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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, 19 July 2017** at **6.00 pm** to transact the following business.

Agenda

- 1. Minutes of the annual, ordinary and special meetings held on 17 May 2017 (previously circulated).**
- 2. Declarations of interests by members.**
Declarations of disclosable pecuniary interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct (please see note at end of agenda).
- 3. Mayor's announcements.**
- 4. Notification of apologies for absence.**

5. Public right of address.

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

6. Order of business.

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

7. Matters referred from Cabinet or other council bodies.

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

(a) Annual treasury management report 2016/17.

Report of Councillor Gill Mattock on behalf of the Cabinet (to follow).

(b) Corporate plan 2016/20 refresh

Report of Councillor David Tutt on behalf of the Cabinet (to follow).

(c) Statement of community involvement.

Report of Councillor Jonathan Dow on behalf of the Cabinet (to follow).

8. Discussion on minutes of council bodies.

Members of the Council who wish to raise items for discussion (council procedure rule 14) on any of the minutes of the meetings of formal council bodies listed below must submit their request to Democratic Services no later than 10.00 am on Wednesday 19 July 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 23 May 2017. (Pages 1 - 4)

(b) Minutes of meeting of Cabinet held on 24 May 2017. (Pages 5 - 10)

(c) Minutes of meeting of Planning Committee held on 30 May 2017. (Pages 11 - 18)

(d) Minutes of meeting of Planning Committee held on 20 June 2017. (Pages 19 - 22)

- (e) Minutes of meeting of Audit and Governance Committee held on 21 June 2017. (Pages 23 - 26)
- (f) Minutes of meeting of Conservation Area Advisory Group held on 4 July 2017. (Pages 27 - 30)
- (g) Minutes of meeting of Cabinet held on 12 July 2017 (to follow).

9. Exclusion of the public - motion that:-


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

10. Discussion of confidential minutes of council bodies.

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

The following are appended to this agenda:-

- (a) Confidential minutes of meeting of Cabinet held on 24 May 2017. (Pages 31 - 32)
- (b) Confidential minutes of meeting of Cabinet held on 12 July 2017 (to follow).



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, 17 July 2017. The request should be made to Democratic Services 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 Democratic Services by 10am on Wednesday 19 July 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
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For general Council enquiries telephone (01323) 410000
E-mail enquiries@eastbourne.gov.uk
Website at www.eastbourne.gov.uk

Tuesday, 23 May 2017
at 6.00 pm



Conservation Area Advisory Group

PRESENT:

Councillor Rodohan (Chairman) and Councillors Swansborough and Smart

OFFICERS:

Mr C Connelley, Specialist Advisor - Conservation

ADVISORS:

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

1 Minutes of the meeting held on 4 April 2017.

The minutes of the meeting held on 4 April 2017 were submitted and approved and the Chairman was authorised to sign them as a correct record.

2 Apologies for absence.

An apology for absence was received from Councillor Belsey.

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

None were declared.

4 Planning Applications - Decisions of the Borough Council

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

NOTED.

5 Planning Applications for Consideration

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

1) 170608, (PPP), 21 DERWENT ROAD, EASTBOURNE, EAST SUSSEX, BN20 7PH

Cons Area: Meads

Proposal: Demolition of existing 3 garages and erection of chalet bungalow single dwelling.

CAAG Comments: The Group were supportive of the proposal and felt it would enhance the character and appearance of the conservation area. It was however felt that the detailing of the small front window could be improved.

2) 170302, (PPP), 19-25 CARLISLE ROAD, EASTBOURNE, BN21 4BT

Cons Area: Town Centre and Seafront

Proposal: Roof extension to form 3 new residential dwellings.

CAAG Comments: The Group agreed to defer this item to a future meeting due to a need for more information.

3) 170425, (PP), 25 SEASIDE, EASTBOURNE, BN22 7NB

Cons Area: Town Centre and Seafront

Proposal: Change of use from Tea Room with residential above to residential holiday lettings with internal alterations and external door and window alterations.

CAAG Comments: The Group raised no objections to the proposal and believed it would enhance the character and appearance of the conservation area.

4) 170339, (PRE-APP), PILOT INN, MEADS STREET, EASTBOURNE, BN20 7RW

Cons Area: Meads

Proposal: Proposed extensions to existing public house.

CAAG Comments: The Group felt that the proposal would have a neutral effect on the character and appearance of the conservation area.

The Group applauded the boldness of the proposed design, however it was suggested that the applicant consider exploring amendments to the design in discussion with officers. This included the approach to the roof, the window design and replacement of the cabrio roof lights with multiple conservation roof lights. It was also suggested that consideration be given to the replacement of the portico at the front of the building.

Terry Burdett, architect addressed the Group and responded to questions.

NOTED.

6 New Listings

The Senior Specialist Advisor advised that Historic England were currently consulting on listing Leaf Hall. The Group strongly endorsed the listing.

NOTED.

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

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

The meeting closed at 7.19 pm

Councillor Rodohan (Chairman)

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Cabinet



Minutes of meeting held on Wednesday, 24 May 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**, **Dean Sabri**, **Alan Shuttleworth** and **John Ungar**.

(An apology for absence was reported from Councillor Jonathan Dow.)

Terrorist attack at Manchester Arena: All present stood in silence in memory of those killed in the terrorist attack at the Manchester Arena on the evening of Monday 22 May.

1 Minutes of the meeting held on 22 March 2017

The minutes of the meeting held on 22 March 2017 were submitted and approved and the chairman was authorised to sign them as a correct record.

2 Declarations of members' interests.

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.

No declarations were made.

3 Membership of the cabinet.

3.1 The chairman welcomed Councillors Jonathan Dow and Dean Sabri to membership of the cabinet. Councillor Dow would assume responsibility for environment and planning activities and Councillor Sabri for core support and strategic services. He took this opportunity to express his thanks to Councillors Steve Wallis and Troy Tester for their past service on the cabinet as members since 2007.

3.2 The chairman added that cabinet membership and responsibilities were as reported to the annual meeting of the council held on 17 May 2017.

4 Dates of future cabinet meetings 2017/18.

Dates of future cabinet meetings were noted as follows:
12 July 2017 at 6.00pm
13 September 2017 at 6.00pm

18 October 2017 at 6.00pm
 13 December 2017 at 6.00pm
 7 February 2018 at 6.00pm
 21 March 2018 at 6.00pm
 23 May 2018 at 6.00pm

5 Delegation of executive functions.

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

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

6 Affordable housing supplementary planning document (KD).

6.1 Cabinet considered the report of the director of strategy, planning and regeneration. Following changes in national policy and updated information on development viability, the council was preparing a new affordable housing supplementary planning document (SPD) to update the position relating to affordable housing contributions sought from development. The SPD would provide detailed explanation in support of the implementation of policy D5: housing of the Eastbourne core strategy local plan 2006-2027 (adopted 2013). It would contain advice relating to the standards required of the range of residential sites in order to deliver the affordable housing necessary to meet local needs. Once adopted, the SPD would replace the affordable housing implementation technical note (adopted 2013).

6.2 Before the new SPD could be adopted, it was required to be published for consultation with the local community and other stakeholders. It was proposed that public consultation should take place for an 8 week period between 26 May and 21 July 2017, in line with the principles set out in the statement of community involvement. The draft SPD was appended to the report.

Resolved (key decision): (1) That the affordable housing supplementary planning document be approved for publication for an 8 week consultation period to receive representations and comments.

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

7 'Stronger Together' - Joint transformation programme - update (KD).

7.1 Cabinet considered the report of the assistant director for business transformation. In May 2016 the cabinets of Eastbourne and Lewes

councils had approved the joint transformation programme (JTP) to deliver the majority of council services via shared teams adopting new ways of working. Last October, cabinets approved the 3 phase delivery of the programme, with phase one lasting from September 2016 to March 2017.

7.2 Phase one involved the design of and recruitment to new roles and teams in strategy, planning and regeneration and democratic services, and new leadership and management roles in service delivery. The final phase one structure consisted of 63 posts. The internal recruitment process ran from March to early May and 50 appointments were made. A small number of posts remained vacant and would be filled through external recruitment. The savings target for phase one was £1.05m across the two councils. Although the exact savings figure would not be established until the final vacant roles were recruited, the expectation was that the savings target would be slightly exceeded.

7.3 At the start of the programme, there were significant differences between the two councils' respective computer systems. The programme consisted of a number of projects to move the councils to a common set of technologies, including a single IT network, telephone system and upgraded mobile phone system to meet modern security standards.

7.4 Since October the programme board had made a number of key decisions:

Branding. The councils would maintain separate corporate brands based around their current logos for all separate and distinct services and communications. Shared public services would be delivered under a joint brand based on a revised version of the Customer First brand already known in Eastbourne, adapted to incorporate elements of Lewes visual identity.

Websites. Both councils would move over to a new joint domain, lewes-eastbourne.gov.uk, which was an essential foundation for the shared network. All staff would get a new lewes-eastbourne.gov.uk email address. Councillors would continue to use the email address that matches the specific council they represent. A condition of the Cabinet Office granting permission for the use of the lewes-eastbourne.gov.uk domain was that the councils replaced their two separate websites by a new, joint website. The Cabinet Office also imposed a tight deadline of summer 2017 for delivery of this site, meaning that design decisions would need to be taken quickly, and it had been agreed that the board will sign off the new website design.

Joint committees. Following a review of shared services governance at other councils by Improvement and Efficiency Social Enterprise (iESE), the board authorised the development of terms of reference for two new joint committees. A joint committee for employment matters delegated from full council and a joint

advisory committee concentrating on external facing regional development and growth. The creation of these new committees will be subject of a report to meetings of both full councils.

7.5 The next update to cabinet would be in autumn 2017 after the completion of the phase two design but before recruitment had been done. Between now and then it was planned to:

- Complete the transition process for the phase one teams.
- Complete the initial design of the service delivery teams that form the focus of phase two, namely customer contact and neighbourhood services; case, account and specialist services; and Homes First.
- Carry out a full consultation exercise with staff and Unison and publish a final set of proposals.
- Launch the new website, noting that completion of website features would not be achieved until early 2018.
- Complete the migration of all staff to the new network.
- Roll out new technology to councillors to support them to carry out their council work efficiently using their council email addresses.
- Deliver the revised joint Customer First brand.

7.6 The cabinet expressed their thanks to staff for the savings secured and for their response and engagement with the joint transformation programme.

7.7 Resolved (key decision): That cabinet notes the delivery of phase one of the programme and endorses the decisions made by the programme board as detailed in the report and summarised above.

8 Exclusion of the public.

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

9 Redundancy and redeployment policy - update.

9.1 Cabinet considered the report of the assistant director for human resources and organisational development. The first phase of the joint transformation programme (JTP) had commenced in January 2017 with consultation and appointment to new roles being completed by the end of March. They noted the actions taken to manage implications of change for displaced individuals through support, redeployment and assistance with self-marketing under the redundancy and redeployment procedure and the use of the procedure in managing the change resulting from implementation of the joint transformation programme.

9.2 Cabinet wished all those who were leaving the authority well for the future.

Notes: (1) The full minute of the above item is set out in the confidential section of these minutes. The report remains confidential.
(2) Exempt information reasons 1 and 2 – Information relating to an individual or likely to reveal the identity of an individual.

The meeting closed at 6.15 pm

Councillor David Tutt
Chairman

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Tuesday, 30 May 2017
at 6.00 pm



Planning Committee

Present:-

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

1 Minutes of the meeting held on 25 April 2017.

The minutes of the meeting held on 25 April 2017 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

2 Apologies for absence.

Councillor Taylor and Councillor Jenkins.

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 Coles advised the Chairman that she would withdraw from the room whilst applications 6 Central Methodist Church, Langney Road and 8 St Andrews United Reform Church, Cornfield Lane, were considered. In her previous role of Mayor of Eastbourne, Councillor Coles openly supported the proposal and therefore stated that she had predetermined her decision on this scheme.

4 Central Methodist Church, Langney Road. Application ID: 170036. LB:170033.

Conversion of existing meeting rooms and hall into 10no. one bedroom flats together with the retention of the existing worship space (to be read in conjunction with Listed Building Consent ref. 170033) – **DEVONSHIRE.**

Members were advised that this scheme promoted the conversion into ten self-contained units and was therefore below the affordable housing threshold. Given this Members agreed to amend recommendation 1 be amended to remove the reference to affordable housing requirement.

NB: Councillor Coles withdrew from the room whilst this item was considered.

RESOLVED (A): (Unanimous) That permission be granted subject to a S106 agreement covering local labour employment initiatives and the following conditions: 1) Time limit 2) Approved drawings 3)

Schedule/specification of external repairs 4) Demolition and construction method statement outlining:

- Building/window recording prior to demolition
- How salvaged materials will be removed/stored and reused
- Hours of operation
- Site storage and welfare facilities
- Routes for demolition and construction vehicles
- Parking regimes for construction workers vehicles

5) Cycle parking provided and made available before use commences 6) Refuse/recycling before the uses commences

RESOLVED (A) LB 170033: (Unanimous) That Listed Building permission be granted subject to the following conditions: 1) Time limit 2) Approved drawings 3) Schedule/specification of external repairs 4) Demolition and construction method statement outlining:

- Building/window recording prior to demolition
- How salvaged materials will be removed/stored and reused
- Hours of operation
- Site storage and welfare facilities
- Routes for demolition and construction vehicles
- Parking regimes for construction workers vehicles

5) Cycle parking provided and made available before use commences 6) Refuse/recycling before the uses commences

5 93 Pevensey Bay Road. Application ID: 170239 (PPP).

Demolition of Existing 102 Bed Care Home, Erection of new 80 Bed Care Home – **ST ANTHONYS.**

RESOLVED (A): (Unanimous) That permission be granted subject to the case being referred to HSE for a 21 day period to ascertain whether they want to call the application in for Secretary of State approval.

RESOLVED (B): (Unanimous) That permission be granted subject to no call in being received from the HSE and a S106 agreement covering Local Employment initiatives and the following conditions: 1) Commencement of development within three years 2) Compliance with approved plans 3) Hours of operation (construction works) 4) Wheel washing facilities 5) Retention of tree/vegetation adjacent to Langney Sewer & protection during construction 6) Provision of landscape maintenance programme 7) Hedgerow removal outside of bird nesting season 8) Amphibian Mitigation strategy 9) Amphibian restoration strategy 10) Construction and Environment mitigation strategy 11) Surface water run off 12) details of attenuation tanks 13) Maintenance programme for surface water system 14) Details confirm implementation of surface water details 15) No development within 3m either side of the exiting sewers at the site 16) Foul water disposal details 17) Existing Access onto the Roundabout to closed up such that it cannot be used 18) Car parking in accordance with details 19) Cycle parking in accordance with details 20) Vehicle turning shall be provided prior to occupations 21) Highway construction management plan 22) Travel plan 23) Landscaping planting scheme implemented prior to occupation 24) Details of service runs in connection with retained trees 25)

Tree protection 26) Existing ground levels around saved trees shall not be altered 27) Development in accordance with the submitted FRA

6 St Andrews United Reformed Church, Cornfield Lane. Application ID: 170156 (PPP).

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

Mr Jones addressed the committee in objection stating concern regarding the lack of car parking, waste collection and access to the lane.

Mrs Williams addressed the committee in objection stating concern regarding traffic and access to Wish Lane, the lack of car parking and waste collection.

Mr Hollobone addressed the committee stating that he liked the retention of the front façade and that the roof should be retained as is. He raised concern about the lack of parking and access during the development.

Mr Winch, architect, addressed the committee in response stating that all concerns could be dealt with via condition and that the bin storage location could be reconsidered.

Members were advised that the following information had been received: Transport Statement: An updated transport assessment of the impact of the proposal had been received and drew the following conclusions:

- A parking survey had been undertaken which found that parking stress on the roads surrounding the site was low at 55%. During the parking survey, there were a total of 191 free car parking spaces which comprised 109 resident permit bays, 48 single yellow line parking spaces and 34 unrestricted parking spaces.
- Refuse collection would be from the kerbside in the same manner as other existing properties.
- Town Centre location and was highly sustainable, close to goods and services and other modes of transport.
- Proposed flats would result in vehicle trips of less than one vehicle every eight minutes and less than the existing lawful use as a church.
- In NPPF terms the impacts of the scheme could not be regarded as severe.

A letter of support had been received as follows:

I am pleased to see residential in lieu of dilapidated church, given small dwellings are unlikely to have the same car needs as families.

A letter of objection had also been received as follows:

'My major interest in this application is as the adjoining land and business owner of a long established and well known specialist motor sales and repair business.

My property lies close to the development and in general I welcome the renovation of the empty church premises and the improvement of a deteriorating building

I welcome the refurbishment within the existing building envelope, and that redevelopment is not being considered. But I have three main concerns which I would like to express, and for them be taken into account in making your decision tonight.

Firstly, I am very concerned that full vehicular access to my business is maintained throughout the construction period. Obviously, unimpeded street access is critical, and even a brief interruption would be unacceptable and lead to a potential loss of trade from passing custom as well as booked appointments.

Secondly, I am concerned at the number of units which are planned. 36 units seems to be a large number of units to fit into this building, and this may give rise to significant pressures on services and parking in a sensitive high quality mixed use area.

My third important concern is the risk to the continuation of my business following occupation of the new residential units. Increasingly, new residents are objecting to existing neighbouring businesses which they regard as causing a nuisance.

Notwithstanding that we open for regular workshop hours, there are occasions when access is required at anti-social hours, and experience elsewhere indicates that residents' complaints this can cause serious disruption to an existing business, however long established, even to the extent to forcing the business to close.

I would request that serious consideration is given to a planning condition, or advisory statement on any consent granted, if a condition is not possible, to alert new residents to the presence of local business activity, to prevent the possibility of an inappropriate objection to a long established local independent business'.

NB: Councillor Coles withdrew from the room whilst this item was considered.

RESOLVED: (By 5 votes to 2) That permission be refused on the grounds that the proposed development by reason of the number of flats proposed represents a gross over development of this restricted site, this has manifested in a parking density significantly below prescribed standards and the layout is such that the proposed garages are of a size/location that would inhibit ease of use; this may lead to a further reduction in available car parking at the site.

The lack of off-street parking proposed by this scheme would be likely to increase indiscriminate on street parking in an area of acknowledged parking stress. This increase in on street parking may lead to highway and pedestrian safety issues.

The scheme would therefore fail policies 10A of the Eastbourne Core Strategy, Policies TR11 of the Eastbourne Borough Plan as well as paragraphs 32, 56 -68 of the National Planning Policy Framework.

Appeal:

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

7 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 at the end of the 2016/2017 financial year.

The Core Strategy (adopted 2013) planned for the delivery of 5,022 net additional dwellings between 2006 and 2027. As of the end of 2016/17, a total of 2,576 units had been delivered since the start of the plan period. This left 2,446 units to be delivered until the end of the plan period at an annual average of 244.6 units per year.

Falling housing delivery rates over recent years had meant that the total number of units that had been delivered was now less than the cumulative target. At this point in the plan period, 2,640 units should have been delivered, so actual delivery was 64 units short of the number of houses that should have been delivered at this point in the plan.

In the 2016/17 year, a total of 203 net additional dwellings had been completed, compared to an annual target of 240 new dwellings per year. Those 203 net dwellings were provided across 48 sites. The highest number of dwellings was completed in Quarter 4. During the 2016/17 financial year, a total of 305 net additional units were granted permission across 79 sites. By comparison, a total of 246 units were committed in 2015/16.

Of the 305 units granted permission, 91 units were committed through changes of use of office to residential at 20 Upperton Road (56) and 2 St Anne's Road (35). 64 sites (81%) were granted permission of less than 5 unit, with 33 sites (42%) being granted permission for just one additional unit.

It had been identified that a total of 173 net additional units across 25 development sites were refused planning permission in 2016/17. A list of these refusals was attached to this report within Appendix 2. Members recognised that not all of the units granted permission would be built. Evidence over the Core Strategy plan period (since 2006) suggested that 76% of units granted permission were completed. At a 76% delivery rate, meeting the Core Strategy target of 240 units per year would require 316 units to be granted permission each year.

Members were advised that the Housing White Paper proposed the introduction of a new Housing Delivery Test on local authorities from November 2017. The test would identify the number of houses built against the housing target over a rolling three year period

If during the first assessment period the delivery of housing fell below 95% of the target, local authorities would be required to publish an action plan setting out an understanding of the key reasons for the situation and the actions that could be taken to get home-building back on track. Where local authorities were delivering less than 85% of their housing target action would also be required to add a 20% buffer to their Five Year Housing Land Supply calculation.

An analysis of housing delivery over the first assessment period shows that 576 units were delivered against a target of 720, which equated to 80% delivery. This meant that from November 2017, the Five Year Housing Land Supply buffer will be increased to 20% and an action plan on housing delivery would need to be produced.

National planning policy placed considerable weight on the delivery of new housing, and the five year housing land supply was a material consideration in the determination of planning application.

Eastbourne currently had a housing land supply equivalent to 839 units, which represented 2.8 years supply of land, including the 20% buffer required as a result of persistent under-delivery of housing and the housing delivery test. Therefore a five year housing land supply could not be demonstrated, which meant local plan policies relevant to the supply of housing were out of date and could not necessarily be relied upon to refuse development.

The process for identifying additional sites was currently underway through the Strategic Housing & Employment Land Availability Assessment. This study was due to be completed over the summer 2017, and would inform the production of a new Local Plan. 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.

RESOLVED: That the report be noted.

8 Summary of performance of the Planning Department Quarter 1 2017 (Jan - Mar).

The committee considered the report of the Senior Specialist Advisor for Planning which provided a summary of performance for the first quarter of 2017 (January to March).

Given the many varied types of planning applications received, central Government required all Councils to report performance in a consistent and coherent manner. To this end the many varied applications were combined together into three broad categories Major, Minor and Other. Government had recently amended the criteria for the assessment of the Council's performance which was detailed in the section regarding special measures within the report.

The report detailed the following elements:

Special Measure Thresholds – Looking at new government targets

Planning Applications – Comparing volumes/delegated and approval rates

Pre Application Volumes – Comparison by type and volume over time

Refusals of Applications – Comparison of ward and decision level

Appeals – An assessment the Council's appeal record over time

Planning Enforcement – An assessment of volumes of enforcement related activity.

Members were aware that Government had recently introduced new National performance criteria against which all Council's would be judged. Failure to perform against those targets ran the risk of the Council be designated as 'Non- Performing' and special measures would be initiated by Government. The assessment of the draft against this new 'special measure' threshold had two sections - Speed of decision and Quality of decision - and would be reviewing the Council's performance on a backward rolling two year basis, the detail of which was highlighted in paragraph 2.2 of the report.

If the Council were identified as not complying with these standards/criteria they would be declared as 'non performing' and formal designation would follow. In terms of formal designation there were two potential outcomes:-

- Major applications the applicant would have the ability to bypass the Council and go straight to the Planning Inspectorate for determination. This would mean that the Council would lose determination control until such time as the designation was lifted.
- Non-Major applications the Council would have to submit the Central Government an action plan addressing the areas of weakness that it had identified as having contributed to the underperformance.

Speed of Decision - It was evident that the decisions taken for the survey period were currently above the special measures threshold. It was considered that there was significant headroom against those targets and as such the risk of Special Measures for Non-Performance was low.

Quality of Decision - This section looked at appeal decisions and specifically the number that had been allowed or overturned at appeal. This performance indicator was a reflection on the relevance of an up to date local plan and that the decision makers made correct and informed decisions. Members noted that from the criteria given and the very low volumes of major applications progressed/determined within the survey period; meant that a small number of appeal decisions could have a significant impact upon performance and therefore there was a very high risk of the Council falling under special measures in this category. Members noted that the Council still had the BT Site Moy Avenue appeal to be determined and depending on the outcome of the appeal this may have a significant impact upon performance.

Members noted that in common with other years, the Council had refused fewer than 10% of the applications received, with the overwhelming majority being refused at delegated level. For 2017:- 9 cases were refused at delegated and 0 were refused at Planning Committee level.

RESOLVED: That the report be noted.

9 South Downs National Park Authority Planning Applications.

There were none.

10 Eastbourne Pier.

Members were advised that some additional painting works had been undertaken by the owner of Eastbourne Pier. The painting was over and above that which had been granted permission at a previous planning committee.

Members were advised of the options to address the situation and agreed that a Listed Building notice giving 21 days to return the areas of concern to their former condition and consider prosecution for the unauthorised works. The two actions agreed may run concurrently.

RESOLVED: That delegated authority be given to the Senior Specialist Advisor for Planning to deliver the following:

- 1) Issue a Listed Building notice requiring the subject areas be returned to their to their former condition and
- 2) That the necessary paperwork be prepared, in consultation with Legal Services, with a view to secure prosecution for the unauthorised works.
- 3) That should the works to return the areas to their former condition be carried out within a reasonable period then no further action would be taken.

The meeting closed at 7.25 pm

Councillor Murray (Chairman)

Tuesday, 20 June 2017
at 6.00 pm



Planning Committee

Present:-

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

11 Minutes of the meeting held on 30 May 2017.

The minutes of the meeting held on 30 May 2017 were submitted and approved and the Chairman was authorised to sign them as an accurate record.

12 Apologies for absence.

There were none.

13 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.

14 Land adjacent to 21 Derwent Road. Application ID: 170607.

Demolition of existing three garages and erection of chalet bungalow type 1 bedroom single dwelling - **MEADS**.

Members were advised that the proposed scheme had been amended following the production of the officer's report. The revised scheme was presented and discussed.

Mrs Rivett addressed the committee in objection stating that there would be an increase in the traffic congestion due to the lack of parking spaces along this section of road. She also raised concerns about access for emergency services and loss of light to neighbouring properties.

Mr Rintoul addressed the committee in objection stating that the development would impact on neighbouring properties including a loss of light, loss of space and privacy and an increase in congestion and parking issues.

RESOLVED: (By 7 votes with 1 abstention) That permission be refused on the grounds that the proposal by reason of its size, bulk and siting including boundary treatment would result in a form of development that would have an unneighbourly and overbearing relationship with the

occupiers of the adjacent properties therefore contrary to Policy B2 of the Core Strategy Local Plan 2013 and saved Policy HO20 of the Borough Plan 2007.

Appeal:

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

15 Enviro-Facts Kiosk, Middle Parade. Application ID: 170630.

Installation of Changing Places Toilet to meet the needs of all people with a disability – **MEADS**.

RESOLVED: (Unanimous) That permission be granted subject to the following conditions: 1) Time for commencement 2) Approved drawings 3) External Materials 4) The unit shall be removed after 5 years unless agreed in writing by the Local Planning Authority.

16 Statement of Community Involvement.

The committee considered the report of the Director of Regeneration & Planning seeking Members views on the Statement of Community Involvement (SCI) due to be considered by Cabinet on 12 July 2017.

Members were advised that the Council had prepared a new Statement of Community Involvement (SCI), which set out the Council's approach to consulting the local community and other stakeholders on planning matters within the local planning authority boundary. The Council's previous SCI was considered to be out of date as a result of changes in legislation and national policy since it was adopted in 2006, and a new SCI was being prepared to guide public consultation in the preparation of a new Local Plan for the town.

The SCI was published for consultation with the local community and other stakeholders between 24 March and 18 May 2017. It now needed to be adopted by Full Council, following endorsement from Cabinet. Once adopted, the SCI would be used to guide consultation on planning policy documents.

The SCI set out how the Council would engage local communities and other interested parties in the production of the Local Plan and in determining planning applications. In order to assist with understand local communities, the SCI first provided an overview of the planning system and information about the Eastbourne community.

The SCI then provided more detailed information on how communities and stakeholders would be consulted in Plan-making (the preparation of the Local Plan, SPDs & CIL Charging Schedule); and in Development Management (the determination of planning applications).

In order for the SCI to be formally adopted, it would require approval from Full Council. Members were asked for their views on the final version of the

Statement of Community Involvement, which would be reported verbally to Cabinet on 12 July 2017.

RESOLVED: That Cabinet be advised that the Planning committee endorse the amended Statement of Community Involvement.

17 South Downs National Park Authority Planning Applications.

There were none.

The meeting closed at 6.54 pm

Councillor Murray (Chairman)

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Wednesday, 21 June 2017
at 6.00 pm



Audit and Governance Committee

Present:-

Members: Councillor Swansborough (Chairman); Councillors Tester, Choudhury, di Cara, Holt, Metcalfe, Robinson and Taylor

1 Membership of the Committee.

The Chairman welcomed Councillors Robinson and Tester to the Committee, following their appointment at Annual Council.

2 Minutes of the meeting held on 8 March 2017.

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

3 Apologies for absence.

None were reported.

4 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.

5 Grants Report 2015/2016

The Committee considered the report of the Council's external auditors, BDO regarding the key findings in respect of the certification of grant claims and returns for the financial year 2015/16.

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

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

RESOLVED: That the Grants report for 2015/16 be noted.

6 Internal Audit Report to 31st March 2017.

The Committee considered the report of the Internal Audit Manager regarding a summary of the activities of Internal Audit.

A list of all final audit reports issued from 1 April 2016 to 31 March 2017 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 the financial year had been given an assurance level of inadequate.

Audit work carried out to date against the audit plan to the end of March 2017 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.

There was no appendix C included as a follow up of Licences and Events had been carried out and all outstanding recommendations had been addressed.

Work undertaken by the Corporate Fraud team and East Sussex Counter Fraud Hub, along with conformation with the Public Sector Internal Audit Standards was also detailed in the report.

The Committee were pleased that no reports had been issued with an assurance level of inadequate in the financial year and expressed its thanks to the Internal Audit Manager and officers.

In response to a question from the Committee, the Internal Audit Manager clarified that work on identifying fraud and corruption risks was currently carried out in two separate teams across Eastbourne and Lewes however both would provide resilience for each other.

RESOLVED: (Unanimous) That the report be noted.

7 Annual Governance Statement.

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

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

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

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

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

These statements had been completed by the Directors and Assistant Directors and passed through to the Chief Executive and Deputy Chief Executive. The comments made on the statements were considered for inclusion in the Annual Governance Statement.

The sources used to compile the governance issues and subsequent action plan were detailed in the report. The Internal Audit Manager advised that completed Managers' Assurance Statements had been returned from Directors and Assistant Directors and from Eastbourne Homes Limited. Several concerns were raised around the Joint Transformation Programme (JTP). Further details were contained in the report.

After discussions with Corporate Management Team (CMT) they considered that the risks associated with the JTP were being prioritised and work was ongoing to mitigate the risks. It would therefore appear in the body of the Statement and was not a separate significant governance issue.

A section on Managing the Risk of Fraud and Corruption was detailed in the report.

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

RESOLVED: (Unanimous) That the Annual Governance Statement for 2016/17 as appended to the report be approved.

The meeting closed at 6.28 pm

**Councillor Swansborough
(Chairman)**

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Tuesday, 4 July 2017
at 6.00 pm



Conservation Area Advisory Group

PRESENT:-

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

OFFICERS:

Mr C Connelley, Specialist Advisor - Conservation

ADVISORS:

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

8 Minutes of the meeting held on 23 May 2017.

The minutes of the meeting held on 23 May 2017 were submitted and approved and the Chairman was authorised to sign them as a correct record.

9 Apologies for absence.

There were none.

10 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.

11 Planning Applications - Decisions of the Borough Council.

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

NOTED.

12 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) 170302, (PPP), 19-25 CARLISLE ROAD, EASTBOURNE, EAST SUSSEX, BN21 4BT

Cons Area: Town Centre and Seafront

Proposal: Roof extension to form 3 new residential dwellings.

CAAG Comments: The Group acknowledged the applicant's intention to create a classical Eastbourne terrace but objected to the specific design of the proposal and raised concerns about the third level of the extension. They felt it compromised the look and feel of the streetscape and would not preserve or enhance the appearance of the conservation area.

They suggested that the applicant consider a two storey building and that it should continue the banding and details from the neighbouring buildings to match the existing street scape.

Mr Kevin Langley, architect addressed the Group and responded to questions.

2) PRE-APP (SMC), WISH TOWER, KING EDWARD'S PARADE, EASTBOURNE, BN21 4BY

Cons Area: Town Centre and Seafront

Proposal: Construction of a new peace garden and memorial plaque adjacent to the Wish Tower.

CAAG Comments: The Group were fully supportive of the scheme and applauded the proposal as one that would rejuvenate and enhance the conservation area.

Mr John Boyle and Ms Wendy Thomas, applicants addressed the Group and responded to questions.

3) 170690, (PP), 3 SOUTH STREET, EASTBOURNE, BN21 4UJ

Cons Area: Town Centre and Seafront

Proposal: acrylic non-illuminated front shop sign over listed building.

CAAG Comments: This application had been withdrawn and would not be considered by the Group.

4) 170681, (PRE- APP), ELSTREE COTTAGE, 67 MEADS ROAD, EASTBOURNE, BN20 7QL

Cons Area: Meads

Proposal: conversion of garage into additional kitchen with 3 new windows and doors.

CAAG Comments: This application was withdrawn and would not be considered by the Group at this time.

5) 170819, (PP) POLICE STATION, GROVE ROAD, EASTBOURNE, BN22 4UF

Cons Area: Town Centre and Seafront

Proposal: Proposed refurbishment and extension of former police station building into 50 flats.

CAAG Comments: The Group in principle applauded the applicant's intentions, particularly with regard to the retention of the police station facade. They felt however, that the proposal was one storey too high and expressed concern that it would compete with the neighbouring listed Town Hall. It was also suggested that the applicant explore a mansard roof for the rear building of the proposal.

The Group also stated that the absence of a view from Old Orchard Road prevented them from fully assessing the impact of the proposal on the wider surrounding area.

Although not in their remit, the Group noted the potential for there to be a parking issue should the application be granted.

Mr Abe Mohsin, architect addressed the Group and responded to questions.

6) 170720, (PP), 31 UPPERTON ROAD, EASTBOURNE BN21 1LN

Cons Area: Old Town

Proposal: erection of a garage, creation of off-road parking and a pavement crossover.

CAAG Comments: This application was being amended and would not be considered by the Group at this time.

NOTED.

13 New Listings

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

NOTED.

14 Town Centre and Seafront Conservation Appraisal

The Group were advised that the draft Town Centre and Seafront Conservation Appraisal had now been received and would be circulated to the Group.

They noted and agreed that a public consultation period would commence over the summer and would include public participation events on the Pier and in the Arndale Centre.

The next meeting of the Group on the 22 August 2017 will include a presentation on the Appraisal by its author, Eimear Murphy.

NOTED.

15 Historic Lamp Posts.

Mr Crook advised the Group that an 1852 rare surviving lamp post in the Seafront Conservation Area had been replaced without permission with a tubular lamp post. It had been previously agreed that any removals of historic lamp posts would undergo a consultation period.

Following a site meeting with contractors involving Mr Crook and the Specialist Advisor for Conservation, a community project was being set up between the contractor dealing with public highways, Eastbourne Borough Council and The Eastbourne Society to reinstate historic lamp posts in the Seafront Conservation Area.

The Group supported the project.

An update would be provided to the Group at a future meeting.

NOTED.

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

The date of the next meeting was confirmed as 22 August 2017. Mr Crook gave his apologies.

The meeting closed at 7.42 pm

Councillor Rodohan (Chairman)

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

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