p>

North Street Quarter Limited (incorporated in the Isle of Man)

Form of Due Diligence	
Legal	
Initial Foreign Legal Opinion and registered agents certificate	Rely on Final Foreign Legal Opinion (see below)
Final Foreign Legal Opinion and registered agents certificate	To be obtained prior to completion of Land Collaboration Agreement
Financial	
Review of publicly available records	<p>Completed.</p> <p>The following documents have been obtained from the Isle of Man Companies Registry.</p> <ul style="list-style-type: none"> • Annual returns giving a list of Directors and a confirmation statement that the company is keeping reliable accounting records • Notices specifying the release of a registered charge on property, with accompanying documents outlining the nature of the charge • Certificates of name change. <p>The company has met its statutory reporting requirements and a review of the documents obtained indicated consistency with information available from other sources (eg published accounts of MAS REI). No negative factors have been identified in research undertaken to date.</p>
Review of accounts	Finance will review the audited accounts for the most three recent financial years when received.

Artisan REI (incorporated in the Isle of Man)

Form of Due Diligence	
Legal	
Initial Foreign Legal Opinion and registered agents certificate	Rely on Final Foreign Legal Opinion if required (see below).
Final Foreign Legal Opinion and registered agents certificate	To be obtained prior to completion of Development Agreement (if Artisan appointed a Development Partner)
Financial	
Review of publicly available records	<p>Completed.</p> <p>Including a review of the documents held at Companies Registry, reviewing them to ensure completeness of filing and consistency of one to another and with other published information.</p> <p>No negative factors have been identified in the research undertaken to date.</p>
Review of accounts	<p>Audited accounts for three most recent financial years (up to year ending 31 December 2015) reviewed. Finance will review the audited accounts for year ending 31 December 2016 when received.</p> <p>Artisan are meeting their financial reporting requirements, KPMG have given an unqualified audit opinion, and Artisan's proposed role in the North Street Quarter project does not appear to be unusual from a financial perspective.</p>

Appendix 4 – Clause 8 of the LCA: Appointing Artisan as Development Partner

(by 31 December 2017)

8 Appointment of Artisan as Development Partner

- 8.1 [NSQ Ltd. has proposed that Artisan Real Estate Investors Limited, registered in the Isle of Man under company number 004313V, is appointed as a Development Partner for Phase 1.
- 8.2 In order for LDC to confirm whether or not Artisan Real Estate Investors Limited is an acceptable Development Partner it must satisfy itself of the company's capability and financial standing to deliver Phase 1 of the Development.
- 8.3 NSQ Ltd. shall provide such information relating to Artisan Real Estate Investors Limited as reasonably requested by LDC, as soon as practicable following such requests, such information to include (without limitation):
 - 8.3.1 three years audited accounts and other evidence of financial capacity to provide the equity funding required for the Development;
 - 8.3.2 two case studies of past projects of a similar size and scope to the Development to include: mix of uses, large scale residential and infrastructure, supported by two written references from clients and/or lenders, with contract value and performance rating, including Health & Safety with full contact details for clients for LDC to contact them independently;
 - 8.3.3 details of any convictions, bankruptcy, insolvency of organisation, director, partners, shareholders including details of any matters pending;
 - 8.3.4 roles and CV's of the Artisan project team, including identification of project team manager (lead) and second lead;
 - 8.3.5 details of the proposed funding for Phase 1 construction cost;
 - 8.3.6 the identity of the proposed guarantor and audited accounts for such proposed guarantor for the three completed financial years of accounting prior to the date of this Agreement, together with and/or such other evidence which reasonably demonstrates that the proposed guarantor is of such financial standing and covenant strength to be able to comply with and discharge obligations that will be binding on Artisan Real Estate Investors Limited;
 - 8.3.7 updated Business Plan (including indicative programme and rationale);
 - 8.3.8 updated Financial Model; and
 - 8.3.9 a risk register identifying:
 - 8.3.9.1 risk type;
 - 8.3.9.2 probability;
 - 8.3.9.3 impact on cost/programme/quality;
 - 8.3.9.4 mitigation measures; and
 - 8.3.9.5 residual risk levels.
- 8.4 NSQ Ltd. shall use reasonable endeavours to provide all information requested by LDC concerning Artisan Real Estate Investors Limited and any proposed guarantor by as soon as reasonably practicable and in any event by 31 December 2017.

8.5 If the information requested by LDC regarding Artisan Real Estate Investors Limited and its proposed guarantor is:

- 8.5.1 not provided;
- 8.5.2 is incomplete; or
- 8.5.3 insufficient to permit LDC [acting properly and reasonably) to confirm whether Artisan Real Estate Investors Limited is an acceptable Development Partner for Phase 1,

by 31 December 2017 then Artisan Real Estate Investors Limited is deemed not to be an acceptable Development Partner for Phase 1.

8.6 If LDC reviews the information requested by it and provided by NSQ Ltd. regarding Artisan Real Estate Investors Limited and the proposed guarantor and is of the opinion that Artisan Real Estate Investors Limited is not acceptable as a Development Partner of Phase 1 then the Parties agree to work together to identify a third party Developer Partner of Phase 1, the terms of how the third party Developer Partner is identified and appointed by the Parties is to form part of the variation of this Agreement referred to in clause 7.

Agenda Item No: 7 **Report No:** 159/17

Report Title: Portfolio Progress and Performance Report 2017/18 - Quarter 2 (July - September 2017)

Report To: Scrutiny **Date:** 9th November 2017
Cabinet **Date:** 13th November 2017

Cabinet Member: Councillor Elayne Merry, Portfolio Holder

Ward(s) Affected: All

Report By: Nazeya Hussain, Director of Regeneration and Planning

Contact Officer

Name: Millie McDevitt
Post Title: Performance and Programmes Lead
E-mail: Millie.McDevitt@lewes-eastbourne.gov.uk
Tel No: 01273 085637 / 01323 415637

Purpose of Report:

1. To consider the Council's progress and performance in respect of key projects and targets for the second quarter of the year (July to September 2017 (Quarter 2)) as shown in Appendix 1.

The Scrutiny Committee is recommended to;

2. Consider progress and performance for Quarter 2 and make any relevant recommendations to Cabinet.

The Cabinet is recommended to;

3. Consider progress and performance for Quarter 2 and consider any relevant recommendations made by the Scrutiny Committee.
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Reasons for Recommendations

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

Background

5. The Council has an annual cycle for the preparation, implementation and monitoring of its business plans and budgets. This cycle enables us to review regularly the Council's work and the targets it sets for performance, to ensure these continue to reflect customer needs and Council aspirations.
6. 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 and refreshed by the Cabinet in July 2017.

7. 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 second quarter of 2017/18 (the period running from 1st July to 30th September 2017).

Performance in the Second Quarter of 2017/18

8. 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.
9. Detailed project/performance tracking information is recorded in the Council's performance management information system (Pentana- formerly known as 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 2

10. An overview of the Council's performance as at the end of the 2nd quarter is set out below:
 - 90% of the Council's key projects were either completed or on track at the end of the 2nd quarter. There are no project delays which constitute any serious risk to the Council.
 - 65% of the Council's performance targets were either met, exceeded or within acceptable levels during the 2nd quarter. This is a reduction from quarter 1.
 - Seven indicators did not meet their planned targets during the 2nd quarter (see paragraph 25 below).

The Good News for Quarter 2 –  Notable project milestones or service performance achieved.

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

Regeneration and Business

12. The **Newhaven Enterprise Zone** project has made good progress in quarter two, including on the Town Centre redevelopment plans and potential investment for Eastside North. The new EZ Programme Manager starts on 30th October.
13. East Sussex County Council is close to submitting a business case for the **Newhaven Port Access Road** with a decision expected from the Department for Transport by the end of the year.

People and Performance

14. An implementation report for the **Lewes Lottery** project is elsewhere on the agenda for the Cabinet meeting. The **Number of new self-serve accounts on our website** continues to increase.

Environmental Impact

15. Work on the delivery of the priority projects for Lewes through the **Joint Venture for Energy & Sustainability** has commenced.

Finance

16. All finance targets were met in quarter two: **Percentage of Invoices paid on time**, **Percentage of Council Tax collected during the year** and **Percentage of Business Rates collected during the year**.

Housing

17. The indicator for **Total number of days that families need to stay in emergency/B&B accommodation** has achieved zero for the sixth continuous quarter.

Planning

18. The **Local Plan (Part 2)** project is now ready to proceed with a period of consultation between late November and late January.

Waste and Recycling Transformation

19. The roll-out of the **Green Waste** service project has completed ahead of schedule.

Customer and Partners

20. The performance for **Number of people registering for our email service** continues to out-perform expectations, delivering five times the target for the quarter (2,723 against a target of 501).

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.

20. There were two performance indicators which fell into this category during the second quarter:

- **Percentage of rent collected during the year (cumulative):** Quarter two achieved 94% against a 95% target. This data is subject to final verification.
- **Overall tenants' satisfaction:** Quarter two achieved 86% against a 90% target. The survey is carried out quarterly with a random sample of tenants, so there is a small margin of accuracy. All specific comments returned are acted upon. Officers will continue to monitor this PI closely.

21. Two projects are being reported as amber at the end of the second quarter.

22. **Joint Transformation Project:** Progress has been made on the challenges around network migration that led to the higher risk rating recorded last month. Migration to the CX system is on track, with network migration back on schedule for Q3. The Assistant Director for Transformation left at the end of September. A new Programme Manager has been secured and is due to start in November.

23. **Devolution of Open Spaces:** The devolution process is taking longer than anticipated which is why the status has changed to amber.

- Lewes Town Council Devolution: Documentation in relation to Landport Bottom agreed and expected to be completed shortly.
- Newhaven Town Council Devolution: It is proposed that the first "wave" of sites to be devolved consists of Valley Road, Eastside Rec, Drove Park, Avis Road Rec and Lewes Road Rec.

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.

24. There were seven areas where this was the case in the second quarter.

25. **Average working days lost due to sickness per FTE equivalent staff:** The annual target for this indicator is 9 days. The first two quarters of this year have totalled 5.6 days which is above the target of 4.5 days at this point of the year. Sickness absence continues to be a priority within the organisation with line managers and HR closely monitoring sickness absences.

26. **Total number of households living in emergency accommodation:** Pressures on housing reflect the national and regional situation. In the second quarter there were 19 households living in emergency accommodation. This was higher than the target of 15 households. This number has increased because one of our temporary accommodation blocks was temporarily closed for health and safety works. This has

meant moving the residents into emergency accommodation until the works are complete.

- 27. Total number of households living in other temporary accommodation:** At the end of Quarter 2 the number of people in emergency accommodation was 62. This is higher than the last quarter and higher than the target of 50. Work is continuing to revise the staffing structure through the JTP programme. This will focus on finding housing solutions to move people on from emergency accommodation and reduce reliance on Council accommodation to discharge a housing duty.
- 28. Percentage of major planning applications determined within 13 weeks (LDC only):** The performance in quarter two is at 67% against a target of 80%. It is currently on target for the year as a whole. The low number of applications is skewing the figures – in real terms there were only three major applications and two of them did meet the deadlines. There are no immediate issues and the team is constantly monitoring applications and securing time extensions.
- 29. Percentage of minor planning applications determined within 8 weeks (LDC/SDNP combined):** The performance in quarter two is at 70% compared to a target of 75%. The team is monitoring applications and securing time extensions as appropriate.
- 30. Percentage of all planning appeals allowed (officer/committee decisions):** The performance in quarter two is at 66% against a target of 33%. Appeal decisions are being reviewed to assess any implications for policy or how it is applied, and how the Committee is advised of sound reasons for refusal.
- 31. Wave Leisure: Visitors to leisure centres:** 208,757 people participated in wet and dry side activities across the four Wave Leisure sites. In Lewes, Pells Pool is open during the summer months and along the coast, the Saltdean Lido has opened for their first summer after the restoration work. Although the Quarter Two performance falls below target, the visitor numbers are still higher than for the same quarter in 2016/2017. The current target has been carried over from 2016/17. A meeting to discuss and finalise the 2017/18 KPI's with Wave Leisure was held on the 26th October and will be reflected in the next Portfolio Performance Report.

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 Two 2017/18)

APPENDIX 1

PORFOLIO PROGRESS AND PERFORMANCE QUARTER 2 (July to September 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		<p>The NSQ landowners (Lewes District Council and North Street Quarter Ltd.) are currently negotiating the Land Collaboration Agreement (NCA). The Council has proposed a deadline of 31st December 2017 for agreeing these matters. At its meeting on 27th September 2017, Cabinet granted delegated authority for Artisan to be appointed (by NSQ Ltd.) as Phase 1 Development Partner, having regard to due diligence undertaken by the Council and Scrutiny Committee's feedback on this due diligence. The Council has proposed that the LCA identifies a date of 31st December 2017 for agreeing Artisan as Phase 1 Development Partner. If Artisan is not agreed, then the Council has proposed that the landowners will go to the market to seek a third party Development Partner.</p> <p>The landowners continue to progress the acquisition of the outstanding land interests in the area. Work is also ongoing to discharge the conditions that form part of the planning permission for the scheme.</p>
Newhaven Port Access Road (ESCC Project)	April 2019		ESCC is currently finalising the business case prior to submission to the Department for Transport (DfT). It is expected that a decision will be made by DfT by the end of 2017.

Newhaven Enterprise Zone	March 2042		Good progress with this project in Quarter Two, highlights include: <ul style="list-style-type: none"> • £50k secured from Commercial Support Fund for drainage investigation works at Avis Way • Work ongoing at Eastside South (new business units) • Work progressing well at East Quay (Rampion O&M Base). • Pre-application advice starting on Town Centre redevelopment plans • Eastside North landowner in legal discussions with potential investor • New EZ Programme Manager starts on 30th October
Newhaven Growth Quarter	Complete		All rectification periods now complete. Project for ongoing annual monitoring only.
Newhaven Town Masterplan	tbc		A report went to CMT on 17 th October and is elsewhere on the agenda for the Cabinet meeting. The report will make recommendations for potential development of Newhaven Town Centre.

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		Progress has been made on the challenges around network migration that led to the higher risk rating recorded last month. Migration to the CX system is on track, with network migration back on schedule for Q3. The Assistant Director for Transformation left at the end of September. A new Programme Manager has been secured and is due to start in November.
Lewes Lottery	tbc		Elsewhere on the November Cabinet meeting agenda is a report on the Lewes Lottery with a recommendation that authority is given to the Director of Service Delivery to put in place the steps needed to implement a local lottery. If agreed, the first step will be to appoint an External Lottery Manager.

Key Performance Indicators

KPI Description	2016-17 Q2 Outturn	2017-18 Target	2017-18 Q2	Status	Explanatory Note
Average working days lost due to sickness per FTE equivalent staff	2.00	2.25	2.8		The annual target for this indicator is 9 days. The first two quarters of this year have totalled 5.6 so although we are currently above our target the

					management of sickness absence continues to be a priority within the organisation with close scrutiny and management by line managers and HR.
Performance Improvement Plan					There continues to be close monitoring of attendance management within the councils with support available to staff and managers from HR. HR are working with key managers and colleagues in Finance to ensure robust follow up of information from managers regarding return to work dates and interviews. HR continue to analyse the levels of absence monthly and quarterly to assess whether they are trends or concerns in any particular service area or any specific reasons for absence. To date the reasons for absence have been varied and aside from musculoskeletal injuries in Waste, no themes by service area have been identified.
Number of new self-serve accounts on our website	642	Data Only	2,277		

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		Major modifications to the canalised stretches of the River Ouse at Sheffield Park, where monies from Lewes DC (£34K), the National Trust and Heritage Lottery Funding is enabling the widening of the river, and reconnection of the river to the former flood plain and meanders, providing 10 Ha of extra water storage. This work stretches 2km along the Ouse valley and slows down the river's storm flow by approximately an hour, assisting in reducing the interaction of the river with tidal peaks and so reducing the risk of flooding. A report was presented to Cabinet on 27th September setting out recommendations for taking this project forward.
Newhaven Flood Alleviation Scheme (Environment Agency)	December 2018		Discussions continue with some stakeholders, with possible need to alter route of flood defences on North Quay. The EA are actively managing the situation, with support as necessary.
Joint Venture	April 2037		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. While

			<p>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 and sustainability could be delivered through the Joint Venture.</p> <p>Priority projects to be progressed for LDC are; North Street Quarter: Springman House, New Community Fire Station North Street Quarter; Energy Services Company Newhaven Enterprise Centre: Railway Quay Newhaven Enterprise Centre: Town Centre</p>
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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 Q2 Outturn	2017-18 Q2 Target	2017-18 Q2	Status	Explanatory Note
Percentage of invoices paid on time (within 30 days)	94%	95%	97%		
Percentage of Council Tax collected during the year	58%	58%	58%		
Percentage of Business Rates collected during the year	57%	56%	56%		

Housing

Portfolio: Councillor Ron Maskell

Portfolio Projects and Initiatives

Project/Initiative	Target Project Completion	Current Status	Update
Local Growth Fund	July 2018		Development to build 22 new affordable homes completed on 14th July 2017. Split over 5 sites in Seaford, Newhaven, Peacehaven and Telscombe - Includes 8 x 1-bed flats, 6 x 2-bed flats, 8 x 2-bed houses - all 100% affordable rent.
Housing Investment Company	October 2017		LHICL Incorporated on the 4th July 2017. JHIP Incorporated on 30th June 2017.
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	2020		The Council are currently scoping suppliers/providers with a shortlist looking to be assigned to one of the Council's garage courts redevelopment sites within the next Quarter.

Key Performance Indicators

KPI Description	2016-17 Q2	2017-18	2017-18	Status	Explanatory Note

	Outturn	Target	Q2		
Percentage of rent collected during the year (cumulative)	94%	95%	94%		This figure is subject to final verification.
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	13	15	19		Pressures on housing reflect the national and regional situation. In the second quarter there were 19 households living in emergency accommodation. This was higher than the target of 15 households. This number has increased because one of our temporary accommodation blocks was temporarily closed for health and safety works. This has meant moving the residents into emergency accommodation until the works are complete.
Performance Improvement Plan	Once works to one of our temporary housing blocks are complete performance for this indicator should return to previous levels.				
Total number of households living in other temporary accommodation	49	50	62		At the end of Quarter 2 the number of people in emergency accommodation was 62. This is higher than the last quarter and higher than the target of 50. Work is continuing to revise the structure through the JTP programme. This 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. The new staffing structure will 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.				
Average number of days to re-let Council homes (excluding temporary let)	21	25	25		
The number of days taken to process new housing/council tax benefit claim	13	20	17		
Overall tenants' satisfaction	90%	90%	86%		The survey is carried out quarterly with a random sample of tenants, so there is a small margin of accuracy. All specific comments returned are acted upon. Officers will continue to monitor this PI closely.

Planning

Portfolio: Councillor Tom Jones

Portfolio Projects and Initiatives

Project/Initiative	Target Project Completion	Current Status	Update
Neighbourhood Planning	February 2020		<p>Plumpton Parish Council submitted their plan proposal to us and the SDNPA (Reg 15) on 25th September. The consultation for the proposed plan is due to start on 5th October.</p> <p>Newhaven Town Council is currently reviewing comments received during their pre-submission consultation and is meeting with us to discuss them and prepare their submission version.</p> <p>Seaford Town Council is aiming to start their pre-submission Consultation in October/November.</p>
The Local Plan (Part 2)	March 2018		<p>Local Plan Part 2 Cabinet Report and supporting documents are being finalised for November Cabinet. Results of the Habitat Regulations Assessment (HRA) work on air quality impacts on Ashdown Forest are now available and a briefing note has been prepared for CMT. As anticipated the conclusion of this HRA is that there are no likely significant effects from the Joint Core Strategy on Ashdown Forest. Therefore we can proceed with a period of consultation between late November and late January and this will be accompanied by a 'call for sites' for Gypsy and Traveller pitches; anticipated publication of the Plan in Spring 2018 with submission to the Secretary</p>

			of State for Examination late Spring 2018. Adoption of the Plan in January 2019.
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Key Performance Indicators

KPI Description	2016-17 Q2 Outturn	2017-18 Target	2017-18 Q2	Status	Explanatory Note
Percentage of major planning applications determined within 13 weeks (LDC only)	100%	80%	67%		The performance in quarter two is at 67% against a target of 80%. It is currently on target for the year as a whole. The low number of applications is skewing the figures – in real terms there were only three major applications and two of them did meet the deadlines. There are no immediate issues and the team is constantly monitoring applications and securing time extensions.
Performance Improvement Plan	Constant monitoring of applications and securing of extension of time.				
Percentage of minor planning applications determined within 8 weeks (LDC/SDNP combined)	88%	75%	70%		The performance in quarter two is at 70% compared to a target of 75%. The team is monitoring applications and securing time extensions as appropriate.
Performance Improvement Plan	Constant monitoring of applications and securing of extension of time. Focus on validation targets. Seeking to recruit agency staff to cover the admin staff shortfall.				
Percentage of all planning appeals allowed (officer/committee decisions)	0%	33%	66%		Appeal decisions are being reviewed to assess any implications for policy or how it is applied, and how the Committee is advised of sound reasons for refusal. On target for rolling 2 year figures.

Performance Improvement Plan	Review of appeal decisions to assess any implications for policy or how it is applied, and advising the Committee of sound reasons for refusal.			
Percentage of major planning applications allowed on appeal (as a percentage of all major application made to LDC)	0%	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	1	0	0	
Number of major applications for new housing granted planning permission following appeal (LDC only)	0	0	0	

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		<p>September 2017, the first batch of wheelie bins has been delivered to Avis Way ready for the roll out. 240 litre wheelie bins will be provided as standard but if not suitable, residents can request either a slim 140 litre bin or continue to use their current boxes and bags.</p> <p>Householders are urged to complete the online form if they would prefer an alternative to the 240 litre bin. The council will take away unwanted boxes and bins when we deliver the new bin to each property.</p> <p>The service will be introduced in stages, starting in East Saltdean, Telscombe and Peacehaven from November.</p> <p>The refurbishment of the fleet is underway.</p> <p>The communications strategy is working well and LDC residents have responded very positively to the article in District News and activity on social media. Lots of good, clear information is on the website and Customer Services are managing comments and queries. A presentation on the new service to the TOLD AGM 28 September was warmly received.</p>
Waste Strategy: Green Waste Services	May 2019		Project completed ahead of schedule in August 2017. Project closure procedures to be followed and then

			removed from Projects portfolio.
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Key Performance Indicators

KPI Description	2016-17 Q2 Outturn	2017-18 Q2 Target	2017-18 Q2	Status	Explanatory Note
Percentage of household waste sent for reuse, recycling and composting	28%	Data only	27%		
KG waste collected per household	150	Data only	153		

Customers and Partners

Portfolio: Councillor Tony Nicholson

Portfolio Projects and Initiatives

Project/Initiative	Target Project Completion	Current Status	Update
Devolution of Open Spaces	March 2018		<p>The devolution process is taking longer than anticipated which is why the status has changed to amber.</p> <p>LTC Devolution: Documentation in relation to Landport Bottom agreed and expected to be completed shortly.</p> <p>NTC Devolution: It is proposed that the first "wave" of sites to be devolved are; Valley Road, Eastside Rec, Drove Park, Avis Road Rec and Lewes Road Rec.</p>
New Arts and Culture Brand and Tourism Offer	tbc		This project is being presented as a summary report to Cabinet in November.

Key Performance Indicators

KPI Description	2016-17 Q2 Outturn	2017-18 Q2 Target	2017-18 Q2	Status	Explanatory Note
Number of new sign-ups to the Council's social media channels	246	n/a	291		
Number of people registering for our email service	2,271	501	2,723		

Wave Leisure: Visitors to leisure centres	204,418	236,250	208,757	 	208,757 people participated in wet and dry side activities across the four Wave Leisure sites. In Lewes, Pells Pool is open during the summer months and along the coast, the Saltdean Lido has opened for their first summer after the restoration work. Although the Quarter Two performance falls below target, the visitor numbers are still higher than for the same quarter in 2016/2017. The current target has been carried over from 2016/17. A meeting to discuss and finalise the 2017/18 KPI's with Wave Leisure was held on the 26th October and will be reflected in the next Portfolio Performance Report.
Performance Improvement Plan					The current target has been carried over from 2016/17. A meeting to discuss and finalise the 2017/18 KPI's with Wave Leisure was held on the 26th October and will be reflected in the next Portfolio Performance Report.
Average time taken to answer telephone calls	13 secs	30 secs	26 secs		
Proportion of complaints (received by Customer Hub) responded to within target (currently 2 working days)	96%	93%	96%		

Agenda Item No: 8 **Report No:** 160/17
Report Title: Annual Lewes District Community Safety Partnership Report
Report To: Scrutiny Committee **Date:** 9th November 2017
Cabinet Member: Cabinet Member for Customers and Partners
Ward(s) Affected: All
Report By: Director of Service Delivery
Contact Officer(s)-

Name(s): Harry Williams
Post Title(s): Policy & Engagement Coordinator
E-mail(s): Harry.williams@lewes-eastbourne.gov.uk
Tel No(s): 01273 085432

Purpose of Report:

To enable the Committee to scrutinise and consider the current performance of the Lewes District Community Safety Partnership (LDCSP).

To outline issues that may potentially impact future crime and anti-social behaviour (ASB) performance.

To enable the Committee to scrutinise and consider the proposed Community Safety Plan for 2018/19, including the Partnership priorities for this year.

To enable the Committee to scrutinise and endorse the formal merger of the Eastbourne and Lewes District Community Safety Partnerships, subject to consultation with Partners and approval from the Police and Crime Commissioner.

Officers Recommendation(s):

- 1 To note the achievements and activities of the Lewes District Community Safety Partnership during 2016/17 and future risks/opportunities to performance.
- 2 To endorse the Community Safety Action Plan for 2018/19 which will be adopted by the Director of Service Delivery under delegated authority following consultation and approval of the LDCSP Strategy Group.
- 3 To note the completion of the Eastbourne and Lewes District Community Safety Partnership 'Soft Merger' and endorse the full merger of the two Partnerships.
- 4 To agree any further recommendations the Committee would wish to make to the Cabinet Member for Customers and Partners with regard to the work of the Lewes District Community Safety Partnership.

Reasons for Recommendations

5. For the Scrutiny Committee to fulfil its duties under the Police and Justice Act 2006

Information

6.0 Community Safety Partnerships

- 6.1 Community Safety Partnerships (CSP) were initially established under the Crime and Disorder Act 1998 and are formed from Responsible Authorities, such as the police, fire and rescue service and local authorities. Amongst other obligations, CSPs have a statutory requirement to reduce crime and disorder, substance misuse and re-offending in their local authority area.
- 6.2 There are many types of CSPs across the Country. Lewes District Community Safety Partnership (LDCSP) is a District CSP and works alongside the County CSP (namely the East Sussex Safer Communities Partnership). District CSPs are best placed to deal with local priorities. County CSPs generally focus on pan-county issues such as offender management and domestic abuse to maximise on economies of scale.
- 6.3 However, a recent report into community safety and CSPs, carried out by the Local Government Association, identified that CSPs are shifting towards new outcomes around effective safeguarding, reducing vulnerability and risk, early intervention and prevention⁽¹⁾.
- 6.4 Whilst the report highlights the increasing recognition into the role that councils play in community safety, it also demonstrates the challenges that District CSPs face in balancing the needs of the local community against a shift towards outcomes around vulnerability and individuals with multiple and complex needs. These challenges are further sharpened by the ever changing nature of crime highlighted in the Modern Crime Prevention Strategy⁽²⁾.

7.0 Lewes District Community Safety Plan & Priorities

- 7.1 The 2018/19 Community Safety Plan has been developed in consultation with key partners including Sussex Police and other members of the LDCSP. To help develop the priorities in the Plan, an initial questionnaire was shared with partners to collate their feedback which was then discussed at a priority setting workshop held 5 October 2017.
- 7.2 A copy of the Draft 2018/19 Community Safety Plan is set out at Appendix A. It uses a standard countywide format, with a focus on what can realistically be achieved within current resource constraints. The priorities of the Police and Crime Commissioner (PCC), Sussex Police and East Sussex Safer Communities Partnership have been taken into account in developing this plan, as well key local issues.

7.3 The 2017/18 LDCSP priorities are attached as Appendix B.

8.0 Performance

8.1 Looking back to 2009/10, 4701 crimes were recorded in the Lewes District within that year compared with 3638 crimes in 2013/14 - a reduction of 22.6%.

8.2 By the end of 2016/17 4871 crimes were recorded. It should be noted that:

(i) strict adherence to Home Office Crime Recording Procedures by Sussex Police and

(ii) the PCC-led initiative to increase crime reporting in a number of categories including, domestic abuse, hate crime and sexual offences

Contributed to a considerable increase in recorded crime.

8.3 Additionally, the Office of National Statistics (ONS) identified a 10% annual rise in police recorded crime in the year ending March 2017 nationally. It is suggested by the ONS that the national rise is likely to be the result of a range of different factors, some of which reflect those identified in paragraph 9.2 but also include a genuine increase in some crime types⁽³⁾.

8.4 Alternatively, the Crime Survey for England and Wales (CSEW), which asks people about their experiences of crime in the past 12 months, noted a 7% reduction in the level of crime experienced by respondents⁽³⁾.

8.5 Furthermore, where the number of 999 calls made to Sussex Police in 2016/17 has increased by 10.5% compared to the previous year there has been a 0.4% reduction in the number of calls in 2016/17 compared to the average since 2009/10.

8.6 Whilst it is difficult to identify why there has been an increase in police recorded crime, there is a view that reducing police resources and a focus on other priorities (e.g. Serious and Organised Crime) has contributed to the rise in some crime types, such as violent crime.

8.7 Performance for 2016/17 compared with the baseline performance year 2015/16 is set out below.

- Number of incidents of personal Anti-Social Behaviour reduced from 392 to 306 (-21.9%).
- Number of reports of Burglaries reduced from 369 to 352 (-4.6%).
- Number of reports of Criminal Damage to Dwellings and Buildings other than Dwellings reduced from 211 to 186 (-15.8%)
- Number of people Killed or Seriously Injured (KSI) on our roads reduced from 71 to 56 (-21.1%).
- Reports of Domestic Abuse Crime increased from 554 to 675

(+21.7%)

- Reports of Serious Sexual offences increased from 101 to 136 (+34.7%).
- Overall number of Police Recorded crimes increased from 4441 to 4871 (+9.7%)

8.8 Home Office data, which compares numerous categories of crime with other towns in our Most Similar Group (See Appendix C for grouping), demonstrates that Lewes District compares favourably:

March 2017 Data shows:

- 2nd lowest – overall crime
- lowest – burglary
- lowest – robbery
- lowest – theft and handling stolen goods
- 2nd lowest – vehicle crime
- 4th lowest – drug offences
- 8th (below median) – arson
- 6th (below median) – violent Crime

9.0 Progress in Priority Areas so far during 2017/18

- 9.1 Locality Based Responses:** Actions agreed and carried out by the local Lewes District Joint Action Group have made a positive contribution to Community Safety in the district.
- 9.2** Officers of Lewes District Council have been working closely with Sussex Police to address further emerging issues in Peacehaven. A full analysis of crime and anti-social behaviour in the town has been carried out and an action group is being formed to begin implementing aims and objectives set out by the CSP. This includes establishing Neighbourhood Watch in Peacehaven and engaging with young offenders to encourage a positive change in their behaviour.
- 9.3** Further partnership work has been carried out to address ASB at Castle Banks, Lewes. In addition, activity to identify and address an emerging concern around the Street Community in Lewes is being carried by the CSP. As with Peacehaven, an analysis of the issues has been carried out and additional police resources are being deployed across the town to support and manage the impact of the Street Community.
- 9.4 Road Safety:** The number of people Killed or Seriously Injured on Lewes district continues to reduce. However it remains a top priority for the Community Safety Partnership and so far this year the newly-developed Lewes District Road Safety Action Group has been working closely with its Wealden counter-part to reduce the number of KSIs.
- 9.5** The main focus of the Road Safety Action Group is to encourage behaviour change by working with communities through initiatives such as Community Speedwatch. Activity in this area is led by East Sussex Fire & Rescue

Service who have a dedicated KSI reduction coordinator in post across Lewes district, Wealden and Rother.

- 9.6** Further work has been carried out by other partners of the JAG. Sussex Safer Roads Partnership (SSRP) has been working closely with the Parishes of Lower Ouse (POLO) to look at road safety improvements along the C7. SSRP will be supporting POLO review recommendations put forward by a consultant and will look at potential sources of funding to implement these.
- 9.7** **Public Spaces Protection Orders:** Following changes brought about by the Anti-Social Behaviour, Crime and Police Act 2014, the council reviewed its existing control orders for dog fouling and street drinking to ensure they meet the new requirements of the Act before converting to Public Spaces Protection Orders in October 2017.
- 9.8** After consulting with key partners, such as Sussex Police, Cabinet approved a new Dog Fouling PSPO across Lewes district and a Street Drinking PSPO in Lewes, subject to a wider consultation. Between July and September a public consultation on these proposals was launched. The feedback from this consultation was considered by the Director of Service Delivery and Lead Member for Community Safety before the PSPOs were made in final form.
- 9.9** Once the Orders are made, the Council will put new signage in place and agree enforcement procedures with Sussex Police.
- 9.10** A PSPO review group will be set-up to monitor the operation of these PSPOs and, if necessary, to recommend any changes to their scope. The PSPOs will last a maximum of three years unless formally reviewed and extended, with any such extension subject to consultation with relevant parties.
- 9.11** Membership of ‘Paws on Watch’ continues to grow with 77 active responsible dog owners working to improve community safety in their areas by reporting unusual or suspicious activity to Sussex Police.
- 9.12** Lastly, the partnership has financially contributed towards the Chelsea’s Choice which sets out to raise awareness of Child Sexual Exploitation by showing a 40 minute theatre production to school children and practitioners. This work provides valuable support to wider agencies working with children and young people in Lewes district.

10.0 Prevent

- 10.1** The Counter-Terrorism and Security Act 2015, places a duty on all specified authorities (LDC is such an authority) in exercise of their functions to have due regard to “prevent” people from being drawn into terrorism. Over recent months we have seen the national threat level rise to “critical” but this has been quickly reduced back to “severe” as it is likely that the risk of individuals being radicalised, usually through the internet, will be with us for some time.
- 10.2** Although East Sussex is a low risk area, Prevent is a standing Agenda item for the Lewes District Community Safety Partnership Strategy Group and the legal duty placed on LDC has led to the development of a separate LDC Prevent Duty Action Plan. LDC Officers also have an active role in supporting

the East Sussex Prevent Board, which has oversight of the Prevent duty.

- 10.3** Overall responsibility for Prevent currently sits with the police. However, during the last year the Home Office has indicated their intention to move the overall responsibility for Prevent activities to Local Authorities. This reflects a desire by the Home Office to position Prevent activity close to local communities and link more effectively with Safeguarding and other partnership activity.
- 10.4** The Home Office are launching a national pilot named Dovetail to test the proposed arrangements. The new responsibility will sit with County and Unitary Councils and it is not likely that the East Sussex Prevent Board will see any changes until summer 2018.
- 10.5** The possibility of a 'light touch' review by the end of 2017 has been proposed by the Prevent Board and may include reviewing the levels of awareness and training within other agencies, such as LDC.
- 11.0 Police and Crime Commissioner**
- 11.1** The second election for the Police and Crime Commissioner (PCC) for each police area took place in May 2016. PCCs are responsible for policing and crime performance and to hold the Chief Constables to account
- 11.2** The Cabinet member for Customers & Partners, Councillor Nicholson is Lewes District's representative on the Police and Crime Panel (PCP) which has the power to scrutinise the PCC and, in particular, her 'policing plan' and 'budget'. PCCs do not directly control local CSPs but directly impact LDCSP effectiveness by control of budget allocation and their responsibility for monitoring CSP effectiveness.
- 11.3** During this performance year, the PCC has launched a review of CSPs and focusing on accountability and funding arrangements. The objective of the review is to assess how community safety funding can be most appropriately apportioned to support the Police and Crime Plan. Currently CSPs are awarded an annual grant by the PCC, broadly based on population density and crime formula. Lewes District CSP has received £21.9k per annum from the PCC over the last five years.
- 11.4** So far the PCC has introduced new quarterly reporting systems and in May 2017 the PCC outlined plans to consult with CSPs on five funding proposals, including:

- Maintaining the current position
- Allocating all PCC funding directly to upper-tier authorities
- Allocating all PCC funding directly to CSPs
- Having the PCC retain the full amount and CSPs apply to the PCC for funding
- Maintaining the current position but the PCC would retain a percentage for commissioning projects and services Pan-Sussex.

11.5 The results of the consultation will be published in November 2017 and it is understood that CSPs will not see any significant changes until 2019/20. However, it is likely that there will be a change to grant funding to CSPs in the near future. Where the CSP maintains reserves that could be used to support the delivery of its priorities, a more long-term solution would be required in the event of a reduction in or removal of the grant funding. This risk is being managed through the proposed hard merger of the Eastbourne and Lewes District CSP set out at Appendix D.

12.0 Eastbourne and Lewes District Community Safety Partnership

- 12.1** In late 2015 the Police and Crime Commissioner for Sussex recommended that it would be appropriate for individual District and Borough Community Safety Partnerships to investigate merging options to reflect the new policing district boundaries and make efficiency savings.
- 12.2** As a result of deliberations within the existing Eastbourne, Lewes and Wealden CSPs, it was agreed that we should work towards a new Strategy Group encompassing all three districts whilst maintaining and enhancing the individual Joint Action Groups. Work began and a 'soft merger' year was carried out between 1st April 2016 and March 2017.
- 12.3** In February 2017 Safer Wealden Partnership decided to withdraw from the shared Strategy Group. Following this the Chairs of the Eastbourne and Lewes District CSPs decided to continue with the 'soft merger' with a view to formally combining the two Partnerships by the end of performance year 2017/18, subject to a Business Case and approval of the Police and Crime Commissioner.
- 12.4** A copy of the Business Case can be found under Appendix D. However, the main benefits identified during the soft merger period include:
- Efficiency savings gained through the reduction of membership and meeting frequency, totalling to 126 hours of members' time saved.
 - Enhanced Joint Action Groups having a role in identifying and delivering local priorities
 - The merged Partnership having more influence regionally and with the PCC
 - An opportunity to share potential risks and benefits in light of the PCC's review of CSP funding arrangements by jointly funding projects and services that meet shared priorities to maximise on economies of scale and by applying for funding (either to the PPC or other funding streams) as one bigger body.
- 12.5** A consultation with relevant authorities will be launched to gain the consent of relevant Chief Executives to a formal merger of the two CSPs. Following final approval from the Strategy Group, an application will then be submitted to the PCC to approve the merger. Officers are aiming to complete the process of the merger by end of performance year 2017/18 with the new CSP operating from Q1 2018/19.

13.0 Staffing

- 13.1** Staffing for this area of work has partly been addressed through Phase One of the JTP restructure. Community Safety sits within the theme Thriving Communities and strategic aspects are the responsibility of the Business Planning and Performance Team.
- 13.2** The operational aspects of Community Safety will be addressed within Phase Two of the restructure. Where Community Safety is a shared responsibility across the council, it is intended that two Specialist Advisors will be recruited through Phase Two with responsibility for delivering Public Health, ASB, Noise and Community Safety in Lewes and Eastbourne and a further Specialist Advisor will cover Business Crime across both Council areas..
- 13.3** The overall responsibility for Community Safety remains with the Director of Service Delivery, supported by the Strategic and Functional Leads for Thriving Communities.

14.0 Financial Appraisal

- 14.1** Finance have made the following comments:
- 14.2** There are no direct financial implications for the Council arising from the recommendations set out in this report.

15.0 Legal Implications

- 15.1** The Legal Services Department have made the following comments:
- 15.2** Relevant legislation is cited in the appropriate sections of this report.
- 15.3** Lawyer consulted 13.10.17. Legal ref: 005971-LDC-OD

16.0 Risk Management Implications

- 16.1** Last year this report highlighted a risk to the Committee that the changes being made under the Local Policing Programme (LPP) might present challenges in regards to low level crime and anti-social behaviour. In November 2017 Sussex Police are scheduled to announce the latest update on the LPP. This may place even further responsibilities on the Council to tackle ASB within our partnership approach.
- 16.2** As highlighted in Paragraph 13.2 it is intended that Specialist Advisors (SAs) with responsibility for anti-social behaviour and community safety projects will be recruited through Phase Two of the JTP restructure. The SAs will provide a valuable resource to the Council and will work with Sussex Police and other agencies in dealing with complex cases of ASB.
- 16.3** A greater partnership focus on ASB to address this risk has also been encouraged through work to develop the 2018/19 Community Safety Plan. The number of overall priorities for the LDCSP has been reduced and work is underway to re-establish the multi-agency Anti-Social Behaviour Risk

Assessment Conference and Problem Solving Group in Lewes district to address individual cases of ASB more effectively.

- 16.4** These steps have been taken to ensure that the council and LDCSP is prepared for possible changes to the management of low level ASB brought about by the LPP.
- 16.5** In Paragraphs 11.3 to 11.5 a risk was highlighted on the future funding arrangements of CSPs across Sussex in light of the PCCs review. This risk has been managed through the proposed merger of the Eastbourne and Lewes District Community Safety Partnerships and further information can be found under Appendix D.
- 16.6** Paragraphs 8.3 to 8.6 highlight a national increase in police recorded crime. Where Lewes district remains 2nd lowest in its MSG, there are signs that the number of police recorded crimes is increasing in the district, despite initial levelling off after changes to police recording procedures in 2014/15.
- 16.7** It is, as yet, largely unknown why crime is increasing nationally. However this may present risks to future performance levels of the Partnership. In an attempt to reduce this risk the CSP is better focusing its priorities to address areas that have increasing crime types with the introduction of the new 2018/19 priority covering ‘emerging risks and priorities’.
- 16.8** Additionally, the Strategy Group will continue to monitor levels of police recorded crime locally to ensure that resources are best placed; to keep abreast of national policy and strategy and ensure that any governmental initiatives (or opportunities such as Home Office grants) to reduce crime are delivered locally; and to work closely with other partnerships such as the East Sussex Safer Communities Partnership.
- 16.9** The latest Crime Survey for England and Wales (CSEW) showed that there were 5.9 million incidents of crime covered by the survey. This excluded the new experimental statistics on fraud and computer misuse and if these are included the CSEW estimate a total of 11 million incidents of crime.
- 16.10** Last year’s report identified that there is a major transfer to online crime and scams taking place and it has reached the point where cyber offences are nationally outweighing those committed within the physical world. This presents a risk to the performance of the CSP and it is likely this will be a continually expanding area.
- 16.11** The new Home Office advice, presented within the Modern Crime Prevention Strategy focuses on this and whilst the main responsibility for addressing Scams and Cybercrime sits nationally and regionally, there is an expectation that CSPs will work with their local communities to prevent these offences and encourage early intervention.
- 16.12** Efforts by the LDCSP have already begun. Cybercrime is listed within the CSP priorities for 2017/18 and included within ‘emerging risks and priorities’ for 2018/19. Officer knowledge is being developed to respond to these demands. The CSP will continue to publish advice to the public and to

coordinate strategic and operational support for agencies, such as the police.

17.0 Equality Screening

- 17.1** The work of the Community Safety Partnership positively impacts on a number of groups across the District who share protected characteristics, so has a positive contribution towards our Equalities Objectives.
- 17.2** However, the merger of the two Community Safety Partnerships was subject to its own Equality Analysis which was completed and signed off by the partnership at its first meeting in July 2016.
- 17.3** A Equality and Fairness Analysis of the LDCSP Community Safety Plan for 2018/19 has been carried out and a draft copy can be found at Appendix E.

Background Papers

The Background Papers used in compiling this report were as follows:

1. *LGA Review into Community Safety Partnerships.* Available at:
<http://lga.moderngov.co.uk/documents/s14058/5a%20-%20LGA%20review%20of%20the%20future%20of%20community%20safety%20services%20report.pdf>
2. *Modern Crime Prevent Strategy, Home Office.* Available at:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/509831/6.1770_Modern_Crime_Prevention_Strategy_final_WEB_version.pdf.
3. *Office for National Statistics: Crime in England and Wales: year ending march 2017.* Available at:
<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendingmar2017#main-points>

Appendices

Appendix A – Draft Lewes District Community Safety Plan 2018/19

Appendix B – Lewes District Community Safety Priorities for 2017/18

Appendix C - iQuanta Most Similar Group (MSG) grouping for Lewes District

Appendix D – Draft Business Case for the proposed Merger of Eastbourne and Lewes District Community Safety Partnerships

Appendix E – Draft Equality and Fairness Analysis of Lewes District Community Safety Partnership Community Safety Plan for 2018/19.



Community Safety Partnership Plan 2018 – 2019

Reducing crime and keeping people safe, prioritising those most vulnerable in our community.

Version date: Strategy Group Meeting, 05 March 2015

Introduction and Background

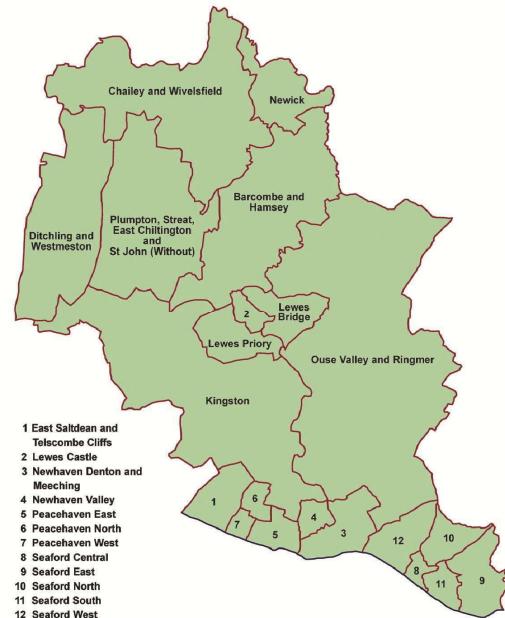
Lewes District extends inland from the Channel coast over the South Downs and into the Sussex Weald covering 292 square kilometres. Over one third of the area forms part of the Sussex Downs Area of Outstanding Natural Beauty and around half is proposed to be included in the South Downs National Park.

Most of the District's 97,500 population live in the four main urban areas (Seaford, Newhaven, Peacehaven & Telscombe and Lewes). Around 14% live in the many villages, hamlets or isolated settlements. There are just over 42,000 households in the District, 31% are single person households and 24% are households with children. Around 88% of the housing stock is privately owned.

Lewes Community Safety Partnership Priorities for 2018 to 2019

The Lewes Community Safety Partnership has selected the following issues as their priorities for the year ahead, based upon crime data and importance placed on them by the public:

1. Anti-Social Behaviour
2. Reduce the number of people Killed or Seriously Injured on Lewes District's Roads
3. Proactively Respond to Emerging Threats and Priorities Based on Threat, Risk and Harm
4. Contributing to the Work of Agencies and Partnerships that have a Leading Role in Working with Victims and Offenders



Countywide Priorities

The Lewes Community Safety Partnership will work with the East Sussex Safer Communities Partnership to take forward their 2017-2020 priorities, which are:

1. **Serious Organised Crime: Vulnerable victims of fraud and rogue trading associated with serious organised crime** – identify vulnerable adults at risk of fraud and rogue trading and develop targeted preventative support.
2. **Serious Organised Crime: Cybercrime** - begin to explore cybercrime with a focus on cyber bullying and online safety
3. **Serious Organised Crime: Vulnerable young people being exploited and recruited by organised crime groups** – explore further opportunities for partners to engage in early preventative work in relation to County Lines, organised crime and the exploitation of young people.
4. **Serious Organised Crime: Modern Slavery** – gain a better understanding of the risk of modern slavery.



Appendix A

Policing and Crime Objectives of the Sussex Police and Crime Commissioner (Police and Crime Plan 2017 – 2021)

The Police and Crime Commissioner for Sussex has set four key strategic objectives which will also guide the Lewes Community Safety Partnership

1. Strengthen local policing

- Ensure local policing services are accessible;
- Provide effective specialist capabilities to support local policing;
- Maintain engagement in the delivery of local policing services to improve public confidence.

2. Work with local communities and partners to keep Sussex safe

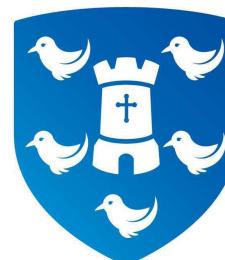
- Encourage and support local communities to prevent crime and disorder;
- Work with partners to reduce offending and reoffending;
- Catch criminal and prevent serious and organised crime and terrorism.

3. Protect our vulnerable and help victims cope and recover from crime and abuse

- Commission high-quality services which support victims;
- Priorities access to services for vulnerable victims;
- Enhance our understanding and meet the needs of victims in Sussex.

4. Improve access to justice for victims and witnesses

- Ensure victims and witnesses have the most positive experience of the criminal justice system;
- Support vulnerable victims and witnesses;
- Maximise the use of technology to improve access to justice for all.



**Sussex
Police & Crime
Commissioner**

Appendix A

General Data

Reported Crime in Lewes

	April	May	June	Q1 Total	July	Aug	Sept	Q2 Total	Oct	Nov	Dec	Q3 Total	Jan	Feb	Mar	Q4 Total	Total	Change
2013/14	330	307	311	946	331	303	323	957	340	329	256	925	286	243	284	813	3641	-
2014/15	281	292	346	919	352	282	367	1001	375	286	305	966	362	261	308	931	3817	+4.8%
2015/16	312	334	359	1005	357	325	374	1056	419	412	396	1227	345	312	416	1073	4361	+14.3%
2016/17	396	423	425	1244	457	375	409	1241	425	355	358	1138	375	338	483	1196	4819	+10.5%
2017/18	450	422	475	1347	489	421	375	1285										
2018/19																		

Delivery of the Lewes Community Safety Partnership Priorities

The Joint Action Group is responsible for delivering the priorities listed on page 2 of this document. Each priority has been broken down into a number of objectives, as listed on the following pages.

Appendix A

Priority 1 – Anti-Social Behaviour

Anti-social behaviour (ASB) is defined in the Crime and Disorder Act (1998) as acting: ‘in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as the perpetrator.’

Partners of the Lewes District Community Safety Partnership carry out on-going work to address anti-social behaviour in all its forms, including: dog fouling, fly-tipping, littering, nuisance neighbours, street drinking and careless or inconsiderate driving.

However, Anti-social behaviour is a key priority for residents in Lewes district and the Lewes District Community Safety Partnership has a leading role in addressing the impact that it has on our residents, businesses and visitors. It recognises that there are areas where we can work together to find long lasting solutions to more complex anti-social behaviour.

Priority:	Anti-Social Behaviour
Lead:	<i>To be decided at Strategy Group meeting November 2017</i>
Objectives:	
Engage with and support Town and Parish Councils in responding to geographically based anti-social behaviour through the Joint Action Group, based on Threat, Risk and Harm.	
Support the re-development of the Lewes District Anti-Social Behaviour Risk Assessment Conference and Problem Solving Group to coordinate multi-agency responses to cases of anti-social behaviour.	
Increase reporting of incidents of Personal ASB to encourage early intervention, utilising powers under the Anti-Social Behaviour, Crime and Policing Act 2014.	
Grant funding organisations that work with individuals, families and communities to reduce anti-social behaviour, focusing on youth related anti-social behaviour.	

Increase Reporting of Personal Incidents of Anti-Social Behaviour - (Police Reports)

	April	May	June	Q1 Total	July	Aug	Sept	Q2 Total	Oct	Nov	Dec	Q3 Total	Jan	Feb	Mar	Q4 Total	Total	Change
2016/17	37	30	29	96	34	28	37	99	27	19	18	64	19	10	18	47	306	
2017/18	16	16	19	51	14	14	17	45										
2018/19																		

Appendix A

CSP Meeting	Update and Progress Notes

DRAFT

Appendix A

Priority 2 – Reduce the number of people Killed or Seriously Injured on Lewes District's Roads

Road Safety is a key concern of residents in Lewes district.

The Lewes District Community Safety Partnership recognises that it has a leading role in making the district's roads safer and that it needs to work closely with a range of different communities and groups to achieve its goal.

Secondly, it needs to reflect national and regional development and work closely with its neighbours in addressing this cross-county issue.

Priority:	Reduce the number of people Killed or Seriously Injured on Lewes District's Roads
Lead:	<i>To be decided at Strategy Group meeting November 2017</i>
Objectives:	
Identify Killed or Seriously Injured hotspots and implement initiatives to reduce incidents through the Joint Action Group	
Work with and support Town and Parish Councils and Community Groups to improve road safety across the district	
Work with the Wealden Road Safety Action Group to incorporate best practice and deliver behaviour change initiatives	

Number of Killed or Seriously Injured

	April	May	June	Q1 Total	July	Aug	Sept	Q2 Total	Oct	Nov	Dec	Q3 Total	Jan	Feb	Mar	Q4 Total	Total	Change
2016/17	4	8	3	15	6	4	7	17	7	3	3	13	6	2	5	13	58	
2017/18	3	4	5	12														
2018/19																		

CSP Meeting	Update and Progress Notes
	Page 66 of 136

Appendix A

Priority 3 – Proactively Respond to Emerging Threats and Priorities Based on Threat, Risk and Harm

The nature of crime continues to change and this presents a number of challenges to the Lewes District Community Safety Partnership.

There is a need to be able to support our most vulnerable and react to and address the concerns of the community, not only dealing with crime and anti-social behaviour but managing the perception of it.

Priority:	Proactively Respond to Emerging Threats and Priorities Based on Threat, Risk and Harm
Lead:	<i>To be decided at Strategy Group meeting November 2017</i>
Objectives:	
Highlight emerging threats and priorities and deliver a multi-agency response through the Joint Action Group	
Review National policy and strategy and carry out research to identify areas that may have a future impact on the partnership and the communities it serves	
Develop the membership of the Joint Action Group to ensure it is best equipped to deal with emerging threats and priorities	
Proactively engage with the communities of Lewes district to address and identify local priorities and concerns	

CSP Meeting	Update and Progress Notes

Appendix A

Priority 4 – Contributing to the Work of Agencies and Partnerships that have a Leading Role in Working with Victims and Offenders

There are a number of agencies across East Sussex that provide a broad range of support services to victims and offenders, across a number of different crime types.

Where the Lewes District Community Safety Partnership does not have a leading role in delivering these services, it can play a vital role in supporting its Members and other agencies and partnerships in raising awareness of these services.

Priority:	Contributing to the Work of Agencies and Partnerships that have a Leading Role in Working with Victims and Offenders
Lead:	<i>To be decided at Strategy Group meeting November 2017</i>
Objectives:	
To increase awareness of the services available to victims and offenders through engagement events	
To provide training to frontline staff to increase awareness, encourage safeguarding and the reporting of offences	
Communicate with residents and businesses through channels such as social media and e-bulletins to promote the community safety message and change and challenge perceptions of crime and anti-social behaviour in the district.	

Police Recorded Domestic Abuse Crimes and Incidents

	April	May	June	Q1 Total	July	Aug	Sept	Q2 Total	Oct	Nov	Dec	Q3 Total	Jan	Feb	Mar	Q4 Total	Total	Change
Domestic Abuse Crimes																		
2016/17	47	54	64	164	67	57	61	185	47	35	53	135	61	61	71	193	677	
2017/18	76	50	50	176	60	62	56	178										
2018/19																		
Domestic Abuse Incidents																		
2016/17	42	51	67	118	57	59	49	165	40	35	39	114	36	34	40	110		
2017/18	51	52	69	172	59	54	57	170										
2018/19																		

Appendix A

Arson

	April	May	June	Q1 Total	July	Aug	Sept	Q2 Total	Oct	Nov	Dec	Q3 Total	Jan	Feb	Mar	Q4 Total	Total	Change
2016/17	2	3	3	8	3	3	4	10	1	2	3	6	1	0	3	4	28	
2017/18	3	3	2	8	0	12	4	16										
2018/19																		

Police Recorded Hate Crime (including crimes with a race, homophobic, disability, gender or religion marker)

	April	May	June	Q1 Total	July	Aug	Sept	Q2 Total	Oct	Nov	Dec	Q3 Total	Jan	Feb	Mar	Q4 Total	Total	Change
2016/17	0	7	9	16	11	12	7	30	8	3	8	19	12	3	8	23	88	
2017/18	5	10	7	22	10	4	9	23										
2018/19																		

CSP Meeting	Update and Progress Notes

Lewes District Community Safety Partnership

"Our vision is to improve people's lives in Lewes District's communities by working in partnership to reduce the levels of crime and anti-social behaviour and to manage the fear of crime."



What are the priorities and why?

- **Community Engagement & Public Reassurance** – To continue to engage with the communities we serve and meet their needs in relation to community safety and public reassurance.
- **Environmental Anti-Social Behaviour** – Reducing arson, graffiti, fly-tipping, litter and dog fouling contributes to an improvement in the quality of life for the residents of Lewes District.
- **Road Safety** – To reduce the number of killed & seriously injured on Lewes District's roads and to tackle anti-social driving.
- **Volume Crime** – The continued reduction of offences such as burglary, robbery and vehicle crime, makes Lewes District a better place to live, work and visit.
- **Anti-Social Behaviour (ASB) and Hate Crime** – To support the Police and other agencies in their work to give effective support to vulnerable and high risk victims of hate crime and ASB, as well as bringing offenders to justice.
- **Domestic Abuse and Sexual Offences** – To support the Police and other agencies in increasing the reporting of such offences as well as their work with victims and bringing offenders to justice.
- **Reduce the number of Dwelling Fires** – To support East Sussex Fire & Rescue Service and other agencies in their work to identify those most vulnerable from fire so that prevention support can be delivered.
- **Prevent Strategy** – To prevent the radicalisation of vulnerable members of our communities, thereby contributing to a reduction in extremism.
- **Substance Misuse and Psychoactive Substances** – Causal links to crime, anti-social behaviour and health.
- **Cybercrime, Scams & Rogue Trading** – To market prevention advice and support agencies such as the Police and Trading Standards in working with victims and bringing offenders to justice.

Most Similar Groups

iQuanta Most Similar Group (MSG) grouping for Lewes District

CSP
Avon & Somerset –North Somerset
Cheshire – Cheshire East
Cheshire – Cheshire West and Chester
Essex – Epping Forest
Kent – Ashford
Lancashire – South Ribble
Lancashire – Wyre
Leicestershire – Hinckley and Bosworth
Leicestershire – North West Leicestershire
Nottinghamshire – South Nottinghamshire
Sussex - Arun
Sussex – Lewes
Warwickshire – Rugby
West Mercia –North Worcestershire
West Mercia –South Worcester



Business Case for the merger of Eastbourne and Lewes District Community Safety Partnerships

1.0 **Background**

- 1.1 In late 2015 the Police and Crime Commissioner for Sussex recommended that it would be appropriate for individual District and Borough Community Safety Partnerships (CSP) to investigate merging options to reflect the new policing district boundaries and make efficiency savings.
- 1.2 As a result of deliberations within the existing Eastbourne, Lewes and Wealden CSPs, it was agreed that we should work towards a new Strategy Group encompassing all three districts.
- 1.3 Work began and a 'soft merger' year was carried out between 1st April 2016 and March 2017.
- 1.4 In February 2017 Safer Wealden Partnership (SWP) decided to withdraw from the shared Strategy Group. Following this the Chairs of the Eastbourne and Lewes District CSPs decided to continue with the 'soft merger' with a view to formally combine the two Partnerships into one by the end of performance year 2017/18, subject to a Business Case and approval of the Police and Crime Commissioner.

2.0 **Findings**

- 2.1 The 'soft merger' presented a number of efficiency savings for the partnerships. The two CSPs have reduced the total number of meetings held each per from 7 to 3. Resulting in the overall meeting hours per year being reduced from 14 to 6.
- 2.2 Further efficiency savings were found through reducing the membership of the Strategy Group to Responsible Authorities and other key representatives. This meant that the overall number of Members at Strategy Group meetings was reduced from 28 to 11. As a result this produced a saving of 126 hours as the total number hours Members spent at Strategy Group meetings reduced from 192 to 66.
- 2.3 Other, less measurable, efficiency savings include reductions in time spent:
 - travelling to and from meetings;
 - arranging meetings and coordinating partners and guest speakers
 - preparing papers and facilitating CSPs meetings, such as producing Agendas, writing Minutes and preparing rooms

- 2.4 The efficiency savings made during the ‘soft merger’ year has positively reduced demand on Partners. This in turn has allowed Partners to use their resourcing for CSP functions on delivering priorities rather than attending Strategy Group meetings.

3.0 **Recommendation**

- 3.1 In light of the efficiency savings made during the ‘soft merger’ year, it is recommended that the CSPs formally merge into one CSP. The fully merged CSP would then fulfil the Statutory requirements for both Eastbourne borough and Lewes district.
- 3.2 It is also recommended that:
- the individual JAGs are maintained along with their newly ‘enhanced’ status;
 - a new name and branding for the shared CSP is explored
 - further efficiencies are sought through amalgamating CSP papers and processes
 - an opportunity for SWP to merge with the CSP is included in the Terms of Reference for the Partnership
- 3.3 A proposed Terms of Reference for the new Partnership has been attached to this business case.

4.0 **Risks and Benefits**

4.1 **Risks:**

- Under the Police Reform and Social Responsibility Act, PCC’s have the power to approve the merger of CSPs and one cannot go ahead without this. There is a risk that the PCC may not approve the merger between the two CSPs.
- The impact of this would prevent the CSPs capitalising on the efficiencies savings highlighted above and benefits identified in paragraphs 4.8 to 4.10.
- This risk is mitigated by the development of this business case, highlighting efficiency made, in addition to consultation with partners as part of the merger process.
- Lastly, the Terms of Reference will allow SWP to join the newly formed CSP to encourage even further efficiency savings.
- There’s also a risk that local issues are underrepresented as the CSPs combine to cover a larger area. This may impact on the CSPs ability to meet the demands of its communities.
- This risk will be mitigated by maintaining the newly enhanced individual JAGs. The enhanced status means that they have a role in setting the direction of the CSP locally by supporting the priorities setting process

of the CSP.

4.8 Benefits:

In May 2017 the PCC outlined plans to review CSP funding arrangements across Sussex. As part of the review, CSPs were consulted on five funding proposals, including:

- Maintaining the current position
- Allocating all PCC funding directly to upper-tier authorities
- Allocating all PCC funding directly to CSPs
- Having the PCC retain the full amount and CSPs apply to the PCC for funding
- Maintaining the current position but the PCC would retain a percentage for commissioning projects and services Pan-Sussex.

4.9

Where the results of the consultation are still unknown, it is likely that there will be a change to CSP grant funding. The merger of the CSPs will allow the Partnerships to share this risk by jointly:

- Funding projects and services that meet shared priorities to maximise on economies of scale.
- Applying for funding (either to the PCC or other funding streams) for projects and services as one bigger body.

4.10

Other benefits identified during the ‘soft merger’ include:

- Sharing good practice across the district and borough;
- Better responding to non-geographically based issues, such as Scams, Cybercrime and Modern Slavery;
- Aligning with Joint Transformation Programme between Eastbourne Borough and Lewes District Councils
- Better reflecting the new policing district boundaries
- Giving the merged partnership more influence at a regional level and with the PCC

5.0 Next Steps

- 5.1 To formally merge the two CSPs a consultation with Relevant Authorities will be launched to gain the consent of relevant Chief Executives. Following final approval from the Strategy Group, an application will then be submitted to the PCC to approve the merger.
- 5.2 It is recommended that the process of the merger is completed by end of performance year 2017/18 with the new CSP operating from Q1 2018/19.

STRONGER together



Lewes District Council



Working in partnership with Eastbourne Homes

Equality and Fairness Analysis Findings report – Equality and Fairness Policy

Policy = the full range of our policies, practices, activities, projects, procurement and decisions, whether it is formally written down or whether it is informal custom and practice. This includes all existing policies and any new policies under development.

Person responsible for analysis	Harry Williams	
Person responsible for policy development	Harry Williams	
Policy area (or function)	Lewes District Community Safety Plan 2018/19	
Service area responsible for implementing the policy	All	
Originator (if not the Council)	n/a	
Is the policy proposed (new) or existing?	Proposed	
Is it an LDC/EBC policy or a partnership initiative?		Partnership
Key people involved in the policy development and its implementation	Business Planning and Performance officers, LDC Service Delivery officers and members of Lewes District Community Safety Partnership.	
Decision making bodies the policy will be referred to	Council, Cabinet, Cabinet Members, Heads of Service and Team Leaders	
Who is the responsible Director/Assistant Director?	Ian Fitzpatrick	
Date of first equality quality check (internal)		
Date of external equality stakeholder group		

The Public Sector Equality Duty

The public sector equality duty is made up of a ‘general equality duty’ which in turn is supported by ‘specific duties’. The general equality duty is set out in section 149 of the Equality Act 2010 and came into force on 5th April 2011. The general equality duty sets out what is required of public authorities and the specific duties help public authorities comply with the statutory obligations.

As a summary, we must, in the exercise of our functions, have due regard to the need to:

1. Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
2. Advance equality of opportunity between people who share a characteristic and those who do not share it;
3. Foster good relations between people who share a characteristic and those who do not share it.

These are commonly referred to as the three aims of the general duty.

The second aim (advancing equality of opportunity) involves, in particular, having due regard to the need to:

- Remove or minimise disadvantages experienced by people because of their protected characteristics.
- Take steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people.
- Encourage people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

The Equality Act further states that the steps involved in meeting the needs of disabled persons that are different to the needs of persons who are not disabled include, in particular, steps to take account of a disabled persons’ impairment.

It describes the third aim (fostering good relations) as tackling prejudice and promoting understanding between people who share protected characteristics and those who do not.

It explains that compliance with the general equality duty may involve treating some people more favourably than others, as long as this is within the law.

The duty also covers a ‘person’ who is not a public authority but who exercises public functions. We retain the responsibility for the ‘person’ having due regard to the three aims when delivering a service on our behalf. This should be written into their contract with us.

By thoroughly assessing what we do against the general duty we are able to make better decisions about what we do, leading to better outcomes for people who work for us and for people who access our services and facilities.

Context and Scope

What is the purpose of the policy and why is it needed?

Community Safety Partnerships (CSP) were initially established under the Crime and Disorder Act 1998 and are formed from Responsible Authorities, such as the police, fire and rescue service and local authorities.

CSPs have a statutory responsibility for the reduction of crime and disorder, substance misuse and re-offending in their local authority area. CSPs also have a statutory obligation to set up a strategic group to direct the work of the partnership and set out a partnership plan and monitor progress.

The purpose of the Lewes District Community Safety Plan 2018/19 is to comply with the statutory obligations set out in the Crime and Disorder Act as described above.

In what context will it operate and who is it intended to benefit?

The Community Safety Plan for 2018/19 operates in a time where police recorded crime is rising nationally and the resources available to agencies to carry out community safety functions are continually being reduced.

The Office of National Statistics (ONS) identified a 10% annual rise in national police recorded crime in the year ending March 2017 and Lewes district is no exception. In 2013/14 there were around 3638 crimes recorded by the police in Lewes district compared to 4871 in 2016/17, a rise of 33.9%.

Furthermore, the Local Government Associations carried out a report into local authority's community safety functions and CSPs more broadly. The report identified that there is an increasing recognition in the role that council's play in relation to community safety. It also noted that expectations on LAs to engage in community safety functions are ever growing, especially in a time of austerity where other partner agencies resources are being reduced.

Additionally, the report found that CSPs are shifting towards new outcomes around effective safeguarding, reducing vulnerability and risk, early intervention and prevention. Where district CSPs are best placed to deal with local priorities, there is a need to balance this against a shift towards outcomes around vulnerability and individuals with multiple and complex needs.

To be able to effectively respond to the challenges facing CSPs, it is intended that the Community Safety Plan will provide the strategic direction for the LDCSP. It is intended that the plan will help make Lewes district a safer place for all people who live, work or visit. All people in the district could benefit from the plan. However, the main group of people impacted by the plan are victims and offenders.

What are the expected outcomes/longer term benefits of the policy?

It is intended that the Community Safety Plan will help bring about a long-term reduction in the levels of crime and anti-social behaviour, allowing residents, businesses and visitors to be and feel safer in Lewes district. More specific outputs are:

- Increase in Police recorded incidents Personal ASB to allow victims of ASB to have greater access to support services;
- An overall reduction in personal, nuisance and environmental ASB;
- A reduction in the number of people killed or seriously injured on Lewes district's roads
- Increase in awareness of the general population in the support services available to victims and offenders

Information and Research

List all sources of information and relevant data that was obtained and considered in the assessment and include the groups you consulted with?

Sussex Police Recorded Crime.

Local Government Association review of future community safety services.

Office for National Statistics' report on Crime in England and Wales: year ending March 2017.

East Sussex Safer Communities Partnership Community Engagement: Lewes [district] Residents report.

East Sussex Safer Communities Partnership Business Plan 2017 – 2020 priorities.

Policing and Crime Objectives of the Sussex Police and Crime Commissioner (Police and Crime Plan 2017-2021).

Consultation with members of the Lewes District Community Safety Partnership Strategy Group and Joint Action Group via a priority setting workshop held on 5 October 2017.

The Impact of Crime and Anti-Social Behaviour, Victim Support

East Sussex in Figures

Social and Economic Consequences of Road Traffic Injury in Europe

About Domestic Abuse: Save Lives.

Hate Crime, England and Wales 2015/16

Modern Crime Prevention Strategy

Sussex Safer Roads Partnership: Data Portal

Were any gaps identified in this information and if so, what are these and what actions are being taken to address them?

Whilst the '*East Sussex Safer Communities Partnership Community Engagement: Lewes [district] Residents report*' engaged with residents across the district, there is a lack of information from protected groups to inform the development of the Community Safety Plan.

This will be addressed by proactive engagement with protected groups under the proposed LDCSP priority 'Proactively Respond to Emerging Threats and Priorities Based on Threat, Risk and Harm'.

Analysis and Assessment

What are the main findings, trends and themes arising out of the research and information you have gathered and any consultation you have carried out?

Crime can impact on people in different ways. How people react to crime depends on the type of crime committed. It can also depend on other factors such as support available to victims and witnesses after experiencing crime and if the victim is a repeat victim.

The effects of crime can also last for a long time. While the short-term effects can be severe, people can develop long-term problems such as depression, anxiety-related illnesses or post-traumatic stress disorder.

Protected groups can also be disproportionately affected by crime. For example, it is estimated that 1.9 million people in the UK suffer some form of domestic abuse – 1.3 million female victims and 600,000 male.

More over, the Home Office report on Hate Crime in England and Wales in 2015/16 shows that out of the five monitored strands, 79% of Hate Crimes were race related hate crimes, 12% were sexual orientation hate crimes, 7% religious hate crimes, 6% disability hate crimes and 1% transgender hate crimes.

Looking locally, this picture is somewhat reflected in Lewes district. Between October 2016 and September 2017 there were 56 crimes with a racist marker reported to Sussex Police, 18 with a homophobic marker, 8 with a disability, 5 with a religion and 1 with a gender marker.

Fraud and rogue trading is largely targeted at vulnerable and elderly people. It is becoming more complex and deceptive and can have a financial, emotional, social, physical and mental affect on victims.

Anti-social behaviour can have a detrimental impact on people's quality of life and can be intimidating and frightening to most people. However, research shows that disabled people, older people and Black, Asian and Minority Ethnic (BAME) people can find ASB even more intimidating than others.

The latest Crime in England and Wales survey showed that young men aged between 16 and 29 are five times more likely of becoming a victim of assault. The results go further and show that in areas of high deprivation young men are the most likely victims of crime. Comparatively, women aged 60+ living within a similar area have a much lower risk.

Offenders can also be vulnerable and can often have needs in respect of drug and alcohol abuse, lack of employment and education, poverty, accommodation and poor health.

The consequences of Road Traffic Collisions (RTC) may last for days, months, years or the rest of a person's life. A large number of people fully recover from RTCs however some of them never recover fully and can suffer from some kind of permanent disability. Victims of RTCs can have a reduced quality of life and there are other consequences such as legal implications, economic burden, home and vehicle adaptions as well as psychological consequences.

Data from the Sussex Safer Roads Partnership Data Portal shows that in Lewes district young people aged between 16 and 24 are more likely to be involved in a road traffic collision, followed by people aged 60+.

<p>Which protected groups will it affect/benefit the most?</p> <p><i>Considering who the policy is intending to benefit and what the expected outcomes are, assess each characteristic and indicate whether the policy has 'M' more, 'L' less, or 'E' equal relevance. Highlight the finding.</i></p>	Age	M	E
	Disability	M	E
	Gender reassignment	M	E
	Marriage and civil partnership	M	E
	Maternity and pregnancy	M	E
	Race	M	E
	Religion or beliefs	M	E
	Sex	M	E
	Sexual orientation	M	E
<p>Which parts of the Public Sector Equality Duty are most relevant to the policy?</p>	1. Eliminate discrimination, harassment and victimisation	M	E
	2. Advance equality of opportunity	M	E
	3. Foster good relations	M	E

Please explain your reasons for the above assessments and how you have given consideration to the different needs of people and taken steps to minimise potential disadvantages and maximise equality of opportunity

The research has shown that by its nature, crime can impact anyone. Victims, witnesses and those with a heightened perception of crime can all experience the negative short-term and long-term effects of crime.

The effects of crime are wide ranging and can include the social and economical impacts along with more personal physical and mental impacts on victims, witnesses and offenders.

However, it was found that the protected groups are at a greater risk of experiencing crime. For example, elderly and BAME groups are more likely to find anti-social behaviour more intimidating than others where women are more likely to become a victim of domestic abuse compared to men.

Offenders are also vulnerable and can often have multiple and complex needs. These vulnerabilities place individuals at a greater risk of offending – either by directly offending or being manipulated by others to offend (e.g. Child Exploitation).

As the nature of crime continues to change, the risks of the protected groups becoming victims, witnesses or offenders also increase. The research has shown that the emerging areas (such as Modern Slavery and Cybercrime) place new risks to a range of protected groups.

Based on your findings is there a need to balance conflicting views or counter resentment and inaccurate perceptions, if so what will you do?

As outlined above, the LGA identified that CSPs are shifting towards outcomes around vulnerability and risk. District CSPs are best placed to deal with local priorities and the analysis has shown that there is a need to balance the impact of crime on the most vulnerable against the wider community. This is even more prevalent in a time where resources are reducing and the nature of crime is changing.

The priorities outlined within the 2018/19 Community Safety Plan allows the partnership to deal with emerging risks and priorities. Within this priority, there is a clear objective to proactively engage with communities to identify local community safety concerns. Whilst it can be challenging to engage with some protected groups, effort will be taken by the partnership to ensure that protected groups and other community groups are equally engaged with.

Appendix E

Action Planning

If you have identified specific areas that require action to promote equality, what steps are you going to take to ensure this work is carried out and completed?					
Issue Identified	Action Required	Lead Officer	Required Resources	Target Date	Measure of Success
Lack of information from the protected groups to inform the development of the Lewes District Community Safety Partnership priorities for 2018/19	Where possible, to proactively engage with protected groups to inform activity under the LDCSP priority 'Proactively Respond to Emerging Threats and Priorities Based on Threat, Risk and Harm'.	TBC	None	31 March 2019	Protected groups engaged with.

Outcome

Considering all the evidence and the potential or actual effect of the policy on equality, it is concluded that:

*1. **No major changes are needed** – the policy is robust and evidence shows no potential for discrimination and all opportunities to advance equality and foster good relations between groups has been taken.

Quality Assurance

How will you implement any recommendations made through quality checking?	
How will the issues covered in the action plan be monitored and reviewed and who will do this?	
Who will sign off the action plan once all actions are completed?	
How will you share the results with stakeholders?	

Approval

Report Author	
Signed	
Dated	

Director/Assistant Director	
Signed	
Dated	

Please now send this report to EqualitiesEmail@lewes-eastbourne.gov.uk

For completion by the Business Planning and Performance Team:

Quality Checking

Initial quality check carried out by				
Report cleared for internal quality checking or returned to EaFA author for further action	Cleared		Returned to EaFA author for further action	
	Tick the box that applies			
Date sent to the internal equality checking group				
Record of comments/recommendations made by this group				
Date comments sent back to EaFA author for inclusion in final draft report – where relevant				
Date final draft report received				
Final draft report cleared by (officer / date)				

Date of Equality and Fairness External Steering Group review	
Record of any comments/recommendations made by this group	
Date comments/recommendations sent back to EaFA author for inclusion	
Date final EaFA received	
Final EaFA cleared by	
Date EaFA published on website	

Agenda Item No: 9 **Report No:** 161/17
Report Title: Equality and Fairness Policy
Report To: Scrutiny Committee **Date:** 9 November 2017
Cabinet Member: Cabinet Member for People and Performance
Ward(s) Affected: All
Report By: Director of Regeneration and Planning

Contact Officer(s)-

Name(s): Pat Taylor
Post Title(s): Strategy and Partnerships Lead – Thriving Communities
E-mail(s): pat.taylor@lewes-eastbourne.gov.uk
Tel No(s): 01323 415909

Purpose of Report:

To enable the Committee to scrutinise and consider the proposed Equality and Fairness Policy and joint governance and procedures with Eastbourne Borough Council.

Officers Recommendation(s):

- 1 To endorse the proposed Equality and Fairness Policy included in this report which will be presented to Cabinet on 13 November 2017.
 - 2 To endorse the proposal to extend the Council's current Equality Objectives pending the development and consultation on new objectives shared with Eastbourne Borough Council.
 - 3 To endorse the proposed joint governance and procedures for overseeing the Council's delivery of its Public Sector Equality Duties to be shared with Eastbourne Borough Council.
 - 4 To agree any further recommendations the Committee would wish to make to Cabinet with regard to these proposals.
-

Reasons for Recommendations

5. For the Scrutiny Committee to fulfil its duties under the Equality Act 2010.

5.1 Legal Requirement

The Council has statutory equality responsibilities, both as an employer and in the provision of the public services, under the Equality Act 2010.

5.2 The Council must have due regard to the Public Sector Equality Duty to:

- eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Equality Act;
- advance equality of opportunity between people who share a protected characteristic and people who do not share it (for example by meeting specific needs; minimising difficulties faced or encouraging participation in public life); and
- foster good relations between people who share a protected characteristic and people who do not share it.

5.3 The protected characteristics covered by the Equality Duty are:

- age
- disability
- gender reassignment
- marriage and civil partnership (but only in respect of eliminating unlawful discrimination)
- pregnancy and maternity
- race – this includes ethnic or national origins, colour or nationality
- religion or belief – this includes lack of belief
- sex (gender)
- sexual orientation.

5.4 Specific duties which came into force in 2011 require public bodies, such as the Council, to publish information which shows their compliance with the Equality Duty. The Equality and Human Rights Commission, which has a statutory responsibility to monitor compliance, has indicated that one of the things they would expect to see published on Council websites is evidence of a clear approach to having due regard to the Equality Duty in policy and decision-making. Refreshing the Council's policy and arrangements for reviewing the design and delivery of Council services is a key step in ensuring the Council has an effective process for ensuring full compliance with the Public Sector Equality Duty.

5.5 The establishment of a shared governance structure and procedures with Eastbourne Borough Council for setting Equality Objectives and reviewing the delivery of Council functions will provide an effective way of ensuring consideration is given to how different people are affected by Council policies

and activities, and that our services are accessible to all and meet different people's needs.

6 Information

- 6.1** The proposed policy attached at Appendix A is broadly similar to the Council's previous Equality Policy 2012 – 2016. The policy, once adopted, will underpin the Equality Objectives and Action Plan which the Council has a duty to publish and which will be presented to Cabinet for approval early in 2018.
- 6.2** The proposed policy is intended as a clear, simple statement of how both Councils intend to deliver our services and conduct our business. It is designed as a set of guiding principles to help with decision making.
- 6.3** The policy follows the structure of the Lewes District Council policy adopted in 2012 and makes explicit the policy principles embedded in the Eastbourne Borough Council Equality and Fairness Strategy 2012 providing a clear statement of the values and principles which will underlie our work and services.
- 6.4** It sets out:
 - the core values and principles the Councils are committing to
 - the reasons for the policy
 - the scope of the policy – what it applies to
 - the responsibilities of different people for implementing the policy
 - broad statements of policy covering
 - standards of behaviour
 - equality and fairness analysis
 - involvement and participation in service and policy development
 - contracts and grants
 - training
 - equality objectives and information
 - monitoring and reviewing

7 Shared governance and procedures

- 7.1** The Public Sector Equality Duty Technical Guidance states that a local authority may be open to challenge if it publishes no information in relation to one or more of the aims of the duty or to one or more of the relevant protected characteristics, or to one or more of its relevant functions.
- Both Lewes District Council and Eastbourne Borough Council now require an Equality and Fairness screening and analysis (EaFA) to be carried out with respect to all service and policy changes before decisions are made, including both those brought to Members for decision and those affecting staff and customers made by Heads of

Service and Team Leaders. EaFA reports are checked by officers and sent to members of the two Councils' internal officer groups for approval.

- It is proposed that an Equality and Fairness Planning Group spanning both Councils be established to ensure Council services, projects and policies have due regard to equality and fairness issues. The Group will be chaired by the Chief Executive, and include an officer each from Legal Services, Human Resources, Corporate Services, plus the Strategy and Partnerships Lead covering PSED and performance lead, a representative of the union, and an Equality Champion from each of Strategy, Planning and Regeneration; Tourism and Enterprise; and Service Delivery. Heads of Service, Project Managers and other report authors will be invited to present their Equality and Fairness assessments to the Group.
- In addition, an Equality and Fairness Stakeholder Group (again spanning both Councils) will be established, building on the current Terms of Reference and membership of the Joint Transformation Programme Equality and Fairness Stakeholder Group with members from organisations in both Eastbourne and Lewes working on behalf of groups protected under the Equality Act by virtue of age, disability, ethnic origin, gender, sexual orientation and faith. It is proposed that meetings of the Stakeholder Group be chaired alternately by the Portfolio Holders responsible for Equality and Fairness in each Council. The Group's role would be to ensure that Lewes District Council and Eastbourne Borough Council fulfil their statutory duties in respect of all aspects of the Public Sector Equality Duty and that the views of stakeholders are taken into account in the development of policy and work programmes.

7.2 As part of its ongoing work to meet its duties under the Equality Act, and in light of changes made as a result of service transformation and integration, the Councils now need to plan a full programme of reviews assessing the impact on protected groups of its functions and services. A programme of reviews will be developed over the next few months, taking into consideration reviews already carried out as part of JTP, and prioritised on the basis of relevance and scale. This programme will be included in the Action Plan presented to Cabinet early in 2018.

8 Consultation

- 8.1** A draft version of the policy was shared initially with members of the two Council's internal officer groups and the JTP Equality and Fairness Stakeholder Group and one amendment incorporated as clarification in paragraph 1.
- 8.2** A consultation draft of the policy was then shared with a range of organisations in both local authority areas which promote the interests of groups protected under the Equality Act 2010:

- Seaford Seniors Forum
- Lewes District Seniors Forum
- Lewes Area Action Group
- Access in Seaford and Newhaven
- Peacehaven Area Accessibility Group
- SCDA Sompriti
- Eastbourne Cultural Involvement Group
- Eastbourne Disability Involvement Group
- Eastbourne Faiths Forum
- Eastbourne Seniors Forum
- Age Concern Eastbourne
- Possability People
- BourneOut LGBT

The consultation questionnaire is attached to this report as **Appendix B**.

- 8.3** A further three responses were received at this stage, all supportive of the policy, with one amendment proposed which has been incorporated in the policy now presented.
- Two respondents specifically requested access for members of voluntary organisations to any training organised by the Councils for staff and Members. The need for training for voluntary sector organisations will be considered in the development of the Council's Equality Objectives and Action Plan for 2018.
 - One respondent commented on the need membership of the Stakeholder Group to cover gender as well as the protected characteristics listed in the consultation questionnaire.

9 Financial Appraisal

There are no additional financial costs associated with this report. The proposal to integrate governance and procedures for overseeing compliance with the Council's duties under the Equality Act is in line with the broader project to integrate Lewes District Council and Eastbourne Borough Council services to realise savings through the efficient use of resources.

10 Legal Implications

This report is designed to ensure the Council discharges its duties, as set out in the Equality Act 2010 and in line with the Public Sector Equality Duty Technical Guidance.

Lawyer consulted 03.10.17. Legal ref: 006733-LDC-OD

11 Risk Management Implications

The following risks will arise if the recommendations are not implemented:

- failure to comply with statutory obligations under the Equality Act 2010 to set and
- increased risk of incurring vicarious liability for acts of discrimination, harassment or victimisation in the event of litigation.

To mitigate these risks, it is proposed that

- the Equality Objectives set for 2012 to 2016 be extended until a review of these is completed and presented to Cabinet at its meeting on 5th February 2018, and
- awareness raising and training be delivered to new staff and to those responsible for decision making at all levels within the Council.

No new risks will arise if the recommendations are implemented.

12 Equality Screening

This report is designed to meet the Council's duties under the Equality Act. An Equality and Fairness Analysis is attached at Appendix C.

Background Papers

[Equality Act 2010](#)

[LDC Equality Policy 2012 - 2016](#) and [LDC Equality Objectives 2012 - 2016](#)

Appendices

Appendix A



Working in partnership with **Eastbourne Homes**

Equality and Fairness Policy

1. Introduction

For the purposes of this joint policy Lewes District Council and Eastbourne Borough Council will be referred to as 'the Councils'.

Values and Principles

The Councils are already committed to working within an environment where equality and fairness is integral to everything we do. We hold within our principles a commitment to valuing people and are able to demonstrate, through our work with community people and our workforce that this principle goes beyond a well-meaning statement.

All individuals living within our boundaries should have the opportunity to achieve their full potential and all those who live, work and visit our areas should feel welcome, valued, safe, respected and included.

We recognise that some groups experience stereotyping and unfair discrimination in society, and some groups are, or become, isolated through a number of barriers such as physical and mental disability, culture and language, deprivation and a lack of knowledge. The Councils are committed to challenging all forms of inequality and takes its obligations to promote equality of opportunity and foster good relations very seriously.

We value diversity and believe that people with different backgrounds, skills, attitudes and experiences bring fresh ideas and perceptions that enrich our local community.

2. Why do we need an Equality and Fairness policy?

This policy helps us to meet our statutory obligations set out in Public Sector Equality Duty ((PSED) also known as the general duty or the equality duty) under the Equality Act 2010. The PSED requires us, when we are carrying out our business, to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation;
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- Foster good relations between people who share a protected characteristic and people who do not share it

There are nine protected characteristics covered by the PSED, which are:

Age	Disability	Marriage and Civil Partnership*
Pregnancy and Maternity	Gender Reassignment	Race
Religion or Belief	Sex (gender)	Sexual Orientation

For a wider definition of each of the above please see the glossary at appendix 1.

We also recognise that socio-economic status can be a significant barrier to equality of opportunity.

3. Ownership and delivery of the policy

This Equality and Fairness Policy is the responsibility of all:

- Councillors
- Staff at all levels (permanent and temporary, including agency staff, apprentices and volunteers)
- Contractors and partners working on the Council's behalf
- Voluntary sector organisations funded by the Councils.

Our service users are required to comply with Section 3.2.1 of this policy when they are using services provided by the council (or partners or contractors acting on our behalf). Examples are people using or renting council premises, or attending council events.

3.1 Responsibility

Everyone listed in Section 3 above has a responsibility to further the objectives of this policy and to comply with it.

We know that we cannot progress equality and fairness without dedicating resources and time. We have put in place the means by which our employees can feel empowered to deliver, and/or enable activities to take place, that advance equality of opportunity and foster good relations among our

communities. In order to give structure and meaning to our commitments and ongoing work we have assigned specific resources and processes to the delivery of this policy.

- 3.1.1 *Corporate Responsibility*: A Cabinet Member in each Council and the Chief Executive have a shared corporate responsibility for the Council's equality and fairness agenda, both having Equality as part of their individual portfolios. They may delegate specific responsibilities to other members of the Corporate Management Team and Elected Members.
- 3.1.2 The Head of Service for Business Planning and Performance has specific responsibility for ensuring the Council's equality and fairness agenda is delivered at both a corporate and service delivery level and ensuring the Council complies with the PSED and the wider implications as set out in the Equality Act 2010. The Business Planning and Performance team is responsible for: setting policy direction; setting and agreeing corporate objectives; acting in an advisory and training role for service areas; monitoring progress; establishing and co-ordinating a process for equality and fairness analysis; effective quality checking and enablement of external validation; effective stakeholder involvement; preparing an annual progress report for Cabinet; preparing and updating guidance documents; ensuring the Council is complying with its publication obligations.
- 3.1.3 *Human Resources*: The Assistant Director for Human Resources and Organisational Development is responsible for ensuring the Council complies with the Public Sector Equality Duty in relation to the recruitment, training, development and support of Council staff.
- 3.1.4 *Financial*: The Councils have designated a corporate budget for progressing the equality and fairness agenda, engaging with local communities, and consulting on policies and how services are delivered, and for publishing results, in line with the specific duties outlined in the SED.
- 3.1.5 *Decision-making*: Statutory responsibility for ensuring equality becomes an integral part of everything the Council does, and achieving the public equality duties as set out in the Equality Act 2010 lies with the strategic decision making bodies of the Council. In order to maintain uniformity in approach and to oversee that the work undertaken to meet these duties is done appropriately and systematically, an officer group will be established to oversee the assessment of Council functions and policies; and an Equality and Fairness Stakeholder Group (EFSG) will be established to validate assessments and ensure the views of stakeholders are taken into account in the development of policy and work programmes.

3.2 Required standards of behaviour:

All Councillors and members of staff are expected to comply with the relevant Code of Conduct and Dignity at Work policy and all such policies affecting how the Council's workforce, and that of its contractors, should conduct themselves whilst at work. This means we are able to provide a safe and welcoming environment in which all individuals are valued, included and respected. Discrimination, harassment and victimisation in any form are not acceptable.

- 3.2.1 *Consequences*: Incidents of discrimination, harassment and victimisation will be recorded and reported, in order that appropriate action can be taken to address

them under the relevant council policies and procedures. This may include reporting those which constitute a criminal offence, as well as dealing with them under Disciplinary Procedures, a contract or a tenancy agreement.

3.3 Equality and Fairness Analysis

We will ensure that no policies, practices, projects or procedures impact less favourably on people who share protected characteristics, through a process of equality analysis. This will include giving consideration to the needs of people whose socio-economic status can be a significant barrier to equality of opportunity. The analysis will also ensure our services do not infringe people's human rights. We will collect and monitor appropriate equality-related data and review service delivery to ensure that they are accessible to all, free from bias and meet the diverse needs of the community.

3.4 Involving Disabled People

The Council is committed to involving disabled people at an early stage in decisions that affect them and will continue to apply the principles of the government's 'Disability Confident Committed Employer' scheme for recruitment.

The Council is also committed to minimising barriers restricting access to our premises, facilities, services, democratic processes and employment. To this end the Council will continue to engage with local groups about specific areas that matter to them and those that matter to the Council.

3.5 Widening participation

The Council will take positive steps, where possible, to address any gaps in participation and/or representation of people who share protected characteristics among our Councillors, workforce, service-users, consultees and partners, and to widen participation to include socially or economically disadvantaged people.

3.6 Balancing conflicting views

We will take proportionate steps to balance the rights of individuals where they appear to conflict, as sensitively as possible. We will also take steps to ensure people's human rights are not adversely affected. Individuals acting on our behalf or using our premises or services must exercise freedom of expression in a way that is compatible with fostering good relations between people with different protected characteristics, eliminating unfair discrimination and advancing equality of opportunity. We will uphold these principles if it is necessary to adjudicate between competing interests.

3.7 Working with other organisations

We will strive to work with organisations and contractors who embrace equality, fairness and diversity. We will seek information on the equality and diversity practices of potential contractors and partner organisations, and take this into account when deciding to award contractors and grants. Wherever it is possible to do so we will work with local organisations that employ local people and who directly support our local economies.

3.8 Training

We will provide relevant equality, diversity and human rights training and learning opportunities to staff, volunteers and Councillors, to empower them to carry out their role in furthering the objectives of this policy.

3.9 The wider community

We will continue to build strong relationships with community groups and local organisations, contributing to community cohesion. As part of this process, we will promote equality of opportunity, and seek to foster positive attitudes and good relations between different groups of residents across the Councils' area.

4. Equality objectives and information

In accordance with our specific duties under the Equality Act 2010, the Council will set equality and fairness objectives and will publish annual equality information about our services and staff. We will also publish an annual progress report advising our communities of our progress against our objectives, enabling them to hold us to account. Our objectives will be specific and measurable and integrated into our service plans and quality improvement processes.

5. Monitoring and review

Responsibilities for monitoring and review of our Equality and Fairness Policy, Equality Objectives and Equality Information is set out at 3.1 above.

6. Contacts

Corporate: Head of Business Planning and Performance
Strategy and Partnerships Lead for Thriving Communities
Customer Communications and Engagement Lead

Equality terms glossary:

Advancing equality	The Equality Act 2010 states that this involves having due regard to the need to remove or minimise disadvantages suffered by persons who share a protected characteristic; meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and encourage persons who share a relevant protected characteristic to participate in public or in any other activity in which participation by such persons is disproportionately low.
Age	People of any age.
Assessing impact on equality	This involves looking at equality information and the outcomes of any engagement in order to understand the impact or potential impact of your decisions on people with different protected characteristics.
Civil partnership	Legal recognition of a same-sex couple's relationship. Civil partners must be treated the same as married couples on a range of legal matters. (Only in relation to due regard to the need to eliminate discrimination).
Direct discrimination	<p>Direct discrimination occurs when a person treats another less favourably than they treat others because of a protected characteristic. Direct discrimination is generally unlawful but may be lawful in the following circumstance:</p> <ul style="list-style-type: none"> • In relation to protected characteristic of disability, where a disabled person is treated more favourably than a non-disabled person <p>A person experiencing less favourable treatment ‘because of a protected characteristic’ does not have to possess the characteristic themselves. For example, the person might be associated with someone who has the characteristic (‘discrimination by association’); or the person might be wrongly perceived as having the characteristic (‘discrimination by perception’).</p>
Disability	A person who has a physical or mental impairment and that impairment has a substantial and long-term adverse effect on their ability to carry out ‘normal’ day to day activities. Some impairments are hidden, such as mental health problems, HIV, cancer, diabetes and epilepsy, but all are covered.
Disadvantage	This could include denial of an opportunity or choice. It is similar to ‘detiment’. The question to answer is ‘would a reasonable person complain about the service?’ In other words an unjustified sense of grievance would not qualify as ‘disadvantage’.

Due regard	Due regard requires consciously thinking about the three aims of the equality duty as part of the process of decision-making. This means that consideration of equality issues must influence decisions reached by public bodies – such as how they act as employers; how they develop, evaluate and review policy; how they design, deliver and evaluate services; and how they commission and procure services from others.
Engagement	A broad term, intended to cover the whole range of ways in which public authorities interact with their service users, employees and other stakeholders, over and above what they do in providing services or within a formal employment relationship.
Equality Act 2010	This brings together the majority of existing equality legislation into one place so that it is easier to use.
Equality Information	The information that you hold (or will collect) about people with protected characteristics, and the impact of your decisions and policies on them.
Equality Objectives	A requirement to prepare, set and publish objectives is one of the specific duties set out under the equality duty.
Equality outcome	The results that individuals or groups actually achieve and are able to benefit from. For example, equal pay between men and women.
Fostering good relations	The Equality Act 2010 states that having due regard to the need to foster good relations involves having due regard, in particular, to the need to tackle prejudice and promote understanding between people who share a protected characteristic and those who do not.
Function	The full range of a public authority's activities, duties and powers.
Gender	The wide social roles and relationships that structure men's and women's lives. These change over time and vary between cultures.
Gender reassignment	A person who is proposing to go through, is undergoing, or has undergone a process (or part of a process) to change their gender. A reference to a transsexual person is a reference to someone who has the protected characteristic of gender reassignment.
General equality duty	The requirement to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act; to advance equality of opportunity between people who share a protected characteristic and those who do not; and to foster good relations between people who share a protected characteristic and those who do not.
Harassment	Unwanted conduct related to a protected characteristic that has the purpose or effect of violating a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. Unwanted conduct covers a wide range of behaviour, including spoken or written words or abuse, imagery, graffiti, physical

	<p>gestures, facial expressions, mimicry, jokes, pranks, acts affecting a person's surroundings or other physical behaviour.</p> <p>The word unwanted means essentially the same as 'unwelcome' or 'uninvited'. 'Unwanted' does not mean that express objection must be made to the conduct before it is deemed to be unwanted.</p>
Indirect discrimination	Indirect discrimination may occur when a service provider applies an apparently neutral provision, criterion or practice in a way that creates disproportionate disadvantage for a person with a protected characteristic as compared to those who do not share that characteristic, and is not a proportionate means of achieving a legitimate aim.
Less favourable treatment	This would require a comparison to be made with how a service provider would have treated other service users or would have treated them in similar circumstances.
Legitimate aim	<p>Examples are:</p> <ul style="list-style-type: none"> • Ensuring that services and benefits are targeted at those who most need them; • The fair exercise of powers; • Ensuring the health and safety of those using the service provider's service or others, provided risks are clearly specified; • Preventing fraud or other forms of abuse or inappropriate use of services provided by the service provider; and • Ensuring the wellbeing or dignity of those using the service. <p>Although reasonable business needs and economic efficiency may be legitimate aims, a service provider solely aiming to reduce costs cannot expect to satisfy the test.</p>
Marriage	The legally recognised union of two people as partners in a personal relation. (Only in relation to due regard to the need to eliminate discrimination).
Maternity	The period after giving birth. It is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breast feeding.
Pregnancy	The condition of being pregnant.
Proportionality	The weight given to equality should be proportionate to its relevance to a particular function. This may mean giving greater consideration and resources to functions or policies that have the most effect on the public or on employees. This means that all possible ways of achieving the aim have been investigated and it is not based on solely being the cheapest means – these are often more discriminatory.
Protected characteristic	The public sector equality duty covers age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. It also covers marriage and civil partnership, but not for all aspects of the duty.

Public functions	The Equality Act 2010 defines a public function as a function that is of a public nature for the purposes of the Human Rights Act 1998.
Race	A person of a particular racial group - includes nationality (including citizenship), colour, ethnic or national origins, including refugees and migrants and Gypsy and Travellers.
Reasonable adjustments	Service providers have an anticipatory duty to make reasonable adjustments for disabled people. When planning its services, a service provider will need to consider whether its practices indirectly discriminate against disable persons. If a practice does discriminate, then the service provider must consider whether the practice can be justified.
Religion or belief	Any religion which has a clear structure and belief system, including a lack of religion. Belief covers any religious and philosophical belief, including a lack of belief (for example, atheism).
Sex	A person who is a man or a women.
Sexual orientation	A person who has a sexual orientation (sexual attraction) towards someone of the same sex, the opposite sex, or either sex.
Transgender	An umbrella term for people whose gender identity and/or gender expression differs from their birth sex. They may or may not seek to undergo gender reassignment hormonal treatment/surgery. Often used interchangeably with 'trans'.
Transsexual	A person who intends to undergo, is undergoing or has undergone gender reassignment (which may or may not involve hormone therapy or surgery). Transsexual people have the protected characteristic of gender reassignment under the Equality Act 2010.
Treating people more favourably	Complying with the equality duty may involve treating some people more favourably than others. For example, it may involve making use of an exception or the positive action provisions, in order to provide a service in a way which is appropriate for people who share a protected characteristic, such as providing computer training to older people to help them access information and services.
Taking account of disabled people's disabilities	The equality duty also explicitly recognises that disabled people's needs may be different from those of non-disabled people. Public bodies should take account of disabled people's impairments when making decisions about policies and services. This might mean making reasonable adjustments or treating disabled people better than non-disabled people in order to meet their needs.

Appendix B - Equalities policy consultation questionnaire

We are developing an Equality Policy for Eastbourne Borough Council (EBC) and Lewes District Council (LDC). The policy, once adopted, will underpin the Equality Objectives which we have a duty to publish and plan to develop over the next few months with the aim of aligning the Objectives of both Councils and ensuring we meet the requirements of the Equality Act 2010.

The draft policy is intended as a clear, simple statement of how the Councils intend to deliver our services and conduct our business. It is designed as a set of guiding principles to provide a foundation for our service and policy development and help with decision making.

This draft policy is broadly similar to the current Lewes District Council policy adopted in 2012 and the policy principles embedded in the Eastbourne Borough Council Equality and Fairness Strategy 2012 to 2016 have been incorporated in this new draft policy.

Once this policy has been agreed, we will be in a position to begin work reviewing our Equality Objectives and developing Action Plans. We anticipate we will have a number of shared Objectives between the two Councils but will also need some additional objectives for each of the two Councils reflecting different needs. We will consult on these later in 2017 with a view to adopting the Objectives for 2018 to 2021 and Action Plan for 2018 early in 2018.

The draft policy covers:

- the core values and principles we are committing to
- the responsibilities of different people for implementing the policy
- standards of behaviour
- equality and fairness analysis
- involvement and participation in service and policy development
- contracts and grants
- training
- equality objectives and information
- monitoring and reviewing

We would be grateful for your views and comments on this draft Policy. If you wish to comment, please use the next page.

Consultation questions:**The draft policy**

Do you agree with the policy overall?

If not, please tell us what you disagree with? (e.g. is there any policy statement you disagree with? Have we missed out any key policy statements which you think should be included?)

Proposed Lewes and Eastbourne Equality and Fairness Steering Group

The draft policy says that we will develop a shared Equality and Fairness Steering Group to review and validate our Equality and Fairness Analysis. We have been working with a stakeholder group to oversee the impact on equalities of our Joint Transformation Project integrating service delivery across both Eastbourne and Lewes District Councils and are considering extending the Terms of Reference of this group to cover our wider Equality and Fairness work.

The Group's role would be to ensure that Lewes District Council and Eastbourne Borough Council fulfil their statutory duties in respect of all aspects of the Public Sector Equality Duty and that the views of stakeholders are taken into account in the development of policy and work programmes.

This group includes representatives of groups protected under the Equality Act covering:

- Age
- Disability
- Race
- Sexual orientation
- Faith

Do you agree with the proposal to expand the remit of the current Lewes and Eastbourne JTP Equality and Fairness Steering group to cover our wider Equality and Fairness work? (Yes / No)

Please add any comments:

Do you agree with the proposed representation of protected groups and other stakeholders? (Yes / No)

Please add any comments:

If not, what other representatives do you think we need to include?

Thank you for taking the time to read the policy and comment.

Please send your comments on this form to equalities@eastbourne.gov.uk

Appendix C – Equality and Fairness Analysis

STRONGER together



Working in partnership with Eastbourne Homes

Equality and Fairness Analysis Findings report – Equality and Fairness Policy

Policy = the full range of our policies, practices, activities, projects, procurement and decisions, whether it is formally written down or whether it is informal custom and practice. This includes all existing policies and any new policies under development.

Person responsible for analysis	Pat Taylor	
Person responsible for policy development	Pat Taylor	
Policy area (or function)	Compliance with Public Sector Equality Duty	
Service area responsible for implementing the policy	All	
Originator (if not the Council)	n/a	
Is the policy proposed (new) or existing?	Proposed	
Is it an LDC/EBC policy or a partnership initiative?		Partnership
Key people involved in the policy development and its implementation	Business Planning and Performance officers; members of LDC and EBC internal officer groups responsible for overseeing Equality and Fairness, and of external EaFA Stakeholder Group	
Decision making bodies the policy will be referred to	Council, Cabinet, Cabinet Members, Heads of Service and Team Leaders	
Who is the responsible Director/Assistant	Nazeya Hussain	

Director?	
Date of first equality quality check (internal)	
Date of external equality stakeholder group	

The Public Sector Equality Duty

The public sector equality duty is made up of a ‘general equality duty’ which in turn is supported by ‘specific duties’. The general equality duty is set out in section 149 of the Equality Act 2010 and came into force on 5th April 2011. The general equality duty sets out what is required of public authorities and the specific duties help public authorities comply with the statutory obligations.

As a summary, we must, in the exercise of our functions, have due regard to the need to:

1. Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
2. Advance equality of opportunity between people who share a characteristic and those who do not share it;
3. Foster good relations between people who share a characteristic and those who do not share it.

These are commonly referred to as the three aims of the general duty.

The second aim (advancing equality of opportunity) involves, in particular, having due regard to the need to:

- Remove or minimise disadvantages experienced by people because of their protected characteristics.
- Take steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people.
- Encourage people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low.

The Equality Act further states that the steps involved in meeting the needs of disabled persons that are different to the needs of persons who are not disabled include, in particular, steps to take account of a disabled persons’ impairment.

It describes the third aim (fostering good relations) as tackling prejudice and promoting understanding between people who share protected characteristics and those who do not.

It explains that compliance with the general equality duty may involve treating some people more favourably than others, as long as this is within the law.

The duty also covers a ‘person’ who is not a public authority but who exercises public functions. We retain the responsibility for the ‘person’ having due regard to the three aims when delivering a service on our behalf. This should be written into their contract with us.

By thoroughly assessing what we do against the general duty we are able to make better decisions about what we do, leading to better outcomes for people who work for us and for people who access our services and facilities.

Context and Scope

<p>What is the purpose of the policy and why is it needed?</p> <p>The Equality and Fairness Policy is needed to underpin the Councils' approach to ensuring that full consideration of equality and fairness is given in the development, design and delivery of all services and policies and in the recruitment and development of staff. The Policy sets the framework for the development of Equality and Fairness Objectives, as required under the Public Sector Equality Duty (2010) and Action Plans, and for the day to day consideration of equality and fairness in Council work.</p>
<p>In what context will it operate and who is it intended to benefit?</p> <p>The Policy will apply to all the Council's activities and decision-making whether this is at Council or Cabinet level covering major service or policy development, or the interpretation of policy and procedures at a front-line operational level. It is intended to benefit all sectors of the community and specifically groups protected under the Equality Act 2010 who might otherwise be adversely affected by Council decisions and activities.</p>
<p>What are the expected outcomes/longer term benefits of the policy?</p> <p>Equal access to services and opportunities provided by the Council for all residents and increased fairness, inclusion and participation in activities.</p>

Information and Research

<p>List all sources of information and relevant data that was obtained and considered in the assessment and include the groups you consulted with?</p> <p>Equality Act 2010 Public Sector Equality Duty Technical Guidance East Sussex in Figures Equality Policy and Objectives 2012 – 2016 – Lewes District Council Equality and Fairness Strategy and Objectives 2012 – 2016 – Eastbourne Borough Council</p>

Were any gaps identified in this information and if so, what are these and what actions are being taken to address them?

There is no data on sexual orientation or gender re-assignment. This was previously included in data collection surveys and the Census, but was dropped in 2011 because of its sensitive nature and the perceived intrusiveness of questions on this.

Both Councils will need to ensure data collection within different service areas complies with good practice and is in line with national data collection.

Analysis and Assessment

What are the main findings, trends and themes arising out of the research and information you have gathered and any consultation you have carried out?

17.2% of Eastbourne residents are under 16 and 24.5% of Eastbourne residents are aged 65 and over, significantly higher than the average for England (17.9%). 17.4% of Lewes District residents are under 16 and 25% are aged 65 and over. Both groups, along with those aged 17-25 will be affected by policies and services which impact differently on their age groups.

Eastbourne has a significantly higher percentage of one person households (36.2%) compared with England and Wales (30.2%) and East Sussex (32.8%). This has implications for the provision of housing and of support services. The percentage of one person households is 30.2%, the same as the national average.

The concerns associated with an ageing population are particularly high in both local authority areas and the Councils need to ensure it works closely with health and care partners to reduce the risks associated with this, both through health and personal resilience work and in the provision of suitable housing and related support services to meet needs.

At the same time, both Councils need to identify more effective ways of engaging with young residents to increase their participation in the democratic process and in their local communities.

51.6% of Eastbourne residents and 51.4% of Lewes District residents are women, higher than the England average of 50.4% and likely to be associated with the older age profile in both areas. There is no representation on the Councils' external stakeholder group at present to cover either transgender or women's issues specifically. Whilst a number of staff and external stakeholder representatives on the internal officer group and Stakeholder Group proposed are women, it would be helpful to identify two additional representatives to join the Stakeholder Group, one each from organisations addressing the barriers which women face and those which transgender people face.

There is no data available covering sexual orientation and gender reassignment, but Government estimates that 5 to 7% of the population is Lesbian, Gay and Bisexual. A member of BourneOut LGBT sits on the Equality and Fairness Stakeholder Group and this will improve

the focus on barriers faced by LGBT people in future consideration of Lewes District Council policies and services.

87.4% of Eastbourne residents and 92.5% of Lewes District residents are White British and Northern Irish; 1% of Eastbourne residents and 0.8% of Lewes District residents are White Irish; 0.1% of residents in both Eastbourne and Lewes are Gypsy or Irish Traveller; and 5.6% of Eastbourne and 3.2% of Lewes residents are 'other White'. 2.8% of Eastbourne residents and 1.4% of Lewes residents are Asian / Asian British; and 0.8 % of Eastbourne residents and 0.4% of Lewes residents are Black / Black British. 1.8% of Eastbourne residents and 1.3% of Lewes residents are of Mixed Heritage; and 0.5% in Eastbourne and 0.3% in Lewes are 'other ethnic group'.

In terms of country of birth (2011 figures), 94.5% of Eastbourne residents and 95.9% of Lewes residents were born in Europe; 2.9% of Eastbourne residents and 1.6% of Lewes District residents were born in the Middle East and Asia, 1.5% of Eastbourne residents and 1.2% of Lewes District residents were born in Africa; 0.8% of Eastbourne residents and 0.9% of Lewes District residents were born in the Americas and the Caribbean; and 0.3% of Eastbourne residents and 0.4% of Lewes District residents were born in Antarctica and Oceania.

1,213 overseas nationals entered the UK in 2016 and were registered in Eastbourne for National Insurance. Of these 1,049 were from the European Union. 365 entered the UK in 2016 and were registered for National Insurance in Lewes District. Of these 278 were from the European Union.

Language is an issue for a significant number of households. Of Eastbourne's 45,012 households, 1,705 had no member with English as a main language, 237 had only members aged under 16 with English as a main language, and a further 1,333 had at least one member who did not have English as a main language. Of Lewes District's 42,181 households, 516 had no member with English as a main language, 112 had only members aged under 16 with English as a main language, and a further 925 had at least one member who did not have English as a main language.

Language support including translation, interpreting, related advocacy and English language training are clearly key to ensuring these households are able to participate fully in activities, services and employment. The Equality Policy and Objectives include an important focus on engagement with the full range of protected organisations, and this is particularly important in ensuring that households settling in Eastbourne and those who do not have English as a main language have access to the support they need. Both Councils have service agreements through the Sussex Translation and Interpreting Framework and with Vandu Language Services for translation and interpreting in relation to Council services.

59.6% of Eastbourne residents and 57% of Lewes District residents identified as Christian in the 2011 Census; 1.5% in Eastbourne and 0.6% in Lewes District identified as Muslim; 0.5% in Eastbourne and 0.5% in Lewes District as Buddhist; 0.4% in Eastbourne and 0.3% in Lewes District as Hindu; 0.2% in Eastbourne and 0.3% in Lewes District as Jewish; and 0.1% in Eastbourne identified as Sikh. 0.6% in both Eastbourne and Lewes identified themselves with other religions. 29% in Eastbourne and 32.5% in Lewes District said they had no religion. 8% in Eastbourne did not respond to the Census question asking about religion and 8.2% did not respond in Lewes District.

33.3% of Eastbourne residents and 28.7% of Lewes District residents aged 16 and over are single; 42.8% in Eastbourne and 49.6% in Lewes District are married; 0.4% in Eastbourne and 0.5% in Lewes are in a registered same-sex civil partnership; 3% in Eastbourne and 2.5% in Lewes are separated; 11.5% in Eastbourne and 10.2% in Lewes are divorced; and 9.1% in Eastbourne and 8.4% in Lewes are widowed.

There were 1,070 live births to Eastbourne residents in 2015 and 877 to Lewes residents. Teenage pregnancy has reduced significantly across the country and in Eastbourne from 62 conceptions in 2010 to 36 in 2015, and in Lewes from 53 in 2010 to 29 in 2015.

21% of Eastbourne residents and 19.5% of Lewes residents had a long-term health problem or disability at the last Census in 2011. 11.3% in Eastbourne and 10.9% in Lewes were those whose day-to-day activities were limited a little, and 9.7% in Eastbourne and 8.7% in Lewes were those whose day-to-day activities were limited a lot. East Sussex County Council estimate the increase in people with a long-term limiting illness to increase in Eastbourne from 22,550 in 2015 to 23,557 by 2018 and 24,665 by 2021, and the increase in the number of disabled people from 18,413 in 2015 to 19,204 by 2018 and 20,204 by 2021. In Lewes ESCC calculate an increase in the number of those with a long-term limiting illness from 20,366 in 2015 to 21,338 in 2018 and 22,460 in 2021; and an increase in the number of disabled people from 16,598 in 2015 to 17,435 in 2018 and 18,415 in 2021.

15,064 Eastbourne residents (15.1%) were estimated to be affected by income deprivation in 2012 (2015 Indices of Deprivation) in Eastbourne. 10,894 Lewes District residents (11.1%) were estimated to be affected by income deprivation.

The establishment of a shared Equality and Fairness Stakeholder Group will deliver additional benefits to both Councils arising from engagement with a wider range of representatives.

Responses from consultation included a gap in training on equality and fairness for voluntary and community organisations and request that the Councils open any training arranged for their own staff to these organisations where possible.

<p>Which protected groups will it affect/benefit the most?</p> <p><i>Considering who the policy is intending to benefit and what the expected outcomes are, assess each characteristic and indicate whether the policy has 'M' more, 'L' less, or 'E' equal relevance. Highlight the finding.</i></p>	Age	M	E
	Disability	M	E
	Gender reassignment	M	E
	Marriage and civil partnership	M	E
	Maternity and pregnancy	M	E
	Race	M	E
	Religion or beliefs	M	E
	Sex	M	E
	Sexual orientation	M	E
<p>Which parts of the Public Sector Equality Duty are most relevant to the policy?</p>	1. Eliminate discrimination, harassment and victimisation	M	E
	2. Advance equality of opportunity	M	E
	3. Foster good relations	M	E

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Please explain your reasons for the above assessments and how you have given consideration to the different needs of people and taken steps to minimise potential disadvantages and maximise equality of opportunity

By their nature, the Equality and Fairness Policy, governance and review arrangements are designed to ensure all protected groups are covered, and each of the PSED duties are taken into consideration. They set the basis for addressing all of these in the review of all Council functions and assessment of the impact of any service and policy changes.

Based on your findings is there a need to balance conflicting views or counter resentment and inaccurate perceptions, if so what will you do?

The policy is designed to ensure that all decisions made by the Councils relating both to policy, and practice take account of the impact these may have on groups protected by the Equality Act and others at risk of exclusion, such as those on very low incomes. The policy itself recognises that there may be limitations in some instances on what the Councils and their partners are able to do to overcome some of the barriers addressed and that a balanced view needs to be taken. The decision-making and review process is designed to include challenge from members of protected communities and to draw up actions to mitigate any potentially negative impacts where these are identified.

Action Planning

If you have identified specific areas that require action to promote equality, what steps are you going to take to ensure this work is carried out and completed?					
Issue Identified	Action Required	Lead Officer	Required Resources	Target Date	Measure of Success
Lack of specific representation of women's organisations or issues on Stakeholder Group	Identify an appropriate representative able to contribute on barriers that women face	Pat Taylor	None	31 March 2018	Representative invited to attend identified and agreed
Lack of training and sufficient understanding of equality issues in voluntary and community sector	Review training needs with 3VA and ensure training on equality and fairness is offered to the VCS	Pat Taylor	None	30 June 2018	Training courses identified and VCS members invited
Need to ensure data collection in service areas is in line with good practice and national data collection.	Review as part of Equality and Fairness Reviews of functions	Heads of Service	Non	31 st March 2021 as part of programme of EaF reviews	Consistent data collection and complete data covering protected groups in line with good practice

Outcome

Considering all the evidence and the potential or actual effect of the policy on equality, it is concluded that:

*1. **No major changes are needed** – the policy is robust and evidence shows no potential for discrimination and all opportunities to advance equality and foster good relations between groups has been taken.

Quality Assurance

How will you implement any recommendations made through quality checking?	n/a
How will the issues covered in the action plan be monitored and reviewed and who will do this?	The Strategy and Partnerships Lead – Thriving Communities will identify representatives for the Equality and Fairness Stakeholder Group and will liaise with 3VA. She will work with the Functional Lead to ensure data collected is in line with good practice and national guidance
Who will sign off the action plan once all actions are completed?	Head of Business Planning and Performance
How will you share the results with stakeholders?	Ongoing through the Stakeholder Forum

Approval

Report Author	Pat Taylor
Signed	
Dated	23 October 2017

Director/Assistant Director	
Signed	
Dated	

Please now send this report to EqualitiesEmail@lewes-eastbourne.gov.uk

For completion by the Business Planning and Performance Team:

Quality Checking

Initial quality check carried out by	Devan Briggs		
Report cleared for internal quality checking or returned to EaFA author for further action	Cleared	X	Returned to EaFA author for further action
	Tick the box that applies		
Date sent to the internal equality checking group			
Record of comments/ recommendations made by this group			
Date comments sent back to EaFA author for inclusion in final draft report – where relevant			
Date final draft report received			
Final draft report cleared by (officer / date)			

Date of Equality and Fairness External Steering Group review	
Record of any comments/ recommendations made by this group	
Date comments/recommendations sent back to EaFA author for inclusion	
Date final EaFA received	
Final EaFA cleared by	

Date EaFA published on website	
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Agenda Item No: 10 **Report No:** 162/17

Report Title: Scrutiny Work Programme 2017/2018

Report To: Scrutiny Committee **Date:** 9 November 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 amendments to its Work Programme for 2017/2018.

Officers Recommendations:

2. That the Scrutiny Committee set a focused scope, terms of reference and realistic time-scale for a Scrutiny Review of Transport with regard to the A259 and associated matters, pursuant the Scrutiny Transport Panel resolution on 26 October 2017.
3. That the Scrutiny Committee appoint 3 or 5 members to, and agree the first meeting date of, the Affordable Workspace in Lewes District Panel.
4. That the Scrutiny Committee consider the Uckfield to Lewes railway line matter pursuant the motion carried at the Full Council meeting on 17 October 2017, a copy of which is attached at Appendix B.
5. That the Scrutiny Committee note the addition of a Tourism Report to the meeting of the Scrutiny Committee on 18 January 2018.

Reasons for Recommendation

6. To meet the requirement of the Council's Constitution with regard to the preparation, execution and adjustment of the Work Programme.
-

Information

7. The second meeting of the Scrutiny Transport Review Panel took place on 26 October 2017. The officer recommendation for the meeting was that the Scrutiny Transport Panel agree the scope for a Scrutiny Review of Transport. The resolution of the meeting was:

“That the Scrutiny Transport Panel be referred back to the Scrutiny Committee at its meeting on 9 November 2017, in order to set a focused scope, terms of reference and realistic time-scale for a Scrutiny Review of Transport.”

8. Members' attention is drawn to Part 4 10 (c) of the Constitution of the Council:

“The Scrutiny Committee will set the Panels' terms of reference and time-scale for completing each review or activity. Should pressure on officer resources be such that the agreed timescale might become unrealistic, the matter shall be referred back to the Committee.”

9. Members' attention is drawn to Part 4 10 (f) of the Constitution of the Council:

“No more than four Panels shall be in existence at any one time (excluding those convened to consider call-in requests or matters identified in the forward plan of key decisions).”

10. 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 C. 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.
11. Any new topics which are suggested and agreed by the Committee would then be brought forward, initially in the form of a scoping report, to a future meeting for further consideration.
12. A report regarding Tourism was presented to the Scrutiny Committee meeting on 23 March 2017. An extract from the minutes:

“The Regeneration Project Manager referred to page 29 of the Report when she explained that a full report on the Future Tourism in Lewes had been scheduled for a future meeting of the Cabinet in September 2017, which would identify in more detail the future operations and opportunities of sharing services with EBC's Tourism and Enterprise department...”

“...The Committee thanked officers for their responses. The Committee was advised that a full report on Tourism would be presented later in the year, which, it was anticipated, would occur at the meeting of the Cabinet that was scheduled to be held on 27 September 2017, and that the Committee would be able to review Tourism again when that report was available.”

The Director of Tourism and Enterprise has since notified the Chair of the Scrutiny Committee that the full report on Tourism will be going to Cabinet on 13 November

2017, and therefore the Tourism report has been added to the Scrutiny Work Programme for the Scrutiny Committee meeting on 18 January 2018.

Financial Appraisal

13. 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

14. There are no legal implications arising from this report.

Risk Management Implications

15. There is no requirement for an analysis of risk.

Equality Screening

16. 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

17. Scrutiny Transport Panel Agenda

<https://lewes.cmis.uk.com/cmis5/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/505/Meeting/787/Committee/212/Default.aspx>

Appendices

18. Appendix A – Scrutiny Committee Work Programme 2017/2018

Appendix B – Minute Extract from the meeting of the Council held on 9 October 2017

Appendix C – Scrutiny Review Scoring System

Appendix A

Scrutiny Committee Work Programme 2017/2018

9 November 2017	North Street Quarter - Due Diligence Performance Monitoring 2017/2018 – Quarter 2 Annual Community Safety Partnership Merger and Action Plan Equalities and Fairness Policy and Analysis Report Scrutiny Work Programme Forward Plan
18 January 2018	Tourism Report HR Sickness Report Annual Equalities Report Grants to Voluntary Organisations Council Budget proposals 2018/2019 Council Plan Forward Plan
22 February 2018	Performance Monitoring 2017/2018 – Quarter 3 Forward Plan
19 April 2018	Consult relevant bodies for suggestions for 2018/2019 Work Programme Performance Monitoring 2017/2018 – Quarter 4 Forward Plan

To be scheduled:

- Monitoring of Recommendations/Updates on Reviews
- Call in

Appendix B

Minute extract from the meeting of the Council held on 9 October 2017

30 Urgent Decisions taken by the Cabinet or Cabinet Members

The Chair of the Council reported that no urgent decisions had been taken by the Cabinet or Cabinet Members since the Meeting of the Council on 17 July 2017.

31 Notices of Motion

(a) The Chair reported that a Notice of Motion had been submitted under Council Procedure Rule 14 by Councillor Barnes relating to the re-opening of the Uckfield to Lewes railway line.

In accordance with Council Procedure Rule 14 Councillor Barnes moved, and Councillor Enever seconded, the Notice of Motion as follows:

"Lewes District Council resolves to positively continue its long standing support for the much needed re-opening of the Uckfield to Lewes railway line.

This is something which hundreds of Lewes District residents have called for over many years, and it would be a strategic addition to the rail network for the Lewes District. This vital transport link, especially if electrified, would help Lewes District Council meet their sustainable transport aspirations.

Other examples of successful projects along these lines include the Borders Railway line".

With the agreement of the Council, Councillor Barnes agreed to the amendment of his Notice of Motion to read:

".....much needed re-opening of the Uckfield to Lewes railway line and the Council asks the Scrutiny Committee to consider and propose what actions the Council and potential partner organisations might take to further this outcome.

This is something which hundreds....."

Councillor Catlin seconded the amended Motion.

The amended Motion was put to the meeting, Declared Carried, and it was

Resolved:

31.1 Accordingly.

DRP/
ADLDS
(Scrutiny
Officer)

Appendix C

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.

Lewes District Council's Forward Plan of Decisions – 1 November 2017 – 28 February 2018

Published: 12 October 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 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

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
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
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

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
Asset Development: Newhaven, (the Appendices to this Report are likely to contain Exempt (ie confidential) information as defined by Part 1 of Schedule 12A of the Local Government Act 1972 (as amended), as they 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 Giles)	13 November 2017	Not applicable	Not applicable	Not applicable	Bee Lewis Head of Property & Facilities 01323 415521 bee.lewis@lewes-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
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)	13 November 2017	Extensive 8 week formal consultation to be undertaken with stakeholders with an interest in the implementation of the document	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	New Affordable Housing Technical Note: Supplementary Planning Document. Strategic Environmental Assessment (SEA) Report. Lewes District Local Plan Part 1 – Joint Core Strategy. House of Commons: Written Statement (HCWS50) made by: The Minister of State for Housing and Planning (Brandon Lewis) on 28 Nov 2014. Skipton Properties Ltd, R (On the Application Of) v Craven District Council [2017] EWHC 534 (Admin). Case No: CO/5521/2016.	Anthony Howell Strategic Policy Officer 01273 085355 anthony.howell@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
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
Appointment of Members/Officers to Outside Bodies – to authorise appropriate insurance and indemnities for Members and Officers who are appointed to Outside Bodies by the Council (NKD) (Lead Councillor: Councillor Giles)	13 November 2017	To be advised	To be advised	To be advised	Catherine Knight Assistant Director - Legal & Democratic Services 01323 415864 catherine.knight@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
To develop a Lewes District Council Local Lottery (NKD) (Lead Councillor: Councillor Merry)	13 November 2017	Consultation will take place with such persons and groups as the Council consider likely to have an interest in a Local Lottery	Representations can be made through the consultation	None	Bill McCafferty Functional Lead for Thriving Communities (01323) 415171 bill.mccafferty@lewes-eastbourne.gov.uk
Draft Lewes Tourism Strategy 2018-2021 (NKD) (Lead Councillor: Councillor Nicholson)	13 November 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

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
Asset Development: Seaford (the Appendices to this Report are likely to contain Exempt (ie confidential) information as defined by Part 1 of Schedule 12A of the Local Government Act 1972 (as amended), as they 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 Giles)	3 January 2018	Not applicable	Not applicable	Not applicable	Bee Lewis Head of Property & Facilities 01323 415521 bee.lewis@lewes-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
Community Safety Partnership and Action Plan (KD) (Lead Councillor: Councillor Nicholson)	3 January 2018	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

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
Fees and Charges – Commercial Waste and Recycling Collection (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) (NKD) (Lead Councillor: Councillor Giles)	3 January 2018	None	None	Lewes District Council Guiding principles for setting fees and charges	Steve Jump Deputy Head of Finance 01273 085257 Steve.Jump@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
Fees and Charges (NKD) (Lead Councillor: Councillor Giles)	3 January 2018	None	None	Lewes District Council Guiding principles for setting fees and charges	Steve Jump Deputy Head of Finance 01273 085257 Steve.Jump@lewes.gov.uk
Land at Pinwell Road (KD) (Lead Councillor: Councillor Giles)	3 January 2018	Not applicable	Not applicable	Not applicable	Bee Lewis Head of Property and Facilities 01323 415521 bee.lewis@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
Voluntary Sector Support - to report on the performance of those voluntary organisations funded in 2017/18 and propose grants for 2018/19 (KD) (Lead Councillor: Councillor Nicholson)	5 February 2018	Not applicable	Not applicable	Performance monitoring reports – held by Business Planning and Performance Equality and Fairness analysis – held by Business Planning and Performance	Pat Taylor Strategy and Partnerships Lead- Thriving Communities 01323 415909 pat.taylor@lewes-eastbourne.gov.uk
Revenue Budgets, Capital Programme and Treasury Management Strategy 2018/19 (KD) (Lead Councillor: Councillor Giles)	5 February 2018	None	Direct to Contact Officer by email, writing or telephone in time for the preparation of the final version of the Report	None	Alan Osborne Deputy Chief Executive 01273 085149 finance@lewes.gov.uk
Adoption of the Equalities Annual Report and Equalities Action Plan for 2018 (NKD) (Lead Councillor: Councillor Merry)	5 February 2018	Consideration through Equalities Working Group (officer group) and then Scrutiny Committee	None	None	Jo Harper Head of Business Strategy and Performance 01273 661374 jo.harper@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
Wave Leisure Service Plan 2018/19 (NKD) (Lead Councillor: Councillor Nicholson)	5 February 2018	None	None	Wave Service Plan 2018/19	Robert Brennan Procurement Manager 01323 415502 robert.brennan@lewes.gov.uk

