

**Published 14 July 2015**

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### **To the Members of the Borough Council**

You are summoned to attend an **ordinary meeting** of the **Eastbourne Borough Council to be held at the Town Hall, Eastbourne, on Wednesday, 22 July 2015 at 6.00 pm** to transact the following business.

## **Agenda**

**1. Minutes of the annual and ordinary meetings held on 27 May 2015 (previously circulated).**

**2. Declarations of interests by members.**

Declarations of disclosable pecuniary interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct (please see note at end of agenda).

**3. Mayor's announcements.**

**4. Notification of apologies for absence.**

**5. Public right of address.**

The Mayor to report any requests received from a member of the public under council procedure rule 11 in respect of any referred item or motion listed below.

**6. Order of business.**

The Council may vary the order of business if, in the opinion of the Mayor, a matter should be given precedence by reason of special urgency.

**7. Amendment to byelaws relating to promenades. (Pages 1 - 6)**

Report of Senior Head of Regeneration, Planning and Assets.

**8. Discussion on minutes of council bodies.**

Members of the Council who wish to raise items for discussion (council procedure rule 14) on any of the minutes of the meetings of formal council bodies listed below must submit their request to the Senior Head of Corporate Development and Governance no later than 10.00 am on Wednesday 22 July 2015. A list of such items (if any) will be circulated prior to the start of the meeting.

*The following are appended to this agenda:-*

- (a)** Minutes of meeting of Scrutiny Committee held on 1 June 2015. (Pages 7 - 8)
- (b)** Minutes of meeting of Cabinet held on 1 June 2015. (Pages 9 - 14)
- (c)** Minutes of meeting of Conservation Area Advisory Group held on 2 June 2015. (Pages 15 - 18)
- (d)** Minutes of meeting of Planning Committee held on 2 June 2015. (Pages 19 - 34)
- (e)** Minutes of meeting of Audit and Governance Committee held on 24 June 2015. (Pages 35 - 40)
- (f)** Minutes of meeting of Planning Committee held on 7 July 2015. (Pages 41 - 50)
- (g)** Minutes of meeting of Cabinet held on 8 July 2015. (Pages 51 - 62)

*The following will be circulated prior to the meeting:-*

- (h)** Minutes of meeting of Conservation Area Advisory Group held on 14 July 2015.

**9. Exclusion of the public - motion that:-**

The remainder of the business of the council concerns the consideration of the confidential proceedings of council bodies. As such, discussion is likely to disclose exempt information within the categories specified either beneath the item or within the open summary of the relevant minutes. Furthermore, in relation to paragraph 10 of schedule 12A, it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. The public, therefore, should be excluded from the remainder of the meeting.

#### **10. Discussion of confidential minutes of council bodies.**

(See note at item 8 above). A list of items raised by members (if any) will be circulated prior to the start of the meeting.

*The following are appended to this agenda:-*

- (a)** Confidential minutes of meeting of Cabinet held on 8 July 2015.  
(Pages 63 - 64)



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

#### **Guidance notes:**

**Public right of address** - A request by a member of the public to speak on a matter which is listed on the agenda must be **received** by no later than 12 noon on Monday, 20 July 2015. The request should be made to Local Democracy at the address listed below. The request may be made by phone, fax, letter or electronic mail. For further details on the rules about speaking at meetings please contact Local Democracy.

**Items for discussion** - Members of the Council who wish to raise items for discussion on any of the minutes of council bodies attached to the meeting agenda, are required to notify the Head of Corporate Development by 10am on Wednesday, 22 July 2015.

**Disclosure of interests** - Members should declare their interest in a matter at the beginning of the meeting, and again, at the point at which that agenda item is introduced.

Members must declare the existence and nature of any interest.

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

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

**Further information** – Councillor contact details, committee membership lists and other related information are also available from Local Democracy.

**Local Democracy** – 1 Grove Road, Eastbourne, BN21 4TW  
Tel (01323) 415003/415021. Text Relay: 18001 01323 410000  
Fax (01323) 410322. E Mail: [localdemocracy@eastbourne.gov.uk](mailto:localdemocracy@eastbourne.gov.uk)

For general Council enquiries telephone (01323) 410000  
E-mail [enquiries@eastbourne.gov.uk](mailto:enquiries@eastbourne.gov.uk)  
Website at [www.eastbourne.gov.uk](http://www.eastbourne.gov.uk)

# Agenda Item 7

<b>BODY</b>	<b>COUNCIL</b>
<b>DATE</b>	<b>22 July 2015</b>
<b>SUBJECT</b>	<b>Amendment to Byelaws relating to Promenades</b>
<b>REPORT OF</b>	<b>Senior Head of Regeneration, Planning and Assets</b>

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**Ward(s)** All

**Purpose**

- To inform Members of progress in implementing their decision to amend the byelaw covering cycling that is one of the set of Byelaws relating to Promenades.
- To inform Members of the Secretary of State for Communities and Local Government's decision to grant provisional approval to amend this cycling-related byelaw.
- To seek Members' authority formally to amend the byelaw.

**Contact** Lisa Rawlinson, Head of Regeneration and Planning Policy,  
1 Grove Road, Eastbourne  
Tel no: (01323) 415250  
E-mail: [lisa.rawlinson@eastbourne.gov.uk](mailto:lisa.rawlinson@eastbourne.gov.uk)

**Recommendations**

- That Council authorises the Assistant Director of Corporate Services (Legal and Democratic) for the shared Lewes and Eastbourne Legal Services to make and seal the Amending Byelaw in the Department for Communities and Local Government's (the 'DCLG') provisionally approved format.
- That Council grants delegated authority to the Senior Head of Regeneration, Planning and Assets to respond to any queries that may be raised with the Council by the DCLG, following any representations being made to the DCLG during the period of public consultation after the byelaw is made by the Council and before it is confirmed by the DCLG.

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## **1.0 Introduction**

1.1 Having considered a long and detailed report on the necessary legal processes in March 2014, Cabinet agreed in principle (subject to agreement by the Secretary of State for Communities and Local Government) that the cycling-related promenade byelaw should be amended. The making and

amendment of byelaws is a function reserved to Full Council.

- 1.2 In addition to their in-principle decision, Cabinet recommended that Full Council should authorise Officers to take all necessary steps to seek and obtain approval from the Secretary of State for an amendment to the byelaw, to enable the Council to allow, where appropriate, both unsegregated as well as segregated shared use of the seafront by cyclists and pedestrians.
- 1.3 Thereafter, at a meeting of Full Council on 7<sup>th</sup> May 2014, Members resolved that Officers be authorised to take all necessary steps to seek and obtain approval from the Secretary of State for an amendment to the relevant byelaw. The minute of this decision was:  
  

**Resolved:** *(By 17 votes to 2 with 6 abstentions) That officers be authorised to take all necessary steps to seek and obtain approval from the Secretary of State for Communities and Local Government to an amendment to the current byelaw to enable the Council to allow, where appropriate, both un-segregated as well as segregated shared use of the seafront promenade by cyclists and pedestrians.*
- 1.4 Following this decision, in July 2014, the Council submitted an application to DCLG seeking approval to amend the byelaw. The application provided details of the extensive consultation that had been undertaken with stakeholders and the community and in particular with disability groups, on the proposed priority cycle routes which included the seafront route between the Wish Tower and Fisherman's Green.
- 1.5 Part way through the process of liaising with DCLG over the making of the necessary amendment to the byelaw to bring the Full Council's decision into effect, the DCLG amended (and considerably complicated) their own provisional approval procedure to make it equivalent in complexity to that required for a much more wholesale overhaul of a set of byelaw provisions. They apologised to the Council officers for the inevitable extra work and time that this would require, but did point out that this would at least demonstrate a robust approach on their part to the process of them being able to give provisional approval. The more detailed Application, supporting detail and copies of papers relating to the consultation that had taken place were provided to DCLG in October 2014.
- 1.6 A number of questions were then asked and requests for clarification made by DCLG, with a good deal of lengthy correspondence being entered into between themselves and the Council's officers.
- 1.7 The Department has subsequently confirmed that the application has been carefully considered in line with their scrutiny role and that, based upon the draft amending byelaw submitted to the Department, provisional approval for the amendment has been granted. A copy of the byelaw amendment in

the form given provisional approval by the DCLG is attached as an Appendix to this report. The DCLG indicated, when giving approval, that with the coming general election and what they considered to be a "purdah" period in relation to themselves and this matter, they would not be able to give further consideration to the next stage in the process – the confirmation by them of the byelaw when made – until after the election.

- 1.8 As stated above and in the previous reports, the amendment to the byelaw will enable the Council to permit and control cycling, where appropriate, along the whole length of the promenade within the Borough, either in an exclusive cycle-lane or on an unsegregated, shared-use basis. As with other authorities, it would then be possible for the Council to decide to have, as circumstances from time to time dictate, some stretches of the promenade where cycling remains banned, some where it is permitted in a lane and others where pedestrians and cyclists mingle together.

## **2.0 Next Steps**

### 2.1 Legal

- 2.1 .1 Following approval from Council to the making of the amended byelaw, the Council will make it, seal it, advertise it and notify the public of its intention that the DCLG will confirm the amendment and will state that the amendment will be placed on deposit for inspection. The public will be informed that they have a month to make any representations to the Secretary of State, prior to the DCLG hopefully confirming the Amending Byelaw.

- 2.1.2 DCLG would normally notify the Council of any representations they receive and may well ask the Council to comment on them. At the end of the representation period, the DCLG will consider whether to confirm the amendment. DCLG will consider any objections and the Council's responses to them. If satisfied, they will confirm the byelaw, attest their confirmation of it and give a commencement date, which is usually a calendar month after the date of confirmation.

- 2.1.3 This fairly lengthy process is designed to ensure that the need for a byelaw amendment has been carefully considered, all relevant people have been consulted and that their views have been taken into account.

### 2.2 Operational and Strategic

- 2.2.1 In March 2014, Cabinet agreed in principle that subject to the agreement by DCLG that the byelaw could be amended, that the seafront cycle route along the promenade between the Wish Tower and Fisherman's Green could be taken forward by East Sussex County Council to detailed design. This detailed design is now almost complete and a combined Stage 1 and Stage 2 Safety Audit has also taken place. The proposals for the route will include

improvements to the area outside the Pier and adjacent to the Redoubt. They will also include new code of conduct signs (signs which advise users on how best to share the route) and 'share with care' signs, to raise the awareness of cyclists, pedestrians and other users of each other.

2.2.2 East Sussex County Council have confirmed that the works are likely to be carried out next year.

2.2.3 In terms of future strategy, East Sussex County Council have also confirmed that they intend to update the adopted Cycling Strategy either later this year or early next year, to include walking. This will ensure alignment with the Government's Draft Cycling Strategy and the proposed Walking and Cycling Infrastructure Investment Plan. This update would be subject to consultation with Officers, Members and key stakeholders.

### **3.0 Financial Implications**

3.1 The costs associated with amending the byelaw will be met from within existing service budgets.

### **4.0 Conclusion**

4.1 The Secretary of State for Communities and Local Government has granted provisional approval to an amendment to the cycling-related byelaw which forms part of Eastbourne Borough Council's Byelaws relating to Promenades. Members are asked to agree the recommendations at the beginning of this report.

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#### Background Papers:

- A Healthy Cycling Plan for Eastbourne (Sustrans – 1994)
- East Sussex County Council - Cycling Strategy (2009)
- Cabinet Report dated 14 July 2010
- Cabinet Report dated 15 December 2010
- Cabinet Report dated 13 July 2011
- Cabinet Report dated 8 February 2012
- Eastbourne Cycling Strategy (2012)
- East Sussex County Council's Report to Lead Cabinet Member for Transport and Environment 18 March 2014
- Cabinet Report dated 19 March 2014
- Full Council Report dated 7 May 2014
- Application to DCLG dated 14 May 2014
- DCLG provisional approval letter dated 26 March 2015

To inspect or obtain copies of the background paper, please refer to the contact officer listed above.



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**EASTBOURNE BOROUGH COUNCIL**  
**AMENDING BYELAW**

Byelaws made under Section 83 of the Public Health Acts Amendment Act 1907 by Eastbourne Borough Council with respect to promenades in the Borough.

The byelaws made by Eastbourne Borough Council on the 19<sup>th</sup> April 1995 and confirmed by the Secretary of State for the Home Department on 21<sup>st</sup> July 1995 which were amended by Eastbourne Borough Council on the 2<sup>nd</sup> May 2002 with that amendment being confirmed by the Secretary of State for the Office of the Deputy Prime Minister on the 12<sup>th</sup> July 2002 are amended as follows—

**Amendments**

:

Byelaw 1

In byelaw 1, add ... “ “ designated “ in relation to a route or area means set aside for a specific purpose, the route or area and the purpose to be indicated by notices placed in a conspicuous position “.

Byelaw 2(1)

In byelaw 2(1) add after the words ‘right of way’ the words ...“or a designated route”.

Given under the Common Seal of  
EASTBOURNE BOROUGH COUNCIL

This..... day of..... 2015

Authorised Signatory...

.....

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Monday, 1 June 2015  
at 6.00 pm



## Scrutiny Committee

Present:-

**Members:** Councillor Smart (Chairman) Councillor Ungar (Deputy-Chairman)  
Councillors Blakebrough, Miah, Rodohan, Murray, Sabri and  
Smethers

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### **1 Minutes of the meeting held on 2 February 2015.**

The minutes of the meeting held on 2 February 2015 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

### **2 Apologies for absence.**

There were none.

### **3 Corporate Performance - Quarter 4 2014/15.**

Members considered the report of the Deputy Chief Executive and Senior Head of Corporate Development and Governance updating Members on the Council's performance against Corporate Plan Priority actions, indicators and milestones for Quarter 4 2014/15.

The committee was advised that Appendix 1 to the report provided a detailed report on the 2014/15 activities and outturns of the performance indicators listed within the Corporate Plan. The first section of Appendix 1 listed all the Corporate Plan priority actions whose in-year milestones had already been fully completed this year. The second section of Appendix 1 listed the ongoing actions showing all milestones that were scheduled for completion within quarter 4 of 2014/15.

The report provided members with the provisional outturn results for the general fund, the housing revenue account (HRA) and capital programme for the year 2014/15. Although service accounts had now been closed, other balance sheet and suspense accounts had yet to be finalised, so it was possible that there could be some further adjustments that may marginally affect the figures within the report. The final outturn would form part of the statement of accounts that would be reported to the Audit and Governance Committee at the end of June 2015 and the next Cabinet meeting in July 2015.

The Senior Head of Corporate Development and Governance updated Members on Eastbourne Park indicator in relation to the use of 'pooled' S.106 contributions.

The committee considered appendix 1 to the report discussing the Innovation Centre at Sovereign Harbour, the Satisfaction Survey with regard to street cleanliness and refuse collection, the promotion of the Supporting People Fund, Devonshire Park Project, Disabled Adaptations grants, Theatre income and various aspects of the provisional outturn results for the general fund, the housing revenue account (HRA) and capital programme for the year 2014/15.

The committee asked a number of questions relating to the topics discussed and were advised that the information requested would be provided following the meeting.

**RESOLVED:** That the following be noted: 1) That the performance against national and local Performance Indicators and Actions from the 2010/15 Corporate Plan (2014 refresh 2) The provisional general fund outturn on services expenditure for 2014/15 of £16.395m, a net underspend of £216,000 against the revised budget 3) The transfers to and from reserves as set out at Appendix 3 4) The budget virements as set out in para 4.6 and 6.4 of the report 5) The provisional balances on non-earmarked revenue reserves as at 31.3.15 as shown in paragraph 5.1 of the report 6) The provisional housing revenue account surplus for 2014/15 of £494,000 and 7) The final Capital Programme and outturn for 2014/15 of £17.5m, a variance of 8.35% against the final programme.

**4 Annual Programme 2015 - 2016.**

The committee was requested to submit items to the Chair and Deputy Chair for consideration at their monthly meeting on 1 July 2015, with a view to developing items for the Annual Scrutiny Programme. Items should be submitted no later than Friday 26 June 2015. The Local Democracy Officer agreed to distribute a pro forma to assist with developing suggestions for review.

**NOTED.**

The meeting closed at 8.00 pm

**Councillor Smart (Chairman)**

# Cabinet



## Minutes of meeting held on Monday, 1 June 2015 at 6.00 pm

Present:-

Councillors **David Tutt** (chairman and leader of the council), **Gill Mattock** (deputy chairman and deputy leader of the council), **Margaret Bannister**, **Alan Shuttleworth**, **Troy Tester** and **Steve Wallis**.

The Chairman welcomed Councillor Alan Shuttleworth to membership of the Cabinet. He would assume responsibility for housing and community services. Councillor Margaret Bannister would take over tourism and leisure services from former Councillor Carolyn Heaps.

### 1 Minutes of the meeting held on 18 March 2015.

The minutes of the meeting held on 18 March 2015 were submitted and approved and the chairman was authorised to sign them as a correct record.

### 2 Declarations of interests by members.

2.1 Declarations of disclosable pecuniary interests (DPIs) by members as required under section 31 of the Localism Act and other interests as required by the council's code of conduct and regulation 12(2)(d) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

2.2 No declarations were made.

### 3 Dates of future Cabinet meetings 2015/16.

Dates of future Cabinet meetings were agreed as follows:

8 July 2015  
2 September 2015  
21 October 2015  
9 December 2015  
3 February 2016  
23 March 2016  
25 May 2016

### 4 Delegation of executive functions.

**Resolved:** (1) That that the delegation of executive functions to officers be as set out in the Scheme of Delegation to Officers (Section 3, Part D of the Council's Constitution) and noting that relevant lead Cabinet members are to be consulted by officers when exercising their delegated powers where required to do so.

(2) To note that delegations to individual Cabinet members in respect of executive functions have not been made at this time.

## **5 Corporate performance - Quarter 4 2014/15 (KD).**

5.1 Councillors Freebody, Jenkins and Di Cara addressed the Cabinet with comments and questions on the performance information.

5.2 Cabinet considered the report of the Deputy Chief Executive and Senior Head of Corporate Development and Governance. Updated pages in respect of the devolved ward budget programme were circulated.

**5.3 Resolved (key decision):** (1) That the performance against national and local performance indicators and actions from the 2010/15 corporate plan (2014 refresh) be agreed.

(2) That the provisional general fund outturn on services expenditure for 2014/15 of £16.395m, a net underspend of £216,000 against the revised budget be agreed.

(3) That the transfers to and from reserves, as set out at appendix 3 to the report, be agreed.

(4) That the provisional balances on non-earmarked revenue reserves as at 31 March 2015 as shown in paragraph 5.1 of the report, be agreed.

(5) That the provisional housing revenue account surplus for 2014/15 (of £494,000) be agreed.

(6) That the final capital programme and outturn for 2014/15 of £17.5m, a variance of 8.35% against the final programme, be agreed.

## **6 Wish Tower Restaurant - Development and Marketing Programme (KD).**

6.1 Councillor Freebody addressed the Cabinet welcoming the government's grant assistance for this scheme. He expressed his hopes for an iconic building and also that the new venture would have a broad appeal as a café/restaurant and prove popular with a wide section of Eastbourne's residents and visitors.

6.2 Cabinet considered the report of the Senior Head of Regeneration, Planning and Assets. The council had opened a temporary catering facility in 2013 following the demolition of the old cafe. The council was now in a position to move forward with the development of a permanent top quality venue that offers an exceptional dining experience, boosted by high end interior and exterior design values. The unique location of the site presented the council with an unparalleled opportunity to secure an iconic development; the intention being that the new scheme would prove attractive to both visitors and residents. It was also imperative that the new development was financially viable generating an income to the council.

6.3 Funding of up to £1.2m for the new development would come from money awarded by the Department for Communities and Local Government (DCLG). This would form the largest element of the total £2m fund granted by DCLG which was providing support to a range of other economic development activities across the town.

6.4 The new building would retain its original standing as a memorial to the civilians of Eastbourne, killed in World War II. The council had safeguarded the original commemorative plaque, previously displayed at the former café (which had originally been built with the assistance of funds donated by the Foyle family in the 1950s) and it was the council's firm intention that this would be reinstated and form part of the integrated design of the successful scheme.

6.5 An updated planning brief had been prepared to support the marketing exercise to be launched on 15 June 2015. In addition, the Council had obtained a 'soft market test', undertaken by an international leisure market and investment appraisal specialist. The results of this study and how this had informed the proposed marketing strategy were detailed in the report.

6.6 The eventual level of investment by both the council and the future operator would be informed by the outcome of the marketing campaign and subsequent negotiations in respect of tenure. At this stage, it was envisaged that construction would follow a 'traditional approach' as opposed to say 'design and build' with the council responsible for the design of the facility and a contractor to be appointed to deliver the scheme. Internal fit out would be the responsibility of the tenant.

6.7 A services of an appropriately qualified project manager would need to be secured whose role would include the appointment of an architect to draw up concept plans to RIBA stage C within the parameters of the planning guidance note and reflecting the council's aspiration for this iconic site. It was envisaged that these plans would assist potential operators visualise the scale and form of the new facility, in turn assisting them in submitting bids for the future operation of the new café/restaurant.

6.8 Significant interest from the public in respect of the future development of this important site was anticipated and following the marketing campaign, it was proposed that shortlisted proposals be considered by the Strategic Property Board as a pre-requisite to a wider stakeholder consultation on the preferred scheme. This would be subject to a future Cabinet report.

**6.9 Resolved (key decision):** (1) That the recommendations for the marketing and future development of the site set out in the report be agreed.

(2) That the appointment of a project manager to assemble the project team and prepare concept designs to support the marketing of the site be agreed.

(3) That the Senior Head of Regeneration, Planning and Assets, in consultation with the Strategic Property Board, be given delegated authority to market the site to secure a cafe/restaurant operator and agree the final design.

(4) That the £1.2m from the Department for Communities and Local Government grant is allocated to the new Wish Tower development.

## **7 Downland Management Plan 2015 - 2022 (KD).**

7.1 Cabinet considered the report of the Senior Head of Communities proposing a new Downland Management Plan covering the years 2015 to 2022. It would introduce important new management methods designed, in agreement with Natural England, to enhance and sustain the rare chalk grassland and heathland habitats, control scrub regeneration and improve the visitor experience. All management operations could be implemented within existing staff and budget resources.

7.2 A 10 year Higher Level Stewardship Agreement (HLS) was entered into with Natural England on 1st May 2012. The new agreement entitled the council to financial support to enhance the management of those parts of the Downs included in the new stewardship arrangements. This amounted to an annual payment of nearly £50,000. A requirement of the agreement was a new management plan. The new plan was appended to the report and would provide a single reference source for future downland operations. The plan's objectives and targets were summarised in the report and included:

- Measures to prevent loss of chalk grassland to scrub encroachment.
- Removal of grass cuttings to reduce soil nutrient levels and thus encourage the less vigorous small herbs favoured by bees and other insects.
- The use of Exmoor ponies to graze areas of poor pasture or steep slopes where commercial livestock are unsuitable.
- Reintroduce rotational coppicing of scrub blocks to create a varied age structure.
- Scrub cover within grassland/scrub areas should be between 20-50% by 2020 and dense scrub blocks should contain no more than 50% mature scrub by 2020.

7.3 The objectives and targets would be reviewed annually by the Downland Forum. Forum members included councillors, officers of Natural England and the South Downs National Park, RSPB, the Ramblers Association and others.

7.4 A wide range of organisations and individuals had been consulted on the draft plan (details were given in the report). All the responses received were positive and gave useful feedback and were broadly in agreement with the aims and objectives of the new plan. All feedback was given due consideration and incorporated into the final document.



**7.5 Resolved (key decision):** That the Eastbourne Downland Management Plan 2015 – 2022 be adopted.

**8 Exclusion of the public.**

**Resolved:** That the public be excluded from the remainder of the meeting as otherwise there was a likelihood of disclosure to them of exempt information as defined in schedule 12A of the Local Government Act 1972. The relevant paragraphs of schedule 12A and descriptions of the exempt information are shown beneath the item below. *(The requisite notice having been given under regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.)*

**9 Redundancy and redeployment policy - activity update**

9.1 Cabinet considered the report of the Senior Head of Corporate Development and Governance and noted that 7 employees (6 EBC and 1 EHL) were subject to the procedure at present. They noted the actions taken to manage implications of change for displaced individuals through support, redeployment and assistance with self marketing under the redundancy and redeployment procedure and the use of the procedure in managing the change resulting from implementation of Phase Two of Future Model.

*(Notes: (1) Exempt information reasons 1 and 2 – Information relating to an individual or likely to reveal the identity of an individual.  
(2) The above minute was made public, however the Cabinet's deliberations thereon and the submitted report remain confidential.)*

The meeting closed at 6.42 pm

**Councillor David Tutt  
Chairman**

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Tuesday, 2 June 2015  
at 6.00 pm



## Conservation Area Advisory Group

### PRESENT:-

Councillor Rodohan (Chairman) and Councillors Belsey, Smart and Swansborough

### OFFICERS:

Mrs S Leete-Groves, Specialist Advisor (Conservation)  
Ms J Sabin, Specialist Advisor (Planning)

### ADVISORS:

Mr Crook, Royal Institute of British Architects  
Mr Howell, Eastbourne Society

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#### **1 Minutes of the meeting held on 31 March 2015.**

The minutes of the meeting held on 31 March 2015 were submitted and approved and the Chairman was authorised to sign them as a correct record.

#### **2 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.**

Councillor Belsey declared a personal interest in item 9 – 3 Hartfield Road and remained in the room but did not take part in the discussion.

#### **3 Planning Applications - Decisions of the Borough Council**

The decisions of the Planning Committee on applications in Conservation Areas were reported.

The Group were advised that application **150276 (PPP) Beach adjacent 3 and 4 Lower Parade, Grand Parade** had been deferred at Planning Committee on 21 April 2015 following concerns raised by the Group at their meeting on 31 March 2015. The application had been amended following negotiations between the applicant and officers to address the concerns raised by the Group and would be reconsidered by the Planning Committee on 2 June 2015.

#### **NOTED.**

#### 4 Planning Applications for Consideration

The Specialist Advisor (Conservation) and Specialist Advisor (Planning) reported on planning applications for consideration in Conservation Areas. The Group's comments were set out in the schedule below.

##### **1) 150031 & 150032, PLANNING PERMISSION AND LISTED BUILDING CONSENT, 6 CORNFIELD TERRACE**

Heritage Status: Grade II Listed and Town Centre & Seafront Conservation Area

Proposal: Demolition of single storey extension at rear, internal alterations and conversion of whole building to a single dwelling house.

**CAAG Comments:** No objections raised.

##### **2) 150285, PLANNING PERMISSION, EASTBOURNE PIER, GRAND PARADE**

Heritage Status: Grade II\* Listed and Town Centre & Seafront Conservation Area

Proposal: Installation of rides and stalls upon the decking at the location of the former Blue Room at Eastbourne Pier for a temporary period of at least 18 months prior to redevelopment. (Amended description).

**CAAG Comments:** The Group considered that the proposal's impact on the character of the pier was not acceptable in principle, however would not object to a temporary period of six months. The Group raised serious concerns regarding the lack of detail in the applicant's proposal and their long term plans. If permission was granted, the Group recommended that a planning condition be imposed that required the prior approval of each ride.

##### **3) 150390, PLANNING APPLICATION, 10 WARRIOR SQUARE**

Heritage Status: Warrior Square Conservation Area

Proposal: Demolition of existing single storey rear extension and erect a new single storey rear extension.

**CAAG Comments:** No objections raised.

##### **4) 150475, PLANNING PERMISSION, MOORINGS COTTAGE, 2A MILNTHORPE ROAD**

Heritage Status: Meads Conservation Area

Proposal: First floor extension to front and associated changes to roof terrace, provision of enlarged landing window to the side, and relocation of garage door to front together with hardstanding and vehicular crossover.

**CAAG Comments:** The Group were advised that this application had been withdrawn.

##### **5) 150514, PLANNING PERMISSION, 37A THE GOFFS**

Heritage Status: Old Town Conservation Area

Proposal: Change of use from B1 offices to C3 residential to form four one-bedroom flats with introduction of internal courtyard and replacement of existing doors and windows, together with the provision of a balcony on the roof.

**CAAG Comments:** No objections raised.

**6) 150537, PLANNING PERMISSION, 70 SEASIDE**

Heritage Status: Grade II Listed and Town Centre & Seafront Conservation Area

Proposal: Change of use from B1 offices to C3 residential to form four one-bedroom flats with introduction of internal courtyard and replacement of existing doors and windows, together with the provision of a balcony on the roof.

**CAAG Comments:** The Group had no objections to the proposal in principle, subject to an improved design in respect of the front elevation.

**7) 150540, PLANNING PERMISSION, 15 RAVENS CROFT**

Heritage Status: Meads Conservation Area

Proposal: Erection of a single storey lean-to glazed roofed car port to existing garage.

**CAAG Comments:** No objections raised.

By virtue of Section 100B(4) of the Local Government Act 1972, the Chairman was of the opinion that the following recently received application, which was not listed on the agenda, should be considered in order that the application might be referred to the Planning Committee at the earliest opportunity.

**8) 150222, 89 ENYS ROAD, EASTBOURNE**

Proposal: Replacement of existing wooden windows (mainly timber sliding sash windows) to UPVC. (Amended description)

**CAAG Comments:** The Group considered that the application be referred back to officers for further negotiations with the applicant.

Mr Bagnall addressed the Group in support of the application.

**9) 150595, PRE-APPLICATION ADVICE, 3 HARTFIELD ROAD**

Heritage Status: Upperton Conservation Area

Proposal: Conversion and extensions to provide a hostel, comprising 20 rooms, 9 self-contained flats, offices and support facilities, together with 5 parking spaces accessed from St Annes Road.

**CAAG Comments:** The Group raised objections with the proposed design of the application which they felt would not preserve or enhance the surrounding conservation area. Concerns were raised with the increased loss of the historic greensand wall, impact of the parking bays adjacent to the footpath, loss of mature trees on the site and the mature elm tree on the highway. The Group stated that the proposal had no merit and would adversely affect the character and appearance of the conservation area.

(NB: Councillor Belsey declared a personal interest in this item and remained in the room but did not take part in the discussion.)

**NOTED.**

**5 Building of Local Interest - Draft Criteria Document**

The Group considered the draft criteria document for the selection of local heritage assets, including buildings of local interest and areas of high townscape value. The Specialist Advisor (Conservation) requested that the Group submit any comments regarding the document within a 14 day period, following this meeting.

**NOTED.**

**6 New Listings**

The Specialist Advisor (Conservation) advised that there were no new listings.

**NOTED.**

**7 Dates of future meetings - All at 6.00 p.m. at the Town Hall**

The date of the next meeting was confirmed as the 14 July 2015.

The meeting closed at 8.06 pm

**Councillor Rodohan (Chairman)**

Tuesday, 2 June 2015  
at 6.00 pm



## Planning Committee

Present:-

**Members:** Councillor Murray (Chairman) Councillor Sabri (Deputy-Chairman)  
Councillors Jenkins, Miah, Murdoch, Salisbury, Taylor and Ungar

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### **1 Minutes of the meeting held on 21 April 2015.**

The minutes of the meeting held on 21 April 2015 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

### **2 Apologies for absence.**

There were none.

### **3 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.**

Councillor Ungar declared a personal and prejudicial interest in minute 20, Cavendish School, having objected to the original application. Councillor Ungar addressed the committee from the floor and then withdrew from the room whilst the item was considered.

Councillor Taylor declared a personal interest in minute 20, Cavendish School as a member of East Sussex County Council Planning committee. Councillor Taylor remained in the room whilst the application was considered but did not take part in the discussion or vote thereon.

Councillor Murdoch declared a personal interest in minute 5, 21-22 and 25 Edison Road as the application site was adjacent to his place of worship, however, he did not consider this would affect his deliberation of the application.

Councillor Taylor also declared a personal interest in minute 4, 7-9 Neville Avenue as the owner of a residential care home, however, he did not consider this would affect his deliberation of the application.

### **4 Continuation of the Meeting.**

In accordance with Part 4, Rules of Procedure of the Council's Constitution the committee agreed to extend the meeting to 11.00pm. The motion was proposed by Councillor Ungar and seconded by Councillor Murdoch.

**RESOLVED:** (Unanimously) That the hours of business for the Planning committee on 2 June 2015 be extended to 11.00pm.

**5 7-9 Neville Avenue. Application ID: 150357 (PPP).**

Two storey extension at side and rear to provide nine additional en-suite bedrooms, and internal alterations to provide improved circulation, an additional lounge and en-suite facilities - **HAMPDEN PARK**. Four letters of objection had been received.

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisor (Arboriculture), the Environment Agency and East Sussex County Council Highways Department were summarised within the report.

An additional statement supplied by the applicant, was reported to the committee, providing further justification for their proposal and summarised as follows:

- It is one of the top care homes in Eastbourne
- The ambition is to provide more in depth and wider care provision for existing and prospective residents
- Improved care (specialist bedrooms)
- En-suite facilities provide improved respect and personal dignity
- Larger rooms were capable of providing ever-increasing demand for specialist equipment and aids
- Improved access - full bed lift would allow bed bound residents access throughout the home
- Improved quality of life (full access to all existing specialist care and recreational areas and equipment
- The proposal would help to support the viability of the business and thereby give job security and security to residents
- Once fully established 3 additional jobs would be created

Mr Talbot addressed the committee in objection stating that there would be no garden or open space left at the site, the development would be an overdevelopment and would dominate the street scene.

Mr Franks, Agent, addressed the committee in response stating that the design had been remodelled to blend with the surrounding properties and had taken residents' concerns into consideration. The Care home provided much needed specialist services to Eastbourne residents and the expansion was required to continue to provide the best care possible.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission 2) The use hereby permitted shall not commence until the existing access has been stopped up and the kerb and footway reinstated in accordance with details submitted to and approved in writing by the Director of Economy Transport and Environment 3) The new access shall be in the position shown on the submitted plan [number: SK11 rev:F and laid out and constructed in accordance with the attached HT407 form/diagram and all works undertaken shall be executed and completed by the applicant to the



satisfaction of the Local Planning Authority prior to commencement of development 4) The development shall not be occupied until parking areas have been provided in accordance with the approved plans and the areas shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles 5) The development shall not be occupied until cycle parking areas have been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority and the areas shall thereafter be retained for that use and shall not be used other than for the parking of cycles 6) All existing trees shall be retained, unless shown on the approved drawings as being removed. All trees on and immediately adjoining the site shall be protected from damage as a result of works on the site, to the satisfaction of the Local Planning Authority. This should be in accordance with its Supplementary Planning Guidance and relevant British Standards (BS 5837: 2012) for the duration of the works on site. In the event that trees become damaged or otherwise defective within five years following the contractual practical completion of the development, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented 7) Tree Protection: fencing. A design of the tree protection to be approved by the Borough council's specialist Advisor in Arboriculture 8) Prior to the demolition of the bin store details shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:-

- A. A method statement on the demolition of the existing bin store to prevent damage to the existing trees on site.
- B. Agree the location of site office, method statement for construction access routes and material storage areas before commencement of construction and demolition.

9) At no time shall there be any burning/bonfires anywhere at the site 10) The detailed landscaping plans to be submitted pursuant shall include a plan at not less than 1:200 scale, showing the position of any trees proposed to be retained with root protection areas plotted, and the positions and routes of all proposed and existing pipes, drains, sewers, and public services, including gas, electricity, telephone and water. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or of any Order revoking and re-enacting or amending that Order with or without modification), no services shall be dug or laid into the ground other than in accordance with the approved details 11) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998:2010. No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees at the edge of the required root protection area in accordance with British Standard 5837:2012 Trees in Relation to Design, demolition and construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local

Planning Authority. In this condition retained tree means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later 12) The development hereby permitted shall be carried out in accordance with the approved drawings no 13) No additional windows, doors or other means of opening shall be inserted into any first floor elevation without the writing consent of the Local Planning Department.

**6 21-22 and 25 Edison Road. Application ID: 150072 (PPP).**

Demolition of existing unit and replacement with new high bay warehouse, loading bay area, plant room and associated offices – **HAMPDEN PARK.**

The relevant planning history for the site was detailed within the report.

The observations of the Specialist Advisors for Economic Development, Planning Policy, Arboriculture, the East Sussex County Council Archaeologist and Highways Department were summarised within the report.

**RESOLVED: (Unanimous)** That permission be granted subject to a S106 agreement covering local employment initiatives and travel plan monitoring fee and the following conditions: 1) Time 2) Approved Plans 3) External materials 4) Hard and soft landscaping 5) Changing and welfare facilities for Cyclists 6) Refuse Facilities 7) Exterior lighting details 8) Limitation to hours of Loading or Unloading 9) Demolition and construction times 10) Construction method statement 11) Construction plant and machinery shall be parked/stored clear of the public highway 12) Traffic management scheme 13) Archaeological programme 14) Results of Investigation 15) Foundation design 16) In accordance with BREEAM.

Informative:

The applicant is advised to contact the local gas provider due to the close proximity to the site of a gas governor.

It is expected that the *written scheme of investigation* would confirm the action to be taken and accord with the relevant portions of the East Sussex County Council document *Recommended Standard Conditions for Archaeological Fieldwork, Recording and Post – Excavation in East Sussex (Development Control) (2008) including Annexe B.*

**7 29 Filder Close. Application ID: 150365 (HHH).**

Erection of 2 storey side extension (Amended description) – **ST ANTHONYS.** Five objections had been received. A further objection had been received, commenting on the external design, appearance and layout, highways safety and parking, impact on the environment and parking problems.

The relevant planning history for the site was detailed within the report. The observations of the East Sussex County Council Highway Department, and Councillor Tutt, Leader of the Council, were summarised within the report.

Mrs Shadbolt-Smith addressed the committee in objection stating that the site enjoyed an open aspect and any development at this site would alter the current view, the proposal was also of an inappropriate design. Further concerns were expressed regarding the flooding and soak-away at the application site.

Councillor Tutt, Leader of the Council, addressed the committee in objection stating that the previous reasons for refusal were still relevant and expressed concern about the drainage and flood table.

An additional condition had been recommended regarding the finished floor level.

**RESOLVED: (By 5 votes to 3)** That permission be refused on the grounds that by reason of the setting and layout of the development, the proposal fails to respect the character and appearance of the surrounding residential area, and conflicts with the pattern of existing development within Filder Close, affecting the open plan character of the existing neighbourhood not in accordance with Policy D10a of the Eastbourne Core Strategy Local Plan and Policies UHT1 and UHT4 of the Eastbourne Borough Plan (Saved Policies) 2007.

Appeal

Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.

## **8 52 Upper Kings Drive. Application ID: 150280.**

Demolition of part of existing garage and erection of a two storey extension at the side – **RATTON**. One letter of objection and one letter of support had been received.

The relevant planning history for the site was detailed within the report.

Mr Clapperton addressed the committee in objection stating that no consideration had been given to the maintenance of his property in the positioning of the proposed extension, the distance from the boundary of his property and the impact of the build process.

Mr Rakliff, Applicant, addressed the committee in response stating that he was making use of the available space, with a steel frame construction removing the impact of the build process on the neighbouring property and minimising disruption to his neighbour.

**RESOLVED: (By 6 votes to 1 with 1 abstention)** That permission be granted subject to the following conditions: 1) The development hereby permitted shall be begun before the expiration of three years from the date

of permission 2) The development hereby permitted shall be carried out in accordance with the approved drawings submitted on 11th March 2015:

- DWG 1, Pro. G/F Plan
- DWG 2, Pro. F/F Plan
- DWG 3, Pro. Front Elev.
- DWG 4, Pro. Rear Elev.
- DWG 5, Pro. Section A:A
- DWG 6, Pro. Side Elev.
- DWG 9, Site Location and Block Plans

3) The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building 4) The first floor rear window of the addition shall not be glazed otherwise than with obscured glass and thereafter permanently retained as such 5) Notwithstanding the details shown on the plans hereby approved and for the avoidance of doubt no part of the extension shall encroach onto the plot/property/airspace of the adjacent plot/property No 54 Upper Kings Drive.

## **9 93 Royal Parade. Application ID: 150208 (PPP).**

Retrospective application for Change of Use from Guesthouse (Class C1) to HMO (Sui Generis Class) with 6 bedrooms (with en-suite bathrooms) to accommodate up to 12 people – **DEVONSHIRE**. 23 letters of objection had been received.

The relevant planning history for the site was detailed within the report. The observations of Councillor Wallis, the Tourism Manager, Specialist Advisors for Planning Policy and Conservation, the Eastbourne Hotels' Association and East Sussex County Council Highways Department were summarised within the report. The County Archaeologist and Eastbourne Society made no comment.

The applicant had supplied a further statement within which they outlined that their previous business tenant vacated the property at very short notice resulting in an alternative use being sought by the owners in order to maintain their income and finance the debt on the property.

Mr Godfrey addressed the committee in objection stating that the proposal didn't comply with the Council's policies and that it would exacerbate the existing parking issues and expressed concern for the size of the bedrooms.

Councillor Wallis, Ward Councillor, addressed the committee in objection stating that the development was inappropriate in a key tourist accommodation area. Councillor Wallis also expressed concerns regarding the economic case provided to support the change of use.

Mr Vander, Agent, addressed the committee in response stating that objections were based on perception and that the property had run as an HMO without complaint for the last seven months. The tenants were thoroughly vetted to minimise concern and impact for neighbours, and the property was being appropriately maintained.

The committee expressed their concerns regarding the change of use, and stated that Eastbourne needed to retain guesthouse accommodation for visitors. Members also expressed concern regarding the size of the accommodation offered.

**RESOLVED: (Unanimous)** That permission be refused and enforcement action be authorised to secure cessation of the unlawful use on the grounds that 1) The proposal seeks approval for the retention of an House in Multiple Occupation with the defined Tourist Accommodation Zone and as such is considered to be contrary to Policy HO14 of the Eastbourne Borough Plan (saved policies) 2007 2) The proposal seeks to create living accommodation for up to 12 residents and it is considered that the property is inappropriate for this intensity of conversion, and as such would have an adverse effect on the amenity of the area generally, and the amenities enjoyed by the occupiers of the neighbouring properties in particular, by reason of increased in activity, noise and general disturbance and would conflict with policies B2 of the Eastbourne Core Strategy Local Plan 2013, Policies HO9 and HO14 of the Eastbourne Borough Plan (Saved Policies) 2007 and paragraph 17 of the National Planning Policy Framework 3) The proposal does not provide for adequate parking facilities within the site which would result in additional congestion on the public highway causing interference with the free flow and safety of traffic on the B2106 Royal Parade and surrounding streets 4) The proposal, given the poor standard/quality of accommodation, is likely to create an unacceptable living environment for the future tenants/occupiers of this building/use, and would therefore conflict with policies B2 of the Eastbourne Core Strategy Local Plan 2013 and Policies HO9 and HO14 of the Eastbourne Borough Plan (Saved Policies) 2007 and paragraph 17 of the National Planning Policy Framework.

#### Appeal

Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.

#### **10 153 Victoria Drive. Application ID: 150092.**

Conversion of first floor residential accommodation to form 1 one-bedroom flat and 2 two-bedroom flats with access from the rear – **OLD TOWN**. Two general comments had been received.

The relevant planning history for the site was detailed within the report. The observations of the East Sussex County Council Highway Department were summarised within the report. The Specialist Advisor (Environmental Health) made no comment.

The committee expressed concern regarding the extraction units / plant and their proximity to the proposed flats.

NB: Councillor Taylor was not available for the officer's presentation on this application and therefore did not take part in the discussion on this item.

**RESOLVED: (Unanimous)** That the application be deferred pending further information and clarification regarding the proximity of extraction units / plant to the proposed flats.

**11 153 Victoria Drive. Application ID: 150342.**

Demolition of existing garage and erection of one four-bedroom dwelling with one parking space – **OLD TOWN**. Two further letters of support were reported at the meeting. A further two letters of objection were also reported raising concerns regarding the external design, appearance and layout, residential amenity and highway and parking safety.

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisor (Planning Policy) and East Sussex County Council Highway Department were summarised within the report. The Specialist Advisor (Arboriculture) made no comment.

**RESOLVED: (By 5 votes to 4 (on the Chairman's casting vote))** That permission be granted subject to the following conditions: 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission 2) The development hereby permitted shall be carried out in accordance with the approved drawings no:

- 14E3A.LO.002 Rev 01
  - 14EA3.LO.100 Rev 01
  - 14EA3.LO.101 Rev 00
  - 14EA3.LO.102 Rev 01
  - 14EA3.LO.200 Rev 01
  - 14EA3.LO.201 Rev 01
  - 14EA3.LO.300 Rev 01 submitted on 24th April 2015.
- 3) The hard surface within the front garden of the property hereby approved shall be made of porous materials and retained thereafter or provision shall be made and retained thereafter to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the property so that surface water does not run off the site onto and across the public footpath/highway 4) The dwelling house hereby approved shall not be occupied until full details of the means of enclosure/boundary treatments to be constructed on all boundaries of the plot/site have been submitted to and approved in writing by the Local Planning Authority 5) No development shall commence until fences for the protection of trees to be retained to the front of the site have been erected in accordance with British Standard 5837 (2005). The fences shall be retained until the completion of the development and no vehicles, plant or materials shall be driven or placed within the areas enclosed by such fences 6) The external materials (facing brick and roof tiles) to the property hereby approved shall match those used in the adjacent property No 1 Beechy Avenue 7) That no demolition, site clearance or building operations shall take place except between the hours of 8.00 a.m. and 6.00 p.m. on Mondays to Fridays and 8.00 a.m. and 1.00 p.m. on Saturdays and that no works in connection with the development shall take place unless previously been agreed in writing by the Local Planning Authority.

**12 183a Langney Road. Application ID: 141346 (PPP).**

Demolition of 3 vacant retail units and construction of 9 no. one and two bed apartments – **DEVONSHIRE**. One objection had been received.

The relevant planning history for the site was detailed within the report. The observations of Councillor Steve Wallis, the Specialist Advisor (Economic Development), the Environment Agency, East Sussex County Council Highway Department and the Eastbourne Design Review Panel (DRP) were summarised within the report.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) Time Limits 2) Approved Plans 3) Materials 4) Construction method Statement to include demotion and construction times 5) Privacy screens to the upper level terrace 6) provision of bike & bin store before first occupation of units 7) Hard and soft landscaping 8) In accordance with the submitted FRA

**13 199 Seaside. Application ID: 150424.**

Erection of first floor rear extension and single storey rear extension to side of rear projection. (Amended description) – **DEVONSHIRE**. A number of objections had been received.

Ms Maddison addressed the committee in objection stating that there would be a loss of light to habitable rooms, noise pollution, overlooking and a loss of privacy. The proposal would potentially undermine the footings to neighbouring properties and would be out of keeping with the surrounding area.

Ms Elliott, Applicant, addressed the committee in response stating that there would be no further loss of light as the properties were already closely situated. The Planning Department had not raised the same concerns as objectors. Ms Elliott also stated that the rear of the properties were not identical and that therefore the extension would not be out of keeping.

**RESOLVED: (Unanimous)** That permission be refused on the grounds that 1) the National Planning Policy Framework 2012 (7 – Good Design) states that development should be ‘visually attractive as a result of good architecture and appropriate landscaping’. This is echoed by Eastbourne Borough Council Core Strategy Local Plan Policies B2 (Creating Sustainable Neighbourhoods) and B10A (Design) which state that development should be “attractive, well-designed contributing to a high quality local environment that makes a positive contribution to the appearance of the townscape; in doing this all developments should deliver a ‘sense of place’ that is distinctive”. 2) The size, design and appearance of the two storey extension would be incongruous to the terrace of which the site is a part, and unbalance it as a whole as viewed by surrounding properties with a view of the rear of the site 3) Eastbourne Borough Plan Saved Policy HO20 (Residential Amenity) states that “proposals will be refused unless they can demonstrate that they do not cause unacceptable ... overshadowing and/or loss of light.” The two storey extension will block the currently available direct sunlight to the dining room and kitchen of no.201 Seaside.

Appeal

Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.

**14 Beach adjacent to 3 and 4 Lower Parade, Grand Parade. Application ID: 150276 (PPP).**

Extension of timber decked area to beach to be used in conjunction with existing Cafe Express and Belissimo Express cafes – **DEVONSHIRE**. Three representations had been received.

The relevant planning history for the site was detailed within the report.

The observations of the Tourism Manager, Specialist Advisors for Environmental Health, Conservation and Engineering and the Eastbourne Hospitality Association were summarised within the report. The Estate Manager made no comment.

Members were advised that the revised scheme reported to Planning committee increased the extent of separation between the two areas of decking.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) Commencement within three years 2) Development in accordance with the approved plans 3) Submission of details of foundations 4) No mains electrical/gas/water connection through promenade

**15 Beach Huts, Royal Parade. Application ID: 150265 (PPP).**

Erection of two terraces of 10 standard beach huts along the seafront adjacent to Fort Fun car park – **DEVONSHIRE**. A representation regarding parking spaces and waste disposal was reported at the meeting.

The committee was advised that the hardstanding area had been removed from the application.

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisor (Engineering), the Environment Agency and County Ecologist were summarised within the report. The committee was advised that the Specialist Advisor (Economic Development) supported the application.

**RESOLVED: (By 7 votes to 1)** That permission be granted subject to the following conditions: 1) Commencement within 3 years 2) Development in accordance with the approved plans.

**16 Eastbourne Pier. Application ID: 150285.**

Installation of rides and stalls upon the decking at the location of the former Blue Room at Eastbourne Pier for a temporary period of at least 18 months prior to redevelopment. (Amended description) – **DEVONSHIRE**. One objection had been received. Five further objections and two general



observations were reported at the meeting and were summarised as follows:

- Noise, disturbance, fumes, anti-social behaviour from the rides. If approved would encourage other similar operators to use the seafront.
- No details of opening hours.
- Additional traffic and parking along seafront which was already congested.
- Why delay in reinstating blue room. The Pier must be reinstated to its original state at the end of 18 months.
- Reinstatement of Pier not just for the benefit of local residents but for Eastbourne, Eastbourne's tourist industry as a whole and as a legacy to future generations.
- Out of keeping with the character and appearance of the conservation area and listed buildings, detrimental to the character, integrity and historic interest of the Eastbourne Seafront.
- Would be an eyesore similar to Brighton Pier.
- Eastbourne is unique in not having such fairground rides on the pier and were totally inappropriate.
- Can foresee a situation where proposal could be of a permanent nature.
- Proposal requires flexibility as to change of rides etc. and there was therefore no guarantee as to what would be retained.
- The rides were not consistent either with the aesthetic and architectural style of the pier.
- Will have adverse economic impact on other similar businesses in the area such as Fort Fun.

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisors for Planning Policy and Conservation were summarised within the report.

At their meeting on 2 June 2015 the Conservation Area Advisory Group considered that the proposal's impact on the character of the pier was not acceptable in principle, however would not object to a temporary period of six months. The Group raised serious concerns regarding the lack of detail in the applicant's proposal and their long term plans. If permission was granted, the Group recommended that a planning condition be imposed that required the prior approval of each ride.

The committee was advised that Historic England raised no objection subject to the proposed conditions in the short term, whilst the reinstatement of the Blue Room was progressed.

Mrs Scoufarides addressed the committee in objection stating that the proposal was detrimental to the character and appearance of Eastbourne seafront. There would be increased noise pollution, rubbish and traffic congestion. Mrs Scoufarides also highlighted that the hours of operation had not been included in the application.

The committee raised concerns about the temporary nature of the application, the hours of operation, the type of amusements, the lack of control of the use of available space and the potential resulting restrictions for pedestrians.

The Senior Specialist Advisor (Planning) advised that a S.106 agreement could be sought to restrict operational hours and length of permission.

**RESOLVED: (Unanimous)** That permission be refused on the grounds that the proposal fails to preserve or enhance the special historic interest, integrity and architectural merit of the Grade II\* listed pier and its immediate setting within the historic seafront together with an adverse impact on the setting of surrounding listed buildings, to the detriment of this site in particular and surrounding area in general. As such, the proposal would be contrary to Policies UHT17 of the Eastbourne Borough Plan 2007, Policy D10 of the Eastbourne Core Strategy Local Plan 2013 and paragraphs 131 to 136 of the National Planning Policy Framework.

Informative:

In the light of this decision and in accordance with paragraph 136 of the NPPF, the applicant is encouraged to take all reasonable steps to progress the reinstatement of the Blue Room building with a replacement building and should contact the Council without undue delay to facilitate the development.

Appeal

Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.

**17 Flat 1 Castle Mount, 40 Carlisle Road. Application ID: 150344 (PPP).**

Replacement of ground floor window on rear elevation with a door and window set – **MEADS**. Six objections had been received.

The relevant planning history for the site was detailed within the report.

The Specialist Advisor (Conservation) had no objections to this proposal and their comments were summarised within the report.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) Time Limit 2) The development hereby permitted shall be carried out in accordance with the following drawings received on 29 March 2015:

916-01 A - Change window at rear for door - Elevation Proposed  
 Site Location Plan, Block Plan

3) The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building, as outlined under section 10. Materials of the submitted application form.

**18 Heatherleigh Hotel 63-66 Royal Parade. Application ID: 141521 (PPP).**

Proposed change of use from redundant hotel into 12no. holiday flats and 16no. residential flats including demolition of 4no. garages at rear, alterations to remaining three garages to form secure cycle storage and

refuse storage, together with the formation of parking spaces. Removal of front sun lounge – **DEVONSHIRE**. Five letters of objection and one letter of support had been received.

The relevant planning history for the site was detailed within the report. The observations of the Estate Manager, the Tourism Manager, Southern Water, the Environment Agency, Eastbourne Hotels' Association, the County Archaeologist and East Sussex County Council Highways Department were summarised within the report.

The committee was advised that an independent report had been commissioned by the Council in order to determine and evaluate the content of the applicants' evidence that had accompanied their application. The main points from this report were summarised as follows:

- That it was uneconomic for the building to remain fully in hotel use.
- The cost of the refurbishment outweighed the likely capital value of the building once it had been refurbished. This had been evidenced by comparisons with a number of trading hotels in differing areas of the town which also provided a range of offers (sea view/spa facilities etc.)
- Given the room layout and the costs of the refurbishment it was unlikely post refurbishment to achieve rating greater than 2/3 star and thereby would not deliver a satisfactory rate of return on the investment.
- The poor performance of the hotel prior to its closure and the recent failure to achieve a sale of the building were both symptomatic of the buildings inadequacies in the continued hotel use

**RESOLVED: (By 6 votes to 2)** That permission be granted subject to a S106 covering local employment initiatives, the delivery of affordable housing and controls over the timing of the delivery of the refurbishment of the hotel/guest house, the S106 should express that no more than 5 of the residential units hereby approved shall be sold/occupied until such time as the retained hotel/guest house had been fully refurbished in accordance with the following conditions: 1) Time Limit 2) In accordance with the approved drawings 3) Details, including Samples, of a Good Quality of Materials to be used on external elements of the proposed development, where required, to be submitted to the satisfaction of the Council 4) Controls over Construction and Demolition Times 5) Making good after demolition of conservatory and garages 6) Tree Planting and Landscaping 7) Boundary Treatment 8) Refuse enclosure 9) Vehicle and bicycle parking to be provided and retained, in accordance with the approved plans 10) Surface and Foul Water Drainage Arrangements 11) Hard Surfacing Details 12) Details of any external lighting required 13) Controls to ensure retention of tourist let uses 14) Control to limit the occupancy of the open residential units until such time as the holiday accommodation has been refurbished and is trading.

**19 Perrywinkles, 1b Lower Parade, Grand Parade. Application ID: 150195.**

Provision of decking area on the beach for Periwinkles seafood outlet adjacent to the lower promenade together with the removal of 2 sections of railings to facilitate access to the deck. (Amended description) – **DEVONSHIRE**. One objection had been received.

The observations of the Specialist Advisors for Conservation and Engineering, the Environment Agency and County Ecologist were summarised within the report.

The Estate Manager and Specialist Advisor (Economic Development) made no comment.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) Commencement within 3 years 2) Development in accordance with the approved plans 3) Submission of details of foundations 4) Submission of details of balustrading.

**20 Site 8, Sovereign Harbour. Application ID: 141469 (RMT).**

Reserved matters (Access, Appearance, Landscaping, Layout and Scale) application relating to condition 1 of outline application Reference:131002 for the development of site 8 at Sovereign Harbour for up to 8 dwellings, open space and berth holder facilities and related discharge in respect of site 8 of the following conditions: condition 1 (reserved matters), condition 4 (within 2 years), condition 172 (harbour wall maintenance) conditions 9 & 192 (restriction of residential units, condition 177 (estate road layout), condition 191 (public spaces) – **SOVEREIGN.**

The committee was advised that this application had been deferred from the Planning committee in February 2015 in order to seek revisions (amended drawings) to the design of the 'public open space' element within the scheme.

The agents for the application had submitted revised details for the area of 'public open space' and had also provided commentary on a number of other issues discussed at the February 2015 Planning committee which were summarised within the report.

The representations that had been received in each round of consultation were detailed within the report.

East Sussex County Council Highways Department had commented that vehicle and cycle parking had been considered and access to the site was sufficient. The observations of the Sovereign Harbour Residents Association were summarised within the report.

**RESOLVED: (Unanimous)** That permission be granted subject to the following reserved matters conditions: 1) Time limit 2) In accordance with the approved plans 3) No development shall commence before details of the boundary treatment (including privacy screens) for the building plots hereby approved are submitted to and approved in writing by the Local Planning Authority 4) Prior to its installation at the site details of the location, design and appearance of any external plant and machinery associated with the dwellings shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented at the site be retained as such thereafter.

**21 Cavendish School, Eldon Road. Application ID: 150534 (CCC).**

East Sussex County Council Re-Consultation to Cavendish School – **OLD TOWN.**

The committee was advised that since the application was last considered by the Planning Committee in November 2014 the applicant had carried out further traffic analysis including survey work in Eldon Road, Willingdon Road and Cobbold Avenue. The amendments to the scheme were detailed within the report.

It was accepted and acknowledged that there was an identified need for this accommodation within Eastbourne and it was accepted that East Sussex County Council had undertaken a thorough audit of available/potential sites to meet/mitigate this need. It was considered that this site was the only one available and deliverable within the time frames required.

The relevant planning history for the site was detailed within the report.

An additional response to officers' questions was provided by the applicants and reported at the meeting. The questions related to:

- The internal roadway, its potential to cause loss of amenity to the houses that abut the site, and how this impact would be mitigated.
- Further clarity over on the location and extent of the proposed cycle storage was sought.
- During pick up and drop off times how one-way access would be retained.
- Further detailed drawings for a pedestrian controlled crossing outside of the school in Eldon Road were requested.
- The controls that were being imposed over the non-school use of the MUGA
- Clarification regarding the use of floodlights.

Mr Askew, Chairman of the Board of Governors, addressed the committee in support stating that there had already been an uptake for the reception class with over 800 Facebook followers in support of the proposals. The new school would provide better facilities for all students. The traffic issues had been resolved by relocating the entrance.

Mr Hambrook, East Sussex County Council, addressed the committee stating that there was a need for additional school places, with an increase in school age children in the vicinity of the school. The previous highways concerns had been addressed with the 'kiss and drop' being relocated on-site and the travel plan indicated that less than 50% of school children would arrive by car. Screening would be provided for properties adjoining the site.

Councillor Ungar, Ward Councillor, addressed the committee in objection stating that the proposal was an overdevelopment which was of poor architectural merit. Councillor Ungar felt that the site was already fully utilised, with additional school places required in other areas of the town. Concern was also expressed regarding the potential for flood lighting at the

MUGA, access from Cobbold Avenue, the increase in traffic in the vicinity of the school and access to the disabled parking provided on-site.

The committee expressed concern regarding the loss of open space, current traffic issues and the impact of additional traffic in the surrounding area and safety issues for the pupils with increased traffic at the site. The committee felt that whilst the new scheme was an improvement the traffic issues were just being transferred from Eldon Road to Cobbold Avenue.

The committee requested that consideration be given to the addition of a pelican crossing and reduction in the speed limit in Eldon Road. The Chairman requested that the frontage of the school fabric be softened by using a mixture of building materials. The Senior Specialist Advisor (Planning) agreed to report the committee's comments to East Sussex County Council and agreed to update the Chairman on the outcome of the application following its consideration by the East Sussex County Council's Planning committee.

NB: Councillor Taylor withdrew from the room whilst this application was considered. Councillor Ungar addressed the committee from the floor and withdrew from the room whilst the item was considered.

**RESOLVED:** That East Sussex County Council be advised that Eastbourne Borough Council did not object in principle to the provision of additional school places at the site but retained areas of concern in relation to highway capacity, highway safety and design and appearance of the building and requested that East Sussex County Council use their best endeavours to provide a Pelican Crossing (or similar) in Eldon Road and also introduce of a 20MPH speed limit on the roads in and around the school.

**22 Summary of the Performance of the Planning Service - Qtr 4 (Jan - Mar) 2014/15.**

This item was deferred until the next meeting of the Planning Committee on 7 July 2015.

**23 South Downs National Park Authority Planning Applications.**

None reported.

The meeting closed at 10.56 pm

**Councillor Murray (Chairman)**

Wednesday, 24 June 2015  
at 6.00 pm



## Audit and Governance Committee

Present:-

**Members:** Councillor Swansborough (Chairman) Councillors Choudhury,  
Di Cara, Dow, Holt, Smart and Taylor

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### **1 Minutes of the meeting held on 11 March 2015.**

The minutes of the meeting held on 11 March 2015 were submitted and approved and the Chairman was authorised to sign them as a correct record.

### **2 Apologies for absence.**

An apology for absence was reported from Councillor Sabri.

### **3 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.**

None were declared.

### **4 Internal Audit Report to 31st March 2015.**

The Committee considered the report of the Internal Audit Manager regarding a summary of the activities of Internal Audit for the fourth quarter of the financial year 2014/15.

A list of all final audit reports issued from 1st April to 31 March 2014 and the level of assurance attained were detailed in the report. The Committee was advised that during this quarter, no reports had been issued with an assurance level of inadequate.

Audit work carried out to date against the audit plan was set out in appendix A. The Internal Audit Manager made reference to the main points from the appendix which was the review of Government Connect, the loss of the Computer Auditor and postponement of two audit reviews. Further details were contained in the report.

Further information on reports issued in final during the year with an assurance level below excellent was set out in Appendix B, with any issues highlighted in the reviews which informed the assurance level given. The Committee were reassured that these were the assurance level given at the time the final report was issued and did not reflect recommendations that had been addressed.

A brief explanation for a number of outstanding high and medium priority recommendations from audits, reasons why they had not been implemented along with the month when the next follow up date was due was set out in appendix C.

The comments made by the Corporate Management Team and officers following consideration of outstanding high risks was set out in appendix D. Appendix D was designated as confidential to reduce the risk of opportunities to commit fraud.

The Committee was advised that no frauds over £10k were recorded in the fourth quarter of 2014/15 and only one fraud over £10k had been identified for this year and that was detailed in the report.

Work undertaken in Corporate Fraud including investigations into benefit claims, National Fraud Initiative data matching, non-responses to the single person discount review and the East Sussex Counter Fraud Hub was detailed in the report.

The Internal Audit Manager advised that the work referred to in the report had been used as the basis for the opinion of the overall effectiveness and adequacy of the internal control environment, in addition to other ad hoc work undertaken by the auditors. It was the opinion of the Internal Audit Manager that internal controls across the authority were generally found to be sound.

The Committee was advised that the Public Sector Internal Audit Standards came into effect from 1<sup>st</sup> April 2013, therefore the work of the Internal Audit section was assessed for compliance against these standards. It was found that the Internal Audit function was "generally conforming" to the standards with a 97.63% rating. Areas of partial or no conformance were listed in the table attached to the report, in addition to an explanation and actions to be taken where appropriate.

An agreement within the Sussex Audit Group had been reached on how to undertake external reviews. A schedule had been formulated so that each authority's compliance with the standards could be reviewed by the Internal Audit Manager from two other authorities. The Committee was advised that Eastbourne would be reviewed in 2015/16.

The Committee discussed the draft internal audit plan for 2015/16 that was adopted by the previous membership of the Committee at its meeting on 11 March 2015. The Internal Audit Manager clarified that progress against the plan would be reported on at the next meeting of the Committee.

**RESOLVED:** That the report be noted.

## **5 Annual Governance Statement.**

The Committee considered the report of the Internal Audit Manager regarding the Annual Governance Statement which detailed the key elements of the systems and processes of the Council's governance arrangements.



The Annual Governance Statement was a report produced at the end of the year on the control environment of the Council and was a statutory document that accompanied the statutory Statement of Accounts once adopted. The Statement provided a structure in which to consider the Council's governance arrangements and their effectiveness. This ensured that major control issues were identified and action would be taken to address those issues.

Appendix 1 of the report detailed the framework for gathering the assurances and how that affected the relationship with partners, stakeholders and the community. Following the framework should ensure that the Council met the six principles of corporate governance.

A timetable for the gathering of assurances to produce the Annual Governance Statement was set out in Appendix 2 of the report.

Appendix 3 showed the Manager's Assurance Statement which included coverage of the Bribery Act, Safeguarding, Regulation of Investigatory Powers Act 2000 (RIPA) and frauds over £10K. The statement was intended to cover the operational, project and partnership responsibilities of the Heads of Service. It could also be used to highlight any concerns and subsequent actions required to improve governance throughout the Council.

Once these statements had been completed by the relevant Heads of Service they were passed through the Chief Executive and Deputy Chief Executive. The comments made on the statements were considered for inclusion in the Annual Governance Statement.

The governance issues and subsequent action plan had been compiled from a number of sources including reports of internal and external audit, the Corporate Management Team (CMT), Scrutiny and Standards reports, external review bodies, managers assurance statements, evidence from the Council's Monitoring Officer and review by the Chief Finance Officer, Deputy Chief Executive and Internal Audit Manager.

The Internal Audit Manager advised that completed Managers' Assurance Statements had been returned from all Heads of Service and from Eastbourne Homes Limited. Six of these statements mentioned minor concerns over capacity and capability of staff. The Council continued to redesign its services through the "Future Model" programme, and were involved in a shared services agreement principally with Lewes District Council. Significant asset projects were also underway and collectively these carried a cumulative risk. The Committee was advised that the Council were regularly updated on its Sustainable Service Delivery Strategy and was monitoring and reporting ongoing performance.

The Council's Corporate Management Team agreed that this should be mentioned in the body of the statement but did not represent a significant issue as it was being adequately monitored. As a result no significant risks had been reported this year.

Once the Statement had been approved by the Audit and Governance Committee it would be given to the Chief Executive and Leader of the Council to sign before it is published alongside the Statement of Accounts.

The Committee queried the risk of bribery and how that was monitored. The Internal Audit Manager responded that this was monitored through the Council's Anti-Fraud and Corruption policy. With a policy in place it was down to managers to ensure that any risk of bribery was being controlled. In addition, a check of managers and the controls in place would be covered through the role of audit.

**RESOLVED: (Unanimous)** That the Annual Governance Statement for 2014/15 as appended to the report be approved.

## **6 Strategic Risk Register.**

The Committee considered the report of the Internal Audit Manager regarding an update of the Strategic Risk Register.

The Strategic Risk Register had been taken to Corporate Management Team on 19 May 2015 for the regular quarterly review and the updated register was appended to the report.

It was agreed that now the local and general elections in May 2015 had been completed, the risk level of risk SR\_001 should be returned back to its original score of green.

In view of the current job vacancies at the Council and the unemployment rate in the town, it was agreed to raise the likelihood of risk SR\_004 (employment market) from 2 to 3 and change the risk to amber from green.

The Committee asked about the potential risk of the Council entering into contracts without committed funding. The Chief Finance Officer clarified that the internal controls around giving the authority liability in terms of contracts would be covered under the Council's Contract Procedure Rules. Additional wording would be added to the register to state the requirement for all managers to comply with financial regulations.

**RESOLVED: (Unanimous)** That the amended Strategic Risk Register as appended to the report be approved.

## **7 Annual Accounts 2014/15.**

The Financial Services Manager presented the draft annual accounts for 2014/15.

The Accounts and Audit Regulations 2011 require the Council to formally approve and publish the Statement of Accounts for the financial year ending 31 March 2015 by 30 September 2015.

It is the responsibility of the authority's Chief Finance Officer to certify that the accounts represent a true and fair view of the authority's financial position by 30 June in addition to ensuring the preparation of the statement is in accordance with the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom (The Code).

The Statement of Accounts would be considered by Cabinet at its meeting on the 8 July 2015.

The Financial Services Manager reported that there had been no major changes to the Code this year and a minor change affecting the accounting for schools was not applicable to the Council.

The Annual Governance Statement was not reported within the Statement of Accounts but instead sat alongside the statement giving members assurance that the data supporting the figures included in the accounts were based on sound financial systems.

The provisional financial outturn for the general fund, housing revenue account and capital expenditure had been reported to Cabinet on 1 June 2015. An analysis of the Council's financial activity for 2014/15 was set out in the Forward of the Statement of Accounts and an overview of the key issues, was attached at appendix 1 to the report.

The draft accounts 2014/15 were circulated separately prior to the meeting.

The Council's external auditors BDO LLP are required to report back to the Committee at its September meeting with their independent opinion of the accounts. The Committee was advised that BDO were due to start their work on 20 July 2015. The accounts would be open for public inspection between the 13 July and 7 August 2015.

**RESOLVED:** That the draft annual accounts for 2014/15 be noted.

The meeting closed at 7.07 pm

**Councillor Swansborough  
(Chairman)**

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Tuesday, 7 July 2015  
at 6.00 pm



## Planning Committee

Present:-

**Members:** Councillor Murray (Chairman) Councillor Sabri (Deputy-Chairman)  
Councillors Jenkins, Miah, Murdoch, Salisbury, Taylor and Ungar

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### **24 Minutes of the meeting held on 2 June 2015.**

The minutes of the meeting held on 2 June 2015 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

### **25 Apologies for absence.**

There were none.

### **26 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct.**

Councillor Taylor declared a personal interest in minute 32 Langney CP School as a member of East Sussex County Council Planning Committee. Councillor Taylor remained in the room whilst the application was considered but did not take part in the discussion or vote thereon.

### **27 34 Marlow Avenue. Application ID: 150496 (HHH).**

Erection of garden store at rear – **ST ANTHONYS**. Two general observations and one letter of support had been received. One additional comment had been received stating that the neighbouring resident had no objection to structure, but had concerns regarding the possible installation of sink and services for a washing machine, whether the inclusion of services would change the intended use from 'Shed / Store' to extension of dwelling and whether the mains water and waste water would be subject to Building Control.

Mr Callf also provided additional comments and a cross section drawing relating to drainage that had been installed but subsequently removed as confirmed by Mr Keohane. Mr Callf's further comments related to his address to the committee as stated.

The relevant planning history for the site was detailed within the report.

Mr Callf addressed the committee in objection stating that he had no objections to the structure, however he did raise concerns regarding the potential addition of foul waste disposal to the site and the possibility that

the site may be used as a place of residence. Mr Callf also raised concerns regarding the potential for localised flooding, as no surface water drainage was proposed. Mr Callf advised that a drainage system had been installed and that there had been a breach the existing manhole cover.

Mr Keohane, on behalf of the applicant, addressed the committee in response stating that no waste removal treatment was proposed and that the structure would be used for the storage of food items only. Mr Keohane confirm the drainage system had been removed from the site.

The Senior Specialist Advisor (Planning) confirmed that any breach of man hole covers and underlying pipework would be investigated by Building Control and that any damage would be required to be replaced and / or repaired.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions; 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission 2) The development hereby permitted shall be carried out in accordance with the following approved drawings:  
 DWG. NO.: 1 - Proposed Ground Floor Plan (Rec'd 01/05/2015)  
 DWG. NO.: 2 Rev. A - Proposed Front & Side Elevations (Rec'd 14/05/2015)  
 DWG. NO.: 3 Rev. A - Proposed Rear Elevation (Rec'd 14/05/2015)  
 3) The development hereby permitted shall not be occupied at any time other than for purposes ancillary and incidental to the residential use of the dwelling known as 34 Marlow Avenue, and shall not be let or sold separately.

**28 48 St Leonards Road. Application ID: 150141 (PPP).**

New build 3 Storey residential accommodation consisting of 12 dwellings and 7 car parking spaces. Reduction of proposed building to 2 storeys consisting of 7 dwellings and 7 car parking spaces. (Amended description) – **UPPERTON**. 21 objections had been received in response to the initial consultation and a further eight objections had been received in response to the consultation on the amended proposal.

The relevant planning history for the site was detailed within the report. The Specialist Advisors for Arboriculture, Economic Development and Planning Policy raised no objection to the proposal. East Sussex County Council Highways Department raised no objection subject to conditions and a S106 legal agreement.

The committee discussed the application and raised concerns regarding the design of the proposed development and its subsequent effect on the character of the surrounding street scene.

**RESOLVED: (Unanimous)** That permission be refused on the grounds that the proposed development by reason of its poor design and external appearance would be intrusive and harmful to the predominant character of the area, contrary to Policies Policies UHT1, UHT4 and UHT15 of the Eastbourne Local Plan and Policy D10A of the Eastbourne Core Strategy.

#### Appeal

Should the applicant appeal the decision the appropriate course of action to be followed, taking into account the criteria set by the Planning Inspectorate, is considered to be written representations.

### **29 153 Victoria Drive. Application ID: 150092.**

Conversion of first floor residential accommodation to form 1 one-bedroom flat and 2 two-bedroom flats with access from the rear – **OLD TOWN**. Two general comments and one of support had been received.

The committee was reminded that they had sought further details regarding the noise impact of the plant and machinery associated with the Sainsbury's retail store at ground floor level which would need to be assessed before a decision could be reached. The applicants had commissioned an acoustic report to identify the extent of the noise impacts that the ground floor use would create. This report concluded that subject to double glazed windows incorporating trickle vents then the new residential apartments to the rear would not suffer any material impact from the ground floor use. This view was supported by the Specialist Advisors (Environmental Health). A condition was recommended to control the installation of double glazed units.

The relevant planning history was detailed within the report. The observations of East Sussex County Council Highways Department were summarised within the report.

The committee discussed the application and raised concerns regarding the soundproofing measures, requesting that officers further negotiate sound mitigating solutions for the dwellings proposed.

**RESOLVED: (Unanimous)** That the application be deferred to allow the Planning Department to propose and negotiate further improvements to the screening and soundproofing measures for the proposed dwellings.

### **30 280 Kings Drive. Application ID: 150369.**

Two storey extension at side and single storey extension at rear – **RATTON**. Two objections had been received.

The relevant planning history for the site was detailed within the report. The observations of the County Archaeologist were also summarised.

**RESOLVED:** That permission be granted subject to the following conditions; 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission 2) The development hereby permitted shall be carried out in accordance with the approved drawings no. 1514/03 Rev. A submitted on 5th June 2015 and drawings no. 1514/04 and 1514/05 submitted on 2nd April 2015 3) The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no window, dormer

window, rooflight or door other than those expressly authorised by this permission shall be constructed on the east elevation (facing 278 Kings Drive) without planning permission obtained from the Local Planning Authority 5) The living accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary and incidental to the residential use of the dwelling known as 280 Kings Drive and shall not be let or sold separately.

**31 BMX Track, The Old Rifle Range, Hampden Park. Application ID: 150484 (PPP).**

Formation of a BMX pump track adjacent to the skate park – **HAMPDEN PARK**. One letter of objection and three representations of support had been received. One further letter was reported at the meeting broadly welcoming the facility but offered some caution over noise disturbance at the site and surrounding area if formal events were held at the facility.

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisors for Arboriculture and Open Spaces were also summarised.

**RESOLVED: (By 6 votes to 1 with 1 abstention)** That permission be granted subject to the following conditions; 1) Commencement within three years 2) Development in accordance with approved plans 3) Tree protection 4) No changes in soil levels within the root spread of the trees 5) Submission of details of access route, site office and materials storage

**32 Langney CP School. Application ID: 150471.**

Proposed temporary single classroom, ramp and steps –**ST ANTHONYS**.

The relevant planning history for the site was detailed within the report.

The committee discussed the application and agreed that the use of temporary classrooms was not the best environment for education and that such developments should continue to be monitored by the committee. Members also requested that East Sussex County Council consider including a covered walkway to the main school building.

NB: Councillor Taylor took no part in the discussion on this item.

**RESOLVED:** That East Sussex County Council be advised that Eastbourne Borough Council did not object to the current proposal.

**33 Seaside Garage, 10-16 Fairlight Road. Application ID: 150457 (PPP).**

Demolition of existing garage and construction of 4 x 3 bedroom, 2 storey terraced houses. (Amended description) – **DEVONSHIRE**. One letter of objection and two letters of observation/comment had been received.



The relevant planning history for this site was detailed within the report. The observations of the Specialist Advisor (Planning Policy) and East Sussex County Council Highways Department were also summarised.

The committee discussed the application and agreed that the boundary treatment should reflect that of the surrounding properties and should therefore include a low boundary wall to match the existing properties.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions: 1) The development hereby permitted shall be begun before the expiration of three years from the date of permission 2) The proposed development shall be carried out in strict accordance with the approved plans and documents 3) No development shall commence until details of a Phase II Soil Investigation is submitted to and approved in writing by the Local Planning Authority. If contamination is found to be present, then details of a remediation strategy detailing how this contamination shall be dealt with shall be submitted to and approved by the Local Planning Authority prior to the commencement of excavation work 4) Prior to reaching damp course level, samples or precise manufacturers details of all the materials to be used on the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter 5) Notwithstanding the approved details, the development shall not be occupied until full details of boundary treatment and hard and soft landscape works have been submitted to and approved by the Local Planning Authority. These shall include details and locations of trees and planting plans, species specification and samples of hard landscaping materials 6) The development shall not be occupied until the existing access shown on the approved plan has been stopped up and the kerb & footway reinstated in accordance with details submitted to and approved in writing by the Director of Communities, Economy and Transport 7) During any form of earthworks and/or excavations that are carried out as part of the development, suitable vehicle wheel washing equipment should be provided within the site to prevent contamination and damage to the adjacent roads 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse(s) other than that expressly authorised by this permission shall be carried out without planning permission obtained from the Local Planning Authority 9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer window, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority 10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), gate, fence, walls or any other means of enclosure than those expressly authorised by this permission shall be constructed without planning permission obtained from the Local Planning Authority 11) No material shall be deposited at the site other than clean, uncontaminated naturally occurring excavated material, brick and concrete

rubble 12) No bonfires or burning of waste materials shall take place anywhere on the site at any time.

**Informatives:**

- All external materials to be used in the development shall conform to the guidelines set out in the Eastbourne Townscape Guide.

- The applicant's attention is drawn to the need for a S184 licence for the reinstatement of the kerb and footway. The applicant should contact ESCC on 01273 482254 prior to commencement of development to apply for the licence and pay the necessary fee.

-The applicants be advised that given the age of the building and the commercial nature of former use there may be materials in the building and or on the site that require the disposal by a dedicated specialist contractor.

**34 Shortdean Place. Application ID: 150322 (PPP).**

Provision of additional garage (to double garage approved under permission EB/1983/0388), lowering of dwarf boundary wall and re-landscaping of adjacent open area – **OLD TOWN**. Nine objections had been received.

The relevant planning history for the site was detailed within the report.

**RESOLVED: (By 7 votes with 1 abstention)** That permission be granted subject to the following conditions; 1) Commencement within 3 years 2) Development in accordance with the approved plans 3) Submission of brick samples 4) Painting of garage doors 5) Completion of landscaping before occupation of garages 6) The garage hereby approved shall not at any time be used for the commercial (Business) purposes including commercial storage and the parking of a non-domestic vehicles.

**35 Site 5, Sovereign Harbour. Application ID: 150352 (RMT).**

Application for approval or reserved matters following outline approval (130002) – **SOVEREIGN**. Three comments had been received.

The relevant planning history for the site was detailed within the report. The observations of the Specialist Advisor (Planning Policy) and Bespoke were also summarised.

Southern Water Services Ltd, the Environment Agency, Sovereign Harbour Residents Association and East Sussex County Council Highways Department made no comment. The Environment Agency made no objections to the application.

Mrs Weeks, Sovereign Harbour Community Association, addressed the committee in support stating that the application had the full support of the residents and that the development would strengthen the existing relationships within the community.

**RESOLVED: (Unanimous)** That the reserved matters be approved.

**36 Water Treatment Works, Waterworks Road. Application ID 150589.**

Provision of a microfiltration building and ancillary equipment – **DEVONSHIRE**. Two responses had been received.

The observations of the Specialist Advisors for Policy and Environmental Health and East Sussex County Council Highways Department were summarised within the report.

East Sussex County Highways Department raised no objections subject to a condition requiring highway signage for construction traffic as follows:

- The controls requested by the East Sussex County Council Highways Department would be worked into the full text of Condition No4 within the tabled report.

An additional letter of support has been received from local resident.

**RESOLVED: (Unanimous)** That permission be granted subject to the following conditions; 1) Commencement within three years 2) Carried out in accordance with the approved plans 3) Hours of operation 4) Deliveries and working practices in accordance with planning statement and traffic management plan

**37 Conservation Guidance documents.**

The committee considered the report of the Senior Specialist Advisor (Planning and Conservation) advising members that the Councils documents *Guidance for Designation and Review of Conservation Areas* and *Conservation Areas in Eastbourne Companion Document*, had been updated to include the National Planning Policy Framework [NPPF] which superseded Planning Policy Statement 5 (PPS 5) in 2012.

The report also sought authority to go out to public consultation on proposals for the draft Good Practice for the Selection of Local Heritage Assets (Buildings of Local Interest and Areas of High Townscape Value).

The purpose of the draft Guidance Manual was to provide explanatory information and guidance on the purpose of a local heritage list and identified the criteria local communities could use to select; assets such as buildings, areas, spaces and places that matter to them. The document set a common framework of criteria that would be used to objectively determine the level of protection afforded to local heritage assets.

Subject to approval of the recommendations within the report, it was proposed to carry out public consultation on the draft Guidance Manual in compliance with the Council's adopted Statement of Community Involvement. Consultation would be carried out with Historic England, Victorian Society, Twentieth Century Society, Historic Parks and Gardens, local amenity groups and historic societies, residents and occupiers of the Borough would be notified via a notice published in the local newspaper. The consultation period would last for 12 weeks.

The draft Guidance Manual established the framework through which identification of local heritage assets could be assessed objectively in order to ensure that their inclusion on the local heritage asset list could be justified and were defensible.

**RESOLVED:** 1) That the committee authorise public consultation on the draft Good Practice for the Selection of Local Heritage Assets (Buildings of Local Interest and Areas of High Townscape Value) 2) That on completion of the public consultation exercise the results shall be reported to Planning Committee prior to the referring the document onto Cabinet for adoption. 3) That the *Guidance for Designation and Review of Conservation Areas and Conservation Areas in Eastbourne Companion Document*, had been updated to include The National Planning Policy Framework [NPPF] which superseded Planning Policy Statement 5 (PPS 5) in 2012 be noted.

### **38 Enforcement Policy Statement 2015.**

The committee considered the report of the Senior Specialist Advisor (Planning) requesting that members endorse the revised/updated Enforcement Policy Statement 2015 and resolve that it be continued to be used as Council Policy.

The proposed changes to the previously adopted enforcement policy were modest with the significant changes from the October 2014 version being:-

- Revised title
- Section 6 ii) page 11, outlines how the Council would work proactively to mitigate the potential breaches of planning control
- Section 9 Direct Action page 20, outlined the parameters and criteria against which the Council would pursue Direct Action.
- Section 9 Monitoring of Conditions page 22, outlined that informative that would be attached to all approval notices.

Members noted that the Policy statement continued to:-

- Promote the joined up enforcement approach, recognising that working closely with others from outside the planning service was essential to maximise outcomes
- Reflect and reinforce the more proactive work already undertaken by the by the planning enforcement processes and also by the Difficult Properties Group in taking positive action to improve the environment of the Borough and the amenities of its residents.
- Planning Committee would receive a quarterly report detailing the actions and outcomes relating to enforcement matters.

Members were advised that since the Enforcement Policy Statement was adopted in April 2010 it had been successfully implemented bringing about significant changes in the Council's approach to enforcement issues in general.

Planning enforcement now enjoyed a significantly higher profile than in the past. Public expectation is also higher and therefore a more robust policy document which more clearly identifies when and how action could be undertaken was required to ensure that these expectations could be met.

It was considered that given the profile now afforded by the National Planning Policy Framework it was recommended that this updated document be referred to Cabinet for formal adoption.

**RESOLVED:** 1) That the committee support / endorse the revised/updated Enforcement Policy Statement 2015 2) That the Enforcement Policy Statement 2015 (as the local approach for conducting/undertaking the planning enforcement function within the Borough of Eastbourne) be referred to Cabinet for formal adoption.

### **39 Seafront Local Plan - Issues and Options.**

The committee considered the report of the Senior Head of Regeneration, Planning and Assets seeking member's views on the Seafront Local Plan Issues and Options report which would be published for consultation with the community and key stakeholders for a 12 week period between 17 July and 9 October 2015.

The Local Development Scheme (LDS) outlined the work programme for the production of planning policy documents, identified the preparation of a Seafront Local Plan to maximise the seafront's contribution to the town as a defining asset and significant contributor to the local economy. The LDS scheduled consultation on an Issues and Options report to take place over the summer of 2015.

The Seafront Local Plan would be a Development Plan Document that would form part of the Local Plan for Eastbourne. It would set a framework for future development on the seafront with the aim of enhancing the positive contribution that the Seafront makes to the town and the local economy. The Seafront Local Plan would have to be in conformity with the Core Strategy and the Town Centre Local Plan, as well as national policy.

**RESOLVED:** 1) That Cabinet be advised that the Planning committee support the development of a Seafront Local Plan.

### **40 South Downs National Park Authority Planning Applications.**

There were none.

The meeting closed at 8.51 pm

**Councillor Murray (Chairman)**

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# Cabinet



## Minutes of meeting held on Wednesday, 8 July 2015 at 6.00 pm

Present:-

Councillors **David Tutt** (Chairman and Leader of the Council), **Gill Mattock** (Deputy Chairman and Deputy Leader of the Council), **Margaret Bannister**, **Troy Tester** and **Steve Wallis**.

(An apology for absence was reported from Councillor Alan Shuttleworth)

### 10 Minutes of the meeting held on 1 June 2015

The minutes of the meeting held on 1 June 2015 were submitted and approved and the chairman was authorised to sign them as a correct record.

### 11 Declarations of interests by members.

Councillor Tutt declared personal interests in minute 13 (medium term financial strategy) as a member of the East Sussex Pension Fund Committee and in minute 14 (sustainable service delivery strategy) as a non-executive director of iESE (the Improvement and Efficiency Enterprise). He chose to remain present for both items.

### 12 Annual accounts 2014/15.

12.1 Cabinet considered the report of the Financial Services Manager presenting the annual accounts and final budget outturn figures for 2014/15 for the information of the Cabinet. Under the Accounts and Audit Regulations 2011 the deadline for the Council to approve the annual accounts was 30 September, after the external audit had been completed.

12.2 A report to the Cabinet meeting on 1 June 2015 had set out the provisional outturn for 2014/15. The forecast was for a credit variance of £216,000 on service expenditure. Since that time the work on closing the accounts had been completed and the final outturn confirmed. The general fund final service outturn was a favourable variance of £15,000. The outturn formed part of the draft statement of accounts reported to the Audit and Governance Committee on 24 June 2015. The committee would be asked to formally approve the accounts at their September meeting.

12.3 The main change from the details of the service variances reported to the June Cabinet related to an adjustment for movements in bad debt provision, lower than expected government grants to support business rates reliefs and government support to compensate below inflation increases charged to business ratepayers.

12.4 The general fund balance at 31 March 2015 was £4.899m. Details of other reserves were included in the accounts. In addition to the transfers to and from reserves as approved by Cabinet on the 1 June 2015, a transfer of £488,015 was made to the capital programme reserve in line with the budget strategy representing the balancing mechanism on capital financing costs. This included savings on external interest payable due to the continued use of internal balances and the actual timing of capital spending incurred compared to the expected cash flow profile. The final capital expenditure figure for the year was £17.6m compared to a revised budget of £19.0m a variance of £1.4m or 7.8%.

12.5 The housing revenue account (HRA) figure previously reported to Cabinet in June had been a favourable variance of £186,000. The final net expenditure for the year was £445,500; a variance against budget of £137,000. This movement in variance was due to a reduction in the level of the provision for bad debts. The HRA balance as at 31 March 2014 was £3.150m. Transfer of £700,000 was made to the housing regeneration and investment reserve in line with the budget strategy and the 30 year housing business plan. This represented the variance between the budgeted and actual depreciation allowance.

12.6 The external auditor was due to commence work on 20 July and the accounts would be open for public inspection between 13 July and 7 August 2015. The date for questioning the external auditor had been set as 10 August 2015 until the end of the audit.

12.7 An overview of the accounts was appended to the report. The full accounts were available to view on the council's website. Councillor Mattock expressed her appreciation for the work undertaken by the Financial Services Manager and her team for their work in presenting the annual accounts.

**12.8 Resolved (key decision):** (1) That the final outturn for 2014/15 be agreed.

(2) That the transfer to reserves and provisions as set out in paragraphs 2.3 and 3.2. of the report be approved.

### **13 Medium term financial strategy 2016-20 (KD).**

13.1 Cabinet considered the report of the Deputy Chief Executive and Chief Finance Officer. The council's medium term financial strategy (MTFS) was a rolling 4 year strategy that took into account:

- The external financial environment
- The overall financial demands of services
- The council's existing and projected financial resources
- The council's political priorities and stated aims
- The council's sustainable service delivery strategy
- The council's corporate plan
- The major service strategies and plans



13.2 Over the life of the last parliament the coalition government had effectively reduced the general support to the council by some 40% in cash terms which equated to over 50% in real terms. Government funding was expected to fall a further 30% over the next parliamentary cycle to 2020. The government had set an objective to eliminate the nation's budget deficit by the end of the parliament. This would involve various measures that will reduce the amount of resources to local government including:

- A further reduction in general central government support 2016-2020.
- Reducing the amount of resource available to DCLG as it was not a "protected" department which would impact on specific grants.
- Increasing in the funding for new homes bonus (NHB) paid for by further reducing the revenue support grant (RSG).
- A further year on year reduction in housing benefit administration grant (on top of the £200,000 reduction in the last 4 years).

13.3 The Deputy Chief Executive gave an update on measures announced in the Chancellor's budget statement made earlier in the day of this meeting. This confirmed the assumptions made in the MTFS of a further 30% reduction in government grant to 2020. The anticipated cost to the council of the proposed increase in the national minimum wage for those over 25 would be offset by the cap to be imposed on public sector pay of 1% (against an assumed MTFS provision of 2%).

13.4 In order to protect front line services the council had put in place a priority based budget system that had kept pace with the scale of cuts to funding and made provision for reinvestment in services. The council had set out its stall to become less dependent on day to day revenues to run services, instead opting to use any spare financial capacity to enhance the capital programme. The council's DRIVE programme provided the programme to deliver efficiencies that support the council's corporate plan. The MTFS and capital strategy identified and directed resources at a strategic level, which were then compounded via the service and financial planning and budget setting process.

13.5 In setting the last six annual budgets the council had achieved its "golden rule" of meeting its ongoing budget requirement from ongoing resources in each year. Technically, the rule applied to the cycle of the MTFS, and it was reasonable to use reserves to smooth out the budget as savings accrued over the cycle. By not using reserves in this manner it had meant that reserves over the minimum level were available for one off investments in services decided via the service and financial planning process.

13.6 The council, as a registered social landlord, was obliged to run a housing revenue account (HRA) that was statutorily ring-fenced from its general fund. A 30 year rolling business plan had been adopted for the HRA. The council was working in partnership with Eastbourne Homes Ltd. (EHL), a wholly owned subsidiary, to deliver efficiency savings in partnership using shared services. All savings accruing to the HRA were

reinvested in housing services. During the last 2 years over £500,000 of ongoing efficiencies had been realised and built into the EHL budget.

13.7 The report set out the council's strategy in relation to dealing with the effects of inflation in the costs of goods and services and pay, pension costs, fees and charges, interest rates, council tax, government grants and retained business rates, savings, the scope for new or enhanced service provision the housing revenue account, reserves and the mitigation of risks. Appendix 1 to the report set out the potential risks and mitigating measures available to the council. Appendix 2 provided a summary of the MTFS 2016/2020 and showed that the general reserve would be reduced over the life of the MTFS to an estimated £3m excluding any windfalls or underspends. In order to maintain sustainable finances and fund its ambitions, the council would need to make new efficiency savings or income streams averaging £0.6m per annum for the next four years; a cumulative saving of approximately £2.5m.

**13.8 Resolved (key decision):** (1) That the updated medium term financial strategy and associated plan 2016-20, as summarised in appendix 2 of the report, be approved.

(2) That the balance of assumptions made in the strategy be agreed.

(3) That that the emerging budget proposals for 2016/17 be brought to Cabinet in December prior to detailed consultation.

(4) That the principal risks of the strategy in appendix1 of the report be approved.

*(Note: See minute 11 above for personal interest declared by Councillor Tutt.)*

#### **14 Sustainable service delivery strategy (SSDS) - update (KD).**

14.1 Cabinet considered the report of the Deputy Chief Executive updating members on the progress made within the SSDS programme, with particular reference to the implementation of shared corporate services, the 'Future Model' programme plan (phase two); and the corporate landlord implementation plan.

14.2 The publication of the final target operating model (TOM) enabled the staff recruitment process to begin, and the first (internal) phase of this was completed in early June. External recruitment to the vacant roles began in June and would continue over the rest of the summer. Successful recruitment to vacant roles in the new structure would be a factor in the timetable for the implementation of the new teams and processes. The number of staff in scope of phase two was reduced from 219.5 to 168.1 full time equivalent (FTE) roles. There were 141.5 FTE roles in the new model, a reduction of 26.6. Following internal recruitment there were 34.6 FTE redundancies, of which 17.9 were as a result of voluntary redundancy requests. Implementation of new

systems and ways of working was being undertaken on a phased basis with the current focus on housing services.

14.3 Another major programme milestone was the successful relocation of Eastbourne Homes Ltd. (EHL) from Ivy House to 1 Grove Road and the completion of the redesign of the customer contact centre at 1 Grove Road. Following the EHL relocation and a detailed analysis of the outcomes of the recruitment process, the programme savings were estimated to amount to £1.45 million, which included £1.2 million of staff related savings (consistent with the original business case estimates).

14.4 The human resources (HR) and legal shared services went live on schedule in April 2015, with Eastbourne BC hosting the HR shared service and Lewes DC hosting the legal shared service. Staff transfer under TUPE had been completed successfully and all bar one staff member were in post. The next step will be the development of service level agreements (SLAs) for both services. The early success of the arrangements had already resulted in some interest from other authorities about potentially joining the service in future.

14.5 The information technology (IT) shared services roadmap was currently being developed and envisaged a 5-year transition programme. Due to the different financial systems used by EBC and LDC, the shared service opportunities for finance were currently focussing on sharing expertise across the two authorities and moving to common financial reporting formats. The alignment of the property teams across EBC and LDC was ongoing, with recruitment to joint posts underway and a shared statutory compliance officer in post.

14.6 In October the 2 councils' cabinets had authorised their chief executives, in consultation with the respective council leaders, to take advantage of opportunities as and when they arose to align systems or posts in order to generate benefits in terms of quality, savings or resilience. Since then a number of opportunities had been taken to do this, namely:

- Two further shared roles at senior management level (Senior Head of Planning, Regeneration and Assets and Senior Head of Tourism and Leisure).
- Shared printing service, hosted by EBC.
- Sharing of specialist skills around council tax and the community infrastructure levy (CIL).
- 

**14.7 Resolved (key decision):** (1) That the SSDS progress update be agreed.

(2) That the range of additional shared roles and services currently emerging between Eastbourne Borough Council and Lewes District Council and the commitment to future shared services outlined in the report be agreed.

*(Note: See minute 11 above for personal interest declared by Councillor Tutt.)*

## 15 **Seafront local plan - issues and options report (KD).**

15.1 Councillor Jenkins addressed the Cabinet welcoming the report and emphasising the need to ensure that as wide a range of local groups were encouraged to respond to the consultation opportunity.

15.2 Cabinet considered the report of the Senior Head of Planning, Regeneration and Assets presenting an issues and options report for consultation with public and stakeholders as prelude to the approval of a comprehensive seafront local plan. The council's local development scheme (LDS), which outlines the work programme for the production of planning policy documents, identified the preparation of a seafront local plan to maximise the seafront's contribution to the town as a defining asset and significant contributor to the local economy. The issues and options report would provide the context and background to the seafront, identify a vision for the future of the seafront up to 2035, identify the key issues that a local plan ought to address, and present a range of strategic options based around different themes for the future direction of the plan.

15.3 The issues for the seafront identified in the report were:

- Accessibility to and along the seafront.
- Managing the supply of tourist accommodation.
- Under-utilisation of sites along the seafront.
- Limited provision of leisure and community facilities.
- Widening the appeal of the seafront.
- Protection of the natural and built environment.
- Lack of opportunities for seafront activities.
- Effects of working beaches.
- Quality of public realm.
- Future infrastructure requirements.

The issues and options report presented a series of options for how the seafront could change in the future, based around a number of themes.

15.4 The seafront issues and options report would be subject to a 12 week formal consultation between 17 July and 9 October 2015. This would coincide with the peak tourist season during which the seafront will be used heavily. It was anticipated that a further report would be submitted to Cabinet in 2016, outlining the representations received and considered in the production of a draft seafront local plan.

**15.5 Resolved (key decision):** (1) That the seafront local plan issues and options report be approved for consultation with the community and key stakeholders between July and October 2015.

(2) That the Senior Head of Planning, Regeneration and Assets, in consultation with the lead Cabinet member, be given delegated authority to make minor amendments before the commencement of the 12 week consultation period.

**16 Community infrastructure levy (CIL) governance arrangements (KD).**

16.1 Councillors Jenkins and Freebody addressed the Cabinet. Councillor Jenkins expressed concerns that under the CIL regulations developers would delay making their contributions and that smaller development sites were not subject to the levy. Councillor Freebody argued that a link should be made between CIL funded expenditure and the neighbourhoods where the development that generated the funds had taken place.

16.2 Cabinet considered the report of the Senior Head of Regeneration, Planning and Assets. The community infrastructure levy (CIL) had been introduced by the government in 2010 as a mechanism to allow local planning authorities to raise funds from liable developments in order to pay for the infrastructure that is required to support new development across the town. CIL would be used to help fund strategic infrastructure, as identified in the council's infrastructure delivery plan.

16.3 It was estimated that total CIL receipts for Eastbourne Borough Council for CIL liable planned residential and retail development within Eastbourne core strategy local plan (up to 2027) would be in the region of £2-3m. It was noted that CIL was just one of many funding streams that could be used to fund infrastructure projects, and would only go some way in meeting the overall infrastructure costs to support development in Eastbourne.

16.4 The council had adopted its CIL charging schedule on 1 April 2015. The charging schedule was found sound at examination, subject to one modification, which was to exclude residential apartments.

16.5 The purpose of this report was to set out options and recommendations on how the council would decide to allocate money, collected through CIL contributions, to specific infrastructure projects. It would also formalise the arrangements for the transfer of money, and identify the relevant decision making bodies and groups that would be involved in the process.

16.6 It was considered that the council should adopt an automatic distribution approach of overall CIL revenue to specific infrastructure funds, as this would save on time and resources and would allocate CIL monies fairly, based on priorities. This would remove the burden of determining on a case by case basis, the amount of money that should be proportioned/allocated. There are 4 main funds that CIL money could be allocated to:-

- County council fund – for infrastructure that would be delivered by the county, e.g. education provision, transport.
- Other infrastructure providers fund – for infrastructure that would be delivered by external partners, e.g. flood storage provision.
- Eastbourne neighbourhoods fund – to be retained by Eastbourne Borough Council for localised spending on specific capital neighbourhood projects.

- Administration fund – to be retained by Eastbourne Borough Council to meet the costs of administering CIL, e.g. software and maintenance costs.

16.7 The proposed CIL governance framework (appendix 2 to the report) identified the percentage of CIL revenue that could be automatically transferred to each fund at relevant timescales. These percentages reflected the desire to:

- Use CIL revenue to recoup administration costs incurred by the council in setting up, monitoring and maintaining CIL processes (5%).
- Spend a meaningful proportion of CIL revenue on local neighbourhood infrastructure (15%).
- Allocate a high proportion of CIL monies to the county council and other infrastructure funds (80%), in order to pass monies externally so that they could be spent on strategic infrastructure identified as a high priority in the council's infrastructure delivery plan.

16.8 It was proposed that bidding would be undertaken by external infrastructure providers for the county council and other infrastructure providers funds on a 6-monthly cycle. An outline of the bid details that would be required was given in the report and it was noted that further work would be undertaken to finalise the bidding process. It was recommended that cabinet (who already had authority as a decision making body) were given a further specific remit to ultimately determine CIL bids, based on the advice and recommendations of the local plan steering group (as a CIL advisory board). The process of decision making was illustrated in appendix 2 to the report. A separate process would operate for the neighbourhood fund where the council's capital programme steering group would identify neighbourhood projects which could be delivered wholly or partly through CIL monies, which would then be reported to Cabinet for approval. These arrangements would be reviewed after 12 months operation (or sooner if necessary).

**Resolved (key decision):** That the CIL Governance Framework, as set out in the report, be taken forward, and form the basis upon which the council will manage the spending of CIL receipts.

## **17 Regulatory services enforcement policy and service standards (KD).**

17.1 Cabinet considered the report of the Senior Head of Community. Local authorities were required to publish a clear set of service standards, including their enforcement policy, explaining how they responded to non-compliance. Regulatory services covering environmental health and licensing functions included pollution control, food hygiene, health and safety, private housing and various licensing activities (premises, taxi and private hire, gambling and ancillary functions). Draft regulatory services enforcement policy and service standards were appended to the report.

17.2 Consultation would take place with representative groups prior to the documents being adopted by Council. The groups identified so far were the Eastbourne Hospitality Association, Eastbourne and District Chamber of Commerce, the Eastbourne, Lewes and Wealden branch of the Federation of Small Businesses, and the National Landlords' Association.

**17.3 Resolved (key decision):** (1) That the Senior Head of Community, in consultation with the lead Cabinet member, be given delegated authority to agree the final regulatory services enforcement policy and service standards.

(2) That following public/stakeholder consultation, full Council be asked to adopt the regulatory services enforcement policy and service standards.

## **18 Community and housing grants (KD).**

18.1 Cabinet considered the report of the Senior Head of Community. The community grants programme was split between major grants which were awarded for a 3-year period for grants of more than £10,000 each year and small grants of up to a maximum of £10,000 which were awarded for one year only. These grants were awarded in line with the community grants policy approved by Cabinet (last revised on 16 July 2014). Housing grants had been paid for specific services to prevent homelessness in Eastbourne from grant monies received from the Department of Communities and Local Government (DCLG) previously ring-fenced for this purpose.

18.2 It was now proposed to integrate the process of awarding grants and although the homelessness grant from the DCLG was no longer ring-fenced, it was recommended that equivalent funding (at £58,500) continue to be used to deliver homelessness prevention services, with £2,000 being allocated to Eastbourne and Wealden YMCA for their work educating school students about the realities of homelessness and the balance allocated in line with community grants policies and procedures.

18.3 The current community grants policy referred to the budget of £180,000 available for major grants in recent years. In practice, Cabinet had awarded major grants totalling £203,000 in the last 3 years to protect voluntary sector partners from reductions in funding. The Grants Task Group had recommended that a budget of £203,000 be set for the next 3 years (2016/17 to 2018/19) in view of the continued financial pressures faced by the voluntary sector and to demonstrate the council's ongoing commitment to the voluntary and community sector. This would require an increase in the community grants budget from the current level of £240,000 to £263,000.

18.4 Funding priorities for major and housing grants should be for the provision of advice and financial inclusion services, youth engagement, homelessness and to those providing support for voluntary and community organisations. These priorities were proposed on the basis

that they contributed significantly to the council's own corporate priorities and services and to those of its partners in the wider community. In considering these priorities, the Grants Task Group had also taken account of alternative sources of funding available through East Sussex County Council health and social care commissioning grants prospectus, the Department of Work and Pensions and community safety/police and crime commissioner funding. The group proposed a major and housing grants prospectus (appendix 1 to the report) giving more detail on the priorities under each of the broad headings. This was designed to give voluntary and community organisations greater clarity on the outcomes sought by the Council and guidance on how the council would assess applications.

18.5 Priorities for small grants were agreed by Cabinet each year for the year ahead. These priorities were changed from year to year to ensure a fair distribution of funding to different types of project and to ensure that emerging needs were reflected. Priority was also given each year to projects which promoted inclusion and the needs of those communities and groups protected under the Equality Act 2010. It was recommended that this policy remain unchanged. For 2016/17 it was proposed that small grants be awarded on the basis of the following priorities: Promotion of digital inclusion, promotion of emotional health and wellbeing and services to children and families.

**18.6 Resolved (key decision):** (1) That the process for awarding housing grants be aligned with the community grants programme.

(2) That the overall budget for community and housing grants in 2016/17 to 2018/19 be £263,000 subject to final budget setting in each year.

(3) The priorities for the major grants programme and for housing grants 2016/17 to 2018/19 be agreed.

(4) That the priorities for the small grants programme 2016/17 be agreed.

(5) That the changes to the community grants policy to reflect the foregoing decisions, as set out in the appendix to the report, be agreed.

## **19 Joint Eastbourne youth strategy 2015 to 2018 (KD).**

19.1 Cabinet considered the report of the Senior Head of Community and the work of the Eastbourne Youth Partnership. The last joint Eastbourne youth strategy had been approved in 2011 and laid the basis for the partnership's work since then. Key achievements of the 2011 to 2015 strategy had included the provision of new groups and activities for young people around the town, delivery of a youth bank funding over 40 youth-led groups, and a number of events for young people and for the agencies working with them.



19.2 The partnership had recently developed a new strategy for 2015 to 2018 following extensive consultation with young people and partner organisations (appendix 1 to the report). The action plan had been developed through a workshop and follow-up discussions with key partners. Membership of the partnership was open to any organisation which currently worked with young people and contributed to delivering the joint strategy. Details of the current membership were given in the report.

19.3 The strategy identified a number of areas where progress had been made since 2011 and the main areas which partners wished to focus on over the next 3 years. Based on an analysis of local statistics and the experience of key partners, the following priorities had been identified:

- Maintain the number and range of affordable, accessible clubs and activities and raise the profile of what's available.
- Help young people to stay healthy – with a particular emphasis on weight management and physical activities.
- Help young people to stay safe – particularly around sexual abuse and bullying.
- Provide more, improved and better publicised services that support emotional health of young people.
- Explore safer transport options.

**19.4 Resolved (key decision):** That the joint Eastbourne youth strategy 2015 to 2018 be approved.

## **20 Exclusion of the public.**

**Resolved:** That the public be excluded from the remainder of the meeting as otherwise there was a likelihood of disclosure to them of exempt information as defined in schedule 12A of the Local Government Act 1972. The relevant paragraphs of schedule 12A and descriptions of the exempt information are shown beneath the items below. (*The requisite notices having been given under regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.*)

## **21 Summary of confidential proceedings for information.**

(*Note: The full minutes of the under-mentioned items are set out in the confidential section of these minutes. The reports remain confidential.*)

### **(a) Redundancy and redeployment - activity update.**

Cabinet noted that 16 employees were currently subject to the procedure at present. They noted the actions taken to manage implications of change for displaced individuals through support, redeployment and assistance with self marketing under the redundancy and redeployment procedure and the use of the procedure in managing the change resulting from implementation of phase two of Future Model.

*Exempt information reasons 1 and 2 – Information relating to an individual or likely to reveal the identity of an individual.*

**(b) Housing and economic development programme.**

21b.1 Cabinet approved proposals for the council's recently established asset holding company, Eastbourne Housing Investment Co. Ltd. (EHICL), to acquire its first property. The acquisition would be achieved by means of a loan granted to the company by the council on market terms. The report set out full details of the business case for the acquisition and demonstrating the economic viability of the project and conformity with the council's objectives in establishing the company in order to foster regeneration, economic development, employment and training. The property in question comprised a commercial unit, together with flats and garage spaces and its acquisition, together with associated environmental improvements, would have a positive regenerative impact upon the locality.

21b.2 The report also sought Cabinet's confirmation that the directors of the new company would be the relevant office holders for the positions of Leader, lead Cabinet member for housing, Senior Head of Communities, Head of Planning, Regeneration and Assets and the Chair of Eastbourne Homes Ltd. Cabinet confirmed these appointments and noted that these would be re-confirmed at the annual council meeting each year in line with the council's usual arrangements for council body appointments.

*Exempt information reason 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).*

The meeting closed at 6.52 pm

**Councillor David Tutt**  
**Chairman**

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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