

Council

20 July 2016

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Borough Council



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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, 20 July 2016 at 6.00 pm** to transact the following business.

Agenda

1. Minutes of the annual and ordinary meetings held on 11 May 2016 (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. Standards - Appointment of Independent Persons (Pages 1 - 2)

Report of Monitoring Officer.

8. Matters referred from Cabinet or other council bodies.

The following matters are submitted to the Council for decision (council procedure rule 12 refers):-

- (a)** Update on public speaking at Planning Committee and update on the planning scheme of delegation. (Pages 3 - 4)

Report of Councillor Jim Murray on behalf of the Planning Committee.

- (b)** Regulatory services - new and amended policies. (Pages 5 - 6)

Report of Councillor Steve Wallis on behalf of the Cabinet.

- (c)** 'Stronger Together' - Joint transformation programme - stakeholder engagement. (Pages 7 - 10)

Report of Councillor Troy Tester on behalf of the Cabinet.

- (d)** Employee code of conduct

Report of Councillor Troy Tester on behalf of the Cabinet.
(To follow)

9. Motions.

The following motions have been submitted by members under council procedure rule 13:-

- (a)** Refurbishment of memorial benches.

Motion submitted by Councillor Robert Smart:-

We urge the Executive as a matter of urgency to commission the refurbishment of all memorial benches that currently detract from the appearance of the town and would otherwise continue to deteriorate.

10. 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 20 July 2016. 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 Planning Committee held on 17 May 2016. (Pages 11 - 16)
- (b)** Minutes of meeting of Conservation Area Advisory Group held on 24 May 2016. (Pages 17 - 22)
- (c)** Minutes of meeting of Cabinet held on 25 May 2016. (Pages 23 - 34)
- (d)** Minutes of meeting of Scrutiny Committee held on 6 June 2016. (Pages 35 - 40)
- (e)** Minutes of meeting of Planning Committee held on 21 June 2016. (Pages 41 - 52)
- (f)** Minutes of meeting of Audit and Governance Committee held on 22 June 2016. (Pages 53 - 58)

The following are to follow:

- (g)** Minutes of meeting of Conservation Area Advisory Group held on 12 July 2016 (to follow).
- (h)** Minutes of meeting of Cabinet held on 13 July 2016 (to follow).

(Please note that the minutes of the meeting of the Planning Committee due to be held on 19 July 2016 will be submitted to the next meeting of the Council.)



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, 18 July 2016. 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, 20 July 2016.

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

For general Council enquiries telephone (01323) 410000
E-mail enquiries@eastbourne.gov.uk
Website at www.eastbourne.gov.uk

Agenda Item 7

Body:	Council
Date:	20 July 2016
Subject:	Standards – Appointment of Independent Persons
Report of:	Monitoring Officer

Ward(s):	All
Purpose:	To consider the appointment of 2 Independent Persons to support the Council's standards regime as recommended by the Selection Panel.
Contact:	Peter Finnis, Senior Head of Corporate Development and Governance and Monitoring Officer, Tel: 01323 415003 E-mail: Peter.Finnis@eastbourne.gov.uk
Recommendations:	<ul style="list-style-type: none">(1) That the Selection Panel's chosen candidates be appointed as Independent persons for an initial period of one year.(2) That the Council's Monitoring Officer is granted delegated authority to extend the term of office for up to a total of 4 years.(3) That the remuneration of the independent persons appointed by the Council be delegated to the Monitoring Officer.(4) That the appreciation of the Council be recorded for the valuable contribution Mr T Elliott has made to the work of standards across the authority during his 8 years of service.

1.0 Introduction

- 1.1 Council at its meeting on 9 May 2012 agreed revisions to the Authority's standards regime with associated committee and decision making arrangements to ensure compliance with a new ethical framework under the Localism Act 2011. At its meeting on 18 July 2012 the Council finalised its arrangements under the Act including the appointment of Independent Persons for a maximum 4 year period.
- 1.2 The four year appointment term of the Council's current independent persons, Mr T Elliott and Mr A Gales, ends in July this year and Annual Council at its meeting on 11 May 2016 agreed their re-appointment until the conclusion of the current appointment process.

2.0 Process of Appointment

- 2.1 The Localism Act 2011 requires the authority to appoint at least one

independent person following advertisement of the position and the receipt of applications.

2.2 The key requirements for the appointment of independent persons are:

- Appointments must be approved by a majority of the full Council
- Applicants cannot have been a member or co-opted member or officer of the authority within the last 5 years or a relative or close friend of a member or officer.

2.3 The post was advertised on the Council's website and three applications were received. A Selection Panel comprising the Monitoring Officer and two members of the Audit and Governance Committee, Councillors Swansborough and Smethers, undertook the interview process on Monday 4 July 2016.

2.4 As a result, Mr Allen Gales and Mr Neal Robinson are the Selection Panel's preferred candidates.

3.0 Consultations

3.1 None specific to this report.

4.0 Financial Implications

4.1 There will be costs associated with the remuneration of the independent persons and any appropriate training required to ensure the chosen candidates can fulfil the role and participate effectively in the work of standards. Currently each independent person is paid a retainer of £1,000. Payments can also be made at a specified daily rate (up to a maximum of 20 days) as and when duties are performed (currently set at £154 per day).

5.0 Conclusion

5.1 The appointment of independent persons is required to comply with the Localism Act 2011 and the Council's Constitution. The independent persons will have an important role in promoting and maintaining high standards of conduct by elected members and co-opted members of the Council.

Peter Finnis

Senior Head of Corporate Development and Governance and Monitoring Officer

Background Papers:

- Localism Act 2011

Agenda Item 8a

Meeting:

Council

Date:

Wednesday 20 July 2016

Subject:

Public speaking at Planning Committee and changes to the planning scheme of delegation.

Report of:

Councillor Jim Murray on behalf of the Planning Committee

The Council is asked to consider the minute and resolution of the Planning Committee meeting held on 17 May 2016 as set out below.

Further copies of the report to the Planning Committee are available on request – please see end of this report. A copy may be seen on the Council's website by following the link below:

<http://democracy.eastbourne.gov.uk/ieDocHome.aspx?bcr=1>

The Council is recommended to approve the committee's recommendations for amendments to be made to the scheme of delegation and council procedure rules:-

Minute extract

Planning Committee 17 May 2016

9. Update on Public Speaking at Planning Committee and Update on the Planning Scheme of Delegation.

The committee considered the report of the Senior Specialist Advisor for Planning advising members of proposed changes to the constitution and the rules of procedure for speaking at Planning Committee and revisions to the planning scheme of delegation for determining planning applications.

A working party comprising Councillors Murray and Taylor had reviewed current practices and procedures associated with processing planning applications and the overall performance of the Planning Committee. A number of recommendations had been made which sought to deliver consistency to the procedure for the public right of address at Committee and to the type of applications reported to the Committee.

The current procedure for speaking at Planning Committee only permitted the applicant or representative to speak in response to an objector. It was proposed to amend the constitution to allow applicants or their representatives an automatic right to address the committee irrespective of a planning officers' recommendation or whether an objection had been made to an application. It was acknowledged that although this may increase the time taken to process each case at committee, it would allow a more informed debate and would provide a more equitable and transparent approach.

In terms of the scheme of delegation, the working party had acknowledged that the role of the Planning Committee was to decide on more complex planning applications which related to the character, urban fabric and public realm of Eastbourne. It had identified that the type of application being submitted to the Committee over the past year had been inconsistent with previous years and a more stringent approach was proposed to the grounds on which an application was referred to the Planning Committee for decision. A copy of the revised scheme of delegation was appended to the report.

The Committee requested that section D which related to the referral grounds on which applications should be determined by Committee if submitted by a councillor, a member of the Corporate Management Team or an officer within Planning, be amended to all direct employees of the Council and elected members (and their spouse/partner). The Committee also proposed that the request to address Planning Committee should be accompanied by a written summary of the points to be used in an address.

RESOLVED: 1) That full Council be recommended to agree the amendments to the Scheme of Delegation as set out in the report with the following amendments:

- (i) Section D be amended as follows "Where a planning application or householder application has been made by an elected member (or their spouse partner) or any direct employee (or their spouse/partner) of Eastbourne Borough Council".
- (ii) Section J be amended to include the requirement for an objector to include a summary written statement of the issues intended for an address to committee.

(2) That Part 4, Section A of the Council's Constitution, Council Procedure Rules, be amended to allow applicants to have an automatic right to address the Planning Committee.

For a copy of the report please contact Local Democracy at 1 Grove Road, Eastbourne, BN21 4TW. Tel. (01323) 415022 or 415021.
E-mail: localdemocracy@eastbourne.gov.uk

For further information please contact:
Leigh Palmer (Senior Specialist Advisor Planning), 1 Grove Road, Eastbourne, BN21 4TW
Tel: (01323) 415215 or internally on extension 5215
E-mail: leigh.palmer@eastbourne.gov.uk

(der\P:\council\16.02.17\planning delegation scheme)

Agenda Item 8b

Meeting:

Council

Date:

Wednesday 20 July 2016

Subject:

Regulatory services - new and amended policies

Report of:

Councillor Steve Wallis on behalf of the Cabinet

The Council is asked to consider the minute and resolution of the Cabinet meeting held on 25 May 2016 as set out below.

Further copies of the report to Cabinet are available on request – please see end of this report. A copy may be seen on the Council's website by following the link below:

<http://democracy.eastbourne.gov.uk/ieDocHome.aspx?bcr=1>

Since the Cabinet's consideration, some further minor changes have been made to the regulatory services enforcement policy, to reflect and incorporate the enforcement activities currently available to Neighbourhood First, as follows:

- Page 2 – Environmental Crime added;
- Page 2 – paragraph setting out Customer First roles amended;
- Pages 2, 3, 4, 5 and 16 - wording amended to read "Regulatory Services" and "Environmental Health and Licensing" deleted;
- Page 9 section 5.4 – "will" amended to "may";
- Page 9 – New line "Penalty charge notices" inserted;
- Page 10 – New section 5.5 "Penalty charge notices" inserted.

The Council is recommended to adopt the policies and statement listed below as submitted to Cabinet and subject to the added changes set out above.

**Minute extract
Cabinet 25 May 2016**

11 * Regulatory services - new and amended policies

11.1 Cabinet considered the report of the senior head of community seeking approval to a number of policies covering environmental health and licensing functions as follows:

- Regulatory services enforcement policy (amended).
- Redress schemes enforcement policy.
- Smoke and carbon monoxide alarms enforcement policy.
- Statement of principles for determining the amount of a penalty charge.

Copies were appended to the report.

11.2 The regulatory services enforcement policy had been amended to

add a new section (5.5) to reflect the option to issue penalty charge notices. The other named policies and statement were proposed in response to recently approved government regulations. Consultation had taken place with the National Landlords' Association. No comments had been received.

***11.3 Resolved (budget and policy framework):** (1) That full council be recommended to adopt the following policies and statement:

- Regulatory services enforcement (amended).
- Redress schemes enforcement
- Smoke and carbon monoxide alarms enforcement.
- Statement of principles for determining the amount of a penalty charge.

(2) That full council be recommended to delegate the administration and enforcement of all the above policies and the statement of principles in exercise of relevant legislation to the senior head of community.

For a copy of the report please contact Local Democracy at 1 Grove Road, Eastbourne, BN21 4TW. Tel. (01323) 415022 or 415021.
E-mail: localdemocracy@eastbourne.gov.uk

For further information please contact:
Sue Oliver, Strategy & Commissioning Lead for Environment & Waste, 1 Grove Road, Eastbourne, BN21 4TW
Telephone 01323 415360 or internally on extension 5360.
E-mail address sue.oliver@eastbourne.gov.uk

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Agenda Item 8c

Meeting: **Council**

Date: **Wednesday 20 July 2016**

Subject: **'Stronger Together' - Joint transformation programme - Business case and implementation**

Report of: **Councillor Troy Tester on behalf of the Cabinet**

The Council is asked to consider the minute and resolution of the Cabinet meeting held on 25 May 2016 as set out below.

Further copies of the report to Cabinet are available on request – please see end of this report. A copy may be seen on the Council's website by following the link below:

<http://democracy.eastbourne.gov.uk/ieDocHome.aspx?bcr=1>

The Council is asked to approve the recommendation at paragraph 9.11 of the Cabinet minute, set out below, for approval of the shared services employment model with Eastbourne Borough Council acting as the host authority.

Minute extract **Cabinet 25 May 2016**

9. 'Stronger Together' - Joint transformation programme - Business case and implementation

9.1 Councillor Jenkins asked about the funding split between the 2 councils of the costs of implementing the programme and the impact these costs would have upon the council's debt. The chairman said at this stage it was anticipated that the split of costs and benefits will fall 60:40 Lewes District Council (LDC) and Eastbourne Borough Council (EBC), reflecting the expected share of benefits and noted that certain costs, e.g. for system replacement would need to be incurred at some future time irrespective of the programme.

9.2 Cabinet considered the report of the chief executive and senior head of projects performance and technology. In October 2015, cabinet approved a strategy for the development of shared services between LDC and EBC based on the integration of the majority of council services. The report sought approval to the detailed business case, high level plan and technology arrangements for the implementation of that strategy. LDC's cabinet had considered and approved a similarly worded report earlier today.

9.3 The 4 strategic objectives of the programme were:

- **Protect services.** Protect services delivered to local residents

while at the same time reducing costs for both councils and together save £2.8m annually.

- **Greater strategic presence.** Create two stronger organisations which could operate more strategically within the region while still retaining the sovereignty of each council
- **High quality, modern services.** Meet communities and individual customers' expectations to receive high quality, modern services focused on local needs and making best use of modern technology
- **Resilient services.** Building resilience by combining skills and infrastructure across both councils

9.4 The total estimated savings of the programme as a whole was £2.797m with an equivalent reduction of the equivalent of 79 full-time staff across both councils. LDC would achieve a higher share of the benefits than EBC because EBC had already delivered significant savings through its future model programme and the joint transformation programme inherited the savings target from LDC's cancelled new service delivery model programme. The total budget for the programme was £6.878m of which £1.275m had already been allocated for technology investment that would be required in any event. Therefore the investment required specifically to deliver the programme was £5.603m. This met the financial business case test. Costs and benefits would be shared in the same proportion. The full business case was given at appendix 1 to the report.

9.5 The programme would involve:

- The creation of a single senior management team operating across both councils.
- Reviewing current pay scales and structures and potentially adopting a new joint pay and grading system.
- Redesigning and integrating the technology infrastructures of both councils.
- Significant investment in new technologies, both hardware and software.
- Creating a new target operating model for 350 staff working in joint teams.
- Building hundreds of integrated business processes for the joint teams, based on harmonised policies, driven by common technology.
- Significant cultural change to ensure staff exhibit the same core competencies and customer-centric attitudes and behaviours.

9.6 A high level view of the programme, which included more than 30 projects across six major work streams, was provided at appendix 2 to the report and a full net present value calculation on the programme costs was given in appendix 3. A summary of the non-discounted costs and benefits was as follows:

Direct programme costs	£5.603m
Existing allocated technology investment	£1.275m

Total programme budget	£6.878m
Business case savings	£2.797m
Payback period (all costs)	2.5 years
Payback period (excl. existing allocated costs)	2 years

9.7 It was proposed to fund the capital and one off revenue costs from a mixture of capital receipts, prudential borrowing and reserves and with the ongoing revenue costs coming from the efficiency savings generated. Both councils had existing earmarked sums which would be used to contribute to the programme, including:

- LDC funding was allocated for the new service delivery model programme in November 2014.
- EBC strategic change fund.
- EBC IT capital block allocation.

9.8 The programme would be managed in accordance with standard programme and project management methodologies. The joint transformation board would oversee delivery, monitor risks and be consulted on key deliverables and decisions, and cabinets would receive regular updates. The recommended employment model, having reviewed a number of options, was a shared services model with EBC as the host authority. The programme depended on a common approach to information and communications technology (ICT) strategy and service provision, and a number of options had been considered to deliver this. The recommended option was for application management to be performed by a joint internal team and to vary EBC's contract with SopraSteria Ltd to provide infrastructure management services to LDC. It was also recommended that the Digital 360 platform in use at EBC was extended to LDC, subject to commercial and procurement matters being settled satisfactorily. This meant that LDC would benefit from the significant investment EBC had already made in that platform. Legal and procurement advice had been sought on these matters and was detailed in the report.

9.9 Customer and stakeholder engagement was one of the key work-streams of the programme. Effective customer and stakeholder insight would ensure that both councils develop policies and services taking into account the views of individuals, communities, stakeholders, forums, organisations, etc. A range of methods to engage and consult would include surveys, meetings, focus groups or discussions and user testing.

9.10 Resolved (key decision): (1) That the business case for the joint transformation programme be approved and that a total of £6.878m be provisionally allocated to the programme (para. 4.4 of the report).

(2) That the deputy chief executive be granted delegated authority to determine the appropriate allocation of costs against revenue and capital funds (para. 4.5 of the report).

(3) That the deputy chief executive be granted delegated authority, in consultation with the Joint Transformation Programme Board, to determine the methodology for cost and benefits sharing with an overriding principle that joint costs are allocated on the basis of the

benefits realisation ratio (para. 4.6 of the report).

(4) That the chief executive be granted delegated authority, in consultation with the Joint Transformation Programme Board, to run the programme within the allocated resources, reporting to cabinets regularly (para. 5.1 of the report).

(5) That the high level programme plan be approved (para. 5.3 of the report).

(6) That the procurement approach and contract variation outlined in the report, including the exceptions to contract procedure rules and the proposed changes to information and communications technology service provision, be approved and that the deputy chief executive be granted delegated authority, in consultation with the Joint Transformation Programme Board, to negotiate the associated cost of pension protection with the service provider (paras. 5.10 to 5.13 of the report).

(7) That the adoption of the proven 'Digital 360' platform as the basis for the joint transformation programme be approved, subject to procurement (para. 5.12 of the report).

(8) That engagement be undertaken with local community stakeholders in respect of relevant elements of the programme (para. 5.3 of the report).

*** 9.11 Resolved:** That full council be recommended to approve the shared services employment model with Eastbourne Borough Council acting as the host authority (para. 5.4 of the report).

For a copy of the report please contact Local Democracy at 1 Grove Road, Eastbourne, BN21 4TW. Tel. (01323) 415022 or 415021.

E-mail: localdemocracy@eastbourne.gov.uk

For further information please contact:

Henry Branson, Senior Head of Projects, Performance and Technology, 1 Grove Road, Eastbourne, BN21 4TW

Tel: (01323) 415155 or internally on ext 5155

E-mail address henry.branson@eastbourne.gov.uk

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Tuesday, 17 May 2016
at 6.00 pm



Planning Committee

Present:-

Members: Councillor Murray (Chairman) Councillor Sabri (Deputy-Chairman)
Councillors Jenkins, Robinson, Taylor and Smethers (as substitute
for Murdoch)

1 Minutes of the meeting held on 19 April 2016.

The minutes of the meeting held on 19 April 2016 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

2 Apologies for absence.

Councillors Choudhury and Miah.

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 Murdoch was present in the public gallery and declared he had a prejudicial interest in minute 8 land at Rodmill Drive as he wished to speak in objection to the application. He advised that he would be exercising his right as a member of the public to address the committee and would be speaking from the public gallery and would then leave the room whilst the item was discussed.

4 3 Susans Road. Application ID: 160304.

Proposed change of use from vehicle hire centre to Eastbourne Food Bank with associated facilities – **DEVONSHIRE**.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Development within three years 2) Development in accordance with the approved plans 3) Opening hours for service users and deliveries restricted to 8.30 am to 6 pm daily, with the front doors kept locked shut outside of these times 4) You must implement this permission in accordance with the email dated 24th March 2016 from Eastbourne Foodbank to Lee Watson and referred to hereafter as the 'Operational Management Plan'. You must not change the operating procedures of the proposed foodbank use (or any other ancillary uses) without the written approval of the Local Authority through the submission of an amended Operational Management Plan 5) You must retain the area shown on the approved plans as 'deliveries' for the purpose of vehicular parking, loading and unloading in relation to the foodbank use permanently. You must not use this area for any other purpose at any time.

Informative:

1. To help protect the amenity of local residents and surrounding residential and commercial occupiers you are strongly advised to work with the Neighbourhood Panel and Neighbourhood Policing Team to help manage the risk anti-social behaviour arising as a result of the proposed use.
2. This application hereby approves the use of the premises as a foodbank in accordance with the operational management statement submitted in support of this application. Should you wish to expand the use to other community related uses you must submit an amended operational management plan under the terms of condition 4 of this planning permission.
3. Condition 3 restricts the opening hours of the premises from 8.30am to 6pm daily. Outside of these hours the front doors must be kept locked shut and the premises must not be open to the public or other service users outside these hours.

5 5 Gilbert Road. Application ID: 160152.

Retention of 3m x 4.05 m x 2.75 m brick outbuilding build in rear garden of number 5 Gilbert Road – **DEVONSHIRE**.

RESOLVED (A): (Unanimous) That permission be refused on the grounds that 1) Because of its bulk, height and siting the proposed development would lead to an unacceptable loss of outlook and result in an unneighbourly and overbearing relationship that gives rise to sense of being 'shut in' for residents of surrounding residential properties. This is contrary to Policy B2 of our Core Strategy 2013, and Policy HO20 of our Borough Plan (saved policies) 2007 2) The window that is located in the side elevation of the proposed outbuilding would lead to an unacceptable perception of overlooking for the resident of the neighbouring property. This is contrary to Policy B2 of our Core Strategy 2013, and Policy HO20 of our Borough Plan (saved policies) 2007 3) Because of its siting, location, bulk and height and proximity to existing boundary walls it is considered that the development fails to contribute to local distinctiveness and sense of space. This is contrary to Policy D10A of the Core Strategy and Policy UHT1 of the Borough Plan (saved policies).

RESOLVED (B): that enforcement action be authorised with a notice requiring the reduction in height of the outbuilding to 2.5 metres, in line with what would otherwise be permitted under permitted development rules. An informative advises the applicant to take immediate steps to reduce the height of the structure to avoid an enforcement notice being served.

Informative:

1. To avoid an enforcement notice being served you are advised to take immediate steps to reduce the height of the building to 2.5 metres which would bring the building within the parameters of permitted

development. Should you proceed on this basis, you are advised that any future use of the building must remain ancillary to the main residential building at 5 Gilbert Street.

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.

6 33 Meadowlands Avenue. Application ID: 160316 (PPP).

Proposed two storey dwelling with parking space – **RATTON**.

RESOLVED: (Unanimous) That permission be refused on the grounds that: 1) This proposed dwelling by virtue of the scale, siting and detailed design would undermine the original symmetry of the existing pair of semi-detached properties, and by virtue of the siting and prominent location would appear incongruous within the street scene both from Meadowlands Avenue and Timberley Road contrary to Policy D10A of the Core Strategy Local Plan 2013 and Saved Policies UHT1 and UHT4 of the Borough Plan 2007 2) The proposal by virtue of its small size in terms of available internal floor space would provide substandard accommodation for future occupiers of this dwelling contrary to policy B2 of the Core Strategy Local Plan 2013.

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.

7 70 Kings Drive. Application ID: 160036 (OSR).

Erection of two semi detached dwelling houses adjacent to the existing house, together with the provision of new access and four parking spaces – **RATTON**.

The committee was advised that the agent had amended the drawings to include a door at lower ground floor level on the rear elevation in order to access the rear garden area for Plot 1. An email was also supplied from Bovis Homes stating they had no objection with the applicant reaching agreement with the Council for the removal and replacement of the two trees on their land. This amendment was not considered to overcome the reasons for recommending refusal as set out in the officers report.

RESOLVED: (By 5 votes to 1) That approval be delegated to the Senior Specialist Advisor Planning to grant planning permission subject to appropriate conditions to include a tree protection condition and to ensure details of the boundary are submitted and approved.

8 Land at Rodmill Drive. Application ID: 151382 (PPP).

Erection of four dwellings with car parking spaces at the rear accessed from Rushlake Crescent – **RATTON**.

Councillors Murdoch, Freebody and Belsey addressed the committee in objection stating that the site was not suitable for a development of this kind. The community needed more facilities such as a GP surgery. The Councillors felt that the development would increase the parking and congestion issues in the area and raised concerns about the local elderly population, the loss of light to St Clements Court and the loss of a prominent tree.

A motion to refuse the application was lost by four votes to three on the Chairman's casting vote.

RESOLVED: (By 4 votes to 3 on the Chairman's casting vote) That permission be granted subject to a mechanism for the continued provision of affordable housing units at the site, replacement tree provision and following conditions: 1) Commencement within three years 2) Development in accordance with the approved plans 3) Hours of operation (building works) 4) Samples of materials 5) Provision of parking spaces in accordance with approval before occupation 6) Provision of cycle/refuse storage in accordance details to be approved before occupation 7) Details of boundary treatment/fences 8) No fences within 1m of the boundary with the footpath in Framfield Way 9) No walls over 600mm in height between the car hardstanding's and the boundary with the footpath 10) Submission of details of surface water drainage 11) Wheel washing facilities 12) Restriction of permitted development rights (extensions).

9 Update on Public Speaking at Planning Committee and Update on the Planning Scheme of Delegation.

The committee considered the report of the Senior Specialist Advisor for Planning advising members of proposed changes to the constitution and the rules of procedure for speaking at Planning Committee and revisions to the planning scheme of delegation for determining planning applications.

A working party comprising Councillors Murray and Taylor had reviewed current practices and procedures associated with processing planning applications and the overall performance of the Planning Committee. A number of recommendations had been made which sought to deliver consistency to the procedure for the public right of address at Committee and to the type of applications reported to the Committee.

The current procedure for speaking at Planning Committee only permitted the applicant or representative to speak in response to an objector. It was proposed to amend the constitution to allow applicants or their representatives an automatic right to address the committee irrespective of a planning officers' recommendation or whether an objection had been made to an application. It was acknowledged that although this may increase the time taken to process each case at committee, it would allow a more informed debate and would provide a more equitable and transparent approach.

In terms of the scheme of delegation, the working party had acknowledged that the role of the Planning Committee was to decide on more complex

planning applications which related to the character, urban fabric and public realm of Eastbourne. It had identified that the type of application being submitted to the Committee over the past year had been inconsistent with previous years and a more stringent approach was proposed to the grounds on which an application was referred to the Planning Committee for decision. A copy of the revised scheme of delegation was appended to the report.

The Committee requested that section D which related to the referral grounds on which applications should be determined by Committee if submitted by a councillor, a member of the Corporate Management Team or an officer within Planning, be amended to all direct employees of the Council and elected members (and their spouse/partner). The Committee also proposed that the request to address Planning Committee should be accompanied by a written summary of the points to be used in an address.

RESOLVED: 1) That full Council be recommended to agree the amendments to the Scheme of Delegation as set out in the report with the following amendments:

- (i) Section D be amended as follows "Where a planning application or householder application has been made by an elected member (or their spouse/partner) or any direct employee (or their spouse/partner) of Eastbourne Borough Council".
- (ii) Section J be amended to include the requirement for an objector to include a summary written statement of the issues intended for an address to committee.

(2) That Part 4, Section A of the Council's Constitution, Council Procedure Rules, be amended to allow applicants to have an automatic right to address the Planning Committee.

10 South Downs National Park Authority Planning Applications.

There were none.

11 Appeal Decisions.

14 Maple Road – The appeal was allowed with costs.

St Philips Church – The appeal was allowed.

The meeting closed at 7.43 pm

Councillor Murray (Chairman)

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Tuesday, 24 May 2016
at 6.00 pm



Conservation Area Advisory Group

PRESENT:-

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

OFFICERS:

Mrs S Leete-Groves, Specialist Advisor (Conservation)
Mr N Holdsworth, Specialist Advisor (Planning)
Mr L Palmer, Senior Specialist Advisor

ADVISORS:

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

1 Minutes of the meeting held on 29 March 2016.

The minutes of the meeting held on 29 March 2016 were submitted and approved and the Chairman was authorised to sign them as a correct record.

2 Apologies for absence.

None were reported.

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.

Mr Crook declared a personal interest in application 160456, The Alexandra Hotel and remained in the room but did not take part in the discussion.

4 Planning Applications - Decisions of the Borough Council.

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

NOTED.

5 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) 160376, 21 SUSANS ROAD, EASTBOURNE, EAST SUSSEX, BN21 3EX

Heritage Value: Town Centre and Seafront Conservation Area

Proposal: Full height extension to North-west elevation and reinstatement of light wells with decorative railings, conversion of shop unit to residential and all associated internal alterations.

CAAG Comments: The Group was advised that this application had been withdrawn from the agenda.

2) 160401, BROOKLANDS, 3 DENTON ROAD, EASTBOURNE, EAST SUSSEX, BN20 7SS

Heritage Value: Meads Conservation Area

Proposal: Proposed erection of detached dwelling together with new vehicular access and crossover.

CAAG Comments: The Group raised no objections to the proposal in principle but raised concerns with the design, particularly the three storey front projecting bay on the front elevation. They considered that it was not in-keeping with the immediate locality and did not enhance or preserve the surrounding conservation area.

3) 160425, 14 LISMORE ROAD, EASTBOURNE, EAST SUSSEX, BN21 3AT

Heritage Value: Town Centre and Seafront Conservation Area

Proposal: Conversion of offices to provide 6no. self-contained flats with single storey rear extension and replacement UPVC windows throughout the property.

CAAG Comments: The Group raised objections to the change of front windows with uPVC. They supported the retention of the traditional windows on the front elevation to maintain the heritage and character of the surrounding conservation area. The Group raised no objections to the replacement windows at the rear of the building, subject to details of the design being agreed with the applicant.

4) 160408, CONGRESS HOTEL, 31-41 CARLISLE ROAD, EASTBOURNE, EAST SUSSEX, BN21 4JS

Heritage Value: College Conservation Area

Proposal: Alterations and extensions to roof of building to provide additional accommodation on fourth floor.

CAAG Comments: It was acknowledged that the applicant had taken on board the previous feedback at the pre-application stage from the Group by maintaining the front roof. The Group however were not supportive of the application in its current form, with a particular concern being raised regarding the raising of the side wings of the building and how this would affect the appearance of the building in relation to the views from Carlisle Road.

5) 160408, (PRE-APPLICATION), CONGRESS HOTEL, 31-41 CARLISLE ROAD, EASTBOURNE, EAST SUSSEX, BN21 4JS

Heritage Value: College Conservation Area

Proposal: Alterations to accommodate enlarged restaurant and atrium to the rear.

CAAG Comments: The Group was advised that this application had been withdrawn from the agenda.

6) 160456, THE ALEXANDRA HOTEL, KING EDWARDS PARADE, EASTBOURNE, EAST SUSSEX

Heritage Value: Town Centre and Seafront Conservation Area

Proposal: Proposed new staff accommodation with new apartment with a new mansard roof structure at fourth floor, habitable roof terrace, incorporating new railings & spiral stair, new entrance canopy & doors to main entrance, new cafe outlet fronting Carlisle Road & new windows serving a new conference suite at lower basement. Associated internal alterations.

CAAG Comments: The Group raised no objections and felt that the application would enhance the conservation area.

(NB: Mr Crook declared a personal interest in this application and remained in the room but did not take part in the discussion.)

7) 160475, FITNESS CENTRE, DEVONSHIRE PARK, COLLEGE ROAD, EASTBOURNE, EAST SUSSEX,

Heritage Value: Area of High Townscape Value

Proposal: Demolition of the existing Fitness Centre adjacent to College Road (incorporating former bandstand). Erection of a Tennis Players Village Building (666m²), Plant Room, PV Panels and Associated Hard & Soft Landscaping Works.

CAAG Comments: The Group were supportive of the scheme in principle however recommended that consideration be given to the possibility of salvaging parts of the historic fabric within the bandstand for future reinterpretation within the Devonshire Park complex. As the bandstand would be dismantled in advance of any development on the site, the Group felt it important to retain the historic fabric and heritage that was there.

Gary Tidmarsh addressed the Group to present the application and respond to questions.

By virtue of Section 100B(4) of the Local Government Act 1972, the Chairman was of the opinion that the following recently received applications, which were 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) THE WISH TOWER RESTAURANT (PRE-APPLICATION)

Proposal: Erection of new 500 sqm restaurant outlet on the former Wish Tower Café and sun lounge.

CAAG Comments: The Group were supportive of the scheme, subject to the development of a satisfactory outcome in terms of the relationship between the proposed restaurant building and the recently approved war memorial within the wish tower complex, and its wider setting.

The Group were advised that conversations between the applicants of both were taking place to address these concerns, particularly in relation to the war memorial's viewing lens and maintaining a view of the sea.

Gary Tidmarsh addressed the Group to present the application and respond to questions.

9) 160534, KIOSK, 14 LOWER PARADE, EASTBOURNE, EAST SUSSEX

Proposal: The proposal is to build a 6m2 Sculptural Beach Hut, replacing the temporary kiosk (Beach Shop) and extend the existing deck below by 2m on the promenade at Royal Parade. The Beach Hut will form part of a series of 5 competition winning beach huts designs along the west side of the Eastbourne Pier as part of a cultural initiative by Eastbourne Homes and Eastbourne County Council.

CAAG Comments: The Group expressed their support for the concept and the principle of contemporary design within the conservation area. They advised that measures should be considered to ensure the longevity and appearance of the huts over a sustained period of time.

10) 160542, STREET RECORD, LOWER PARADE, EASTBOURNE

Proposal: New build concession stand beach hut. (class use A1).

CAAG Comments: The Group expressed their support for the concept and the principle of contemporary design within the conservation area. They advised that measures should be considered to ensure the longevity and appearance of the huts over a sustained period of time.

11) 160545, 37 MARINE PARADE, EASTBOURNE, EAST SUSSEX, BN22 7AY

Proposal: Proposed traditional beach hut and jetty. Works will include the removal of the existing beach front railings.

CAAG Comments: The Group expressed their support for the concept and the principle of contemporary design within the conservation area. They advised that measures should be considered to ensure the longevity and appearance of the huts over a sustained period of time.

12) 160566, LAND ADJACENT TO TREASURE ISLAND, ROYAL PARADE.

Proposal: The construction of a single storey beach hut to be used by the local community.

CAAG Comments: The Group expressed their support for the concept and the principle of contemporary design within the conservation area. They advised that measures should be considered to ensure the longevity and appearance of the huts over a sustained period of time.

NOTED.

6 Window Guidance.

The Group considered the report of the Specialist Advisor (Conservation) regarding window guidance, in terms of maintenance, repair and replacement.

Currently in determining applications for the replacement of windows through the planning process little guidance was made available. A review of the approach in respect of uPVC windows had been undertaken.

Following this review a document, appended to the report had been produced providing guidance to owners, applicants and other interested

parties on the heritage values attached to the significance of traditional windows. Advice was also provided on good practice for the maintenance repair of these windows, including their wholesale replacement. Further details were contained in the report.

Following this meeting, the guidance document would be presented to Planning Committee on the 26 July 2016 for their comments before being presented to Cabinet on 16 September 2016 to authorise a six week consultation period. Any proposed amendments would then be presented back to the Local Plan Steering Group and Planning Committee before being presented to Cabinet and Full Council in February 2017 for adoption.

The Group praised the quality of the document and expressed their thanks to the Specialist Advisor (Conservation). It was suggested that the document add examples of plastic window applications that had been previously approved in Conservation Areas. It was also recommended that in addition to the document, a shorter version, highlighting the key points of interest should be produced for ease of reference.

NOTED.**7 New Listings**

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

NOTED.**8 Vote of Thanks.**

Leigh Palmer, Senior Specialist Advisor expressed his thanks and appreciation to Sarah Leete-Groves, Specialist Advisor (Conservation) who would be leaving the authority following this meeting. This was echoed by the Group, who wished her all the best for the future.

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

The date of the next meeting was confirmed as the 12 July 2016.

The meeting closed at 8.42 pm

Councillor Rodohan (Chairman)

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Cabinet



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Minutes of meeting held on Wednesday, 25 May 2016 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**.

1 Minutes of meeting held on 23 March 2016.

The minutes of the meeting held on 23 March 2016 were submitted and approved and the chairman was authorised to sign them as a correct record.

2 Declarations of interests by members.

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.

- Councillor David Tutt declared a personal (and non-prejudicial) interest in matters reported in minute 9 ('*Stronger Together - Joint transformation programme - Business case and implementation*') as he was a council appointed non-executive director iESE Limited.

3 Membership and responsibilities of cabinet members.

The chairman reported that he had made no changes and these were as set out in the agenda and as reported to the annual meeting of the council held on 11 May 2016.

4 Dates of future cabinet meetings 2016/17.

Dates of future cabinet meetings were agreed as follows:

- 13 July 2016 at 6.00pm
- 14 September 2016 at 6.00pm
- 19 October 2016 at 6.00pm
- 13 December 2016 at 6.00pm
- 8 February 2017 at 6.00pm
- 22 March 2017 at 6.00pm
- 24 May 2017 at 6.00pm

5 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.

6 Financial performance - Provisional outturn 2015/16 (KD).

6.1 Councillor Jenkins asked questions in relation to the design, location, funding and spend to date of the proposed Sovereign Harbour community centre for which provision had been made in the 2015/16 and 2016/17 capital programmes. The chairman said he would arrange for a written response to be given.

6.2 Cabinet considered the report of the chief finance officer providing the provisional outturn results for 2015/16. The final outturn report would form part of the statement of accounts that would be reported to the audit and governance committee in June and to cabinet in July.

6.3 General fund service expenditure variance for the year was principally as a result of:

- Theatre show increased income achieved (principally from the pantomime) (£203,000).
- Savings on street cleansing contract (£102,000).
- Surplus on catering trading account (£101,000).
- Additional income and expenditure savings on bereavement service (£74,000).

Members thanked the staff involved for the improved financial performance. These had, however, been offset in part, by the following negative variances:

- Redundancy payments (£109,000).
- Rental income from corporate properties (£83,000).

6.4 Resolved (key decision): (1) That the provisional general fund outturn on services expenditure for 2015/16 of £16.427m, a net favourable variance of £195,000 against the revised budget, be agreed.
 (2) That the transfers to and from reserves as set out at appendix 2 of the report be agreed.
 (3) That the provisional housing revenue account surplus for 2015/16 of £559,000 be agreed.
 (4) That the final capital programme and outturn for 2015/16 of £18.0m. be agreed.

7 Wish Tower restaurant - Development and marketing programme update (KD).

7.1 Cabinet considered the report of the senior head of regeneration, planning and assets. On 3 June 2015, cabinet had agreed a programme for the marketing and development of the site of the former Wish Tower café and sun lounge with a view to securing a café/restaurant operator and to the allocation of £1.2m from the £2m government grant award.

7.2 Focus Consulting had been appointed as project managers, together with Levitt Bernstein as architects and Bruce Gillingham Pollard, to procure a high quality operator for the site. The new facility had been designed to complement the planned war memorial and peace garden at the Wish Tower, providing a visual link between the two, in memoriam to the civilians of Eastbourne, killed in World War II. To that end, officers and architects had worked with representatives of the Foyle family (whose donation in the 1950's had funded the original building) so that the design of the new restaurant had been influenced by the proposed memorial.

7.3 The council had commissioned a 'soft market test' from an international leisure market and investment appraisal specialist. This highlighted the potential of the site and need to adopt a flexible approach to the terms offered in marketing the site. Following a period of advertising to the market, there were 14 initial requests for information and 6 potential operators submitted expressions of interest. Three operators had been shortlisted and would now go through a negotiated process to determine their best and final offer. The preferred operator would be determined in mid-June.

7.4 The preferred bidder must demonstrate a menu and price point to appeal to all potential customers and markets including beach goers, tourists and locals. It was important that the menu wasn't too focused on one particular food type without offering alternatives. Seafood was a natural food type given the location and this would be encouraged to appear on the menu. When considering each bid, and the suitability of the offer for Eastbourne, a high degree of regard had been given to the existing seafront offer. It was important that the preferred operator was able to offer something that did not already exist, bringing with it a certain cachet that would both attract new visitors to the town, but that would also hold appeal to local people.

7.5 Designs had been worked up to RIBA stage C within the parameters of the planning guidance note and reflecting the council's aspiration for this iconic site. The plans were to 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. A construction contractor would be appointed to deliver the scheme. Internal fit out would be the responsibility of the tenant. The permanent facility would need to meet the financial targets set for the scheme, consistent with the council's commitment to achieving a sustainable asset base by 2021. A planning application would be submitted in June, for determination in September.

7.6 Intended as a temporary facility following the demolition of the former Wish Tower cafe, the Western View café had been constructed in such a manner that most of the building could be salvaged and relocated elsewhere. It was proposed the cafe would continue to operate until the end of November 2016. It would then be dismantled and moved to another location. This would need to be the subject of a separate report to cabinet presenting options and costs of relocation. Three potential

sites had been identified and officers were working up the options in more detail with a view to relocation taking place between January and March 2017.

7.7 There had been a number of stakeholder meetings with heritage, commerce and tourism stakeholders, including the Wish Tower memorial group, Business Breakfast and the Pier Action Group. There would be further public consultation as part of the planning process.

7.8 The future development of the Wish Tower site was an integral part of the council's seafront and tourism strategy. Significant progress had been made to develop a design and determine an operator. The next steps would be to appoint an operator, submit the planning application, and to prepare the construction contract and to this end it was proposed that delegation arrangements be put in place to progress the project.

7.9 Resolved (key decision): (1) That the contents of the report be noted.

(2) That the senior head of regeneration, planning and assets be granted delegated authority to conclude the commercial agreement with the preferred operator.

(3) That the senior head of regeneration, planning and assets be granted delegated authority in conjunction with the lead member for tourism and leisure services, and the lead member for core support and strategic services, to let the construction contract for delivery of the new building, subject to planning and other consents.

8

Arndale Centre extension - use of 'section 237' powers to assist with delivery of the proposed development (KD).

8.1 Cabinet considered the report of the senior head of regeneration planning and assets. Following the secretary of state's decision to approve the compulsory purchase order (CPO) to allow the £85m planned extension to the Arndale to proceed (which would provide an additional 22 new retail units, approximately 300 extra car parking spaces, seven restaurants and a nine-screen cinema and was expected to create approximately 800 retail and catering jobs) it was considered that the acquisition of the land for planning purposes of the development, so as to engage S.237 of the Town and Country Planning Act 1990, should be approved on the following basis:

- (i) The development had the benefit of planning permission and it was considered desirable that the development progress and be completed as soon as possible;
- (ii) the council had already undertaken a lengthy CPO process to secure the necessary land and rights needed to facilitate the development;
- (iii) it was considered that appropriate investigations had been undertaken by the developer to identify those with the benefits of the rights proposed to be infringed and that it was reasonable to

conclude such beneficiaries could not or would not be identified within a reasonable time period;

- (iv) the development would deliver public benefits to the borough; and
- (v) those who currently benefited from the restrictive covenants would be entitled to compensation for the interference with their rights.

Accordingly, all relevant considerations had been assessed and on balance it was considered appropriate that the recommendation be approved.

8.2 Prior to and following the making of the CPO, the developer had sought to separately negotiate with relevant third party landowners in order to secure the land required for the Arndale extension by agreement. Various restrictive covenants existed over some areas of land which had been acquired by the developer and also over its existing land holding. A composite list of those rights, so far as it was possible to ascertain the rights from the title documentation, was set out in the schedule attached to the report.

8.3 The acquisition of the land by the council and subsequent use of S.237 powers to secure the release of any covenants that might impact upon the development would be followed by the transfer of the land to the developer. The CPO indemnity agreement between the council and the developer provided that the council's costs associated with the transfer of third party rights, the exercise of the section 237 power and any compensation payable as a result would be met by the developer. Accordingly, there were no financial implications for the council.

8.4 Resolved (key decision): That, in principle, the acquisition of the land, as identified on the attached plans and schedule by the council pursuant to Section 227 of the Town and Country Planning Act 1990 be authorised in order to then engage powers under section 237 of the Town and Country Planning Act 1990 for the planning purpose of facilitating the carrying out of the development (in its current form or as may be varied or amended) and subsequent disposal of that land to the developer (or an associated company) under section 233 of the Town and Country Planning Act 1990, and that the following authority be delegated to the senior head of regeneration, planning and assets in consultation with the lead cabinet member to:

- (a) Finalise the terms for the acquisition and disposal of the above land with the developer (or associated company) and for the relevant documentation to be entered into by the council; and
- (b) finalise the extent/boundary of the land identified in the attached plans and schedule to be acquired by the council and subsequently disposed of to the developer once S.237 powers have been exercised over the land.

9

'Stronger Together' - Joint transformation programme - Business case and implementation (KD).

9.1 Councillor Jenkins asked about the funding split between the 2 councils of the costs of implementing the programme and the impact these costs would have upon the council's debt. The chairman said at this stage it was anticipated that the split of costs and benefits will fall 60:40 Lewes District Council (LDC) and Eastbourne Borough Council (EBC), reflecting the expected share of benefits and noted that certain costs, e.g. for system replacement would need to be incurred at some future time irrespective of the programme.

9.2 Cabinet considered the report of the chief executive and senior head of projects performance and technology. In October 2015, cabinet approved a strategy for the development of shared services between LDC and EBC based on the integration of the majority of council services. The report sought approval to the detailed business case, high level plan and technology arrangements for the implementation of that strategy. LDC's cabinet had considered and approved a similarly worded report earlier today.

9.3 The 4 strategic objectives of the programme were:

- **Protect services.** Protect services delivered to local residents while at the same time reducing costs for both councils and together save £2.8m annually.
- **Greater strategic presence.** Create two stronger organisations which could operate more strategically within the region while still retaining the sovereignty of each council
- **High quality, modern services.** Meet communities and individual customers' expectations to receive high quality, modern services focused on local needs and making best use of modern technology
- **Resilient services.** Building resilience by combining skills and infrastructure across both councils

9.4 The total estimated savings of the programme as a whole was £2.797m with an equivalent reduction of the equivalent of 79 full-time staff across both councils. LDC would achieve a higher share of the benefits than EBC because EBC had already delivered significant savings through its future model programme and the joint transformation programme inherited the savings target from LDC's cancelled new service delivery model programme. The total budget for the programme was £6.878m of which £1.275m had already been allocated for technology investment that would be required in any event. Therefore the investment required specifically to deliver the programme was £5.603m. This met the financial business case test. Costs and benefits would be shared in the same proportion. The full business case was given at appendix 1 to the report.

9.5 The programme would involve:

- The creation of a single senior management team operating across both councils.
- Reviewing current pay scales and structures and potentially adopting a new joint pay and grading system.

- Redesigning and integrating the technology infrastructures of both councils.
- Significant investment in new technologies, both hardware and software.
- Creating a new target operating model for 350 staff working in joint teams.
- Building hundreds of integrated business processes for the joint teams, based on harmonised policies, driven by common technology.
- Significant cultural change to ensure staff exhibit the same core competencies and customer-centric attitudes and behaviours.

9.6 A high level view of the programme, which included more than 30 projects across six major work streams, was provided at appendix 2 to the report and a full net present value calculation on the programme costs was given in appendix 3. A summary of the non-discounted costs and benefits was as follows:

Direct programme costs	£5.603m
Existing allocated technology investment	£1.275m
Total programme budget	£6.878m
Business case savings	£2.797m
Payback period (all costs)	2.5 years
Payback period (excl. existing allocated costs)	2 years

9.7 It was proposed to fund the capital and one off revenue costs from a mixture of capital receipts, prudential borrowing and reserves and with the ongoing revenue costs coming from the efficiency savings generated. Both councils had existing earmarked sums which would be used to contribute to the programme, including:

- LDC funding was allocated for the new service delivery model programme in November 2014.
- EBC strategic change fund.
- EBC IT capital block allocation.

9.8 The programme would be managed in accordance with standard programme and project management methodologies. The joint transformation board would oversee delivery, monitor risks and be consulted on key deliverables and decisions, and cabinets would receive regular updates. The recommended employment model, having reviewed a number of options, was a shared services model with EBC as the host authority. The programme depended on a common approach to information and communications technology (ICT) strategy and service provision, and a number of options had been considered to deliver this. The recommended option was for application management to be performed by a joint internal team and to vary EBC's contract with SopraSteria Ltd to provide infrastructure management services to LDC. It was also recommended that the Digital 360 platform in use at EBC was extended to LDC, subject to commercial and procurement matters being settled satisfactorily. This meant that LDC would benefit from the significant investment EBC had already made in that platform. Legal and

procurement advice had been sought on these matters and was detailed in the report.

9.9 Customer and stakeholder engagement was one of the key work-streams of the programme. Effective customer and stakeholder insight would ensure that both councils develop policies and services taking into account the views of individuals, communities, stakeholders, forums, organisations, etc. A range of methods to engage and consult would include surveys, meetings, focus groups or discussions and user testing.

9.10 Resolved (key decision): (1) That the business case for the joint transformation programme be approved and that a total of £6.878m be provisionally allocated to the programme (para. 4.4 of the report).

(2) That the deputy chief executive be granted delegated authority to determine the appropriate allocation of costs against revenue and capital funds (para. 4.5 of the report).

(3) That the deputy chief executive be granted delegated authority, in consultation with the Joint Transformation Programme Board, to determine the methodology for cost and benefits sharing with an overriding principle that joint costs are allocated on the basis of the benefits realisation ratio (para. 4.6 of the report).

(4) That the chief executive be granted delegated authority, in consultation with the Joint Transformation Programme Board, to run the programme within the allocated resources, reporting to cabinets regularly (para. 5.1 of the report).

(5) That the high level programme plan be approved (para. 5.3 of the report).

(6) That the procurement approach and contract variation outlined in the report, including the exceptions to contract procedure rules and the proposed changes to information and communications technology service provision, be approved and that the deputy chief executive be granted delegated authority, in consultation with the Joint Transformation Programme Board, to negotiate the associated cost of pension protection with the service provider (paras. 5.10 to 5.13 of the report).

(7) That the adoption of the proven 'Digital 360' platform as the basis for the joint transformation programme be approved, subject to procurement (para. 5.12 of the report).

(8) That engagement be undertaken with local community stakeholders in respect of relevant elements of the programme (para. 5.3 of the report).

*** 9.11 Resolved:** That full council be recommended to approve the shared services employment model with Eastbourne Borough Council acting as the host authority (para. 5.4 of the report).

10 Joint venture on energy and sustainability (KD).

10.1 Cabinet considered the report of the senior head of community and Eastbourne Homes Limited managing director looking to see how the council could take a leading local role in addressing energy and sustainability issues and provide income to the council. Appendix 1 to the report listed the types of projects that could be considered, e.g. a public sector backed energy supply company, energy generation such as solar or CHP (combined heat and power) and commercial greenhouses. Lewes District Council's cabinet was due to consider a similar report at their meeting on 4 July 2016.

10.2 Following a market engagement exercise carried out via a Europe-wide advertisement, interviews were held with 3 major companies which confirmed:-

- A desire to work jointly with EBC to deliver the long term sustainability aims, including energy and food.
- That the costs of development, investment, risk and returns could be shared.
- That heat networks, energy generation plant, demand management to balance the national grid, and commercial greenhouses were financially viable and could provide an income to the council.
- The anticipated internal rate of return/return on investment (IRR/ROI) threshold ranged between 6-15%.
- There is no need for an expensive upfront masterplan - sites and business plans could be developed jointly as and when required;
- The council's long term thinking was in line with the need to tackle energy and food supply, waste and sustainability.
- Flexibility in approach to structuring the arrangements.
- That the approach should be phased – starting with key projects first and building up capacity and market value over time.

10.3 Officers from the Department of Energy and Climate Change had observed the market engagement exercise and were positive about the council's approach and long-term thinking.

10.4 It was proposed that the council set up a joint venture which at its top level was through a 'strategic partnership agreement' (SPA) as this gave the greatest flexibility for the long term aims. The SPA would act as an enabling body for the individual projects that would sit beneath it. The SPA would be procured through a competitive procedure with negotiation and in place by June 2017. It was anticipated that the commercial partner would need to be a significant market player and have a turnover of at least £50 million. Each individual project that sat within the SPA would be reported to cabinet to enable approval of a business plan, and the necessary capital allocation.

10.5 The key elements of the SPA that the council would be looking to secure were set out in the report and included 50:50 public:private split where appropriate and the opportunity to build in potential for other councils or public bodies to be able to participate and use the business

planning process. It is suggested that this be limited to within Sussex, Surrey and Kent.

10.6 A detailed legal analysis was given in the report covering procurement and the council's powers to undertake the proposed activities. External advice might be required for assessing some technical elements of the procurement process at an estimated cost of no more than £10,000. Once the joint venture had been set up, external legal advice might be required to verify bespoke contracts. The council had set aside a budget of up to £50,000 each year for the next three financial years to assist with these external costs. It was anticipated that any expenditure would be shared equally between the council and any other public sector partner/s in the joint venture.

10.7 Resolved (key decision): (1) That the start of a public procurement process advertised in OJEU for a joint venture with a private sector partner be approved.

(2) That the senior head of community and Eastbourne Homes Limited managing director be granted delegated authority to take all decisions during the joint venture procurement process, up to and including the selection and appointment of the private sector partner [where appropriate in consultation with the chief finance officer and lawyer to the council]. The delegation to include the detailed development, management and approval of the public procurement process to be followed and of all the procurement documentation required to deliver the project and the development and approval of all the contractual documentation to appoint the private sector partner.

(3) That the senior head of community and Eastbourne Homes Limited managing director be granted delegated authority to agree the inclusion in the joint venture structure of other local authority and public body partners within Kent, Surrey and Sussex.

11*** Regulatory services - new and amended policies (BPF).**

11.1 Cabinet considered the report of the senior head of community seeking approval to a number of policies covering environmental health and licensing functions as follows:

- Regulatory services enforcement policy (amended).
- Redress schemes enforcement policy.
- Smoke and carbon monoxide alarms enforcement policy.
- Statement of principles for determining the amount of a penalty charge.

Copies were appended to the report.

11.2 The regulatory services enforcement policy had been amended to add a new section (5.5) to reflect the option to issue penalty charge notices. The other named policies and statement were proposed in response to recently approved government regulations. Consultation had taken place with the National Landlords' Association. No comments had been received.

***11.3 Resolved (budget and policy framework):** (1) That full council be recommended to adopt the following policies and statement:

- Regulatory services enforcement (amended).
- Redress schemes enforcement
- Smoke and carbon monoxide alarms enforcement.
- Statement of principles for determining the amount of a penalty charge.

(2) That full council be recommended to delegate the administration and enforcement of all the above policies and the statement of principles in exercise of relevant legislation to the senior head of community.

The meeting closed at 6.38 pm

**Councillor David Tutt
Chairman**

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Monday, 6 June 2016
at 6.00 pm



Scrutiny Committee

Present:-

Members: Councillor Blakebrough (Chairman) Councillor Holt (Deputy-Chairman) Councillors Belsey, Miah, Rodohan, Sabri, Smart and Coles (as substitute for Murray)

1 Minutes of the meeting held on 1 February 2016.

The minutes of the meeting held on 1 February 2016 were submitted and approved, and the Chairman was then authorised to sign them as an accurate record.

2 Apologies for absence.

Councillor Murray.

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.

There were none.

4 The Towner Art Gallery.

The committee received a presentation from the Executive Director, Towner, Emma Morris. David Dimbleby, Chairman of the Towner was also in attendance.

The presentation centred on the development of the Towner Trust which had been in place since July 2014, highlighting key exhibitions, fund raising activities, education and outreach programmes. Numbers of visitors had increased by 12% in the previous year. According to economic figures researched and analysed by Regeneris Consulting who had been commissioned by Tate, the Towner was currently generating around £940,000 of economic benefit in the local area.

Following the presentation, the committee put a number of questions which were answered by Emma Morris and David Dimbleby. These were as follows:

Q – Could the numbers of repeat visitors be quantified?
A – This was not possible at present.

Q - How did the Towner performs in comparison to other authorities' investment into arts and culture?

A – This information was not available at present; however there was significant investment in Arts and Culture throughout Eastbourne which showed a serious commitment to its future development.

Q – The investment into the Towner from the Council appeared to be the same for four years – why was that?

A – The funding remained the same demonstrating no further cost to the Council, and was the reason for moving to a Trust. This would enable the Towner to seek funding from other sources in future.

Q - What is the social value of the Towner?

A - The committee was advised that the De La Warr pavilion had conducted a survey assessing qualitative feedback, funded by East Sussex County Council. The Executive Director hoped that a similar assessment could be carried out with regard to the Towner.

Q – What were the future fund raising initiatives, with regard in particular to donations and membership?

A - The appointed 'high level' fundraiser had started in May 2016, focusing on individual and corporate patronage.

Q – How would the development of an auditorium / cinema space on the ground floor of the Towner enhance the offer?

A – It was anticipated that footfall would increase and accessible, affordable events would be provided for residents and visitors alike. Investment would also be made into improving the shopping outlet online and 'in venue'.

Members agreed that they would forward any further questions arising from the presentation or the Business Plan which had been circulated prior to the meeting, to the Executive Director, via the Chairman or Local Democracy Officer for a response at the earliest opportunity.

Members thanked the Executive Director and Chairman for their attendance and input at the meeting.

RESOLVED: That any further questions from committee members arising from the presentation or business plan be submitted to the Executive Director via the Chairman or Local Democracy Officer.

5 Financial Performance - Provisional Outturn 2015/16.

Scrutiny considered the report of the Chief Finance Officer providing the provisional outturn results for 2015/16. The final outturn report would form part of the statement of accounts that would be reported to the Audit and Governance committee in June and Cabinet in July.

The General Fund - figures included the transfers to and from reserves as shown in Appendix 2 of the report.

The General fund service expenditure variance for the year was principally as a result of:

- Theatre show increased income achieved (principally from the pantomime) (£203,000).
- Savings on street cleansing contract (£102,000).
- Surplus on catering trading account (£101,000).
- Additional income and expenditure savings on bereavement service (£74,000).

These had, however, been offset in part by the following negative variances:

- Redundancy payments (£109,000).
- Rental income from corporate properties (£83,000).

The committee was advised that work was still underway reconciling some accounts and in particular the Housing Benefit Subsidy and Housing Benefits overpayments. It had been assumed for this report that these budgets would be on target, but experience from past years had indicated that this could vary considerably. Any changes would be reported as part of the final outturn report to the next meeting of Scrutiny.

Housing Revenue Account (HRA) - The table at Appendix 3 of the report summarised the HRA performance for 2015/16 and showed a surplus of (£559,000). This represented a variance of (£218,000) against the revised budget of (£341,000). The principle reason for this variance was due to savings in council tax on void properties, lower insurance premium, low demand on the under-occupations transfer scheme and savings resulting from Future Model restructuring.

Capital Programme - A summary of capital expenditure for the year was shown in Appendix 4 of the report. The revised capital programme for 2015/16 was £19.9m and the outturn was £18.0m. This was a variance of £1.9m; (£0.3m) for general fund and £2.2m for HRA. A detailed reason for the variance against each scheme was also shown at Appendix 4 of the report.

The Senior Corporate Development Officer advised the committee that the Corporate Plan and performance quarter 4 and year-end report would be presented in full at the next meeting in September allowing for a full "end-of-life" assessment report of the 2010-2015 Plan to be considered. Scrutiny would also receive the Quarter 1 outturn 2016/17.

The Senior Corporate Development Officer took the opportunity to re-introduce the Covalent Browser to Members and explain the proposed approach for monitoring and managing the new Corporate Plan. Members were also advised that refresher training for accessing Covalent would be scheduled for the beginning of August and end of September should any Members wish to attend as well as ad-hoc support being available to them through the Corporate Development team.

RESOLVED: (1) That the provisional general fund outturn on services expenditure for 2015/16 of £16.427m, a net favourable variance of £195,000 against the revised budget, be noted.
 (2) That the transfers to and from reserves as set out at appendix 2 of the report be noted.

- (3) That the provisional housing revenue account surplus for 2015/16 of £559,000 be noted.
- (4) That the final capital programme and outturn for 2015/16 of £18.0m be noted.

6 A27 - Member Briefing.

The committee considered the notes from the informal briefing with Highways England held on 2 June 2016. Following consideration of the notes the committee agreed that there was a need to build an evidence based case for further investment into the A27 east of Lewes, and that this should be undertaken by a Scrutiny-appointed Task Group

The Head of Corporate Development and Governance advised the committee that it was likely that the forthcoming consultation would be prescriptive in respect of the options being put forward by Highways England. Therefore, if the intent was that the findings be used as a response to the consultation, it would be important to ensure that the specific options for the proposed £75m investment were addressed. However, it would also be perfectly reasonable to make the case for wider investment on the basis that a well-evidenced dossier would be useful as a lobbying tool.

As a result of a proposal by Councillor Blakeborough, seconded by Councillor Holt, it was;

RESOLVED: (1) That a scrutiny task group comprising 4 members (2 from each group) be set up with the following terms of reference:

Purpose:

To engage as widely as possible in order to obtain current evidence and opinion as to the level of local demand for investment in and improvements to the section of the A27 east of Lewes.

Objective:

To collate the feedback received together with the overarching agreed findings of the Council for submission to Highways England during their forthcoming consultation exercise into the options for the proposed £75m investment scheme currently being considered.

Methodology:

- A task group comprising four Councillors (two from each party) set up by the Scrutiny Committee to seek out and collate evidence obtained by holding a series of fact finding interviews with key area stakeholders over a period of 12 months. A detailed scoping exercise identifying relevant agencies, local businesses, community groups and residents will be carried out by the task group to facilitate this process.
- A findings report submitted by the Task Group to the Scrutiny Committee for approval in due course.

- Scrutiny recommendations arising from the Task Group findings to be submitted to Cabinet and full Council for endorsement and approval respectively.
- Submission of the final Council-approved findings report to Highways England as this Council's formal response to the consultation process.

(2) That the appointed membership of the Task Group be Councillors Belsey, Holt, Sabri and Smart.

The meeting closed at 7.20 pm

**Councillor Blakebrough
(Chairman)**

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Tuesday, 21 June 2016
at 6.00 pm



Planning Committee

Present:-

Members: Councillor Murray (Chairman) Councillor Sabri (Deputy-Chairman)
Councillors Choudhury, Murdoch, Taylor, Di Cara (as substitute for Jenkins) and Dow (as substitute for Robinson)

12 Minutes of the meeting held on 17 May 2016.

The minutes of the meeting held on 17 May 2016 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

13 Apologies for absence.

Councillors Jenkins, Miah and Robinson.

14 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.

There were none.

15 18 Lottbridge Drove. Application ID: 160482.

Canopy structure over external 'valeting area' attached to existing building, constructed of acoustic blocks (painted white) to South Eastern flank only with clear corrugated sheet plastic roof supported by wooden beams. Fluorescent lighting would be installed to the inside of the canopy structure. Also proposed is the addition of timber hit and miss privacy fencing along boundary to match height of existing acoustic fence – **ST ANTHONYS**.

Mrs Bowen addressed the committee stating that whilst she was in favour of the proposed structure she would prefer the privacy fence to be higher than the acoustic fence. In addition Mrs Bowen queried the operation times and requested the outside lighting be switched off after 6pm.

The committee was advised that the Council had pursued matters in relation to external lighting at the site.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time for commencement 2) Approved drawings 3) No external lighting 4) Materials as stated on plans/application form.

16 21 Granville Road. Application ID: 160398.

Extension to the front of the existing dwelling and a roof raise loft conversion – **MEADS.**

RESOLVED: (Unanimous) That permission be refused on the grounds that 1) By virtue of the resulting increases in height, size and scale of the property, the development is considered to be unneighbourly and overbearing and out of scale with the neighbouring property and would lead to significant loss of residential amenity through loss of privacy to surrounding residential occupiers as a result of significant additional glazing to the flank elevations, and the construction of a raised decking platform to a height of first floor level located to the rear of the property which does not accord with policies HO20 of the Eastbourne Borough Plan (Saved Policies) and policy B2 of the Eastbourne Core Strategy Local Plan 2) The resulting development would be visually dominant, whose appearance would be out of character within the Area of High Townscape Value and therefore would not accord with policies UHT1, UHT4 and UHT16 of the Eastbourne Borough Plan (Saved Policies) and Policies B2, D10 and D10a of the Eastbourne Core Strategy Local Plan.

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, was considered to be written representations.

17 31 Upper Kings Drive. Application ID: 160318.

Two storey rear extension, garage extension and demolition of existing detached garage – **RATTON.**

The committee was advised that Mr and Mrs Corke of 29 Upper Kings Drive had contacted the Council to advise that they would withdraw their objection to the proposal if the conditions suggested by the Council's Arboriculturalist were applied to any approval.

The Specialist Advisor for Arboriculture stated that 'the proposed extension's southern wall was in very close proximity to three of the trees within the adjacent Beech hedge. Although the hedge should not be considered a constraint to development it was a vital screen to the proposed extension and therefore if indicated as retained some conditions would be required should the application be approved. In addition he queried whether a condition should be attached to retain a hedge that may be owned by 29 Upper Kings Drive. If the Council were to attach a condition to the hedge then it would have implications on the owner of 29 Upper Kings Drive and their ability to undertake maintenance works or indeed remove the hedge should they wish to do so. Due to the existing hard standing patio area, retainer wall and swimming pool cabinet situated in the location indicated for the proposed foundation of the side wall, it would be unlikely to find substantial roots in this area. Although root damage to the closest part of the hedge was unlikely the concern was that there may be damage to the canopy and the loss of the screen by means of facilitating the access required to build the extension including space required for scaffolding. Although under common law the applicant was entitled to

prune the hedge back to the boundary at present, he suggested that the applicant tie the hedge back away from the proposed extension and scaffolding in order to maintain the screen after development. The Specialist Advisor for Arboriculture suggested additional conditions which were incorporated into the resolution below (conditions 7 to 15).

Mr Corke addressed the committee in objection stating that they did not wish to withdraw their objection to the scheme and that any groundwork would potentially damage the well established Beech hedge. Mr Corke also expressed concern regarding the proposed side wall stating that it would appear more 'industrial' than residential due to its size and proximity to his property.

Mr Pesce, applicant, responded stating that the planning department had been fully consulted throughout the design of the extension at pre-application stage and that he was happy to adhere to the additional conditions proposed by the Specialist Advisor for Arboriculture. Mr Pesce agreed that the protection of the trees would benefit both his property and the neighbouring property's outlook.

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 submitted on 23/03/2016:

DWG. NO.: 1307.02 Revision D - Preliminary Layouts
 DWG. NO.: 1307.03 Revision A - Proposed Elevations - Planning

3) No Permitted Development, side elevation windows 4) No Permitted development dormers and roof alterations 5) Hand Dug foundations adjacent to Southern property boundary and sensitive treatment of any tree roots 6) Use of Matching brick and tile 7) Access to the garden should be from the north of the site 8) Demolition of the existing defunct swimming pool building should be also conditioned to be undertaken by hand in order to prevent damage by larger machinery 9) Detailed plans of services in relation to trees 10) Construction method statement 11) Protection of existing trees 12) Protection of retained trees 13) Tree Protection: Excavations 14) No Burning on site 15) Any trees along this common boundary that die within 5 years from the date of the completion of the extension (for a length of 6 m from the rear wall of the original rear wall of the property) shall be replaced at the applicants expense.

18 Beach Huts. Application ID: 160534, 160542, 160544, 160563, 160566.

Erection of five beach huts on the eastern seafront promenade – **DEVONSHIRE.**

At their meeting on 24 May 2016 the Conservation Area Advisory Group welcomed the principle of contemporary design within the conservation area. The group expressed concerns about the longevity of the structures to be created and their potential to act as a focus for anti-social behaviour.

Additional comments from residents were reported as follows:

160542 (Site 1 - Re-bourne)

One further objection had been received on the grounds that the proposed building did not respect its historic setting and the Town Centre and Seafront Conservation Area, and detracted from the pre- eminence of the pier within this part of the seafront.

160544 (Site 2 - The Spyglass)

One further objection had been received expressing concerns that the proposal would add to clutter on the seafront and failed to respect the setting and character of the conservation area. There was a concern that the costs involved would not enable a successful building to be delivered on the site to enable the realisation of the architectural concept behind the proposal.

160534 (Site 3 - What unearthed?)

One further letter of support had been received citing the benefits of additional facilities on the eastern part of the seafront. The applicant had now submitted detailed plans showing the maximum height of the building at 2.8 metres, the plans were also available on the Council's website.

160566 (Site 4 - Community beach hut)

One further letter of support had been received stating that the proposal was simple and authentic.

160563 (Site 5 - Stargazers cabin)

One further objection had been received stating that the cabin would harm the setting of the recently constructed beach huts on this part of the promenade creating further clutter. Concerns was also expressed stating that the design concept relied on pedestrian footfall after dark which was not apparent at present, and also that the proposal would result in additional competition for existing businesses on this part of the seafront.

Councillor Bannister, Ward Councillor, addressed the committee stating that as part of the Driving Devonshire Forward project a consultation exercise had taken place, the results of which indicated the desire for some additional 'beach huts' in various locations east of the pier. A number of designs had been received and the proposals before the committee were chosen from the short list. This was a community project that would be of great benefit to tourists and the residents of Eastbourne.

Members discussed the application and whilst there was support for the scheme, some concern was raised with regard to two of the locations proposed.

RESOLVED (160542, 160534): (By 6 votes to 1) That permission be granted subject to the following conditions: 1) Development within three years 2) Development in accordance with approved plans 3) Drainage & Utility connections shall be operational prior to the first beneficial occupation of the beach huts.

RESOLVED (160544, 160566, 160563): (Unanimous) That permission be granted subject to the following conditions: 1) Development within three years 2) Development in accordance with approved plans 3) Drainage & Utility connections shall be operational prior to the first beneficial occupation of the beach huts.

19 Devonshire Creative Hub. Application ID: 160511, 160512, 160513.

The proposed development involves the conversion of three existing shop units along Seaside and Seaside Road to a flexible use comprising a café space, employment/training space, print works and workshop/art space – **DEVONSHIRE**.

RESOLVED (160511, 160512, 160513): (Unanimous) That permission be granted subject to the following conditions: 1) Development within 3 years 2) Development in accordance with the approved plans 3) You must not undertake any activities within the proposed development that would create noise that is audible outside the boundary of the site/property between the hours of 10pm and 8am daily.

Informative

This decision notice hereby authorises a mixture of uses as described in the approved plan entitled 'The Devonshire Collective: A creative hub cluster proposal for Eastbourne'. It was accepted that the uses could flux between all described in the application and across all the sites.

20 Devonshire Park Players Building, Devonshire Park. Application ID: 160475.

Demolition of the existing Fitness Centre adjacent to College Road (incorporating former bandstand). Erection of a Tennis Players Village Building (666m²), Plant Room, PV Panels and Associated Hard & Soft Landscaping Works – **MEADS**.

The committee was advised that page 54 of the report stated that 'Historic England and the Eastbourne Society both noted that the long term success and durability of the building would depend on the choice of timber cladding'. Members were advised that both Historic England and the Eastbourne Society were concerned about the principle of using timber to clad this building and would prefer that the building was faced in brick to match the other buildings within the Western Cluster and the Devonshire park complex more broadly.

A further consultation response had been received from Southern Water who did not object to the proposal but had requested a condition requiring

further details of foul and surface water disposal from the development. This had already been included as draft condition 7 on the decision notice.

Mr Howell, Eastbourne Society, addressed the committee in objection raising concerns regarding the loss of the original bandstand and requesting that any salvageable items be kept, with the possibility of being relocated elsewhere on the site. He also expressed concern regarding the proposed timber cladding to the new building due to its limited lifespan.

The committee discussed the application and whilst they did not like the timber cladded effect, it was preferable to a bare pre fabricated building. They agreed that the red colour of the new cedar cladding would be more appropriate to the 'weathered' sliver look and requested that a maintenance condition be added to retain its original colour.

RESOLVED: (By 6 votes to 1) (Councillor Taylor voted against the application) 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) You must implement this planning permission in accordance with the following plans approved as part of this planning permission:(TBC)
- 3) The following details must be submitted to and approved by the local authority:
 - A) A demolition method statement shall be submitted to the Local Planning Authority demonstrating how the two existing heritage electric lampposts located on the site are to be dismantled and how the bandstand will be recorded prior to the clearance of the site in advance of redevelopment. You must not start work on any demolition of the site or existing buildings connected to the implementation of this planning permission until we have approved what you have sent us. You must implement the planning permission in accordance with the details that we have approved under the terms of this condition.
 - B) A schedule of the salvaged material (from the bandstand) shall be forwarded to the Local Planning Authority as soon as is practicable following the demolition of the structure and no later than the first occupation of the building hereby approved.
 - C) Any salvaged material shall be donated to the Eastbourne Society for their potential re-use or reinterpretation elsewhere (either on or off site).
- 4) The following details must be submitted to and approved by the local authority:
 - a) Samples of the proposed timber cladding. You must not occupy any of the relevant parts of this development until we have approved what you have sent us. You must implement the planning permission in accordance with the details that we have approved under the terms of this condition
- 5) The following details must be submitted to and approved by the local authority:
 - a) Detailed plans showing hard and soft landscaping surrounding the proposed building and its relationship with the surrounding area. You must not occupy any of the relevant parts of this development until we have approved what you have sent us. You must implement the planning permission in accordance with the details that we have approved under the terms of this condition
- 6) The following details must be submitted to and approved by the local authority:
 - a) Detailed drawings showing the boundary treatment adjacent to College Road. You must not occupy any of the relevant parts of this development until we have approved what you have sent us. You must implement the planning permission in accordance with

the details that we have approved under the terms of this condition. 7) Drainage – The applicant shall submit details of the foul and surface water disposal from the site. If soakaways are to be used then the applicant is required to provide evidence of their appropriateness in terms of function (given ground conditions/geology). You must not start work on any relevant parts of the development until we have approved what you have sent us. The details as approved shall be implemented at the site and retained as such thereafter. 8) The applicant shall implement the programme of archaeological works in accordance with the written scheme of archaeological investigation reference N.G.R TV 6104598442 by Christopher Greatores BA MCIfA, which has been approved in writing by the Local Planning Authority. A written record of the archaeological works undertaken shall be submitted to the Local Planning Authority within 3 months of the completion of any archaeological investigations unless an alternative timescale for submission of the report is first agreed in writing with the Local Planning Authority 9) The following details must be submitted to and approved by the local authority; a) details of the design of the retained wall design and building foundations and the layout, with positions, dimensions and levels, of service trenches, ditches, drains and other excavation on site, insofar as they may affect tree number 1075 of the applicants arboricultural report. You must not start work on any part of this development until we have approved what you have sent us. You must implement the planning permission in accordance with the details that we have approved under the terms of this condition. 10) The following details must be submitted to and approved by the local authority; a) Detailed landscaping plans including 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. No services shall be dug or laid into the ground in the course of this development other than in accordance with the approved details. This shall ensure any proposed routes shall not be within the root protection area of tree 1075 of the applicant's arboricultural report. You must not start work on any part of this development until we have approved what you have sent us. You must implement the planning permission in accordance with the details that we have approved under the terms of this condition. 11) 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. In the event that any tree dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority. 12) The following details must be submitted to and approved by the local authority; a) An Auditable Arboricultural site monitoring system shall be approved prior to any works on site and implemented for all works undertaken within the Root Protection Areas of trees 1075 of the applicant's arboricultural

report. You must not start work on any part of this development until we have approved what you have sent us. You must implement the planning permission in accordance with the details that we have approved under the terms of this condition 13) Prior to commencement of the construction of the new building hereby approved the details of the external maintenance regime shall be submitted to and approved in writing by the local planning authority. The details shall include the colour of the wood-stain and the frequency of the re-staining for the life of the development. The details as approved shall be implemented at the site and be retained as such for the life of the development.

21 46-48 East Dean Road. Application ID: 160443.

Proposed demolition of existing buildings and erection of a 3 storey 58 bed care home (use class C2) – **OLD TOWN**.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time 2) Approved Drawings 3) Hours of demolition and construction 4) Local Labour 5) No bonfires 6) External plant or equipment to be erected on or within the building to include noise impact survey 7) Samples of materials (Notwithstanding the details shown on the plans hereby approved the roof tile shall be orange/red to match those that form the predominant character of the area) 8) Kitchen extraction location 9) Drainage strategy detailing foul and surface water to include SUDs 10) Lighting strategy 11) Details of retained and proposed areas of environmental merit (retained embankment) 12) Boundary treatments and landscaping 13) Submission of details of retaining walls to the bank adjacent to 50 East Dean Road and 2 Downside Close 14) Remediation strategy to deal with the risks associated with contamination of the site 15) Verification report relating to remediation strategy for contaminated land 16) Contamination found during development 17) No infiltration of surface water drainage into the ground is permitted 18) Piling or any other foundation designs using penetrative methods shall not be permitted 19) Traffic Management Scheme for demolition and construction 20) Prior to occupation, turning space for vehicles in-line with drawing 21) Prior to occupation, parking areas must be provided in accordance with approved plans 22) Cycle parking areas 23) Vehicle wheel washing equipment 24) Travel Plan Statement, prior to commencement of development (for operational staff) 25) Protection of existing trees (off site in Longland Road and street trees) 26) Protection of retained trees (on site) 27) Detailed plans of services in relation to trees 28) No contaminated material to be deposited at the site

Informative:

1. Formal application for connection to public sewerage system
2. Formal agreement with Southern Water regarding infrastructure
3. Badger survey
4. Nesting birds

22 Fitzmaurice Mews. Application ID: 160411.

AMENDED SCHEME: Proposed demolition of existing garages and development of 6 no.3 bedroomed houses together with parking spaces

(Design amended - roof design altered and elevational changes) – **ST ANTHONYS.**

The committee was advised that amended plans had been submitted which pivoted the terrace of plots 1-4 slightly to increase the space available to the front of the property and access path. These plans also updated existing and proposed ground levels. The slight amendment to plots 1-4 increased the space to the front of the building by approximately 0.3m, an alternative form of buttressing to the boundary wall was also proposed to increase the width of the path. It was not considered that this amendment overcame concerns raised in the report. Members were advised that the access road to the site was in flood zones 2 and 3; however the part of the site to be developed was not.

Additional comments from neighbouring properties were reported as follows:

Not opposed to housing development on the site in principle however they felt that a lack of detail had been provided. There were concerns regarding the amount of traffic on access road, lack of detail regarding turning of vehicles, and impact on wildlife.

The building would clean up the area with less parked cars on the road and provide needed housing with a reduction in traffic.

The retention of the boundary wall in its entirety, high level windows and use of obscure glazing address previously raised privacy concerns. These revisions made the development an asset to the area and would improve the amenities for residents.

Mr Coulsey addressed the committee on behalf of no.s 1-4 and 6-14 Fitzmaurice Avenue, stating that all previous objections to the original scheme had been addressed. The current usage caused considerable antisocial behaviour and the new development would resolve this.

The committee considered the application and agreed that the wall to the front of plots three and four was unusually high, however they were mindful that the applicant had worked hard to mitigate residents concerns and that the scheme before them was supported by many of the neighbouring properties.

RESOLVED: (By 5 votes to 1 with 1 abstention) That delegated authority be given to the Senior Specialist Advisor Planning, in consultation with the Chairman, to grant planning permission subject to appropriate conditions.

23 Result of Consultation into Good Practice Guidance for Local Heritage Assets.

The committee considered the report of the Senior Specialist Advisor for Planning outlining the responses received to the consultation on the Good Practice Guidance for Local Heritage Assets.

The draft document had been reported to Planning Committee and Conservation Area Advisory Group in 2015. The public consultation had now been concluded with five representations received.

These were detailed in the table of responses document and the guidance document which were appended to the report. As a result of the responses received officers had concluded that only typographical changes to the document were required.

RESOLVED: 1) That delegated authority be given to the Senior Specialist Advisor for Planning to implement any typographical changes required.
2) That the adoption of the document for use in assessing local heritage assets be endorsed.

24 Tourist Accommodation Retention Policy Review.

The committee considered the report of the Senior Head of Planning, Regeneration and Assets providing Members with background and context to the issue of Tourist Accommodation retention and to identify potential areas of change.

As one of the largest providers of tourist accommodation in the South East outside London, and having the 16th highest supply of hotel rooms in the country, it was important that a seaside resort like Eastbourne had the right quality and quantity of tourist accommodation because it was important to the local economy. The current policy had been applied for development management purposes since the adoption of the local plan in 2003 and it was therefore considered that given the changing holiday and general economic market in the intervening years that a review of the effectiveness of this policy was undertaken.

The report detailed the tourist accommodation provision in Eastbourne, and a map of the Tourist Accommodation Area (TAA) was attached at appendix 1 of the report.

The existing policy on the retention of Tourist Accommodation came from the saved policies from the Eastbourne Borough Plan 2001-2011 (adopted 2003). It was intended that the Assessment of Financial Viability of Tourist Accommodation SPG would be replaced by a new Supplementary Planning Document (SPD) that would provide an updated interpretation of Policy TO2 referred to at paragraph 4.3 of the report.

A Tourist Accommodation Study was completed by consultants Acorn Tourism Consulting Ltd in 2015. The study considered that there was an oversupply of lower quality accommodation, particularly that which had previously catered for the coaching market. This oversupply meant that average occupancy levels fell as the lower quality accommodation reduced their prices to attract custom, which in turn meant other providers needed to reconsider their pricing. This ultimately drove down the average room rate and occupancy levels, particularly during the low season, and meant that owners were unable to continue to invest in the maintenance and upkeep of the property resulting in a downward spiral of poorer quality

stock. This had implications on how visitors perceived Eastbourne in terms of the quality of their visit and the likelihood of them returning or providing recommendations, and also on how investors perceived Eastbourne. This restricted the ability of the town to diversify the tourist accommodation offer to attract a broader range of visitors to Eastbourne thereby enhancing the destination's overall competitiveness. The report outlined the issues highlighted as part of the survey as follows:

- An oversupply of poor quality accommodation in less prominent positions
- The loss of substantial amounts of tourist accommodation could weaken the town's ability to retain its status as a tourism destination
- The protection of the character of the seafront
- Policies needed to be well defined, economically realistic and able to be applied consistently
- Removal of 'hope' value to encourage owners to run their businesses effectively

At this stage it was not possible for a new policy to be created, although the Supplementary Planning Document (SPD) could provide a new interpretation on what was required in order to meet the existing policy. The existing Tourist Accommodation Area (TAA) designated would need to be retained and evidence would still need to be submitted with a planning application for the loss of tourist accommodation in order to demonstrate non-viability. However the SPD may set new criteria on what evidence was required in order to meet the expectations of the policy, or it may be more flexible with certain proposals in certain situations. One of the key recommendations of the Tourist Accommodation Study was that the boundaries of the TAA be amended.

Once feedback had been received from Members and the Eastbourne Hospitality Association, the SPD would be drafted and presented to Planning Committee for comments on 30 August, before being presented to Cabinet for authority to publish for consultation. Consultation was anticipated to take place between 16 September 2016 and 28 October 2016. Following consultation, the comments would be reviewed to allow a final version to be presented to Planning committee and Cabinet, before adoption at the Full Council meeting on 22 February 2017.

The committee agreed that they did not wish to see the TAA 'shrunk' any further and they did not want to endorse the creation of a secondary zone with a more relaxed policy. When considering the development scheduled to take place across Eastbourne and including the increased conference offer, Members agreed that it was essential to keep bed spaces.

RESOLVED: That the report be noted.

25 Guidance Document on the maintenance, repair and replacement of windows in heritage assets.

The committee considered the report of the Senior Specialist Advisor for Planning which provided a summary of the current policies and guidance available to assess the replacement of windows through the planning process.

It had become apparent in determining applications for the replacement of windows through the planning process that the Council had little supporting guidance available to officers, planning agents, business owners and home owners relating to the maintenance, repair, replace and aesthetic value associated with traditional windows. In response a document had been produced in an attempt to amalgamate the relevant national and local policies and supplementary guidance referred to as part of the planning process when assessing the replacement or renewal of windows.

This document had been reported to the Local Plan Steering Group and Conservation Area Advisory Group prior to being reported to Planning Committee. A copy of the Conservation Area Advisory Group report and the guidance document was appended to the report for information. The guidance document was being reported to Planning Committee unaltered with the view to gathering a pool of responses against a common document.

RESOLVED: 1) That delegated authority be given to the Senior Specialist Advisor for Planning to implement any typographical changes required 2) That the production of an executive summary to accompany the document be delegated to the Senior Specialist Advisor for Planning 3) That the creation of a draft Planning policy document providing greater clarity in the assessment of planning applications for replacement windows be delegated to the Senior Specialist Advisor for Planning 4) That the guidance document and supplementary information be referred to Cabinet to seek their endorsement for a six week consultation period.

26 South Downs National Park Authority Planning Applications.

There were none.

27 Appeal Decisions.

- 1) 24 Sevenoaks Drive. This appeal was dismissed.
- 2) 46 Hardy Drive. This appeal was dismissed.
- 3) 51 Upperton Lane. This appeal was dismissed.

NOTED.

The meeting closed at 8.40 pm

Councillor Murray (Chairman)

Wednesday, 22 June 2016
at 6.00 pm



Audit and Governance Committee

Present:-

Members: Councillor Swansborough (Chairman) Councillor Sabri (Deputy-Chairman) and Councillors Choudhury, di Cara, Dow, Holt, Smethers and Taylor

1 Minutes of the meeting held on 9 March 2016.

The minutes of the meeting held on 9 March 2016 were submitted and approved and the Chairman was authorised to sign them as a correct record.

2 Apologies for absence.

None were reported.

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 Grants Report 2014-2015.

The Committee considered the report of the Council's external auditors, BDO regarding the key findings in respect of the certification of grant claims and returns for the financial year 2014/15. For this year only the housing benefit subsidy claim was included.

The key findings, along with other certification work and a summary of the fees charged were outlined in the report.

Ms Janine Combrinck representing BDO was in attendance to present the report and respond to members' questions.

The Deputy Chief Executive added that work was ongoing with the Department for Work and Pensions (DWP) regarding any further amendments to housing benefit subsidy claims.

RESOLVED: That the Grants report for 2014/15 be noted.

5 Audit Materiality 2015-2016.

The Committee considered the report of the Council's external auditors, BDO regarding audit materiality for 2015/16.

When BDO previously presented its 2015/16 planning report, the Committee requested a review of the materiality level chosen for the audit and a report indicating the impact of a change in materiality level from £2 million to £1 million.

The report outlined the concept of materiality, BDO's justification for the chosen level and potential impact of the change. A reduction in materiality to £1 million would result in income and expenditure on trading operations being brought into the scope of the audit, an increase of 60% in the number of sample items tested and an increase by 21% in the audit fee.

Issues identified in BDO's 2014/15 audit were also outlined in the report. The Committee was advised that should similar issues be noted in the current year's audit, a change in materiality level would not impact BDO's reporting or audit opinion.

Ms Janine Combrinck representing BDO was in attendance to present the report and respond to members' questions.

The Committee discussed the option of reducing the Council's materiality level. A motion was proposed by Councillor Taylor and seconded by Councillor Swansborough that a recommendation be made to Cabinet to set the Council's materiality level for BDO's audit at £1 million. This was lost by 6 votes to 2.

RESOLVED: (By 6 votes to 2) That the Council's materiality level for BDO's audit remain at £2 million.

6 Planning Letter 2016-2017.

The Committee considered the report of the Council's external auditors, BDO regarding the proposed fees and programme of work for the 2016/17 financial year. The fee was based on the work required under the Audit Commission's Code of Audit Practice and an assessment of audit resource required to complete the work.

The Committee was advised that the proposed fee for 2016/17 totalled £77,578, which was lower than last year's fee due to the removal of the BDO tax subscription service. The fee proposed consisted of the code audit fee, certification fee and audit related services. Further details were contained in the report.

The programme of work undertaken by BDO, including the issuing of reports and opinions over the course of the audit was also detailed in the report.

The Council would be required to make a local appointment for external audit services from 2018/19 due to the current contracts negotiated by the Audit Commission being extended for one year.

Ms Janine Combrinck representing BDO was in attendance and presented the report.

RESOLVED: That the report be noted.

7 Internal Audit Report to 31st March 2016.

The Committee considered the report of the Internal Audit Manager regarding a summary of the activities of Internal Audit for the financial year 2015/16.

A list of all final audit reports issued from 1 April 2015 to 31 March 2016 and the level of assurance attained were detailed in the report. The Committee was advised that the assurance levels were given at the time of the initial report and did not reflect the findings at follow up.

During the fourth quarter of the year, one report (Business Continuity Planning) had been issued with an assurance level of performing inadequately.

Audit work carried out to date against the audit plan to the end of December 2015 was set out in appendix A. Main points from the appendix were summarised 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 was reassured that this status was the assurance level given at the time the final report was issued and did not reflect recommendations that had been addressed.

Appendix C detailed the outstanding recommendations and client comments of reviews that had been given an inadequate assurance level after follow ups. Comments from the Corporate Management Team (CMT) and Heads of Service had also been included.

Victor Benney, IT Programme Manager addressed the Committee in response to the IT inadequacies that had been raised at the previous meeting due to a lack of testing of the Council's current Disaster Recovery Plan.

The Committee were given an overview of the Council's current Disaster Recovery Planning and advised that testing of this plan would be undertaken later this year.

He reiterated that work was ongoing on creating a joint and robust Disaster Recovery Plan with Lewes District Council, where each authority would host each other's IT system. Implementation and testing of this would be in place by mid-point next year.

The Committee addressed the inadequate rating of Licences (Entertainment and Taxi). Councillor Dow, Chairman of Licensing Committee reiterated that he was meeting regularly with the newly appointed Senior Specialist Advisor (Thriving Business) and reassured the Committee that steps were being taken to address the issues detailed in the report.

The Committee was advised that should issues continue to arise, the Senior Specialist Advisor (Thriving Business) could be invited to attend and address a future meeting of the Committee.

In response to a question from the Committee regarding the inadequate rating of Procurement, the Internal Audit Manager advised that a follow up was currently in progress. Any further issues would be reported back to the Committee at a future meeting. The Committee were advised to speak to the Head of Projects and Performance if they required any more information around procurement.

Work undertaken by the Corporate Fraud team and East Sussex Counter Fraud Hub was detailed in the report along with The Chartered Institute of Public Finance and Accountancy's (CIPFA) code of practice on Managing the Risk of Fraud and Corruption.

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, apart from the continuing lack of business continuity plans across the authority. CMT had been asked to consider that this issue be reported in the Annual Governance Statement.

The Public Sector Internal Audit Standards assessed the work of Internal Audit for compliance annually. The Committee was advised that the Internal Audit function was generally conforming to the standards with a 99.05% rating. Areas of partial compliance were detailed in a table at the end of the report. Progress was ongoing to address these issues.

A peer review of the Council, as required by these standards was currently being undertaken and this would be reported back at the next meeting.

RESOLVED: (Unanimous) That the report be noted.

8 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 sources used to compile the governance issues and subsequent action plan were detailed in the report. The Internal Audit Manager advised that completed Managers' Assurance Statements had been returned from all Heads of Service and from Eastbourne Homes Limited. Four Assurance Statements returned from Managers raised minor concerns around capacity and capability of staff.

Details of the Council's Joint Transformation Programme with Lewes District Council and its benefits were also detailed in the report. Work carried out by the Internal Audit team during the year had raised the issue of the ongoing lack of business continuity plans. After discussions with Corporate Management Team (CMT) it was not considered to be a significant governance issue and would be addressed as a project across both authorities.

An additional section on Managing the Risk of Fraud and Corruption had been added to the Annual Governance Statement and this was detailed in the report. It was considered that the Council had adopted a response that was appropriate for its fraud and corruption risks and committed to maintaining its vigilance in tackling fraud.

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.

RESOLVED: (Unanimous) That the Annual Governance Statement for 2015/16 as appended to the report be approved.

9 Risk Management.

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 31 May 2016 for the regular quarterly review and the updated register was appended to the report.

It was agreed that the original risk score for risk SR_005 relating to culture sustainability should be amended to reflect the current changes. The Council's Cabinet had recently agreed the Joint Transformation programme with Lewes District Council and there was movement towards mobilisation and change between the two authorities.

The Committee discussed political factors outside of the authorities control and its potential risk to investment and projects in Eastbourne, should there be a drastic change in the economic environment. The Deputy Chief Executive advised that risks SR_001 and SR_002 were relevant to this point and they were detailed in the report, in addition to the internal controls in place. He added that based on the current risks, the settlement set out in the last Budget should carry the Council through to 2020.

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

The meeting closed at 7.02 pm

**Councillor Swansborough
(Chairman)**