



## Scrutiny Committee

**Minutes** of a meeting of the **Scrutiny Committee** held in the **Warren Room, Lewes House, High Street, Lewes**, on **Thursday, 18 January 2018** at 10:00am

### **Members Present:**

Councillor P Gardiner (Chair)

Councillors S Adeniji, J Carter, N Enever, W Elliot, R O’Keeffe (MBE) and S Osborne

### **Officers Present:**

J Blackwell, Project Manager of Tourism and Enterprise (Minutes 20 – 28)

B Cooke, Assistant Director of Human Resources and Organisational Development (Minutes 20 – 25)

J Gavigan, Head of Democratic Services

J Harper, Head of Business Planning and Performance

S Jump, Deputy Head of Finance, Corporate Services (Minutes 26 – 29)

P Taylor, Strategy and Partnerships Lead for Thriving Communities (Minutes 20 – 27)

J Victory, Scrutiny Officer

### **In Attendance:**

A Chequers, Head of Homes First (Minutes 27 – 31)

## **Minutes**

### **20 Minutes**

The minutes of the meeting held on 9 November 2017 were approved as a correct record and signed by the Chair.

**Action**

## 21 Urgent Items

The Chair advised that he had received a proposal from Councillor Ient for the 2011 Local Government Ombudsman's report to be considered by the Scrutiny Committee. Councillor Ient proposed that Lewes District Council should write to the Ombudsman and ask them to investigate the correspondence and decisions of the Council during the previous years before Lewes District Council issued a planning decision.

The Chair reminded the Committee that, at the Scrutiny Committee meeting on 14 September 2017, he provided members with an update on the 2017 Ombudsman's Report on Lewes District, in which there was one complaint partly upheld. The Ombudsman had investigated the complaint, and found no fault in the way enforcement issues had been considered by the Council, but "a degree of fault" through delay in responding to the complaint. As a result of the complaint, an apology was given and officers assured the Chair that they were aiming to respond to complaints more promptly in future.

With regard to Councillor Ient's proposal, the Chair advised that it was not in the Scrutiny Committee's brief to do any further investigation with regard to the 2017 Ombudsman's Report on Lewes District.

### Resolved:

- (1) That the Scrutiny Committee would not write to the Ombudsman regarding the 2011 Local Government Ombudsman's report on Lewes District, as it was not in the Scrutiny Committee's remit to do anything further considering the investigations which had already taken place.

## 22 Apologies for Absence/Declaration of Substitute Members

Apologies for absence had been received from Councillors V Ient and J Harrison-Hicks. Councillor Elliot declared that he was acting as substitute for Councillor Ient for the duration of the meeting.

## 23 Change in the Order of Agenda

### Resolved:

- (1) That Agenda Item 10 entitled 'Sickness Report' be taken immediately before Agenda Item 6 entitled 'Equality Annual Report'.

## 24 Sickness Report

The Scrutiny Committee received the report of the Assistant Director of Human Resources and Organisational Development, which provided an update with regard to the Council's 2017 Quarter 2 sickness figures.

Members were pleased to note that, although the Council did not meet its

sickness target of 9 days per FTE, the overall sickness for Lewes for the year 2016/17 did reflect a reduction when compared to data from the last couple of years.

Members' discussion included:

- Whether the absences related to migraines could be further investigated to see if there were environmental triggers in the office which could be taken into consideration.
- A request for more information concerning how the Council planned on improving the absence statistics of the Waste Department, especially with regard to the trend identified of musculoskeletal injury related absences.
- A concern for Waste Department regarding the increasing problem of used needles which were being left in public spaces, and whether the Council could provide people with safe spaces to dispose of their used needles. Members also requested more information with regard to what advice should be given to members of the public who find used needles.
- A request for there to be a distinction between Lewes District Council staff and Eastbourne Borough Council staff with regard to staff sickness data.

Officers responded that:

- The Human Resources department continually analysed whether there were any trends or concerns with regard to reasons for absence. Whilst officers appreciated that environmental triggers could be associated with migraine attacks, to date no trends regarding migraines had been identified.
- The Council had an Occupational Health Service which provided professional medical advice, and employees that worked in the Waste Department and reported musculoskeletal injuries were suggested physiotherapy. Officers were also optimistic that the introduction of a single wheelie bin for all paper, plastics, cans, cardboard and glass recycling would help with this issue.
- The Waste Department was provided with gloves which were designed to meet the demand of the industry and provide protection for their hands against hazards. However, the concern regarding used needles in public was noted and the Policy and Engagement Coordinator would be notified to provide more information to the Committee regarding the supply of needle boxes in the district.

PaEC

- All Lewes District and Eastbourne Borough Council employees were now a single team collectively employed by Eastbourne Borough Council, and therefore absence reporting would reflect this.

Resolved:

- (1) That the Scrutiny Committee noted the report of the Assistant Director or Human Resources and Operational Organisation.

Reason:

To discharge Scrutiny resolution 4.2 of 14 September 2017, that the Assistant Director or Human Resources and Operational Organisation present a report to the Committee regarding sickness absences.

## 25 Equality Annual Report

The Scrutiny Committee considered the report of the Director of Regeneration and Planning, which provided Members with an update on the Council's activities in relation to Equalities over the past year and proposed a revised set of Equality Objectives for 2019 to 2021.

Members' discussion included:

- What protocol was in place if a member of the community identified an Equality policy which they deemed unfair.
- The negative feedback that had been received with regard to the new website, particularly concerning the accessibility of information and the impact that this had on those with learning disabilities.
- Endorsement of the Equality Objectives for 2019 to 2021, including the current objectives, revised objectives and the additional objective which had been announced in report.

Officers responded that:

- If a member of the community identified a policy that they felt was unfair, then the best route would be to report it to the Council so that this could be looked into.
- Negative feedback that had been received regarding the new website was noted, and the Joint Transformation Project Programme Manager would be informed.

Resolved:

- (1) That the Scrutiny Committee noted progress against the 2017 Equality Action Plan; and

- (2) That the Committee supported the Action Plan for 2018 and the proposed Equality Objectives for 2018 to 2021.

Reason:

To support the Council in complying with the Equality Act 2010.

## 26 Voluntary Sector Support

The Committee considered the report of the Director of Regeneration and Planning, which reported on the performance of voluntary organisations funded by the Council in 2017/18.

Members noted that the five organisations being reported on were:

- 1) Citizens Advice Bureau
- 2) 3VA
- 3) Action in Rural Sussex
- 4) Sompriti and
- 5) Lewes District Churches Homelink.

Members' discussion included:

- Whether a charity existed that could help people with their Universal Credit claims throughout the application process. This was a particular concern for rural areas within the Lewes District where there was limited access to the internet.
- If further advice could be given with regard to what funding was available during the waiting period that people encounter when transitioning from the current Benefits System to Universal Credit.
- Appreciation for the work that the Citizens Advice Bureau, 3VA, Action in Rural Sussex, Sompriti and Lewes District Churches Homelink had undertaken throughout 2017/2018.

Officers responded that:

- Neighbourhood First were provided with iPads so that they could assist those with limited access to the internet with the application process. With regard to those from more rural areas, there were currently schemes in place such as Village Agents and the Good Neighborhood Scheme; however officers noted that the demand for hand-holding services may increase during the roll-out of Universal Credit in September, and that the additional £30,000 funding agreed by Council in December could be used to provide further assistance to cope with the demand.
- The Department for Work and Pensions organised Universal Credit workshops for stakeholders which all Councillors could attend. The Strategy and Partnerships Lead for Thriving Communities would provide

Members with more information about these workshops in due course.

Resolved:

- (1) That the Committee note the performance of those voluntary organisations that received funding from the Council in 2017/18;
- (2) That the Committee note the proposed policy on Grant funding to voluntary organisations in the Lewes District;
- (3) That the Committee note the proposed allocation of funding to voluntary organisations for 2018/19; and
- (4) That the Committee endorse the approach for allocation of the additional £30,000 for voluntary organisations to mitigate risks raised by the roll-out of Universal Credit.

Reason:

For the Committee to scrutinise the performance of the small number of strategic voluntary sector organisations which the Council funds and endorse the Council's plans of funding for 2018/2019.

## **27 Draft Lewes Tourism Strategy 2018-2021**

The Committee considered the report of the Director of Tourism and Enterprise, which updated Members with regard to the Strategic Tourism Vision and Action Plan (2018 to 2021), and invited Members to recognise the opportunities for the joint working of tourism services between Lewes District Council and Eastbourne Borough Council.

Members' discussion included:

- A request that Lewes and Eastbourne retain separate identities with regard to tourism.
- Whether the Stay Lewes brand could incorporate 'umbrella brands' such as Stay Seaford and Stay Newhaven to encourage tourism in other areas throughout the Lewes District.
- If electric bike hire could be considered to increase participation in cycling events, especially considering the hilly terrain in Lewes.
- If the lack of hotels throughout the Lewes District could be a possible deterrent for visitors, and if so how this could be addressed.
- Commending the Tourism Department for the successful piloting of the Gin and Fizz festival in 2017.

Officers responded that:

- Although there were now opportunities for joint working for tourism services between Lewes District Council and Eastbourne Borough Council, the two Council's separate identities would also remain a priority.
- The suggestions regarding the introduction of Stay Lewes 'umbrella brands' were noted.
- The suggestion with regard to the electric bike hire was noted.
- With the popularity of holiday rental schemes such as Airbnb, there were still places for people to stay in Lewes. There were also plans to build two new popular chain hotels in Lewes.

Resolved:

- (1) That the Committee endorse the the implementation of the updated Strategic Tourism Vision and Action Plan.

Reason:

For the Scrutiny Committee to be provided with an overview regarding the success of the former three year Strategic Tourism Vision and Action Plan (2015-2018) and receive an update regarding the future joint working arrangements within Council Departments that Lewes and Eastbourne have agreed.

## **28 Budget Overview and Taxbase Setting**

The Committee considered the report of the Deputy Chief Executive, which explained the emerging General Fund and Housing Revenue budgets for 2018/19.

Members noted the corrections to the recommendations of the report as follows:

That the Scrutiny Committee:

- 1 Notes the emerging 2018/19 budget context and proposals.
- 2 Notes the calculation of the Council Tax Base for 2018/19.
- 3 Notes that Cabinet delegates the setting of the projected amount of non-domestic rating income for 2018/19 and the demand on the business rates Collection Fund to the Deputy Chief Executive in consultation with the Portfolio holder.
- 4 Forwards any comments to Cabinet ahead of the budget Cabinet meeting on 5 February 2018.

Members' discussion included:

- Whether the Deputy Head of Finance could provide Members with a breakdown of the Council Tax Special Expense in Lewes and Newhaven.
- A request for up-to-date information regarding how many business rate appeals and enquiries there had been since the 2017 business rates revaluation.
- A request for more information regarding how many local businesses had benefitted from small business rate relief.
- Members enquired whether more information could be circulated to local business owners regarding the appeal process. However, it was noted that fellow Members on the Scrutiny Committee had experienced that there were many companies which offered advice and no-win no-fee schemes.
- Expressing gratitude and an appreciation for the hard work of the Deputy Head of Finance on his leaving the Council in June.

Officers responded that:

- The Deputy Head of Finance would get back to Members in due course with more information with regard to Council Tax Special Expense. DHoF
- The Deputy Head of Finance would get back to Members in due course with information regarding how many businesses had benefitted from small business rate relief. DHoF
- As of yet, there was no knowledge regarding how many appeals/enquiries had been made regarding business rates appeals and very little had been passed to local authorities.

Resolved:

- (1) That the Committee note the emerging 2018/19 budget context and proposals;
- (2) That the Committee note the calculation of the Council Tax Base for 2018/19; and
- (3) That the Committee note that Cabinet delegates the setting of the projected amount of non-domestic rating income for 2018/19 and the demand on the business rates Collection Fund to the Deputy Chief Executive in consultation with the Portfolio holder.

Reason:

That the Scrutiny Committee assist the Council with its requirement to forecast the amount of its non-domestic rating income for the forthcoming financial year.

## 29 Scrutiny Work Programme 2017/18

The Committee considered the Work Programme, which set out in-year variations to the Annual Scrutiny Work Programme for the forthcoming year.

Members noted an error in the Work Programme in that the Performance Monitoring Quarter 4 Report would not be presented to the Scrutiny Committee on 19 April 2018.

Members noted the inclusion of a late report by Councillor lent with regard to Item 11 Paragraph 6 of the agenda concerning the re-opening of the Lewes to Uckfield railway line.

At the Full Council meeting on 9 October 2017, 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. the following motion was carried:

*"Lewes District Council resolves to positively continue its long standing support for the 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..."*

In Councillor lent's absence, Members were briefed on the report by the Head of Democratic Services. The report proposed that before making detailed recommendations, the committee considered the following three points:

- a) How the government may wish to proceed;
- b) What the existing proposals were; and
- c) How a project to improve the transport infrastructure in this part of East Sussex would be supported by key local & government sponsored bodies in the South East region.

Members noted Councillor lent's proposals and it was agreed that, before the Committee decided if a scrutiny review was necessary, East Sussex County Council and Rail Future should be invited to give a presentation and participate in a Q&A session open to all members of the Council.

Members noted Item 11 Paragraph 5 of the agenda concerning the Scrutiny Transport Panel.

The Committee discussed the scope of the Scrutiny Transport Panel, and that it be related to the A259 only. The terms of reference of the Scrutiny Transport Panel would be to scrutinise the impact of the A259 within Lewes District with particular reference to its effect on the local economy, also taking into account

the Air Quality motion, pursuant to the Council resolution from the Full Council Committee meeting on 17 July 2017.

Objectives of the review would include:

- a) Understanding how the strategic direction set out in both the Council Plan and the Local Plan in relation to all transport provision in the District is being implemented by the Council in practice;
- b) Understanding how the Council works with its partners to ensure effective public transport planning and delivery, and to investigate whether this was being undertaken in a way which supported the local economy and;
- c) Understanding how transport infrastructure planning was likely to take place in the future, in line with legislative requirements.

The following external guests would be invited to attend and contribute to the Panel's ongoing review into the A259:

- A259 Action Group
- Newhaven Town Council
- East Sussex County Council

At the Panel's final meeting, a draft report outlining the findings and recommendations of the scrutiny topic would be presented to Panel members for feedback and amendments. This feedback would inform the final report, which would be presented to the Scrutiny Committee meeting at a future meeting which is anticipated to be on 28 June 2018.

Resolved:

- (1) That East Sussex County Council and Rail Future be invited to the meeting of the Scrutiny Committee on 19 April 2018 to give a presentation and participate in a Q&A session regarding the Lewes to Uckfield Railway line; and
- (2) That the scope of the Scrutiny Transport Panel be reduced to the A259 and its terms of reference be agreed as set out in Minute 29 above.

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Reason:

To enable the Scrutiny Committee to vary its Work Programme, in accordance with Part 4 Rule 7 (c) of the Constitution of the Council.

### 30 Forward Plan of Decisions

The Committee received the Forward Plan for the period from 1 February 2018 – 31 May 2018.

Resolved:

- (1) That the Forward Plan for the period from 1 February 2018 – 31 May 2018, be noted.

Reason:

To demonstrate the discharge of the Scrutiny Procedure Rule 9 (d) to have regard to the Forward Plan of Decisions.

**31 Date of Next Meeting**Resolved:

- (1) That the next meeting of the Scrutiny Committee scheduled to be held on Thursday, 22 February 2018 in the Ditchling Room, Southover House, Southover Road, Lewes, commencing at 10:00am, be noted.

All to note.

The meeting ended at 12:40pm.

P Gardiner  
Chair