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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, 17 May 2017** at **7.00pm*** to transact the following business.

(* Note: The annual meeting is due to start at 6.00pm. This will be followed by a special meeting convened for the purpose of investing honorary aldermen. The ordinary meeting will therefore commence following the conclusion of these earlier meetings and no earlier than 7.00pm.)

Agenda

1. **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).

2. **Notification of apologies for absence.**

3. 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.

4. 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.

5. Pay policy statement. (Pages 1 - 6)

Report of Deputy Chief Executive.

6. 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 Head of Local Democracy no later than 10.00 am on Wednesday 17 May 2017. 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 Conservation Area Advisory Group held on 21 February 2017. (Pages 7 - 10)
- (b)** Minutes of meeting of Planning Committee held on 28 February 2017. (Pages 11 - 20)
- (c)** Minutes of meeting of Audit and Governance Committee held on 8 March 2017. (Pages 21 - 24)
- (d)** Minutes of meeting of Licensing Act Committee held on 20 March 2017. (Pages 25 - 26)
- (e)** Minutes of meeting of General Licensing Committee held on 20 March 2017. (Pages 27 - 28)
- (f)** Minutes of meeting of Cabinet held on 22 March 2017. (Pages 29 - 42)
- (g)** Minutes of meeting of Planning Committee held on 28 March 2017. (Pages 43 - 48)
- (h)** Minutes of meeting of Conservation Area Advisory Group held on 4 April 2017. (Pages 49 - 52)
- (i)** Minutes of meeting of Planning Committee held on 25 April 2017. (Pages 53 - 58)



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, 15 May 2017. 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 Local Democracy by 10am on Wednesday, 17 May 2017.

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

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Body: Council
Date: 7 April 2016
Subject: Pay Policy Statement Update
Report of: Deputy Chief Executive

Ward(s): All

Purpose: To ask Members to approve updates to the Pay Policy Statement produced in accordance with the requirement in the Localism Act 2011

Contact: Becky Cooke, Head of Organisational Development – 01323 415106

Recommendations: **That Council**
(1) Notes and recommends the updated Pay Policy Statement for publication on the Council's website

1.0 Introduction

The Localism Act 2011 places an obligation on local authorities to be more accountable to the communities they serve.

- 1.1 Chapter 8 of the Act requires the Council to adopt and publish a Pay Policy Statement. The statement drafted for Eastbourne Borough Council is appended to this report (Appendix one). We are required to keep the Statement up to date and it has now been reviewed to take account of the latest statistical data.

The revised version is presented to Council for consideration and recommendation for its approval. It will then replace the current version on the Council's website to meet the requirements of the Localism Act.

2.0 Changes to the Pay Policy Statement

- 2.1 There have been some minor changes to reflect the current statistical position in relation to pay relationships at point 4 of the Pay Policy Statement.

One further change is:

At 2.4 of the Pay Policy Statement it should be noted that at Chief Executive/Chief Officer/Deputy Chief Officer and Monitoring Officer level officers are now paid on a spot salary, as agreed at a Council Panel in November 2014. Consideration of future progression for the Chief Officer roles will focus on:-

- The robust performance appraisal of the deliverables of the Strategy and Commissioning team
- Regard to the JNC annual pay offer
- And twice yearly scrutiny of relevant market data

3.0 Financial and other implications

None

4.0 Consultation

UNISON has been consulted on the revised Pay Policy Statement

5.0 Conclusion

Council is asked to approve the revised Pay Policy Statement and recommend for it to be published on the Council's website.

Alan Osborne
Deputy Chief Executive



Lewes District Council



Working in partnership with Eastbourne Homes

Pay Policy Statement 2017/18

This Pay Policy Statement is provided in accordance with Section 38(1) of the Localism Act 2011 and this will be updated annually from April each year.

This Pay Policy Statement sets out the councils policies relating to the pay of it's workforce for the financial year 2017/18, in particular:

- a) The remuneration of its Chief Officers;
- b) The remuneration of its 'lowest paid employees'
- c) The relationship between:
 - i) The remuneration of it's Chief Officers and;
 - ii) The remuneration of its employees who are not Chief Officers

New Appointments

Full Council shall agree salary packages in excess of £100,000 for new appointments. Salary packages shall include salary, bonuses, fees, benefits in kind or allowances that would be routinely payable to the appointee. The salary package shall be agreed before recruitment for the post begins.

Publication of Information

The authority will publish appropriate details of those staff whose salary is at least £50,000.

Pay Multiples

The authority will publish information on pay multiples – the ratio between the highest paid employee and the median salary across the organisation.

The authority shall publish the actual pay multiple as at 31 March each year. The authority recognises that the actual pay multiple will vary slightly year on year for the reasons set out above, but will usually aim to maintain a multiple no greater than 6 to 1.

Local Election Duties

Fees for local election duties will be paid separately to the remuneration paid for an officer's employment. Those fees are set in accordance with a scale of fees and charges agreed and reviewed annually jointly by all authorities in East Sussex. For parliamentary elections (national and European) and national referenda, those fees are set nationally by parliament.

Pay Determination

The pay for the highest paid employee has previously been set through benchmarking exercises within the local government employment market, pay levels in the local area, relative cost of living in the local area, including housing costs, and through the application of nationally negotiated pay awards by the Joint National Council for Chief Executives. For 2017/18 this current remuneration level will continue and any nationally negotiated pay awards will be paid.

Members of the Corporate Management Team shall have their salary levels set based on compliance with equal pay, discrimination and other relevant employment legislation, whilst also ensuring that remuneration packages broadly align with market norms for relevant local government and public sectors. The appropriate banding shall be determined, depending on the current responsibilities and accountabilities, size of department, market pressures and any other relevant information. Total salary packages above £100,000 will be subject to agreement by full Council.

The basic pay of all other employees comprises a core grade derived from the national pay spine as set out in the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Services. This grade range consists of a number of salary points through which employees may progress until the top of the grade is reached.

The salary grade for each post shall be determined using the Council's agreed job evaluation scheme.

Low Pay

The lowest paid employees within the council are those permanent workers who are paid on the councils' lowest hourly rate.

The councils' consider this to be the most appropriate definition as this is the lowest pay point/pay level on its substantive pay structure and which normally applies to new entrants to the lowest graded jobs within the councils. The councils' has had regard to guidance issued by the Local Government Association and JNC for Local Authority Chief Executives in agreeing this definition.

For the purposes of this policy statement, remuneration includes the employee's basic annual salary and any other allowances or other similar payments, benefits in kind, any increases or enhancements to any pension entitlement and any termination or other severance payments.

Pension provision

All employees are eligible to join the Local Government Pension Scheme in accordance with the statutory terms of that scheme.

The authority shall maintain a policy on discretionary payments for early termination of employment as required by the Local Government (Early

Termination of Employment) (Discretionary Compensation) Regulations 2006 and all severance payments made shall follow the approach of that policy.

Termination or severance payments

Any proposal to offer a severance payment of £100,000 or more to a member of staff leaving the organisation will be referred to full council.

Re-engagement of Chief Officers

Re-engagement as employees

- (1) Subject to any relevant provisions in employment and equalities legislation, the Council's policy is not to re-employ [as a Chief Executive or Chief Officer/ in any capacity] any former Chief Executive or Chief Officer who left the Council for any reason other than compulsory redundancy, and was in receipt of a severance or termination payment, for a period of three years from the date of termination of employment. This policy may be varied in exceptional circumstances which are approved by a delegated panel/committee of Council Members acting on behalf of Full Council and advised by appropriate persons.
- (2) Where a Chief Executive/ Chief Officer's employment has been terminated compulsorily on grounds of redundancy, they will not be re-employed in the same or a similar post for a period of one year following the date of termination of employment. If they are re-employed in another post within four weeks after the effective date of redundancy, they will lose their right to a redundancy payment, including any enhancements under the provisions of the LGPS or the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006.
- (3) Any former Chief Executive or Chief Officer who is employed by Lewes District Council and who has previously received a severance, termination or redundancy payment from this or any other Council or related body will not have previous service counted when determining any further entitlements to notice periods, sickness payments, annual leave or other benefits/entitlements based on continuous service.

Re-engagement under a contract for services

The Council's policy is not to re-engage under a contract for services any former Chief Executive or Chief Officer who left the Council for any reason and was in receipt of a redundancy, severance or termination payment, for a period of three years from the cessation of employment. This policy may be varied in exceptional circumstances which are approved by a panel/committee convened by the Council to act in this matter and advised by persons including the Council's Monitoring Officer, except where the Monitoring Officer is a Chief Officer.

Employment of those in receipt of an LGPS pension

General:

In the unlikely event that the Council employs as a Chief Executive or Chief Officer a person who is in receipt of a pension under the LGPS, the rules on abatement of pensions adopted by the Council's Administering Authority for the LGPS, pursuant to Regulations 70 and 71 of the the Local Government Pension Scheme (Administration) Regulations 2008 must be applied.

Flexible retirement:

The LGPS regulations permit the Council to offer flexible retirement to employees aged 55 or over, so that they can reduce their hours of work, and receive a pension in respect of accrued years in the scheme.

Tuesday, 21 February 2017
at 6.00 pm



Conservation Area Advisory Group

PRESENT:-

Councillor Rodohan (Chairman) and Councillor Smart

OFFICERS:-

Mr C Connelley, Specialist Advisor – Conversation

ADVISORS:-

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

42 Minutes of the meeting held on 10 January 2017.

The minutes of the meeting held on 10 January 2017 were submitted and approved and the Chairman was authorised to sign them as a correct record.

The Group were given updates on two applications that were discussed at the previous meeting.

- **161243, (PP) 34 MEADS STREET, EASTBOURNE** – At the previous meeting the Group raised no objections to the proposal but suggested the possibility of reducing the use of food imagery on the shop windows be explored. The Specialist Advisor for Conservation reported that conversations with the Co-Op design team had revealed that re-branding was part of a three year process and window advertising would be looked at in the future. The Group would be updated as the application progressed.
- **161321/161424, COURTLANDS HOTEL, 3-5 WILMINGTON GARDENS** – Following the Group's objections to the replacement of timber sash windows with UPVC, the Specialist Advisor for Conservation reported that he was in conversation with the applicant. Various options were being considered, including a proposal for timber windows for the front elevation. New samples would be submitted.

NOTED.

43 Apologies for absence.

Apologies for absence were reported from Councillors Belsey and Swansborough.

44 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 and Mr Howell declared an interest in application 170019, 46 Ocklynge Road and remained in the room but did not take part in the discussion.

Mr Crook declared an interest in application 161492, Hydro Hotel and remained in the room but did not take part in the discussion.

45 Planning Applications for Consideration.

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

1) 161133, (LBC), EASTBOURNE RAILWAY STATION, TERMINUS ROAD, EASTBOURNE, BN21 3QJ

Cons Area: Upperton

Proposal: Refurbishment works at Eastbourne Station including the addition of a new entrance on the northern arcade of the building, extensions to the roof of the building over the new entrance, relocating stairs to the basement, opening up a historic entrance door into the station on Ashford Road and refurbishment works to the exterior station canopy.

CAAG Comments: The Group endorsed the scheme and felt that it would enhance the conservation area. The Group noted that the developers were receptive to using heritage related colours schemes, especially in terms of the ornamental brackets to the Ashford Road canopy and hoped that this would continue as the application progressed. The Group also noted the importance of signposting the Ashford Road entrance.

2) 170022, (PPP), 5 MEADS STREET, EASTBOURNE, BN20 7QT

Cons Area: Meads

Proposal: Proposed change of use from Class A2 (Financial and Professional Services) to Class C3 (residential dwelling) and two-floor rear extension.

CAAG Comments: The Group were in favour of retaining the ground floor for commercial use as any residential use would fundamentally impact the character of the conservation area. No objections were raised to the design of the rear extension.

3) 170019, (PPP), 46 OCKLYNGE ROAD, EASTBOURNE, BN21 1PP

Cons Area: Old Town

Proposal: Change of use from retail shop (Class A1) to one two- bedroom flat (Class C3) including new door to side, the replacement of an existing side extension and alterations to the shopfront.

CAAG Comments: The Group raised no objections to the change of use and felt the design would enhance the area and confirm the mixed street scene.

(NB: Mr Crook and Mr Howell declared an interest in this item and remained in the room but did not take part in the discussion.)

4) 161492, (ADVERTISING CONSENT), HYDRO HOTEL, MOUNT ROAD, EASTBOURNE, BN20 7HZ

Cons Area: Meads

Proposal: To display three signs on the boundary of the Hydro Hotel.

CAAG Comments: The Group strongly objected to the proposal in terms of its setting and design. It was felt that the proposal would diminish the significance of the hotel and would be in danger of setting a precedent.

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

5) 170113, (PP), 18-22 TERMINUS ROAD, EASTBOURNE, BN21 3LP

Cons Area: Town Centre and Seafront

Proposal: Proposed conversion of top floor to provide additional accommodation for second floor flat, including a dormer to the rear and three roof light windows to the front.

CAAG Comments: The applicant had taken on-board comments raised by the Group at its meeting on the 12 July 2016. The Group raised no objections to the revised proposal and felt it would preserve the conservation area.

NOTED.

46 New Listings.

The Specialist Advisor for Conservation advised that St Saviour's War Memorial, Eastbourne, St Saviour and St Peter's Church, South Street had now become listed as part of a national scheme in addition to the Eastbourne War Memorial, Memorial Roundabout, South Street that was reported at the last meeting.

NOTED.

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

The date of the next meeting was confirmed as the 4 April 2017.

The meeting closed at 7.24 pm

Councillor Rodohan (Chairman)

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Tuesday, 28 February 2017
at 6.00 pm



Planning Committee

Present:-

Members: Councillor Murray (Chairman) Councillor Sabri (Deputy-Chairman)
Councillors Choudhury, Jenkins, Miah, Murdoch and Metcalfe (as
substitute for Taylor)

98 Minutes of the meeting held on 17 January 2017.

The minutes of the meeting held on 17 January 2017 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

99 Apologies for absence.

Councillor Robinson and Councillor Taylor.

100 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 declared a non-prejudicial interest in minute 104, Beach adjacent to bowling green in Royal Parade, Royal Parade as a member of the shadow Cabinet. The application had been submitted by Eastbourne Borough Council. Councillor Murdoch remained in the room and voted thereon.

Councillor Jenkins declared a non- prejudicial interest in minute 104, Beach adjacent to bowling green in Royal Parade, Royal Parade as a member of the shadow Cabinet. The application had been submitted by Eastbourne Borough Council. Councillor Jenkins remained in the room and voted thereon.

101 1 Somerville Close. Application ID: 161494.

Single storey extension to provide new bedroom and en-suite –
SOVEREIGN.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) The development hereby permitted shall be begun before the expiration of three years from the date of permission 2) The development hereby permitted shall be carried out in accordance with the approved drawings submitted on 22nd December 2016:

- Drawing Number 94222/004/A- proposed elevations
- Drawing Number 94222/003/A – Proposed floor plans
- Drawing Number 94222/005/A- Proposed roof plans

- Drawing Number 94222/LP/A- Proposed Site Location Plan 3)
 Notwithstanding the plans hereby approved, all water run-off from the new roof shall be dealt with using rainwater goods installed at the host property and no surface water shall be discharged onto any adjoining property, nor shall the rainwater goods or downpipes encroach on the neighbouring property and thereafter shall be retained as such.

102 3-5 Carlisle Road: Application ID: 161339.

Proposed extension to rear of property to create enlarged kitchen and restaurant and repositioning of female WC – **MEADS**.

Members were advised that one additional condition was recommended, stipulating that no further windows could be built to the rear of the property without the approval of the local authority, to avoid windows being inserted to the rear of the extended premises under permitted development rules.

The Specialist Advisor (Environmental Health) had confirmed that whilst noise complaints have previously been received in relation to the plant installed to the rear of Little Italy, those complaints had not been substantiated. If there were further complaints the problem could be dealt with using the Environmental protection Act 1990- Nuisance.

Two further consultation responses had been received and were reported as follows:

- Parking availability was limited in area surrounding the application site. People who use facility would want to access site by car. Parking demand for facility would extend beyond 40 additional covers to include staff.
- Many residential blocks did not have parking and rely on existing street network.
- Dispute that there was a surrounding network of public car parks in close proximity to the site.
- Site was not well located for public transport given that number three bus ceases to operate after 6pm.
- Unless windows were fixed shut noise from them would travel to surrounding residential properties.
- It was not true that there were public car parks nearby that serve the area sufficiently.
- Car park adjacent to Devonshire Park tennis courts was normally full during the summer.
- Request that Zone N be made exclusive for local residents.

Mr Koonjal addressed the committee in objection stating that there were issues with noise from the current restaurant and that the extension would increase with the proposed extension.

Mrs Granger addressed the committee in objection stating that the extension and additional covers would exacerbate the existing parking problems.

Mr Kadhemi requested that the Specialist Advisor for Planning read the following statement:

"It had been brought to our attention that some local people had concerns about the proposal and wish to speak against it. If approval was granted it would increase the size of the Restaurant and allow room for an extra three to four tables.

Please note the existing rear room adjacent to the ladies toilet was currently part of the restaurant. Therefore, the actual additional number of covers proposed amounts to a **maximum of 10 to 16** and **not** 40 as previously suggested. Our attached 'proposed ground floor' drawing had been revised to clarify the position.

Various comments had been made regarding the lack of parking spaces in the area, and the additional parking problems that could arise by encouraging extra people to the Restaurant at any one time. Many visitors to the Restaurant live locally and would walk or hire a taxi. The car owning visitors who were in the town on holiday will have already obtained a parking space close to where they were staying, and, again, would often walk. Others visit Eastbourne specifically for a theatre trip which they combine with a meal. Many would park in a nearby car park so that they were close to the theatres.

Therefore, the number of extra cars as a direct result of the proposed additional restaurant seating would be negligible.

Another concern was the potential increase in noise. However, the clientele were mainly elderly people who visit the restaurant for a nice meal and a chat. They were not 'loud'. Any music was purely in the background and would continue to be so. It was a quiet 'family' restaurant where older people like to sit and talk. It was not a bar or nightclub and closes at around 10pm. No additional extraction fan was proposed.

The main reason for the alterations was to provide a disabled toilet as a service for the elderly and disabled people who visit the premises.

Finally we would like to mention that the Carlisle Road/Devonshire Park area was regarded as the 'jewel' in Eastbourne's tourism 'crown'. Approving this application, and thereby encouraging an already long established business to thrive and expand, would help maintain the Town's tourist industry for many years to come."

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Development within three years 2) Development in accordance with approved plans 3) Obscure glazing and limited window openings to be implemented as per the approved plans 4) No further windows to be built to the rear of the premises without planning permission.

Informative:

The decision does not authorise installation of new plant at premises.

103 18-22 Lottbridge Drove. Application ID: 161366.

Remove any existing signage and install the new Mazda signage scheme including illuminated signs (revised drawings received) – **ST ANTHONYS.**

Ms Bowen addressed the committee in objection stating that the proposed lighting would be intrusive to the neighbouring properties.

Members requested that the hours of illumination be reduced to 8am to 7pm.

RESOLVED: (By 6 votes with 1 abstention) That permission be granted subject to the following conditions: 1-5) Standard advert conditions 6) Approved drawings 7) Illumination not permitted between 7:00pm - 8:00am on any day

Informative:

Changes to the building associated with this permission as alluded to in the enclosures submitted with this application may require planning permission. Further to this, the details hereby approved refer only to the display of advertisements and not any other changes or development.

104 Beach Adjacent To Bowling Green in Royal Parade, Royal Parade, Application ID: 161155.

Construction of 3 no. beach volley ball courts – **DEVONSHIRE.**

Members were advised that under the section of the report entitled 'Heritage and Conservation Issues' it was stated that Historic England agreed with the assessment that the proposal would result in less than substantial harm to the historic monument. The Historic England response did not explicitly endorse this assessment of the proposal; it stated that the applicant had failed to provide a clear and convincing justification for the proposal to meet the requirement to avoid harm. It was considered that the grant of temporary planning permission would enable the public benefits of the proposal to be fully assessed through a trial period. Historic England had subsequently been notified of the amended report and the officer's recommendation. This communication was acknowledged by the Inspector of Ancient monuments on 22nd February and no further correspondence had been received from Historic England in respect of this application.

Ms Brachtvogel addressed the committee in objection stating that the proposed volleyball courts would result in an increase in noise and parking issues. In addition she felt that the fence would not be high enough and that the courts were too close to the Redoubt.

Mr Simpson addressed the committee in objection stating that the location was a tranquil area which would be spoiled by users and spectators of the volleyball courts. He also felt that the views to the Redoubt would be spoiled. Mr Simpson also raised concerns on the grounds of noise, security and public safety.

Mr Holland addressed the committee stating that the location was not appropriate and suggested moving the courts to the Sovereign Centre. He felt that the volleyball courts would spoil the area.

Ms Brown addressed the committee in objection stating that the area was tranquil and quiet which would be spoiled with the introduction of the volleyball courts. She also expressed concerns about the toilet facilities and drainage in the immediate area.

Ms Wills, Head of Tourism and Enterprise, addressed the committee in response stating that the location was the most appropriate with regard to tidal impact and beach management. The Redoubt was being transformed into an interactive museum attracting younger visitors to the area. There would be no more than about eight to ten players at any time managed by the contractor. It was anticipated that two tournaments may be held per year on one of the courts with spectators accommodated on the remaining courts. Spinnakers café would be refurbished including the toilet facilities and would manage the bookings for the courts.

RESOLVED: (By 4 votes to 2 with 1 abstention) That permission be granted subject to the following conditions: 1) Commencement within three years 2) Temporary planning permission (5 years from date of planning permission), after which the beach must be restored to its present condition 3) Development in accordance with approved plans 4) archaeology 5) Notwithstanding approved plans the area surrounding groynes to be protected to 2m in distance 6) to provide an operational management plan to be submitted and approved by the Council prior to commencement demonstrating how any spectators to the site will be managed to avoid the obstruction of the surrounding seafront promenade 7) The cover for the sand during periods where the proposal is not in use must match the natural colour of the sand 8) no illumination (permanent or temporary) shall be installed at the site unless previously agreed in writing by the local planning authority.

Informative:

- 1) You are reminded to consult with the Specialist Advisor (Engineering) to ensure that, following completion of the project sufficient distance is left for heavy machinery to pass along the front of the seafront.
- 2) No floodlighting or illumination has been approved by this permission and condition 8 restricts the installation of any temporary illumination at the site. Should you wish to install external lighting around the courts planning permission must be sought.
- 3) Temporary permission has been granted in light of the need to demonstrate that the public benefits of the proposal outweigh the less than substantial harm to the setting of the nearby scheduled monument and to ensure that the impact of the proposal on the scheduled monument is kept under review.

105 Gardeners Books, 1 Whittle Drive. Application ID: 161393.

Proposed High-bay extension to the rear along with a two storey rear extension with a roof terrace on the first floor and a loading bay canopy – **HAMPDEN PARK.**

Members were advised that further archaeological investigative works had been carried out due to the potential sensitivity of the site. These works had been confirmed to the satisfaction of the ESCC Archaeology department that the works would be unlikely to affect any significant remains. However, the department still required the imposition of conditions as per their original recommendation to ensure that closing works and reports were provided in-line with those conditions.

RESOLVED (A): (Unanimous) That permission be granted subject to a legal agreement covering highway and local employment related issues and the following conditions: 1) Time 2) Drawings 3) Matching materials 4) Hours of demolition and construction 5) Construction/demolition method statement to be submitted 6) Traffic Management Scheme to be submitted 7) Construction access details and details of any temporary structures to be submitted 8) Flood risk assessment to be implemented prior to occupation 9) Surface water drainage strategy (detailed design to include hydraulic calculations and implementation timetable) 10) Ground water monitoring 11) Maintenance and management plan (drainage scheme) 12) Evidence - drainage scheme functional 13) Applicant to secure implementation of Archaeological works in line with an approved WSI (prior to commencement) 14) Development not to be used until WSI implemented 15) Details of foundations and piling (prior to commencement) 16) Soil levels within root spread shall not be changed (trees) 17) Revised landscaping plan, works to be carried out in accordance with approved plan and trees to be replaced if death occurs within 5 year 18) Existing trees to be retained unless shown on plan as removed 19) Travel plan to be updated 20) Cycle parking prior to occupation 21) Details of waste and refuse provision to be submitted 22) Amenity grassland to be a rich herb mix 23) Details of exterior lighting to be submitted

RESOLVED (B): (Unanimous) Should the S106 agreement not be signed within a reasonable time period (8 weeks from the date of the Committee resolution unless an extension of time has been agreed) the application should be refused on the grounds that there is no provision in place to ensure that the local labour initiatives and highway implications falling from the proposal can be delivered. This lack of key elements of infrastructure would be contrary to established development plan policies/procedures.

Informative:

- 1) The development hereby approved is subject to a Section 106 Agreement between the applicant and Eastbourne Borough Council for local labour contributions
- 2) The development hereby approved is subject to a Section 106 Agreement between the applicant and the Local Highway Authority due to requirements for a financial contribution towards the costs of implementing Real Time Passenger Information

- 3) The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk
- 4) The site is capable of supporting breeding birds. The applicant should therefore refer to legislation pertaining to the protection of breeding birds before commencing any works.
- 5) Any works affecting the existing ditch system will require an application for land drainage consent, if not already sought, under Section 23 of the Land Drainage Act 1991 to ESCC in their capacity as LLFA.
- 6) Future maintenance of the watercourses should be fully addressed by the applicant.

106 Mill Gap House, 2 Mill Gap Road. Application ID: 161448.

Demolition of part of former Hospice building. Conversion and change of use of remaining former Hospice into 3 dwelling houses. In addition, construction of 6 further dwelling houses on the site. Minor alterations to include reconfiguration and insertion of new windows at Coach House (Cottage) – **UPPERTON.**

An additional response had been received from the Specialist Advisor for Waste and reported as follows:

- The applicant had widened and reconfigured access since pre-application advice, as requested
- As long as double yellow lines were painted on the road opposite the access, refuse lorries should have no trouble entering the site in reverse gear
- The road into the site needed to be able to accommodate a 26t RCV
- Each property would need space to store 2x240ltr wheeled bins plus 1 x 55ltr glass box

RESOLVED (A): (By 6 votes with 1 abstention) That permission be granted subject to a legal agreement covering highway and local employment related issues and subject to the following conditions: 1) Time 2) Drawings 3) Samples 4) Construction method statement 5) Hours of demolition and construction 6) Remove PD – Extensions and Outbuildings 7) Archaeology – Written Scheme of Investigation 8) Details of new access 9) Visibility splays to be cleared of all obstructions 10) Gradients of access 11) Details of surface water drainage 12) Construction Management Plan 13) Turning space 14) Parking areas 15) Cycle parking areas 16) Evidence of drainage (hydraulic calculations) to be submitted 17) Detailed drainage design to be submitted 18) Drainage layout and Southern Water agreement required 19) Detailed design to be informed by winter monitoring 20) Maintenance and management plan to be submitted 21) Prior to occupation evidence of correct construction to be submitted 21) No surface water infiltration 22) No piling or penetrative foundation design 23) Trees - Plan of services 24) Landscaping/planting scheme 25) Trees – excavations 26) Trees – Protection of existing trees 27) Trees - No bonfires 28) Refuse and recycling collection and storage 29) Details of external lighting 30) Protection of retaining wall to south east boundary 31) Details of boundary treatments 32) Protection of greensand walls 33) No contaminated materials on site

Informative:

- 1) S106 for Highways
- 2) S106 for Local Labour Agreement
- 3) Southern Water
- 4) Highways – Licence
- 5) Highways – Construction of wall and AIP
- 6) Highways – Advisory note
- 7) Wildlife survey prior to development

RESOLVED (B): (By 6 votes with 1 abstention) Should the S106 agreement not be signed within a reasonable time period (8 weeks from the date of the Committee resolution unless an extension of time has been agreed) the application should be refused on the grounds that there is no provision in place to ensure that the local labour initiatives and highway implications falling from the proposal can be delivered. This lack of key elements of infrastructure would be contrary to established development plan policies/procedures.

107 Unit 2, Pacific House. Application ID: 161322.

Change of use to mixed use Sui Generis and B1 - Ambulance Community Response Post (to include welfare facilities and ambulance parking etc) – **SOVEREIGN HARBOUR.**

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time 2) Drawings 3) The use shall be operated in accordance with the applicants supporting statement submitted on the 25th January 2017 4) The application hereby approved shall be restricted to that applied for namely (Ambulance Community Response Post to include welfare facilities and ambulance parking) as operated by SECAMB. No other use/activity shall occur at the site unless previously approved in writing by the Local Planning Authority 5) On the cessation of the use as approved by this consent and limited by Condition No 4 above the use/parking shall revert to its former use a Class B1 Office Floorspace.

108 Update on Housing Delivery.

The committee considered the report of the Director of Regeneration and Planning providing Members with an update on recent housing delivery for the third quarter of the 2016/2017 financial year and the current position in relation to the Five Year Housing Land Supply.

Members noted that the report identified the number of units granted permission in the previous quarter and the financial year as a whole, the number of units with permission that had yet to start construction and the total number of units completed as follows:

Housing Completions:

- Total units delivered in Plan Period (up to 31 December 2016) = 2,501

- Target for units delivered at 31 December 2016 = 2,580
- Updated annual average target = 245.9
- Net residential completions in Third Quarter 2016/17 = 50
- Net residential completions in 2016/17 year to date (Q1 to Q3) = 128

New Commitments:

- Net residential units granted permission in Q3 2016/17 = 100
- Net residential units refused permission in Q3 2016/17 = 127

Total Commitments:

- Total number of residential units with permission where development is yet to commence = 610
- Total number of residential units currently under construction = 271

Five Year Housing Land Supply:

- Five Year Housing Requirement (inc. 5% buffer) = 1,291
- Current Five Year Housing Land Supply (units) = 881
- Current Five Year Housing Land Supply (%) = 68.2%
- Current Five Year Housing Land Supply (years) = 3.41 years

The report also updated Members on the latest position in relation to the Five Year Housing Land Supply. Eastbourne current had a housing land supply equivalent to 881 units, which represented 3.41 years supply of land. Therefore a five year housing land supply could not be demonstrated. The process for identifying additional sites was currently underway through the Strategic Housing & Employment Land Availability Assessment and due to complete in spring 2017. The more sites identified as developable through this process, the closer to the Five Year Housing Land Supply requirement would be. This would give Members better control over approvals and greater comfort that refusals would not be overturned on appeal.

However, the introduction of a 'housing delivery test' in the Housing White Paper also meant that under-delivery of housing in previous years would make it more difficult to achieve a Five Year Housing Land Supply in the future.

RESOLVED: That the report be noted.

109 South Downs National Park Authority Planning Applications.

There were none.

110 Appeal Decisions.

There were none.

The meeting closed at 8.46 pm

Councillor Murray (Chairman)

Wednesday, 8 March 2017
at 6.00 pm



Audit and Governance Committee

Present:-

Members: Councillor Swansborough (Chairman), Councillors Sabri (Deputy-Chairman) and Councillors Belsey (as substitute for Taylor), Choudhury, di Cara, Dow, Holt and Metcalfe

27 Minutes of the meeting held on 30 November 2016.

The minutes of the meeting held on 30 November 2016 were submitted and approved and the Chairman was authorised to sign them as a correct record.

28 Apologies for absence.

An apology for absence was reported from Councillor Taylor.

29 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.

30 Annual Audit Letter 2015/16.

The Committee considered the report of BDO regarding the Annual Audit Letter, which set out the key findings of audit work for 2015/16. The report summarised the results of the audit work in respect of the Council's financial statements, use of resources, exercise of statutory powers, grant claims and returns certification and any other matters.

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

In response to a question from the Committee regarding management ensuring that material transactions in Greencoat House, Welbeing and CloudConnX were consolidated into the Group Accounts, Ms Combrinck advised that this was part of the Planning Report for 2016/17. The Council's materiality level was set at £2 million.

RESOLVED: (Unanimous) That the Annual Audit Letter for 2015/16 be noted.

31 Planning Report 2016/17.

The Committee considered the planning report of BDO relating to the audit for the year ending 31 March 2017. The report highlighted and explained the key issues which BDO believed were relevant to the audit of the financial statements and use of resources of the authority for the year.

Detailed in the report were BDO's engagement timetable, audit scope and objectives, authority materiality, overall audit strategy, key audit risks and other matters, BDO's independence and proposed fees in relation to last year.

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

The Committee expressed their thanks to Ms Combrinck and BDO for their report and looked forward to working together over the coming year.

RESOLVED: (Unanimous) That the report be noted.

32 Internal Audit Report to 31st December 2016.

The Committee considered the report of the Internal Audit Manager regarding a summary of the activities of Internal Audit for the third quarter of the financial year.

A list of all final audit reports issued from 1 April 2016 to 31 December 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. None of the reports in this quarter had been given an assurance level of inadequate.

Audit work carried out to date against the audit plan to the end of December 2016 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 "Performing Well" 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 in Appendix C

Work undertaken by the Corporate Fraud team and East Sussex Counter Fraud Hub, along with an update on shared services with Lewes District Council was also detailed in the report.

RESOLVED: (Unanimous) That the report be noted.

33 Draft Internal Audit Plan for 2017/18.

The Committee considered the report of the Internal Audit Manager regarding the draft internal audit plan for 2017/2018.

The internal audit plan for each year begins with a calculation of the number of audit days available. Twelve "managed" audits were required to be undertaken this year to satisfy the external auditors and these were detailed in the report.

In addition to the core audits, days were also set aside for verifying the Benefits Subsidy Claim, special investigations, follow ups, advice and National Fraud Initiative activity. The days necessary to carry out this work was calculated and taken from the auditor time available. The remaining figure was the days available to carry out other audits specifically for the Council. Appendix A detailed these calculations.

A risk assessment was carried out on all areas listed in the "Audit Universe" in order for the annual internal audit plan to be produced. The "Audit Universe" was a list of all the areas and systems across the Council which could be audited. The completed risk assessment, included at appendix B to the report had been arranged by the level of risk and by the date the last audit review was undertaken.

The proposed plan, as agreed with Lewes District Council was included at appendix C to the report.

RESOLVED: (Unanimous) That the proposed internal audit plan for 2017/18 be adopted.

34 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 (CMT) on 7 February 2017 for the regular quarterly review and the updated register was appended to the report. Changes to risk SR_008 were detailed in the report.

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

The meeting closed at 6.45 pm

**Councillor Swansborough
(Chairman)**

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Monday, 20 March 2017
at 6.00 pm



Licensing Act Committee

Present:-

Members: Councillor Dow (Chairman), Councillor Rodohan (Deputy-Chairman); Councillors Belsey, Choudhury, Freebody, Holt, Murray, Robinson and Swansborough

1 Minutes of the meeting held on 5 October 2015.

The minutes of the meeting held on 5 October 2015 were submitted and approved and the Chairman was authorised to sign them as a correct record.

2 Apologies for absence.

Apologies for absence were reported from Councillors Coles, Murdoch and Smart.

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 Holt declared a pecuniary interest in item 7 as an employee of Eastbourne Chamber of Commerce, who had submitted a response to the cumulative impact policy during the consultation period. Councillor Holt withdrew from the meeting whilst this item was being considered.

4 Council Licensing Policy Statement - Review of Cumulative Impact Policy, Licensing Act 2003.

The Committee considered the report of the Senior Specialist Advisor regarding the recent consultation carried out for the review of the Council's Cumulative Impact Policy (CIP).

The Full Council agreed the Licensing Statement Policy for the period 2014-2019 on 20 November 2013. Appended to this was the CIP, which created a "rebuttable presumption" that applications for new premises licenses, club premises certificates or material variations would be refused unless the applicant could demonstrate that the operation of the premises would not add to the negative cumulative impact already experienced in the area. In accordance with Section 182 guidance, it was important that the Committee regularly reviewed the CIP. Further details were contained in the report.

A public consultation of the CIP took place between 1 November 2016 to 31 January 2017. Six responses to the consultation were appended to the report.

Jay Virgo addressed the Committee and made reference to his representation, appended to the report. He recommended that the Committee commission an in depth study of the CIP to determine whether it was still required or required adaptation.

In response to a question from the Committee regarding the cost of a comprehensive data analysis, officers anticipated that it would be around £15,000 to £20,000 as an external consultant would be required due to a lack of resources within the council.

It was proposed by Councillor Freebody and seconded by Councillor Belsey that a comprehensive data analysis is undertaken to consider the need for a CIP and report be presented back to the committee with the findings. This was lost by 6 votes to 2.

The Committee further debated the issue and it was proposed by Councillor Dow and seconded by Councillor Freebody that a decision be deferred until officers can collate additional information and report back to the next meeting of the Committee. A list of questions would be formulated by the Chairman, in consultation with the Committee and passed onto officers. The additional information would provide a comprehensive understanding of any positive impact from amending the existing CIP and negative impact it has had on Eastbourne night life and businesses since its implementation.

It was also agreed to form a Sub-Committee Group to meet with officers and discuss engagement with licensees around the CIP. Councillors Dow, Belsey, Murray and Robinson volunteered for the Group. This was passed unanimously.

(NB: Councillor Holt declared a pecuniary interest in this item as an employee of Eastbourne Chamber of Commerce, who had submitted a response to the cumulative impact policy during the consultation period. Councillor Holt withdrew from the meeting whilst this item was being considered.)

RESOLVED: (Unanimous) (1) That a decision be deferred until officers can collate additional information and report back to the next meeting of the Committee. A list of questions would be formulated by the Chairman, in consultation with the Licensing Committee and forwarded onto officers.

(2) That a Sub-Committee formed of Councillors Dow, Belsey, Murray and Robinson meet with officers and discuss engagement with licensees.

(3) That the responses during the consultation period and information set out in the report be noted.

The meeting closed at 6.55 pm

Councillor Dow (Chairman)

Monday, 20 March 2017
at 6.00 pm



General Licensing Committee

Present:-

Members: Councillor Dow (Chairman), Councillor Rodohan (Deputy-Chairman)
Councillors Belsey, Choudhury, Freebody, Holt, Murray, Robinson
and Swansborough

17 Minutes of the meeting held on 9 January 2017.

The minutes of the meeting held on 9 January 2017 were submitted and approved and the Chairman was authorised to sign them as a correct record.

The Committee was advised that since they delegated power at the last meeting to the Senior Specialist Advisor, in consultation with the Chair of Licensing Committee to resolve the individual case of taxi signage, two more cases had approached the Council to request the ability to use a larger sign.

RESOLVED: (Unanimous) That power be delegated to the Senior Specialist Advisor in consultation with the Chair of Licensing Committee to resolve any similar cases.

18 Apologies for absence.

Apologies for absence were reported from Councillors Coles, Murdoch and Smart.

19 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.

20 Resourcing of the Licensing Function.

The Committee considered the report of the Head of Customer First regarding resourcing of the licensing function.

At the previous meeting of the Committee it was resolved that officers investigate the possibility of funding an administrative post in support of the licensing function, using part of the surplus fees and charges fund.

The forecast for income and expenditure over the next three year period and cost of employing an additional caseworker was detailed in the report.

The Committee was advised that from April 2017, work would commence on designing the joint service delivery teams with Lewes District Council. This would provide an opportunity to review staffing levels that support the licensing function across Eastbourne and Lewes. Recruitment to these teams was due for completion by December 2017.

RESOLVED: (Unanimous) That the Committee approve that no additional recruitment be made at this time and await the design of the joint service delivery teams, due for completion by December 2017.

The meeting closed at 7.13 pm

Councillor Dow (Chairman)

Cabinet



Minutes of meeting held on Wednesday, 22 March 2017 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**, **John Ungar** and **Steve Wallis**.

Terrorist attack near Parliament: All present stood in silence in memory of those killed in today's terrorist attack on Westminster Bridge and the precincts of Parliament.

79 Minutes of the meeting held on 8 February 2017.

The minutes of the meeting held on 8 February 2017 were submitted and approved and the chairman was authorised to sign them as a correct record.

80 Councillor John Ungar.

The chairman welcomed Councillor John Ungar to membership of the cabinet. He had appointed Councillor Ungar on 10 March 2017 with responsibility for community safety. The appointment had been made in the light of the recent report on Sussex Police and concerns relating to their performance in dealing with domestic violence and anti-social behaviour and his wish that Councillor Ungar perform a 'watchdog' role on behalf of the council. He emphasised the council's continuing support for and partnership working with the police but highlighted concerns that reductions in government funding would have upon the ability of the police to effectively carry out their duties.

81 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.

Councillors Tutt and Ungar both declared personal (and non-prejudicial interest) in matters relating to minute 85 (establishment of a joint housing investment partnership with Lewes District Council) as they were council appointed non-executive directors of Eastbourne Housing Investment Co. Ltd. They withdrew from the meeting for this item.

82 Corporate performance - Quarter 3 2016/17 [KD].

82.1 Councillor Di Cara addressed the cabinet and asked how confident were they that performance relating to call answering (indicators CS_010

and 011) would meet the predicted forecasts for quarter 4. The director of service delivery responded saying that monitoring over the last 6 weeks showed performance within target ('green') and he expected this improved position to be maintained to quarter end.

82.2 Cabinet considered the report of the chief executive reviewing the council's performance against corporate plan priority indicators and action targets; financial performance of general fund revenue expenditure, housing revenue account and capital programme and treasury management activities for the third quarter of 2016/17.

82.3 Appendix 1 gave detailed information on non-financial performance indicators and highlighted those giving cause for concern as well as the best performing indicators in section 2 of the report. Members were advised that the devolved budget scheme should be fully spent by year-end. The chairman noted that it was a feature of this annual scheme that spending tended to be concentrated towards year-end given the time needed to develop and approve projects. Members asked that their appreciation be recorded for the efforts of Customer First staff for their improved call answering performance and also for the continued fast response to fly-tipping incidents.

82.4 The position of the general fund at the end of December was a variance of £257,000 on net expenditure, representing 1.7% of the net budget. Total service expenditure showed a variance of £83,000, including:-

Item	£,000s
Solarbourne - income above target	(76)
Summons - income above target	(74)
Catering - increase in net income	(73)
Street Cleansing contract savings	(55)
Car Parking income above target	(50)
Airbourne	74
IT staffing	69
Customer First - net staff costs	50
Corporate landlord - repairs and maintenance overspends	50
MMI scheme of arrangement levy	47
Business RV - finder software	40
PR contract additional work	38
Bed and breakfast accommodation	30

82.5 The contingency fund currently stood at £116,000 and this would be required to fund the re-profiling of the joint transformation programme savings target for the year. The overall projected outturn for the year showed a variance of £92,000. This was within an acceptable tolerance level, however, management continued to monitor this position, to ensure that this final outturn position was maintained or improved. Members' approval was also sought for transfers from reserves and virements as set out in appendix 3. These transfers were in line with the approved financial strategy.

82.6 Housing revenue account performance was currently above target by £180,000; mainly due to the new properties let at affordable rents not included in the budget (£48,000), a reduction required for the provision for bad debts (£76,000) and the slow take up of the under occupation scheme (£48,000).

82.7 The detailed capital programme was shown in appendix 4. Actual expenditure was low compared to the programme. This was mainly due to expected spend in quarter 4 for major purchases and the commencement of construction phase of the Devonshire Park project. The chairman announced that following the outcome of recent public consultation he had asked that no further work be undertaken in respect of the proposed sale of the downland farms. He asked cabinet to agree to this item being removed from the capital programme.

82.8 The collection fund forecast for council tax was indicating a surplus of £973,000 and a deficit for business rates of £854,000. This would be allocated to/collected from preceptors during 2017/18. The council tax surplus (1.65% of the gross debit) was due to a combination of factors including better performance against the collection allowance within the council tax base and a reduction in the council tax reduction scheme caseload. The business rates deficit was as a result of the ongoing risk from the number of backdated appeals outstanding. The total number of appeals outstanding as at 31 December 2016 was 313 with a total rateable value of £23.8m. The deficit represented 2.48% of the total debit for the year.

82.9 The annual treasury management and prudential indicators for 2017/18 had been approved by cabinet and council in February. During the quarter to 31 December 2016 the council had operated within all the treasury limits and prudential indicators set out in the council's treasury management strategy statement and in compliance with the council's treasury management practices.

82.10 The report sought cabinet approval for the write off of irrecoverable debts totalling £63,885.78 where all other methods of recovery had been unsuccessful and it was not deemed appropriate to pursue the debts further. Details of the write offs were listed in a confidential appendix, together with brief explanations of the circumstances (exempt information reason: 3 - information relating to the financial or business affairs of any particular person (including the authority holding that information)).

82.11 Resolved (key decision): (1) That performance against national and local performance indicators and actions from the 2016/20 corporate plan be agreed.

(2) That the general fund, housing revenue account and collection fund financial performance for the quarter ended December 2016, as set out in sections 3,4 and 6 of the report, be agreed.

- (3) That the transfers from reserves and virements as set out in appendix 3 of the report be agreed.
- (4) That the capital programme as set out in appendix 4 of the report be agreed.
- (5) That the treasury management performance as set out in section 7 of the report be agreed.
- (6) That the write offs as set out in the exempt appendix be approved.
- (7) That cabinet agree to formally remove the sale of freehold of the downland farms from the capital programme following the recent public consultation and poll.

83 Statement of community involvement (KD).

83.1 Cabinet considered the report of the director of regeneration and planning seeking approval for a public consultation on an updated statement of community involvement. The statement set out the council's approach to consulting the local community and other stakeholders on planning matters within the local planning authority boundary. The existing statement was now considered to be out of date as a result of changes in legislation and national policy since it was adopted in 2006.

83.2 A new statement was being prepared to guide public consultation in the preparation of a new local plan for the town. The draft statement was appended to the report. Past experience, best practice, the geo-demographic profile of the town and results from the Resident Consultation Survey (2015) and Community Survey on Participation in Planning Consultation (2016) had identified issues that had been addressed within the SCI.

83.3 It was proposed that public consultation on the draft statement should take place for an 8-week period between 24 March and 19 May 2017. Following consultation, comments would be considered and adoption was anticipated for July 2017.

83.4 Resolved (key decision): (1) That the statement of community involvement be approved for publication for an 8-week consultation period to receive representations and comments.

(2) That the director of regeneration and planning be given delegated authority, in consultation with the lead cabinet member, to make minor amendments before the commencement of the consultation period.

84 Eastbourne business improvement district (BID) (KD).

84.1 Cabinet considered the report of the director of service delivery detailing proposals submitted to the council for the establishment of a business improvement district (BID) covering Eastbourne's town centre. BIDs were business led partnerships which are created through a ballot

process to deliver additional services to local businesses. The statutory framework for establishing and operating a BID was provided for in Part 4 of the Local Government Act 2003 and the Business Improvement Districts (England) Regulations 2004.

84.2 A BID was a defined area in which a levy was charged on all business rate payers in addition to the business rates bill. This levy would be used to develop projects which would benefit businesses in the local area. There was no limit on what projects or services could be provided through a BID. The only requirement was that it should be something that was in addition to services provided by local authorities. The BID proposer was required to develop a proposal and submit this to the local authority, along with a business plan. Businesses that were subject to the levy, as set out in the proposals, vote in a ballot. This determined whether the scheme went ahead. A successful vote was one that has a simple majority both in votes cast and in rateable value of votes cast. The maximum period that a BID levy could be charged was for 5 years. Once the term was completed the BID would automatically cease. If the BID company wanted to continue its activities it must hold a new ballot. Changes could be made to the arrangements without a ballot, but only where the original arrangements contain provision to this effect and only where the change would not alter the geographical boundary of the BID, increase the levy or cause anyone to pay the levy who had not previously been liable.

84.3 A BID steering group had been established with representation from a wide range of businesses in the town centre. Since 2015 they had been developing a BID proposal with a view to a ballot being held this coming May and for the BID levy to apply for 2017/18 and future years. The proposal was for a levy of 1.5% on each business in the defined area with an annual rateable value of £6,000 or more. This was expected to raise £300,000 a year. A copy of the BID business plan was appended to the report. The plan, as well as describing the BID proposals, included a map of the BID area and spending plans.

84.4 The stated priorities and goals of the proposed BID were:

1. *Bringing more customers to Eastbourne.*
2. *Attracting more businesses and jobs to Eastbourne.*
3. *Creating a lively and attractive alternative to on-line shopping.*
4. *Promoting Eastbourne as a place that residents and visitors will want to come back to time and again.*
5. *Delivering all of these ambitions, whilst at the same time reducing your business costs.*

The BID promoters had promised that in the next 5 years they would deliver various initiatives around four themes. The themes were:

1. *Dressing our town – for example, invest in winter and Christmas lighting to brighten up the town between October and March.*
2. *Footfall, Marketing and Promotion – for example, employ street ambassadors to meet and greet visitors to the town during peak periods.*

3. *Safe and Secure – for example, establish a business led night time economy working group to take advantage of this great opportunity*
4. *Stronger Together – for example, lobby for better parking controls and restrictions.*

84.5 The BID would be managed entirely by business people from within the BID area and they would oversee the delivery of projects detailed in the business plan. Anyone from the BID area could stand to join the BID steering group at the AGM in 2018. After the first year of operation, a not for profit company, limited by guarantee, would be set up. In the meantime, the steering group would manage the BID.

84.6 The ballot of business ratepayers would to be held in the period 4 May and ending 5pm 31 May 2017. The 'ballot holder' was the council's returning officer. Given the novelty and complexity of the BID ballot and the overlap of the ballot period with the county council elections this May, and also to ensure independent scrutiny and secrecy of the ballot process, Electoral Reform Services would be engaged to undertake all aspects of the ballot process.

84.7 The BID proposers had invited some 800 businesses from the proposed BID area to take part in an initial online survey in 2015, designed to assess support and determine priorities for town centre initiatives. Of those who responded, 68% were wholeheartedly in favour and 29% stated they were not yet sure. Since then, some 250 one-to-one consultation meetings have been held. Further individual consultations would continue in the weeks and months leading up to the ballot. Consultation had also included talks and presentations with interested local businesses and organisations such as the Chamber of Commerce, the Federation of Small Business and the local town centre crime reduction partnership.

84.8 The council was expected to satisfy itself that the BID proposal did not conflict with any existing local authority policy nor propose a disproportionate burden on particular businesses by way of an unfair levy charge on a certain 'class' of levy payers, for example by an inappropriate manipulation of the BID boundary. Review of the BID proposals had not indicated that there were any reasons to believe that the levy proposals and charges were unreasonable or would impose disproportionate charges on any ratepayers. The BID proposals were broadly in line with planning policy and there was nothing in the proposals that would clash with the council's corporate plan. The BID proposals were consistent with these aspirations and would help to ensure that the town centre continued to be a place that businesses would want to invest and develop in.

84.9 It was a requirement of the BID regulations that the BID proposals included a statement of the existing baseline services provided by the local authority or any other public authority in the proposed BID area. The baseline statement was currently being prepared drawing together information being provided by public bodies including East Sussex

County Council and Sussex Police as well as the borough council. As this work was ongoing it was recommended that final approval of the statement was delegated to the chief finance officer.

84.10 The council was required to manage the collection and enforcement of BID levy charges. In practice the BID body and the local authority establish a levy collection agreement known as an 'operating agreement'. The principle of this agreement is to define the principles and processes for collecting the levy; enforcing the payment of the levy; reporting on collection and bad debt; monitoring provisions between the BID and the local authority; and providing regular detailed and summary information on the service to the BID as the client. The terms of the operating agreement were currently being drafted in liaison with the BID promoter and it was recommended that formal approval be delegated to the director of service delivery.

84.11 The council was permitted to charge a reasonable fee for this service. The Industry Criteria and Guidance Notes (published by British BIDs annually on behalf of the British Retail Consortium, the British Council of Shopping Centres, the Federation of Small Businesses and the Inter Bank Rating Forum) recommend an industry standard of a maximum charge of £35/hereditament or 3% of annual levy income, whichever was the lower.

84.12 There were one-off software acquisition costs relating to the calculations required for billing the additional levy and the mechanisms relating to collecting the funds. These could be in the region of £20,000. Provision had been made in the council's 2017/18 revenue budget. In addition the council was obliged to meet the costs of the ballot (c.£3,500), other than in the unlikely event that the proportion of 'yes' votes was less than 20%, in which case the ballot promoter could be requested to pay. It was proposed that the council recover their reasonable costs of collecting the levy and account management costs and to limit this to the annual cost comprising the software licence (c.£1,500) plus a sum of no more than 3% of the levy income (based on an estimated annual income of £300,000 this would amount to no more than £9,000). Any costs incurred over and above these sums would be met by the council.

84.13 The council, being satisfied that the BID proposal was in conformity with borough policies and did not impose an unfair charge on any business ratepayers, was obliged to move forward with the conduct of the ballot.

84.14 Resolved (key decision): (1) That the BID proposal be approved and conformity with relevant council plans and policies confirmed.

(2) That the director of service delivery be given delegated authority, in consultation with the lead cabinet member for community, to approve formal BID proposal (including business plan and operating agreement) when received subject to it being in line with the draft submitted and to

then instruct the council's returning officer (as 'ballot holder) to proceed with the ballot and require the lead officer for revenues, benefits and service support to supply up to date rating list information in suitable format to the ballot contractor.

(3) That the chief finance officer be given delegated authority –
 (i) to determine the statement of baseline services and baseline agreement and to review the agreement annually; and
 (ii) if the ballot is successful, to operate a BID revenue account and pass over monies to the BID company.

(4) To confirm that the expected costs of the ballot (c.£3,500) will be met by the council.

(5) That the director of service delivery be given delegated authority –
 (i) to vote in favour of the BID in respect of business hereditaments held by the council within the BID area; and
 (ii) if the ballot is successful, to administer, bill, collect and enforce levies under the BID scheme .

(6) To note that the council's returning officer is permitted to delegate his responsibilities to others and that he has engaged the services of Electoral Reform Services Ltd to undertake the ballot on his behalf.

(7) To agree that the initial 'one-off' software costs required to collect the levy (c.£20,000) will be met by the council.

(8) To note that the council's reasonable costs of collecting the levy and the associated financial management costs will be recoverable from the BID levy monies as outlined in paragraph 8.4 of the report.

85 Establishment of a joint housing investment partnership with Lewes District Council (KD).

85.1 Cabinet considered the report of the director of service delivery updating members on progress with the establishment of a joint housing and regeneration investment vehicle with Lewes District Council as previously approved by cabinet at their meeting on 13 December 2016. Work to set up the new joint vehicle had been ongoing with a target incorporation date of 1 April 2017. In parallel Lewes District Council had also been taking steps to establish their own housing investment company – Lewes Housing Investment Company (LHICL). With EHICL this meant that, across the two authorities, there would be three similar wholly owned subsidiaries working in association to each other:-

- Eastbourne Housing Investment Company (EHICL)
- Lewes Housing Investment Company (LHICL)
- Joint Housing Investment Partnership (JHIP)

85.2 The relationship between the three new housing investment vehicles had been further explored and external legal advice obtained to ensure that the potential benefits of the new vehicles could be best realised. The report provided:-

- The business case to support the proposal for the two new vehicles.
- Detail on how the joint partnership and EHICL would operate.
- An explanation of their respective primary focus and inter-relationship.
- For approval an associated set of governance arrangements and financial delegations so that first phase delivery could be progressed.

The initial cost of setting up the proposed JHIP, developing the business case and investment proposals were expected to be £30,000 per authority.

85.3 The scale of potential new housing development required new vehicles, and a new structure, if the council wanted to maximise housing delivery and associated regeneration beyond the constraints of the housing revenue account (HRA). Over the last 3 years the council had brought forward and largely completed a 97 unit mainly affordable programme of new housing via the HRA which had utilised available headroom capacity. This had placed the council ahead of many other local authorities in terms of experience and associated resources. The potential for a much more ambitious programme of new housing delivery in Eastbourne had been assessed by the EHIC board and comprised:-

- An EHICL 5-year development pipeline to incorporate approved schemes such as Bedfordwell Road and potential future developments of 265 new homes with a projected gross development cost of £51m and a net borrowing requirement of £18.7m.
- Transfer to JHIP of the affordable housing elements of EHICL delivery required under planning policy, Section 106 and delivery of affordable schemes beyond the capacity of the HRA where the council wanted to take a direct enabling and place shaping role. 70 new homes with a projected gross development cost of £13m and a net borrowing requirement of £5.5m.

The scale and focus of overall investment, and decisions on larger individual schemes, would remain matters for cabinet approval.

85.4 Previous delegations gave authority to deliver different elements of the new housing as follows:-

- Feb 2013 Cabinet delegation of £20m of borrowing within the 5 year capital programme for the delivery of the new HRA housing – the new HRA housing has been delivered for around £10m because of higher than anticipated grant, sales receipts and internal funding.
- March 2016 Cabinet approval to purchase the Bedfordwell Road site for a maximum acquisition value of £2.45m – site acquired for £1.45m.
- November 2016 Cabinet delegation of £5m by way of loan to EHICL for the purchase and repair of street properties to alleviate temporary housing demand.
- December 2016 Cabinet, by way of the capital programme, a sum of £30m for the acquisition of commercial assets based on yield

targets some of which include an element of new housing and which may be held in EHICL.

85.5 Appendix 1 to the report provided a diagram to illustrate, in summary form, the relationship between the 3 housing investment vehicles and links back to cabinet via the proposed joint housing investment board (JHIB). The JHIB would have membership comprising elected members of both councils and directors who would operate at a strategic level to co-ordinate activities and have programme level oversight and make recommendations to ensure the most efficient placing of assets and utilisation of internal funding. The JHIB would also exercise delegated control on overall levels of development, individual loan tranches and larger transactions and would also decide which schemes would be brought back to respective cabinets for separate approval. The operational arrangements for delivery, programme development, financial and risk control were also set out to include a more formal role for the director led project review and sign-off group (PRSO) tasked with undertaking detailed risk appraisal and financial due diligence for all schemes.

85.6 The new structure provided a clearer and more robust framework for risk management and the exercise of various cabinet delegations. Delegations had been determined to date by the requirements of individual schemes or housing strategy priorities. They had not created programme level capacity or acted as a programme control mechanism. If the new structure of companies and governance was approved it was proposed that more general delegations were made to enable the relevant programmes of housing to be brought forward most effectively:-

- EHICL: £ 20m by way of loan for the delivery of new mixed tenure homes and associated activities.
- JHIP: £10m by way of loan for the delivery of new mixed tenure homes and associated activities.

The lending to the companies and/ or partnerships would form part of the councils treasury management strategy and create a revenue income stream for the general fund. The JHIB would exercise delegated control on overall levels of development, individual loan tranches and larger transactions and would also determine which schemes were brought back to respective cabinets for separate approval.

85.7 The report also set out details of the legal powers under which the council was entitled to undertake the activities described above.

85.8 Resolved (key decision): (1) That the governance structure for the new Eastbourne and Lewes Joint Investment Partnership (JHIP) be incorporated and agreed in line with section 2 of the report and the director of service delivery and the assistant director of legal and democratic services be authorised to take all such step as are necessary to establish the same limited liability partnership (LLP).

(2) That up to £30m be allocated in the council's capital programme as described in section 4 of the report and delegated authority arrangements, as set out in the report and described at paragraph 85(5)

above, be approved to progress the first phase of delivery for both EHICL and the new JHIP.

(Note: Councillors Tutt and Ungar declared interests in the above matter and withdrew from the meeting (see minute 80 above). Councillor Mattock took the chair for this item.)

86 Temporary accommodation and housing revenue account (HRA) asset management strategy (KD).

86.1 Cabinet considered the report of the director of service delivery providing an update on a change in demand for emergency accommodation options in Eastbourne due to an increase in homelessness. To mitigate some of the impact the report sought cabinet approval to dispose of a number of assets held within the housing revenue account (HRA) to enable the council to meet its strategic priorities; providing more housing options and the right housing for residents of the town.

86.2 The number of people needing housing advice and options was increasing in Eastbourne. This trend was common across East Sussex and nationally with a significant rise in households making homeless applications to local councils. One of the council's key priorities was to consider the availability of existing accommodation options and how they could adapt to meet changes in demand.

86.3 The cost to the council of providing emergency accommodation was rising. The numbers of households in temporary accommodation currently stood at 71 as at 7 February 2017, as compared to an average in 2015/16 of 22. The cost to the council in housing benefit expenditure unable to be reclaimed through housing benefit subsidy had been rising. In 2014/15 it was £72,000, in 2015/16 it was £132,000 and was likely to be higher 2016/17. Furthermore, the reduction in the benefit cap from November, the pending removal of the £60 housing management fee and the rollout of the universal credit digital service in 2017 would lead to more pressure on the council's finances.

86.4 The report reviewed homelessness prevention activities currently undertaken or planned. These included partnerships with other Sussex councils utilising funding from government under their homelessness prevention programme targeting rough sleepers as well as local initiatives under the council's homelessness strategy (published January 2017).

86.5 It was proposed to 'appropriate' 3 Hartfield Road (block of 8, one-bedroom flats with a recent valuation of £545,000) from the housing revenue account to the general fund to provide emergency accommodation. An initial survey had estimated that repairs would cost approximately £250,000 for the building to be brought back to a lettable standard and provide white goods for each of the flats. Taking account of current costs of providing emergency accommodation to 8 households

who require self-contained accommodation the use of Hartfield Road would mitigate an overspend of £82,000 annually to the existing budget.

86.6 Cabinet had previously authorised the disposal of certain freeholds where the council no longer had a leasehold interest to residents of the block. Four such freeholds were currently in the process of being sold. It was now recommended that leaseholders of the following blocks, where the council only held a freehold interest, be consulted about the potential sale of their freeholds on the open market:-

- 14-16 Harebell Close
- 10 Hyde Gardens
- 28-30 Larkspur Drive
- 10-16 Mulberry Close
- 1-3 Pembury Road
- 29-35 Rye Street
- 10-16 Sumach Close

The sale of the freeholds should bring a capital receipt into the housing revenue account of £50,700.

86.7 Eastbourne Homes Ltd (EHL), on behalf of the council, had undertaken a full review of all garage sites held in the HRA to firstly gain a valuation of the stock and secondly to explore any housing development opportunities. There were a number of garage blocks (comprising 99 garage units as listed in appendix 1 to the report) which had no to very limited housing development potential and were not considered future strategic sites for wider regeneration. However, on the basis of valuation, it was considered that sale of the listed sites on the open market should be considered. The capital receipt estimated should the proposed garage sites be sold was £735,000. Before garage sites were sold at auction, EHL would contact all existing licence holders of garages to forewarn them of the sale. Should the existing licence holders of garages wish to continue their contract with the new owner of the garage, EHL would facilitate the communication between both parties until the sale was completed.

86.8 In the case of both the sale of freeholds and garage blocks it was considered that the sales would reduce future capital costs to the HRA, and should the high value assets levy come to fruition, would mean the HRA had additional funds to contribute to lowering the impact of the levy without selling homes and otherwise meeting housing need.

86.9 The cabinet noted the legal provisions set out in the report under which the council was permitted to undertake the foregoing property transactions.

86.10 Resolved (key decision): That the director of service delivery be granted delegated authority to:-

(1) Subject to the obtaining of the necessary consent of the Secretary of State pursuant to s.19 of the Housing Act 1985, to appropriate the 8, one-bedroom flats at 3 Hartfield Road, currently held in the housing revenue account, to the general fund for the provision (pursuant to s.120

of the Local Government Act 1972) of emergency accommodation to meet the council's statutory homelessness duty under s.188 of the 1996 Housing Act.

(2) To add £250,000 to the council's capital program to bring Hartfield Road back into a lettable state for use as temporary accommodation.

(3) To further consult about sale of the freeholds with the freeholders of the properties listed and dispose of the garage blocks listed in appendix.

87 Bridgemere Centre.

87.1 Cabinet considered the report of the director of service delivery seeking approval for a variation in the terms of an allocation of a capital funding to the Bridgemere Centre. Cabinet, on 13 December 2016, had approved a contribution of £20,000 towards the purchase of the freehold by the trustees of the centre with the aim of ensuring the future financial viability of the centre and the community activities and services.

87.2 The trustees had now asked that the terms be changed to protect against the eventuality that they, or their successors as managers of the community centre, were unable to continue managing the centre or sell it and recoup the value of the council's investment. They also wished to allow for the possibility of alternative premises becoming available in the future which offered better facilities. They had therefore asked that the period within which they were required to repay the £20,000 was reduced from 40 to 20 years, and that the sum to be repaid was reduced by £1,000 each year.

87.3 The contribution would allow the Bridgemere Centre Ltd. to run the centre on a sustainable financial footing in the future and would remove the need for continued grants to support the centre, freeing up an average of £3,000 a year, thereby covering the costs of this investment within 7 years.

87.4 Resolved: That the proposed variation in the terms of the grant offered to the Bridgemere Centre, as set out in the report, be approved.

88 Exclusion of the public.

Resolved: That the public be excluded from the remainder of the meeting as otherwise there was a likelihood of disclosure to them of exempt information as defined in schedule 12A of the Local Government Act 1972. The relevant paragraph of schedule 12A and a description of the exempt information is shown at paragraph 82.10 above (re. debt write-offs - corporate performance - quarter 3 2016/17). (*The requisite notice having been given under regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.*)

The meeting closed at 6.40 pm

Councillor David Tutt
Chairman

Tuesday, 28 March 2017
at 6.00 pm



Planning Committee

Present:-

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

111 Minutes of the meeting held on 28 February 2017.

The minutes of the meeting held on 28 February 2017 were submitted and approved, subject to an amendment to minute 106 Mill Gap House, 2 Mill Gap Road, to reflect that the decision was one of approval by six votes to one abstention and not unanimous as stated. The Chairman was authorised to sign them as an accurate record.

112 Apologies for absence.

Councillor Robinson and Councillor Taylor.

113 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.

114 Ravelston Grange, 10 Denton Road. Application ID: 161308.

Proposed material change of use from residential care home (C2) to 9 residential dwellings (C3), with associated extensions at ground and first floors. New vehicular access from Denton Road and provision of seven parking spaces in front garden area – **MEADS**.

The committee was advised that the Chair of the Meads Neighbourhood Panel had submitted a further representation confirming that the objections to the original proposal still applied. The objections related to concerns about the removal of trees and insufficient parking associated with the proposal creating additional on street parking pressure.

The Meads Community Association had also confirmed that its original objections still applied. The objections related to concerns about the felling of the existing trees, inadequate off street parking and concerns about the impact of the development on the surrounding conservation area.

Members were advised that the Specialist Advisor for Arboriculture had requested that condition 14 be amended to require planting plans to be

submitted as part of the landscaping scheme to incorporate new trees to replace those that were to be lost as a result of this development.

Mr McEnnis addressed the committee in objection stating that the proposal was an overdevelopment of the site. He also stated that the car parking provision was inadequate and the loss of trees would be detrimental to the street scene.

Mr Langley, agent for the applicant, addressed the committee in response stating that the units exceeded national standards for living space and that a greater number of bedsits / one bedroom flats could be accommodated within the site. He also stated that whilst the loss of tree screening was regrettable, it was essential to provide the proposed parking spaces. A comprehensive landscaping scheme would be implemented should the application be approved.

The committee raised some concerns about the loss of the front boundary wall and was advised that the majority of the wall would be retained. Whilst Members were concerned about the parking issues in the vicinity, the committee was informed that the scheme had the support of East Sussex County Highways Department.

RESOLVED: (By 4 votes to 3 with 1 abstention) That permission be granted subject to the following conditions: 1) Development within three years 2) Development in accordance with the approved plans 3) You must provide the detailed drawings of the following parts of the development: Elevation of the retained boundary wall facing Denton Road - You must not commence works involving the conversion of the front forecourt to off street parking until we have approved what you have submitted and you must implement the development in accordance with details approved under the terms of this condition. The development hereby approved shall not be occupied until the reconstructed boundary wall has been completed in accordance with the requirements of this condition 4) You must provide detailed drawings (including elevations and sections at 1:10 minimum) of the following parts of the development: All new windows and doors - You must not remove any of the existing windows or doors from the building until we have approved what you have sent us and you must implement this permission in accordance with details approved under the terms of this condition 5) All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings we have approved or are required by conditions to this permission 6) No part of the development shall be occupied until such time as the vehicular access has been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority 7) No part of the development shall be occupied until provision has been made within the site in accordance with plans (Drawing No.262600-06) to prevent surface water draining onto the public highway 8) No part of the development shall be first occupied until visibility splays of 2.4 metres by 43 metres have been provided at the proposed site vehicular access onto Denton Road. Once provided the splays shall thereafter be maintained and kept free of all obstructions over a height of 600mm 9) No part of the

development shall be occupied until the car parking spaces have been constructed and provided in accordance with the submitted plans (Drawing No.262600-06). The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles 10) No part of the development shall be occupied until cycle parking spaces and waste storage facilities have been provided in accordance with the approved details. The area[s] shall thereafter be retained for that use and shall not be used other than for the parking of cycles and storage of waste 11) No part of the development shall be occupied until the vehicle turning space has been constructed within the site in accordance with the approved plans. This space shall thereafter be retained at all times for this use 12) Notwithstanding the approved plans, any gate facing Denton Road shall be positioned at least 5 metres back from the edge of the highway in order that a vehicle may wait clear of the highway whilst the gate is being operated. You must not construct any vehicular gate within 5 metres of Denton Road 13) You must provide the following details for the approval of the local planning authority: Details and technical specification of permeable paving to be used in the front parking forecourt - You must not start work on the conversion of the front forecourt to a parking area until we have approved what you have sent us and you must implement the permission in accordance with plans approved under the terms of this condition 14) No works or development shall take place to the garden area at the front of the building until full details of soft landscape proposals have been submitted to and approved by the Local Planning Authority. These details shall include, as appropriate:

- Planting plans including details of replacement tree planting including tree species.
- Written specifications (including cultivation and other operations associated with plant and grass establishment);
- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
- Implementation timetables.

All landscape works shall be carried out in accordance with the approved details and to a reasonable standard in accordance with the relevant recommendations of appropriate British Standards or other recognised Codes of Good Practice. The works shall be carried out prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the Local Planning Authority gives its written consent to any variation 15) You must provide the following details for the approval of the local planning authority: Detailed landscaping plans on a plan at not less than 1:200 scale showing the position of any trees proposed to be retained including highway trees 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 - You must not start work on the conversion of the front garden to a parking area until we have approved what you have sent us and you must carry out the development in accordance with plans approved under the terms of this condition.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or of any Order revoking and re-enacting or amending that Order with or without modification), no services shall be dug or laid into the ground other than in accordance with the approved details 16) A2.4m minimum height and 1.5m wide heavy duty hoarding securely and independently mounted around the trunk of the young highway street tree (Elm) on Denton Road outside the proposed development. Such fencing shall be inspected and approved by the Local Planning Authority before any works commence on site, and maintained during the course of the works on site. No unauthorised access or placement of goods, fuels, or chemicals, soil or other materials shall take place inside the fenced area or on the grass verge 3.5 metres either side of the tree 17) The windows that you put in the North East (Side) elevation of the new first floor extension (As shown as being sited 1.7m from FFL on plan number 262600-05 rev A) must be made from obscure glass and fixed shut and maintained in that position thereafter 18) The windows in first floor of the north east (side elevation) facing 10A Denton Road must be obscure glazed to a height of 1.7 metres from the corresponding internal first floor ground level. The obscure glazed elements of these windows must be fixed shut and the windows must be maintained in that condition for the lifetime of the development

Informative:

The applicant's attention is drawn to the need for a licence to construct the new access. The applicant should contact ESCC on 0345 6080193 to apply for a licence to ensure the construction is to an acceptable standard.

115 24 Hyde Road. Application ID: 170144.

Demolition of existing community centre with change of use for a new build residential development comprising of 3 three bedroom properties. Previous application 161318 – **MEADS**.

The committee was advised that East Sussex County Council Highways Department had confirmed that the existing disabled parking bays located on Calverley Road adjacent to the site were not directly related to the WRVS centre and as such it would not be reasonable to require their removal as a result of this planning decision. In line with usual practice the need for the disabled bays would be kept under review by the Highway Authority.

RESOLVED: (By 6 votes to 1 with 1 abstention) That permission be granted subject to the following conditions: 1) Development in three years 2) Development in accordance with approved plans 3) Working hours (8-6 Monday to Friday, 8-1 Saturday) - You must provide the areas for waste storage shown on drawing number 16-1330 01 rev 5 prior to the occupation of the proposed development and these areas must be retained for the purposes of waste storage for the lifetime of the development 4) The development hereby approved shall not be occupied until an area for the purpose of cycle parking has been provided in accordance with details which have been submitted to and approved in writing by the Planning Authority

and the area[s] shall thereafter be retained for that use and shall not be used other than for the parking of cycles 5) Prior to commencement of development a Construction Traffic Management Plan shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. This shall include the identification of areas for storing materials, plant and machinery; areas for contractor parking clear of the highway; turning area; size of vehicles, routing of vehicles and hours of operation 6) The building shall not be occupied until the existing access off Calverley Road has been stopped up and the kerb and footway reinstated in accordance with details submitted to and approved in writing by the Planning Authority 7) You must not occupy the development until the full extent of works shown on plan number 161330- 123 showing the retained elevation to 1a West street have been completed.

116 South Downs National Park Authority Planning Applications.

There were none.

117 Appeal Decisions.

1. 12 The Broadway. The Inspector dismissed the appeal.
2. 65 Moy Avenue. The Inspector allowed the appeal.

118 Pre-application discussion.

The committee considered the potential redevelopment of the former Police Station in Grove Road.

The committee was concerned about the scale and density of the proposed scheme. Members also queried the capacity of the existing drainage / sewerage system and its ability to absorb an additional 50 flats.

The committee did not object to the principle of residential redevelopment at the site. Whilst the scheme was proposed as a 'zero' parking development, Members requested that the applicant explore off street parking options.

NOTED.

The meeting closed at 7.16 pm

Councillor Murray (Chairman)

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Tuesday, 4 April 2017
at 6.00 pm



Conservation Area Advisory Group

PRESENT:-

Councillor Rodohan (Chairman) and Councillors Swansborough and Smart

OFFICERS:

Mr C Connelley, Specialist Advisor – Conversation
Mr N Holdsworth, Specialist Advisor - Planning

ADVISORS:

Mr Howell, Eastbourne Society

48 Minutes of the meeting held on 21 February 2017.

The minutes of the meeting held on 21 February 2017 were submitted and approved and the Chairman was authorised to sign them as a correct record.

49 Apologies for absence.

Apologies for absence were reported from Councillor Belsey and Mr Crook.

50 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.

51 Planning Applications for Consideration

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

1) 170221, (LBC), EASTBOURNE PIER, GRAND PARADE, EASTBOURNE, BN21 3EL

Cons Area: Town Centre and Seafront

Listing: Grade 2*

Proposal: To paint the remaining 2 domes in the middle of the Pier in Gold Colour to match the existing 13 domes. To paint the flat Roof on the entrance mall with a neutral white weather proof sealant paint.

CAAG Comments: The Group reiterated their comments made at the previous meeting on the 23 August 2016, at which they objected to any

further painting of the building, including the fish scale domes in the centre of the Pier.

**2) 170156 (PP), ST ANDREWS UNITED REFORMED CHURCH,
 CORNFIELD LANE, EASTBOURNE, EAST SUSSEX, BN21 4NG**

Cons Area: n/a

Proposal: Demolition of St Andrews Church and Albury House behind retained façade to Blackwater Road. Construction of 3-4 Storey building comprising 36 residential units and 11 parking spaces accessed from Wish Road and Cornfield Lane.

CAAG Comments: The Group applauded the proposal's intention to retain the façade of the local landmark building. The demolition of Albury House was considered acceptable in the circumstances given that the façade of the church would be retained. The Group supported the principle of the proposal's modern contemporary design and considered that in terms of conservation design it would form a good relationship with the surrounding conservation area.

Mr Derek Kemp, architect for the proposal was present at the meeting to respond to any questions from the Group.

3) 170212, (PP), HYDRO HOTEL, MOUNT ROAD, EASTBOURNE, BN20 7HZ

Cons Area: Meads

Proposal: Formation of new Chilistone Ionic six column gazebo with faux lead roof and paving and removal of existing timber shed. Decorations to the natural rendered panels on the Hotel and out buildings in Dulux weathershield masonry paint - colour Sandstone.

CAAG Comments: The Group were in favour of the proposal in principle, particularly the rendering however suggested that the applicant amend the style of the gazebo to reflect the tradition of the building.

**4) 170036, (PP), CENTRAL METHODIST CHURCH, LANGNEY
 ROAD, EASTBOURNE, EAST SUSSEX, BN21 3EU.**

Cons Area: n/a

Listing: Grade 2

Proposal: Conversion of existing meeting rooms and hall into 10 x one bedroom flats together with the retention of the existing worship space (to be read in conjunction with Listed Building Consent ref. 170033).

CAAG Comments: The Group raised no objections to the proposal in principle and felt it would preserve the character and appearance of the building and conservation area.

Mr Derek Kemp, architect for the proposal was present at the meeting to respond to any questions from the Group.

NOTED.

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

NOTED.

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

The date of the next meeting was confirmed as the 23 May 2017.

54 Vote of Thanks.

The Group expressed their thanks and appreciation to Neil Holdsworth, Specialist Advisor (Planning) as this would be his last meeting of the Group before leaving the authority.

The meeting closed at 7.20 pm

Councillor Rodohan (Chairman)

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Tuesday, 25 April 2017
at 6.00 pm



Planning Committee

Present:-

Members: Councillor Murray (Chairman) Councillor Sabri (Deputy-Chairman)
Councillors Choudhury, Jenkins, Miah, Murdoch, Robinson and
Taylor

119 Minutes of the meeting held on 28 March 2017.

The minutes of the meeting held on 28 March 2017 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

120 Apologies for absence.

There were none.

121 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.

122 27 St Leonards Road. Application ID: 170163.

Non-material changes to planning permission 150172 - Erection of mansard roof to provide for four self-contained flats. Alterations to fenestration on building's facade. Changes include: roof lights, vent pipes on roof, rainwater pipes, relocation of bin store and replace the approved glass to 2 balconies guarding with powder coated metal sheet – **UPPERTON**.

RESOLVED: (Unanimous) That permission be granted.

Informative:

For the avoidance of doubt, the plans considered as part of this application and submitted on 14th February 2017 are:

- Site Location Plan
- Block Plans and Proposed Elevations, 16.07.02

123 102a Tideswell Road. Application ID: 161485.

Demolition of commercial building and provision of 4 x 2 bed semi-detached dwellings – **DEVONSHIRE**.

One additional objection was reported as follows:

- Loss of privacy
- Overlooking given the close proximity of new buildings
- Loss of light and overshadowing
- Little available parking in the vicinity, this would make the situation worse
- May increase the risk of localised flooding

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Development in three years 2) Development in accordance with the approved plans 3) Front bathroom window to be made from obscure glass 4) PD rights removed: windows 5) PD rights removed: extensions to any part of the building 6) Submission of a detailed landscaping plan 7) Existing vehicular access to be stopped up in agreement with local highway authority prior to occupation of building hereby approved 8) Provision of waste storage and cycle parking as per the approved plans 9) Working hours 8-6 Monday to Friday, 8-1 Saturday 10) Submission and approval of a construction management plan prior to commencement of works on site 11) Contamination survey.

124 Eastbourne Pier. Application ID: 170221.

To paint the remaining 2 domes in the middle of the Pier in gold colour to match the existing 13 domes. To paint the roof on the entrance mall with a white 'weather proof' sealant paint – **DEVONSHIRE**.

The committee debated the issues arising with this submission and resolved to issue a split decision.

RESOLVED: (By 5 votes to 3) (For: Choudhury, Jenkins, Miah, Murray and Sabri) (Against: Murdoch, Robinson and Taylor) That Listed Building consent be granted for the painting of the two remaining domes in the centre of the pier in gold colour.

RESOLVED: (By 7 votes with 1 abstention) (For: Choudhury, Jenkins, Miah, Murdoch, Sabri, Taylor and Robinson) (Abstention: Murray) That permission to paint the roof on the entrance mall be refused on the grounds that because of the choice of colour and materials used, the painting of the roof areas to the entrance feature to the Pier would harm the special historic interest of this Grade II Listed Building. This would result in less than substantial harm to this heritage asset without sufficient mitigation through demonstrable public benefits of the proposed works. This is contrary to paragraph 134 of the National Planning Policy Framework, Policy B1, D10 and D10A of Eastbourne Core Strategy (adopted 2015) and UHT1 and UHT17 of the Borough Plan (saved policies) 2007.

125 84,86,88 and 90 Northbourne Road. Application ID: 170224.

Demolition of 4. 3 bed houses and erection of 7. 2 bed flats and 5. 1 bed flats. Creation of 12. car park spaces and associated bin and bike stores – **ST ANTHONYS**.

One further objection had been received as a result of the second round of consultation. The objection reiterated previous concerns raised as follow:

- Houses would be acceptable, but flats would create parking and traffic problems
- Lorries associated with the industrial estates struggled to get up and down Northbourne Road – the development would make this worse
- As it is a residential area, safety should be maintained
- Added congestion would make it more of a dangerous place for the elderly, children and the disabled
- Houses on Finmere Street were acceptable
- Overdeveloping the site
- Over parking would increase as there was inadequate off street parking

RESOLVED: (By 7 votes with 1 abstention) That permission be granted subject to a S106 Agreement for a Local Labour Agreement and the following conditions: 1) Time 2) Drawings 3) Samples 4) Construction method statement 5) Hours of demolition and construction 6) New access to be constructed in accordance with plan 7) Existing vehicular access to be closed 8) Details of surface water drainage – highway 9) Vehicle turning space, in accordance with plan 10) Car parking to be constructed in accordance with plan 11) Cycle parking to be constructed in accordance with plan 12) Visibility splays 13) Ground levels – surface water drainage 14) Infiltration testing 15) Detailed drainage strategy 16) Hydraulic calculations 17) SuDS maintenance and management plan 18) Landscaping/planting scheme 19) No bonfires – proximity to residents 20) Refuse and recycling collection and storage, in accordance with plan

Informative:

- 1) S106 for Local Labour Agreement
- 2) Southern Water - connection
- 3) Highways – Licence

126 Sovereign Harbour Community Centre. Application ID: 170162.

The erection of a single storey building (Community Centre) – **SOVEREIGN.**

The East Sussex County Council Ecologist consultation response was reported as follows:

The Reptile Mitigation Strategy (dated 13 March 2017) was broadly acceptable. The receptor site was relatively small, when considering the development of the whole of site 6 not just the Community Centre Site, but provided it was managed in accordance with the mitigation strategy and including the proposed enhancements, the carrying capacity was considered sufficient.

The only points raised were that it should be made clear that the minimum capture effort was 60 suitable days (i.e. not necessarily 60 consecutive days from the start of the translocation exercise), and that suitable precautions must be taken to protect breeding birds during habitat manipulation/scrub clearance to increase efficiency of trapping (e.g. should be done under ecological supervision once checks for nesting birds have been carried out). If nesting birds were encountered, scrub clearance must stop until the young had fledged.

An objection had been received from Bespoke Cycle Group and was reported as follows:

- Bespoke were disappointed that the plans fail to provide cycle access from the Harbour. The proposal only offers access via a 1.4m footpath and offers no cycle access.
- The path should be at least 3m wide to accommodate all users.
- Bespoke would also like consideration given to Toucan Crossing being added across the access road to the retail park. Vehicles exit the roundabout at speed which makes it difficult to stop.
- Providing an improved cycle and pedestrian access would also help the Council reach their target of a reduction in traffic pollution by providing realistic alternatives to driving to the community centre.

RESOLVED A: (Unanimous) That permission be granted subject to a deed of variation to the S106 of the 2013 planning permission to develop sites 1, 5, 6, 7, and 8 of Sovereign Harbour being signed within a reasonable timeframe in relation to:-

- Amendments to the location of the Community Centre (previously proposed on site 5 or 7a)
- To include a financial contribution towards pedestrian improvements, footpath provision and assistance with changes to other highway infrastructure via Traffic Regulation Order
- The applicant shall be required to submit a planning application for the provision of a new access road connecting Pacific House with this application site
- Details of reptile translocation site ensuring fit for purpose retained in perpetuity

And the following conditions: 1) Time for commencement of development 2) Approved drawings 3) Materials to be as stated 4) Details of proposed vehicular linking Pacific House and the site and pedestrian access linking The Waterfront carpark to the site and that these to be implemented in full prior to the first beneficial use of the building and retained as such thereafter 5) Submission of detailed landscaping plan showing position of any trees 6) Details of hard and soft landscaping 7) Retention of existing trees and tree protection measures 8) Before commencement the submission of a survey of the site showing the location and species of trees 9) Submission of details of the design of the building foundations and services in so far as they may affect trees and hedgerows 10) Soil levels within the root spread of trees/hedgerows to be retained shall not be raised or lowered 11) Development to be undertaken in strict accordance with the Reptile Mitigation Strategy 12) Submission of a surface water drainage scheme 13) No part of the development shall be occupied until the car parking spaces have been provided 14) No part of the development shall be occupied until a surface water drainage scheme preventing water draining onto the public highway or adjacent sites has been submitted 15) Submission of a construction traffic management plan 16) No part of the development shall be occupied until a vehicle turning space has been provided 17) No part of the development shall be occupied until cycle

parking has been provided in accordance with approved details 18) Prior to the commencement of development a foundation design, and a risk assessment taking into account the adjacent mound and any of its infrastructure shall be submitted 19) No fill material shall be imported to the site unless agreed in writing by the Local Planning Authority. Any fill material shall be clean and inert 20) Site clearance shall be implemented outside of the bird nesting season.

RESOLVED B: (Unanimous) That should the deed of variation to the S106 agreement not be signed within a reasonable time period 8 weeks from the date of the Committee resolution (unless an extension of time has been agreed) the application should be refused on the grounds that there is no legal mechanism in place to secure the improvements to pedestrian access to the site.

Informative:

- 1) Pre commencement conditions information
- 2) Information in relation to requirements of the Surface water drainage system conditions.
- 3) SGN Informative
- 4) Southern water informative in relation to connection to the sewer
- 5) Southern Water informative in relation to wastewater grease trap.

127 South Downs National Park Authority Planning Applications.

There were none.

128 Appeal Decisions.

- 1) 9 Faraday Close. The Inspector dismissed the appeal.
- 2) Suite 2, 22 Church Street. The Inspector dismissed the appeal.
- 3) 26 Jevington Gardens. The Inspector dismissed the appeal.
- 4) Land west of Larkspur Drive. The Inspector dismissed the appeal.

The meeting closed at 7.16 pm

Councillor Murray (Chairman)

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