

Cabinet

12 July 2017

Published 4 July 2017

Agenda for meeting of the Cabinet to be held at 6.00 pm on Wednesday, 12 July 2017 in the Town Hall, Eastbourne

Members of the public are welcome to attend and listen to the discussion of items in the "open" part of the meeting. Please see notes at end of agenda concerning public rights to speak and ask questions.



The Cabinet meets in the Court Room of the Town Hall which is located on the ground floor. Entrance is via the main door or access ramp at the front of the Town Hall. Parking bays for blue badge holders are available in front of the Town Hall and in the car park at the rear of the Town Hall.



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Members of the Cabinet:

Councillor David Tutt (Leader and Chairman of Cabinet): Responsibilities aligned with Chief Executive and including the community strategy, local strategic partnership, the corporate plan and economic development.

Councillor Gill Mattock (Deputy Leader and Deputy Chairman of Cabinet): Financial services including accountancy, audit, purchasing and payments.

Councillor Margaret Bannister: Tourism and leisure services.

Councillor Jonathan Dow: Place services including cleansing and recycling, parks and downland, engineering, building and development control, planning policy and strategy, environmental health and licensing.

Councillor Dean Sabri: Core support and strategic services.

Councillor Alan Shuttleworth: Direct assistance services including revenues and benefits, housing and community development and bereavement services.

Councillor John Ungar – Community safety and the crime reduction partnership.

[KD] against an item indicates that the matter involves a Key Decision and that the item has been listed in the Council's Forward Plan for at least 28 clear days.

[BPF] against an item indicates that the matter is part of the Council's Budget and Policy Framework and as such will require the approval of the Full Council.

Publication of this agenda also constitutes notice (or confirmation that such notice has previously been given) to the Chairman of the Scrutiny Committee and members of the public as appropriate:

(1) Under regulation 10(3) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 in respect of any key decision not included in the Council's Forward Plan of Key Decisions within 28 days of this meeting. Such items (if any) are marked **[KDGE]** and the reasons why compliance with regulation 9 (publicity in connection with key decisions) was impracticable are given.

(2) Under regulation 5(4) of the above mentioned regulations that certain matters listed on this agenda (if any) may need to be considered in private. (This notice is given further to the earlier notice given under regulation 5(2)). The reasons for private consideration are given at the relevant item, together with details of representations received (if any) about why the meeting should be open to the public.

1 Minutes of the meeting held on 24 May 2017. (Pages 1 - 6)

2 Apologies for absence.

3 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 and regulation 12(2)(d) of the 2012 Access to Information Regulations. (Please see note at end of agenda).

4 Questions by members of the public.

On matters not already included on the agenda and for which prior notice has been given (total time allowed 15 minutes).

5 Urgent items of business.

The Chairman to notify the Cabinet of any items of urgent business to be added to the agenda.

6 Right to address the meeting/order of business.

The Chairman to report any requests received to address the Cabinet from a member of the public or from a Councillor in respect of an item listed below and to invite the Cabinet to consider taking such items at the commencement of the meeting.

- 7 Corporate performance 2016-17 [KD].** (Pages 7 - 46)
Report of Chief Executive and Director of Regeneration and Planning
Lead Cabinet members: Councillors Gill Mattock and Dean Sabri.
- 8 Annual treasury management report 2016/17 [BPF].** (Pages 47 - 58)
Report of Deputy Chief Executive.
Cabinet lead member: Councillors Gill Mattock.
- 9 Medium term financial strategy 2017-21 [KD].** (Pages 59 - 72)
Report of Deputy Chief Executive.
Cabinet lead member: Councillor Gill Mattock.
- 10 Corporate plan 2016/20 refresh [BPF].** (Pages 73 - 80)
Report of Chief Executive.
Lead cabinet member: Councillor David Tutt.
- 11 Adoption of the corporate asset management plan 2017-2020 [KD].**
(Pages 81 - 118)
Report of Director of Regeneration and Planning.
Lead cabinet member: Councillor Dean Sabri.
- 12 Joint venture on energy and sustainability [KD].** (Pages 119 - 134)
Report of Director of Regeneration and Planning.
Lead cabinet member: Councillor Jonathan Dow.
- 13 Statement of community involvement [BPF].** (Pages 135 - 260)
Report of Director of Regeneration and Planning.
Lead cabinet member: Councillor Jonathan Dow.
- 14 Public place protection orders [KD].** (Pages 261 - 280)
Report of Director of Service Delivery.
Lead Cabinet member: Councillor Jonathan Dow.
- 15 Eastbourne Homes Investment Company Limited (EHICL) and Joint Housing Investment Partnership with Lewes District Council (JHIP) [KD].** (Pages 281 - 286)
Report of Chief Executive.
Lead cabinet member: Councillor Alan Shuttleworth.

16 Eastbourne business improvement district (BID).

Report of Director of Service Delivery.

Lead Cabinet member: Councillor Alan Shuttleworth.

(Report to follow. Note: This item may be deferred to a later meeting.)

17 Exclusion of the public.

The Chief Executive considers that discussion of the following items is likely to disclose exempt information as defined in Schedule 12A of the Local Government Act 1972 and may therefore need to take place in private session. The exempt information reasons are shown beneath the items listed below. 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 requisite notices having been given under regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.)*

18 Future waste, recycling and street cleansing service - delivery options [KD]. (Pages 287 - 346)

Report of Director of Regeneration and Planning.

Lead cabinet member: Councillor Jonathan Dow.

Exempt information reasons: 3 - information relating to the financial or business affairs of any particular person (including the authority holding that information) and 5 (information in respect of which a claim to legal professional privilege could be maintained in legal proceedings).

19 Investment opportunity [KDGE]. (Pages 347 - 352)

Report of Deputy Executive.

Cabinet lead member: Councillor Dean Sabri.

Exempt information reasons: 3 - information relating to the financial or business affairs of any particular person (including the authority holding that information) and 5 (information in respect of which a claim to legal professional privilege could be maintained in legal proceedings).

Inspection of background papers – Please see contact details listed in each report.

Public right of address – Requests by members of the public to speak on a matter which is listed in this agenda must be **received** in writing by no later than 12 Noon, 2 working days before the meeting (e.g. if the meeting is on a Wednesday, received by 12 Noon on the Monday before). The request should be made to Local Democracy at the address listed below. The request may be made by, letter, fax, or electronic mail. For further details on the rules about speaking at meetings or for asking a question on a matter not listed on the agenda please contact Local Democracy.

Public questions – Members of the public may ask a question on a matter which is not on the agenda. Questions should be made in writing and by the same deadline as for the right of address above. There are rules on the matters on which questions can be asked. Please ask Local Democracy for further information

Councillor right of address - Councillors wishing to address the meeting who are not members of the Cabinet must notify the Chairman in advance (and no later than the immediately prior to the start of the meeting).

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).

Implementation of decisions - Implementation of any key decision will take place after 5 working days from the date notice is given of the Cabinet's decision (normally on the day following the meeting) unless subject to "call-in". Exceptions to this requirement are allowed when the decision is urgent.

Further information – The Forward Plan of Key Decisions, Councillor contact details, committee membership lists and other related information are available from Local Democracy. To receive regular e-mails alerting you to the publication of Cabinet agendas (or other meeting agendas) please send an e-mail to:

localdemocracy@eastbourne.gov.uk

You can view the Forward Plan of Key Decisions at

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

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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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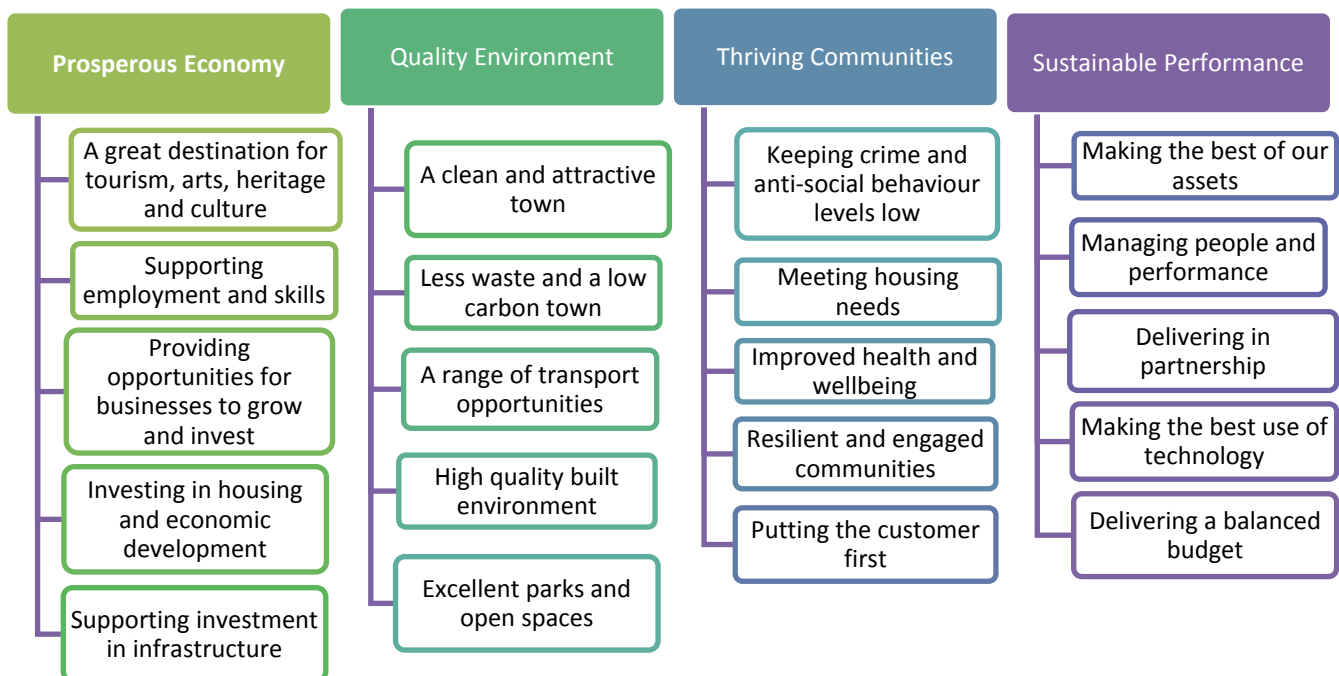
- BODY:** CABINET
- DATE:** 12 July 2017
- SUBJECT:** Corporate Performance 2016/17
- REPORT OF:** Deputy Chief Executive & Director of Regeneration and Planning
- Ward(s):** All
- Purpose:** To update Members on the Council's performance against Corporate Plan priority actions, performance indicators and targets over the 2016/17 period.
- To update members on the Council's financial performance against the approved budgets for the year 2016/17
- To present the annual statements of accounts for 2016/17
- Contact:** Jo Harper, Head of Business Strategy and Performance
Tel 01273 661374 or email
jo.harper@lewes.gov.uk
- Pauline Adams, Head of Finance
Tel 01323 415979, or e-mail
Pauline.adams@eastbourne.gov.uk
- Recommendations:** Members are asked to:
- i) Note the highlight achievements and progress against Corporate Plan priorities for 2016/17.
 - ii) Consider whether there are any particular aspects of Council progress or performance that it wishes to comment upon or consider further as part of its working programme in 2017/18.
 - iii) Agree the general fund outturn on services' expenditure for 2016/17 of £15.1m, a total favourable variance of £138,000 against the revised service budget.
 - iv) Approve the transfer from/to reserves as set out in appendix 3.
 - v) Agree the Housing Revenue Account surplus for 2016/17 of £688,000
 - vi) Approve the final Capital Programme as set out in Appendix 5, and agree the outturn for 2016/17 of £26.9m

1.0 Introduction

- 1.1 The performance of the Council is of interest to the whole community. People expect high quality and good value for money services. Performance monitoring, and a strong performance culture helps us to ensure we continue to deliver excellent services and projects to our communities in line with planned targets.
- 1.2 This report sets out the Council's performance against its targets and projects for the fourth quarter of 2016/17 (Jan-March 17) and also its position at year end, against the targets set for the full year 2016/17.
- 1.3 The Council has an annual cycle for the preparation, delivery and monitoring of its corporate and service plans. This cycle enables us regularly to review the Council's work, and the targets it sets for performance, to ensure these continue to reflect customer needs and Council aspirations.

2.0 Themes and Priority Visions

- 2.1 The Corporate Plan was developed with 4 themes to focus delivery of improvement activity for the borough. Each of these themes had its own priority vision for how the authority and its stakeholders wanted Eastbourne to develop. Performance is measured against these themes and objectives.








3.0 2016/17 End of Year Performance Overview

- 3.1 [Appendix 1](#) provides detailed information on progress and performance for Members' consideration, clearly setting out where performance and projects are 'on track/on target' and where there are areas of under-performance/concern. Where performance or projects have not achieved target, an explanation is provided, together with a summary of the

management action that has been taken to address this. The Appendix is structured around the key Theme areas.

3.2 The Council uses a Project and Performance Management System (Covalent) to record, monitor and report progress and performance. The system uses the following symbols to indicate the current status of projects and performance targets:

	Performance that is at or above target
	Project is on track
	<ul style="list-style-type: none"> Performance that is slightly below target but is within an agreed (usually +/- 5%) tolerance Projects where there are issues causing significant delay or change to planned activities
	<ul style="list-style-type: none"> Performance that is below target Projects that are not expected to be completed in time or within requirements
	Project has completed, been discontinued or is on hold

4.0 **Summary of Progress and Performance – Quarter 4/Year End 2016/17**

4.1 **Prosperous Economy**

Achievements

- 3 million visitors to Eastbourne for the first time ever.
- 60 affordable homes delivered – twice the target level
- Over 50,000 Bandstand Patrons – 20,000 over target
- Tourism spend rose by 2.4% on the previous year
- Extension to the Arndale is progressing well
- Events programme delivered successfully

Current Issues / missed targets

- 203 New Additional Homes delivered against a target of 241
- 9370 Redoubt paying visitors against a target of 15,200 which reflects the declining interest in regimental museums.
- Wish Tower Project– new restaurant suffered delays after the preferred operator withdrew
- Sale of EBC freehold in Downland Farms was halted following community consultation

4.2 **Quality Environment**

Achievements

- 36 Longstanding Empty Properties brought back into use
- 87% of minor and other planning applications were processed within 8 weeks

- Fly-tipping has been reduced in the Town dramatically, only 476 incidents reported in 2016-17 against a target of 1500 due to proactive work by Neighbourhood First
- Waste sent for recycling has improved by 4% on last year's figures
- The final tender for the Joint Venture has been issued

Current issues

- There were 9 major planning applications in 2016/17 and although 5 of these were dealt with within 13 weeks, 4 missed the target time. The team continue to work closely with developers to ensure we determine these within the time period, and if a time extension is required then this is mutually agreed with the applicant.

4.3 Thriving Communities

Achievements

- Eastbourne still remains in the three lowest Community Safety Partnership areas for all crime despite a rise in crime across Sussex due to changes in reporting
- The planned Parks and Playground improvements were completed
- The county-wide partnership Health & Housing Programme is delivering benefits for our most vulnerable citizens including a successful bid to the DCLG to support the prevention of homelessness and a Social Impact Bond to deliver a Housing First project for entrenched rough sleepers
- A new leisure centre is in the design stage
- The Homes and Economic Development programme is delivering affordable homes and neighbourhood projects in Devonshire and offers such as shared ownership homes are available in the current development plans
- A new joint housing investment company is being formed with Lewes
- We have continued to directly acquire and develop new housing through investment vehicles such as Eastbourne Housing Investment Company Ltd.
- A Community Lottery for Eastbourne was approved in February, and will go live in October 2017 to deliver funds for good causes

Current issues

- The average time for assistance with Disabled Adaptations is 107 days, missing the 100 day target. Considerable work is ongoing with partners in housing associations, other districts and boroughs and at County level to improve performance in this area
- At the end of Quarter 4, 58 households were living in temporary accommodation, above the target of 30. This reflects an increase in homelessness across the South East. Work is underway to find suitable alternatives to using emergency accommodation.
- Calls to the contact centre have increased, meaning that it took longer than we would have liked to answer calls in the first three quarters of the year. However performance is now back on track, and in Quarter

4, 82.72% of calls were answered within 3 seconds, and only 2.52% were abandoned.

- Sovereign Harbour Community Centre has suffered delays as a different site to that originally planned for the facility was agreed.

4.4 Sustainable Performance

Achievements

- The Joint Transformation Programme Phase One internal recruitment is now completed. Work is currently underway to allow Phase One teams to go-live (e.g. single network login and email account, proper support plan for new managers). There are some risks around programme interdependencies needing further development, but activity is underway to better understand these.

Current Issues

- The amount of Transformation programme activity is gearing up and this means that the resource impact on both the wider organisation and then programme team itself is considerable and needs careful managing.

5.0 Community Ward Projects - Devolved Budget

5.1 These are at the end of Appendix 1 detailing current Devolved Budget spend by ward and the projects that have been supported through this scheme so far this year.

Each ward has a total of £10,000 available to spend each year on schemes requested by the local community.

6.0 Financial Performance – General Fund

6.1 The final outturn for service expenditure for the year 2016/17 was £15.1m and is analysed as follows:

	Original Budget	Revised Budget	Actual	Variance
	£'000	£'000	£'000	£'000
Corporate Services	5,721	6,190	6,110	(80)
Community Services	6,071	6,166	5,820	(346)
Regeneration, Planning Policy and Assets	111	135	179	44
Tourism & Enterprise	3,217	3,198	3,079	(119)
Other Operating Income and Expenditure	(469)	(363)	-	363
Service Total	14,651	15,326	15,188	(138)
Capital Financing costs	1,834	1,320	774	(546)
TOTAL EXPENDITURE	16,485	16,646	15,962	(684)

Council Tax	(7,863)	(7,863)	(7,863)	-
Business Rates	(4,035)	(4,035)	(3,616)	419
Government Grants	(3,268)	(3,873)	(3,746)	127
TOTAL FUNDING	(15,166)	(15,771)	(15,225)	546
Transfer to Reserves	1,319	875	737	(138)

Service outturn shows a favourable variance of £138,000 which resulted in a reduced sum required to be transferred from the General Fund reserve to support expenditure.

6.2 The table at **Appendix 2** shows the Council's financial outturn compared to the agreed budget at service level. A more detailed breakdown at code or transactional level is available from Financial Services.

6.3 Service expenditure variance for the year is principally as a result of:

Summons income above target	(£105k)
Bereavement income above target	(£101k)
IT contract and infrastructure savings	(£97k)
Catering Admin saving plus increase in net income	(£94k)
Solarbourne income above target	(£78k)
Street Cleansing contract savings	(£76k)
Car Parking income above target	(£73k)
Development control income above target	(£63k)
Events net income above target	(£57k)
Theatres net income above target	(£56k)
Recycling contract savings and credits over target	(£47k)

These have been offset in part by the following negative variances:

Re profiling of JTP savings target	£363k
Increase in provision for bad debts for Housing Benefits overpayment	£184k
Airbourne	£69k
MMI scheme of arrangement levy	£47k
PR Contract additional work	£37k
Bed and Breakfast Accommodation	£33k

6.4 Any future financial implications arising from the variances will be taken into account as part of the Service and Financial Planning process.

6.5 The General Fund summary figures include the transfers to and from reserves as shown in **Appendix 3**. In many cases these transfers reflect items previously agreed, or at the very least where the principle of a transfer from reserves had been established as part of the overall budget strategy.

6.6 The balances as at 31.3.17 for usable general fund revenue reserves are as follows:

Reserve	31.3.17 £'000
General Fund	2,661
Repairs and Maintenance (Capital Programme) Reserve	2,573
Regeneration Reserve	541
Devonshire Park Reserve	959
Earmarked Reserves	455

7.0 Financial Performance – HRA

7.1 HRA performance of the quarter is as follows:

	Original Budget £'000	Revised Budget £'000	Actual £'000	Variance £'000
HRA				
Income	(15,586)	(15,703)	(15,744)	(41)
Expenditure	12,560	12,553	12,250	(303)
Capital Financing & Interest	1,809	1,809	1,779	(30)
Contribution to Reserves	924	924	1,027	103
Total HRA	(293)	(417)	(688)	(271)

A further breakdown is shown at **Appendix 4**.

7.2 HRA performance shows a favourable variance of (£271,000), which is mainly due to the new properties let at affordable rents not included in the budget (£59k), a reduction required for the provision for bad debts (£148k) and the slow take up of the under occupation scheme (£48K).

7.3 The difference between the budget figure for depreciation based on the 30 year Business Plan and the actual calculated amount of £102,700 is transferred into the Housing Regeneration and Investment reserve in line with the Budget Strategy to provide flexibility for funding future major projects or the repayment of debt.

7.4 The balance as at 31.3.17 on the usable Housing Revenue Accounts Reserves are as follows:

Reserve	31.3.17 £'000
HRA	4,366
Housing Regeneration and Investment Reserve	2,518
Major Repairs Reserve	514

8.0 Financial Performance – Capital Expenditure

- 8.1 A summary of capital expenditure for the year is shown in **Appendix 5**.
- 8.2 The revised capital for 2016/17 was £45m and the outturn was £27m, a variance of £18m. This variance of £18m relates to the purchase of Hampden Retail Park taking place in early April rather than as expected in March. A detailed reason for the variance against each scheme is shown at Appendix 5.
- 8.3 The main reason for the variance is due to the timing of the purchase of the Hampden Retail park, which was budgeted to happen in March 17, but was delayed until the new financial year.
- 8.4 Where schemes are being delivered over more than one year the programme has been re-profiled. Members are asked to approve the re-profiled programme for 2017/18.

9.0 Financial Performance – Collection Fund

- 9.1 The Collection Fund records all the income from Council Tax and Non-Domestic Rates and its allocation to precepting authorities.
- 9.2 The Collection fund for the year is as follows:

	Council Tax £'000	Business Rates £'000
(Deficit recovery)/Surplus distributed	1,359	(1,712)
Debit due for year	(59,075)	(32,645)
Payments to preceptors	57,668	34,948
Transitional Relief		208
Allowance for cost of collection		126
Allowance for appeals		(45)
Write offs and provision for bad debts	17	(112)
In year movement	(31)	768
Balance B/fwd 1.4.16	(1,403)	1,609
Balance c/fwd 31.3.17	(1,434)	2,377
Allocated to:		
CLG	-	1,188
East Sussex County Council	(1,047)	214
Eastbourne Borough Council	(191)	951
Sussex Police	(124)	-
East Sussex Fire & Rescue	(72)	24
	(1,434)	2,377

- 9.3 The allocation to preceptors reflects the operation of the Collection Fund for Council Tax and Business Rates which are distributed on different bases under regulations. The distributions for the estimated balance calculated at quarter 3 will be made in 2017/18. Any changes in quarter 4 will be made in

2018/19.

- 9.4 Council Tax performance has resulted in a £31,000 surplus for the year. As the aim of the collection fund is to break even the surplus represents an overachievement of £1.4m. This is due to the result of 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 balance as at 31.3.17 represents 1.65% of the gross debit.
- 9.5 The Business Rate deficit of £768,000 for the year represents an underachievement from business rate income of £2.3m. This is as a result of the on-going risk from the number of outstanding business rate for backdated appeals, and in particular one large backdated appeal refund made in March 2017. The total number of appeals outstanding as at 31.3.17 was 340 with a total rateable value of £27.1m. The deficit balance as at 31.3.17 represents 7.28% of the total debit for the year.

10.0 Treasury Management

- 10.1 In accordance with legislation and codes of practice the council is required to produce an annual treasury report reviewing treasury management activities and the actual prudential and treasury indicators for 2016/17. The Treasury Management Annual Report 2016-17 is being considered as a separate report on this agenda.

11.0 Statement of Accounts 2016/17

- 11.1 The Accounts and Audit Regulations 2015 require the Council to formally approve and publish its Statements for the financial year ending 31 March 2017 by 30 September 2017. The draft statement is available on the Council's Website and copies can be obtained from Financial Services.
- 11.2 It is the Chief Financial Officer's (CFP) responsibility to ensure the preparation of the Statement is in accordance with the CIPFA/LASAAC Code of Practice on Local Authority Accounting in the United Kingdom (the code). The CFO is also responsible for certifying that the accounts represent a true and fair view of the authority's financial position at 30 June.
- 11.3 The major change to the code for 2016/17 was the introduction of a new format and reporting requirement for the Comprehensive Income and Expenditure (CI&E) and the Movement in Reserves Statements. These statements are supported by a new Expenditure and Funding analysis and a new Income Analysed by nature note. This change is as a result of the 'Telling the Story' review for the presentation of local authority financial statements.
- 11.4 The new format for the CI&E now reflects the management structure of the organisation rather than the old style common service analysis (SERVCOP) and can now be compared to monitoring statements produced throughout the year. Unfortunately this new way of reporting expenditure and income is not reflected in the various government returns, which are still based on SERVCOP requirements, as this allows data to be collected from all authorities in a consistent reporting structure.

11.5 Key Points of Interest on the Balance sheet are:

Item	31.03.16 £'000	31.03.17 £'000	Change £'000
Creditors (money we owe)	(10,117)	(10,350)	(233)
Debtors (money owed to us)	17,496	22,354	4,858
Fixed Assets	257,740	329,117	71,377
Pensions Liabilities/Reserve	(33,667)	(43,372)	(9,705)
Long Term Investments	238	238	0
Cash and Investments	1,953	1,857	(96)
Borrowings	(52,357)	(65,360)	(13,003)
Collection Fund	454	761	307
Earmarked Reserves	(8,300)	(8,976)	(676)
General Fund Balance	(3,284)	(2,661)	623
Housing Revenue Account	(3,677)	(4,366)	(689)

- Debtors has increased due to the long term loans awarded in the year to Eastbourne Housing Investment Company
- The value of fixed assets has increased due to capital expenditure during 2016/17 (£19.9m), the financial adjustments for the 5 year revaluation review carried out on 1 April 2016 (£41m) and the annual inflation review at the end of the financial year (£8.3m) less the charge for depreciation (£7.9m) and the write off of disposals.
- Pensions liabilities increase is due to changes in actuarial assumptions and reduction of discount rate
- Borrowing has increased due to the need to borrow to finance in year capital expenditure and lock into historically low interest rates. Whilst borrowing is not attributable to individual schemes, capital expenditure which was supported by borrowing included £4m in loans to EHIC, £2.5m for the acquisition of land and buildings, £0.6m for HRA schemes and £5m for Devonshire Park.

11.6 The external auditor (BDO) is due to commence work on 5th July and the accounts are open for public inspection between 3 July and 11 August 2017. All queries and questions to the Auditor must be put in writing and sent directly to BDO's offices.

12.0 Consultation

12.1 The priority themes were developed in consultation with residents via the Residents Survey and online Survey which were both conducted throughout July and August 2015 and informed the development of the corporate plan.

13.0 Implications

13.1 There are no significant implications of this report.

14.0 Conclusions

14.1 This report provides an overview of performance against the authority's priority actions and indicators as at Quarter 4 2016/17 and an overview of the achievements in 2016-17.

14.2 The General Fund show a service variance of £138,000 which is within 0.8% of the net budget.

14.3 The HRA delivered an surplus outturn of £688,000 representing 1.19% of turnover. The HRA balance is in line with the expectation and is sufficiently robust to support the housing self-financing 30 year business plan.

14.4 Capital expenditure is low at 60% of the budget but this is due to a major purchase delayed into the new financial year of £18m.

14.5 The Collection Fund balance for Council Tax is a surplus of £1.4m and a deficit of £2.4m for Business Rates. This will be allocated to or collected from preceptors during 2017/18 and 2018/19.

14.6 The final audited statement of accounts will be reported to the Audit and Governance Committee on 20 September 2017.

Background Papers:

The Background Paper used in compiling this report were as follows:







Corporate Plan 2016/20 <http://www.eastbourne.gov.uk/about-the-council/council-policies-plans-and-strategies/corporate-strategies/>

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Eastbourne Borough Council Corporate Performance Report 2016-17










Table of Contents

1.	Prosperous Economy	0
1.1	Prosperous Economy Key Performance Indicators.....	1
1.2	Prosperous Economy Projects & Programmes.....	2
2.	Quality Environment	4
2.1	Quality Environment Key Performance Indicators.....	4
2.1	Quality Environment Project & Programmes.....	5
3.	Thriving Communities	6
3.1	Thriving Communities Key Performance Indicators	6
3.2	Thriving Communities Projects & Programmes	7
4.	Sustainable Performance	10
4.1	Sustainable Performance Key Performance Indicators	10
4.2	Sustainable Performance Projects & Programmes	10
	Community Projects - Devolved Ward Budgets.....	12






Key			
	Performance that is at or above target;		Performance that is below target Projects that are not expected to be completed in time or within requirements
	Project is on track		Project has completed, been discontinued or is on hold
	Performance that is slightly below target but is within an acceptable tolerance Projects where there are issues causing significant delay or change to planned activities		Data with no performance target




1. Prosperous Economy

1.1 Prosperous Economy Key Performance Indicators

KPI Description	Annual Target 2016/17	Q1 2016/17	Q2 2016/17	Q3 2016/17	Q4 2016/17	Year End Status	Explanatory Note
Investing in Housing & Economic Development							
Number of affordable homes delivered (gross)	At least 30	0	0	27	33		60 affordable homes were delivered in 2016/17, twice the target number:
Net additional homes provided	At least 241	40	38	50	75		203 net additional homes were delivered against the target of 241. Housing delivery is impacted by a lack of land availability in Eastbourne delivery being currently reliant on windfall sites (sites not currently identified in the Local Plan process). To increase supply the council has continued to directly acquire and develop new housing through investment vehicles such as Eastbourne Housing Investment Company Ltd, as part of this the Bedfordwell Road site was purchased from Orbit in quarter 4 and will deliver over a 100 new homes and facilities for the town
Providing opportunities for businesses to grow & invest							
Town centre vacant business space	n/a	8.82%	6.61%	6.30%	6.77%		Eastbourne's vacancy rates continue to remain low, reporting at 6.77% compared to a national average of 12.3%.
A great destination for tourism, arts, heritage & culture							
Bandstand patrons	At least 30,000	9,113	41,003	n/a	n/a		Over 50,000 patrons in 2016-17. The Bandstand has reopened for the 2017 season, the first paid concert was on Friday 28th April, with the arena sold out in advance.
Redoubt visitors - paying visitors	At least 15,200	3,261	4,029	1,686	399		All collections were in place in 2016/17. The trend for lower visitor figures to purely regimental museums is more or less a national one.
Number of visitors (day visitors and staying trips)	n/a	4,875,000 (2016-17)					A slight decrease in overall visitor numbers on previous year due to fewer day visitors but the number of staying visitors has increased by 1.1%. Overall tourist spend has also increased on last year. (figures from nationally (Figures from the Cambridge Economic Impact Model - an industry respected tool for measuring the economic impact of tourism)
Total tourist spend	n/a	£300,104,000 (2016-17)					Overall tourist spend has risen by 2.4% over the previous year and has reached over £300 million for the first time. (Figures from the Cambridge Economic Impact Model)
Total day visitor spend	n/a	£129,000,000 (2016-17)					Despite a slight decrease in actual day visitor numbers, the overall day visitor spend has increased by 3% on the previous year. (Figures from the Cambridge Economic Impact Model)
Total accommodation spend	n/a	£171,104,000 (2016-17)					This year has seen an increase of 2.4% in the accommodation spend over the previous year. (Figures from the Cambridge Economic Impact Model)







1.2 Prosperous Economy Projects & Programmes

Project / Initiative	Description	Target Completion	Status	Update
Supporting investment in infrastructure				
Extension to Arndale Shopping Centre	Led and financed by Legal and General. An £85m scheme to provide 22 new retail units, 7 restaurants and 9 screen cinema.	30-Nov-18		Demolition is well underway and work is currently on schedule. Phase 1 Opens – Sept 2018 and Phase 2 Opens Nov 2018
Providing Opportunities for businesses to grow & invest				
EBC Sovereign Harbour Innovation Park (SHIP)	New contemporary business premises at Sovereign Harbour Innovation Park	31-Mar-22		Development is being delivered by Sea Change Sussex, so there is no direct control on its provision. The current occupancy level is 80%. Delivery of the second phase remains on track. Planning application to be submitted for the new access road to serve the rest of site 6 and the proposed community centre.
A great destination for tourism, arts, heritage & culture				
Devonshire Park Redevelopment	Significant investment to establish Devonshire Park as a premier conference and cultural destination to include: New welcome building: Restoration of Congress, Winter Garden and Devonshire Park Theatres: Improved Accessibility: Improving tennis facilities: New Conference/exhibition Space & Cafe: Public realm improvements	01-Dec-20		<p>Tennis facility</p> <ul style="list-style-type: none"> Irrigation installation in courts completes; system operational in w/c 15/5. All utility diversions complete. Tennis building completed 31/5/17 in line with programme. <p>Main construction</p> <p>Southern Building Contract for the main construction is to be signed shortly Design coordinator appointed under Levitt Bernstein to facilitate delivery of final design drawings to Vinci.</p> <ul style="list-style-type: none">
Marketing - EB now	Provision of on screen live information about events in Eastbourne, shopping opportunities and discounts for Hotels and other venues across the town.	29-Feb-17		Successfully delivered a new website to support the tourism industry. The Pier Grant agreement for the project has now ended and an end of project report has been completed detailing how the objectives have been achieved.
Refurbish the Redoubt Fortress	Restoration of the fort - Create a new entrance, lift access, opening of remaining casements, environmental improvements.	31-Mar-20		The Military Collections have been removed from the Redoubt Fortress and 2017 will be the start of the journey to create an imaginative and interpretive exhibition that tells the story of the Redoubt and of the people of Eastbourne. This is a long term project which will start with the removal of the colonnade ahead of any funding applications to be submitted to the HLF. Once the colonnade has been removed we will start to create a Heritage Strategy that sets out the long term vision for the Redoubt, heritage service and a new museum.







Project / Initiative	Description	Target Completion	Status	Update
Wish Tower Restaurant	Scheme to deliver a flagship restaurant	02-Jul-18		Currently meeting with the other operators after the original operator pulled out. Following this a new timetable will be published
Vibrant Events Programme	All year round programme that attracts visitors to Eastbourne •Airbourne •Beer & Cider Festival •Cycling Festival •Magnificent Motors •Eastbourne Extreme •Beachy Head Marathon •Tour of Britain • AEGON Tennis Championship	31-Mar-17		All 2016-17 events delivered successfully
New Museum	A purpose build museum on the site of the Pavilion, which will house the story of Eastbourne, with a café, shop and education facilities.	31-Mar-20		The museum facility is integral to further HLF funding. This has been the case for at least two years and if we are to pursue HLF funding (in whatever form) for the Redoubt (and potentially other projects) we need a solid, realistic plan for this. At present our focus is drawn naturally to the Redoubt but it is the museum that will form the catalyst for the regeneration of the Redoubt.

2. Quality Environment

2.1 Quality Environment Key Performance Indicators






KPI Description	Annual Target 2016/17	Q1 2016/17	Q2 2016/17	Q3 2016/17	Q4 2016/17	Year End Status	Explanatory Note
High Quality Built Environment							
Number of difficult problem properties remedied / brought back into use by the Difficult Property Group	More than 30	0	4	13	18		As a result of the effective mix of negotiation and enforcement the Difficult Properties Group remedied 18 long standing redundant or poorly maintained properties this quarter and met the annual target
Processing of Major planning applications within 13 weeks	At least 60%	25%	100%	50%	100%		There were 9 major applications in 16/17, 5 were dealt within the target time. Individual applications have been subject to dialogue with applicants and where possible, we try to secure mutual consent for time extensions. Officers continue to work closely with developers to ensure we determine within the 13 week period.
Processing of Minor planning applications within 8 weeks	At least 70%	89%	79%	94%	80%		End of Q well above PI target.
Processing of Other planning applications within 8 weeks	At least 80%	93%	87%	94%	87%		End of Q finished well above target.
A clean and attractive town							
Number of reported fly-tipping incidents	Under 1500pa	210	127	56	83		Reduced throughout the year by -Improved data to identify hot spots and target intervention - Proactive inspections for improved visibility - New investigation process - Three Nomad cameras deployed in hot spots - Issue of FPNS earlier in process - Pride in your neighbourhood scheme launched
Less waste & a low carbon town							
Percentage of household waste sent for reuse, recycling and composting	At least 35.00%	39.63%	37.94%	35.98%	<i>* figure not available until later in the year</i>		The recycling rate for Q.3 was 35.98% which is lower than Q2. This is to be expected due to the reduction of garden waste collected throughout the winter months. This however represents a near 4% increase compared with Q.3 last year.

2.1 Quality Environment Project & Programmes






Project	Description	Target Completion	Current Status	Update
High Quality Built Environment				
Town Centre Public Realm Improvements	Significant improvements to the pedestrian environment in Terminus Road and Cornfield Road to be delivered alongside the extension to the Arndale. Joint Partnership Project with ESCC	1-Feb-2019		Detailed design is being finalised by 2nd June (including Gildredge Road) and tender period to take place between 12th June and 4th August 2017. Current anticipated completion for February 2019.
Excellent parks and open spaces				
Eastbourne Park Initiatives	Delivery of priority initiatives identified in the Eastbourne Park Supplementary Planning Document including conservation and enhancement of the existing environmental, ecological and archaeological characteristics of Eastbourne Park for future generations. Sensitive management of the area to provide appropriate leisure and recreational uses	31-Mar-20		All on track Ecology Survey of West Langney is completed Draft report on review of Eastbourne Park Flood Storage Scheme has been received
Hampden park improvements (Green flag)	Improvements to the main entrances and to the path network in Ham Shaw woods as recommended in Hampden Park Green Flag Management Plan	July-2017		Some delay to the project timetable, which is now due to complete in July 2017 (formerly April). The landscaping element has been procured. New fencing installed. Path works completed.
Parks and Open Spaces Signage	Create and roll out standard, future proof signage throughout the parks and open spaces of Eastbourne	Nov-2017		Revised timetable – awaiting decision on new design for signage then this work is expect to complete by November 17.
Allotment improvements	To provide 2 new toilets within Manor Gardens and Marchant Field Allotments and remove chain-link to install new, secure weldmesh fencing in Priory Road Allotments	15 Nov 16		Project is now completed successfully
Less waste & a low carbon town				
Joint Venture for Energy and Sustainability	Set up a joint venture between Eastbourne and Lewes Council and a private sector organisation to deliver local energy and sustainability ambitions for the next 20-30 years. Suitable joint venture partner is found by May 2017. The Joint Venture will then develop a programme of work.	01-Jul-17		The Final Tender was published on 12 May, and a response has been received from the remaining bidder. A report to approve the Joint Venture partner is subject to a separate item on this Cabinet agenda.





3. Thriving Communities


3.1 Thriving Communities Key Performance Indicators

KPI Description	Annual Target 2016/17	Q1 2016/17	Q2 2016/17	Q3 2016/17	Q4 2016/17	Year End Status	Explanatory Note
Improved health & wellbeing							
Average number of days for assistance with adaptations (Disabled Facilities Grants)	Less than 100 days	108 days	83 days	110 days	107 days		<p>Median for the year is 107 which is slightly over the target time of 100 days so work is ongoing to improve performance including:</p> <ul style="list-style-type: none"> Working with housing associations so that landlords can be given permission to do work in a timely manner. Strategic work with other districts and boroughs & ESCC to improve the customer journey Introduction of a discretionary grant policy allowing us to expedite support. A new Health and Housing Co-ordinator post to focus on this work - starts Q2
Meeting Housing Needs							
Number of households living in temporary accommodation	Under 30	42	57	65	58		<p>This reflects an increase in homelessness, reflected across Sussex and the SE. Demand is likely to increase with the enactment of the Homelessness Reduction Bill and the Introduction of Universal Credit in Oct 17.</p> <p>Work is ongoing to mitigate impacts of Welfare Reform and Legislative changes and work is also underway to find alternative solutions to using emergency accommodation</p>
Putting the Customer First							
Percentage of calls to 410000 answered within 30 seconds	More than 80%	40.13%	63.12%	58.38%	86.72%		<p>Phone calls to the contact centre increased in Q4 due to council tax annual billing. However the team managed to exceed the target for the quarter, which is a great achievement. Q4's performance of 86.72% means that nearly 40,000 calls were answered within the target time.</p>
Percentage of calls abandoned	Less than 5%	17.45%	9.22%	11.08%	2.52%		<p>Phone calls to the contact centre increased in Q4 due to council tax annual billing. However the team managed to exceed the target for the quarter, which is a great achievement. The call abandonment rate of 2.52% was the best result of the year, and means that of nearly 46,000 calls, 1,160 were abandoned.</p>
Keeping crime & anti-social behaviour low							
Ranking in our Most Similar Group (MSG) in relation to all crime	At least 4th	3rd	3rd	3rd	3rd		<p>Eastbourne still compares favourably in its MSG - remaining within the three lowest Community Safety Partnership areas despite the fact that crime across Sussex has increased within performance year 16/17</p>

3.2 Thriving Communities Projects & Programmes




Project / Initiative	Description	Target Completion	Current Status	Update
Improved health & wellbeing				
Sovereign Centre New Leisure Centre	A new leisure centre	31-Mar-20		The scheme has recently been reviewed by the Design Review Panel and public and user consultation will take place following the General Election purdah period. The first formal step in procuring a new operator has started.
Health & Housing - East Sussex	A new County-wide programme of health & housing related projects	31-Mar-20		A programme of projects to improve outcomes for patients, carers and service users by supporting integration of service development and delivery across Health & Housing. Recent work includes: <ul style="list-style-type: none"> Accommodation modelling across acute and sub acute facilities in conjunction with the CCG and ESCC ongoing Older Person Housing Needs Survey drafted and will go out for comment in May followed by focus groups in June & July DCLG Homeless Prevention and Housing First Social Impact Bond is progressing to commissioning stage A review of the pathway of homeless people accessing acute care at EDGH has been commissioned
Park & Playground Improvements (Seaside Rec, Old Town Rec and Tugwell Park path)	1. Seaside Rec - Create an extended, modernised children's play area & a raised gravel footpath 2. Tugwell Park - a periphery all weather path to improve accessibility. 4. Old Town Rec - Improvements to the main entrances, tree planting and pollinating/biodiversity improvements	31-May-17		Completion date extended from the end of March to the end of May.
Skate park - Shinewater	To upgrade existing dated, modular jumps to a bespoke, specialist design/ constructed concrete skate park. . The concrete skate park brief will be influenced through the skate park users with a design and build contract to a set sum of £50k.	15 July -17		Project manager met with the skate park users on the 9/05/17 to fine tune the design. Amended design now approved and awaiting programme to build with a revised target date for completion by mid July 17.
Meeting housing need				
Housing & Economic Development Programme	Deliver an ambitious programme of housing development and refurbishment that provides homes and makes a positive contribution to Eastbourne's economic future	31-Mar-20		<ul style="list-style-type: none"> Affordable housing programme of 89 units is well advanced. Driving Devonshire Forward Programme is delivering improvements to Princes Park, new Beach Huts and public realm improvements The Council has set up a wholly owned development company - Eastbourne Housing Investment Company Ltd which has purchased on the open market two run-

Project / Initiative	Description	Target Completion	Current Status	Update
				<p>down apartment blocks with commercial units on the ground floor for improvement including Gowlands Court (12 flats) and Victoria Mansions (36 flats) .EHICL has also bought 6 properties from the council which will be renovated or demolished to create a total of 18 new dwellings including 13 to let at market rents and 5 to be sold on shared ownership leases.</p> <ul style="list-style-type: none"> A new jointly owned housing investment company is being formed with Lewes District Council to help address the shortage of housing and bring forward regeneration opportunities in both towns
Options for the delivery of housing services across EBC and LDC	<p>Ensure tenants and leaseholders are fully engaged in a consultation exercise to choose future joint HRA management and governance arrangements across the two councils</p> <p>Protecting services for tenants and leaseholders while managing the challenges of:</p> <ul style="list-style-type: none"> stock size/geographical spread higher value asset sales / 'pay to stay' rent reductions reduced public funding keeping the focus on value for money services for our residents 	31-Mar-17		<p>Final meeting was on 8th May, with the group agreeing to meeting on an ad hoc basis in future - to review joint policy and procedure as they relate to housing management (e.g. the allocations policy currently in draft).</p> <p>The rationale of this project, to bring tenant representatives on board with the JTP, has been broadly achieved</p>
Resilient & engaged communities				
Delivery of Community Centre to serve the Sovereign Harbour Neighbourhood	EBC working with Sovereign Harbour Community Association and Wave Leisure to deliver a £1.6m community centre	30-Nov-17		This project has been delayed as a different site to that originally planned for the facility has been agreed. Planning permission for this new site was granted on 25 th April 2017. Planning application for new access road to serve site 6 (employment land) and the community centre is due to be submitted in June 2017
Community Facilities	Supporting Development and Management of community buildings such as community centres, community library, town hall.	31-Mar-17		<ul style="list-style-type: none"> Trees Community Centre - SCDA have been supporting and 14 new volunteers have been recruited and funding of £20.2K secured. Old Town Library and Old Town Community Centre are both operating well and being supported by SCDA Langney Village Hall & Hampden Park Community Centre are working with 3VA and Wave Town Hall use - currently on hold due to prohibited costs of installing a lift
Welfare Reform	Deliver the changes needed to support the changes, identify those affected and prepare an action plan for ESCC, and appoint a co-ordinator to take the work	28 April 2017		This project has completed successfully, the necessary changes to systems and processes have been made and a Benefit Cap co-ordinator has now been appointed to work with the 200 individuals affected by the changes to help


Project / Initiative	Description	Target Completion	Current Status	Update
	forward			support them back to work.
Community Lottery	Launch an online Eastbourne Local lottery to help fund discretionary support for Community organisations and to enable good causes to raise funds directly.	1-Oct-17		Approved by Cabinet on 8 February. The tender will be awarded by 30 June and the target date for the lottery going live is 1 October 2017.


4. Sustainable Performance

4.1 Sustainable Performance Key Performance Indicators

KPI Description	Annual Target 2016/17	Q1 2016/17	Q2 2016/17	Q3 2016/17	Q4 2016/17	Year End Status	Explanatory Note
Delivering a balanced budget							
Local percentage of Council Tax collected in year	At least 96.75%	29.20%	56.05%	83.18%	97.06%		There has been an increase in performance during quarter 4, which meant we reached a collected rate of 97.06%. This exceeded the target of 96.25% by (+0.31%) and meant the team collected an additional £4,036k more than in 2015-2016.
National non-domestic rates collected	At least 98%	29.12%	54.02%	78.85%	99.18%		There has been an increase in performance during quarter 4, which meant we reached a collected rate of 99.18%. This exceeded the target of 98.00% by (+1.18%) and meant the team collected an additional £997k more than in 2015-2016.
Managing our people & performance							
Sickness absence - average days lost per employee	No more than 5.8 days	1.38 days	1.56 days	1.12 days	1.69 days		We were well within the target for 2016/17.

4.2 Sustainable Performance Projects & Programmes

Project / Initiative	Description	Target Completion	Current Status	Update
Delivering in partnership				
Joint Transformation Programme	A major programme to integrate the Eastbourne Borough Council and Lewes District Council workforces, and transform the service delivery model for both organisations. Deliver £2.7m savings while protecting services	31-Mar-20		The JTP team is fully mobilised and Phase One internal recruitment is now completed. Work is currently underway to allow Phase One teams to go-live (e.g. single network login and email account, proper support plan for new managers). There are some risks around programme interdependencies needing further development, but activity is underway to better understand these. The amount of programme activity is gearing up and this means that the resource impact on both the wider organisation and then programme team itself is considerable and needs careful managing.

Project / Initiative	Description	Target Completion	Current Status	Update
Making the best use of our assets				
Joint Corporate Landlord Service	A comprehensive restructuring of property budgets and staff to ensure central control and prioritisation, combined with an asset challenge programme to ensure non-operational assets deliver a good yield or are disposed of	02-May-16		The project is now completed

Community Projects - Devolved Ward Budgets

Ward	Projects	Description	Project Spend to Date
Devonshire	Parade Bowls Club	Replacement of three urinals.	£900.00
	Hippodrome Theatre Mural	Painting and installation of a mural remembering all those celebrities who have performed at the Royal Hippodrome.	£4,000.00
	Real Junk Food Project	The project turns 'waste' or 'intercepted' food into meal for those in need.	£750.00
	Leaf Hall	To purchase new chairs to replace old and damaged furniture. Also, support with Art adviser bid applications and food safety training.	£1,242.00
	Foodbank	Funding to assist with the relocation to new premises.	£1,000.00
	Eastbourne Volunteers	To support volunteers, make the best use of shared resources, create a website so the public know where to get information about volunteer groups, promote inclusion and fight social isolation.	£300.00
	Body Club	To fund new signage for the building.	£1,000.00
	Diwali Celebration	To provide funding for the Diwali celebration.	£458.00
	Salvation Army	To purchase new tumble dryer and mixer taps for the Rebourne Centre.	£350.00
Devonshire Total			£10,000.00
Hampden Park	Sunday Funday	Creation of a community fun day for the residents in and around Hampden Park.	£1,440.00
	Trees in Croxton Way	To supply and install four trees in Croxton Way.	£1,000.00
	Eastbourne Rugby Club	To install six new posts for Eastbourne Rugby Club. (Co funding with Ratton Ward).	£1,500.00
	Diversionsary Sports Activities	To provide sports-based youth interventions to help reduce youth violence and crime in conjunction with activities of the Council's Neighbourhood First Team.	£650.00
	Computer Shaftsbury Centre	To provide an additional computer to enable more people to support residents in the Hampden Park area.	£325.00
	Defibrillator within the Ward	To procure a Public Access Defibrillator (PAD), to be installed within Ward, to provide life saving emergency equipment that is accessible to the community, 24 hours a day.	£1,662.50
	Tea Party	To recreate an Edwardian Tea Party as a community event.	£1,500.00
	Unsung Hero's	Hampden Park Heroes – an award presentation for people who have made a significant voluntary contribution to the community either on a ward wide basis or perhaps more privately-such as a carer.	£500.00
	Hampden Park in Bloom	To provide flowers and planters to enhance the surroundings for the residents and visitors.	£672.50
	Willingdon Trees Play area Equipment	To provide equipment for Children's' Play Area at Community Centre.	£750.00
Hampden Park Total			£10,000.00
Langney	Diversionsary Sports Activities	To provide sports-based youth interventions to help reduce youth violence and crime in conjunction with activities of the Council's Neighbourhood First Team.	£650.00
	Milfoil Drive access improvement	To make improvements to the access road markings, from Milfoil Drive leading to Shinewater Court, Shinewater Sports and Community Centre and rear of Shinewater Primary School.	£612.00
	Bikeability Scheme	Shinewater Primary School Scheme. The scheme involves working with Sussex Downs College to refurbish children's bikes and then to use them for children who do not have bikes to learn safe cycling habits as part of a Bikeability course.	£300.00
	Defibrillator within the Ward	To procure a Public Access Defibrillator (PAD), to be installed within Ward, to provide life saving emergency equipment that is accessible to the community, 24 hours a day.	£1,306.25

Ward	Projects	Description	Project Spend to Date
	Shinewater Youth Hub	To provide play equipment to support three youth sections from Primary age through to Secondary school.	£485.00
	Sevenoaks Road Improvements	To improve all sections of the community crossing along Sevenoaks Road to the park which includes traffic calming measures.	£6,646.75
Langney Total			£10,000.00
Meads	Queen's 90th Birthday Celebrations	To purchase bunting and tablecloths for the free community party for the whole of Meads community for the celebration.	£227.09
	Improvements at Helen Gardens	To grass over 'Molly' bed in Helen Gardens, plant two trees and a commemorative plaque to Molly and Dolly Sedgewick, the war time lady parachutists who lived their latter years in Eastbourne.	£3,000.00
	Community Television Project	To replace video equipment.	£995.57
	Meads Magic	To buy festoon lighting and two outdoor speakers for the better enjoyment of Meads Magic for the community.	£536.00
	Lighting in Terminus Road	To provide winter lighting for the top end of Terminus Road. To introduce tree lighting to lift the area and boost the evening economy.	£4,000.00
	Eastbourne Volunteers	To provide printing equipment for Eastbourne Volunteers which is a new project launching 28th January 2017. They will be recruiting volunteers for all of the clubs, groups and organisations in Eastbourne and promoting volunteering as a way of reducing social isolation and opening a Community Hub in Meads and also printing a new community newspaper called 'The Eastbourne Volunteer' from the premises.	£1,000.45
Meads Total			£9,759.11
Old Town	Old Town Community Library Refurbishment	To purchase Items towards refurbishment of the Old Town Community library.	£1,100.00
	Bench in Macmillan Park	To provide a bench in Macmillan Park.	£1,384.44
	Information Board in Motcombe Gardens	To provide an information board for visitors to Motcombe Gardens.	£468.80
	Flag Pole in Motcombe Gardens	To erect a flagpole at Old Town Recreation Ground in order to display the Green Flag which the recreation ground has been awarded.	£1,925.00
	Trees within the Ward	To plant trees throughout the Ward. A list of locations is available on request.	£5,000.00
Old Town Total			£9,878.24
Ratton	Trees with in the Ward	To plant trees in various streets in Ratton Ward.	£4,000.00
	Eastbourne Rugby Club	To install six new posts for Eastbourne Rugby Club. (Co funding with Hampden Park Ward).	£1,000.00
	Dropped curb in Rushlake Crescent	To assist elderly and people with walking difficulties to cross Rushlake crescent with ease.	£2,483.53
	Balloon Event	To provide funding for the first Eastbourne Balloon Festival.	£571.47
Ratton Total			£8,055.00
St Anthony's	Defibrilators accross the Ward	To procure a Public Access Defibrillator (PAD), to be installed within Ward, to provide life saving emergency equipment that is accessible to the community, 24 hours a day.	£3,918.75
	Embrace	To launch an Advocacy Service in Eastbourne	£3,000.00
	Bridgemere Centre	To assist with the cost of purchasing the Bridgemere Centre.	£1,500.00
	Signage for Shelly Walk	To provide signage for waste disposal to reduce litter in Shelly Walk.	£250.00

Ward	Projects	Description	Project Spend to Date
	Sevenoaks Road Improvements	To improve all sections of the community crossing along Sevenoaks Road to the park which includes traffic calming measures.	£1,331.25
St Anthony's Total			£10,000.00
Sovereign	Waste Bin	To provide a rubbish collection bin for the water feature in the south Harbour.	£340.00
	Kingsmere Christmas Fayre	To provide funding for a group of residents to organise a Christmas Fayre event.	£250.00
	Garden Waste Bins	To provide part funding for the provision of garden waste bins on the Kingsmere Estate.	£1,000.00
	SHRA Laser Printer	To provide a new Mono Laser Printer to support the work of the Sovereign Harbour Residents Association.	£299.99
	Memory Lane Allotment Shed	To provide a shed that Memory Lane can be used provide group members to rest and have refreshments while they are working there. Memory Lane have started a new group within the Charity which gets people with Alzheimer's/Dementia involved in growing items on an allotment.	£500.00
Sovereign Total			£2,389.99
Upperton	Grounds Maintenance	Grounds maintenance projects	£1,050.00
	Dog Show	To support the dog show held in Gildredge Park - provision of a sound system and children's entertainer.	£700.00
	Defibrillator within the Ward	To procure a Public Access Defibrillator (PAD), to be installed within Ward, to provide life saving emergency equipment that is accessible to the community, 24 hours a day.	£4,400.00
	Eastbourne Bowling Club	Conversion of the disabled toilets at the bowling club.	£2,000.00
	Manor Gardens	Planting in Manor Gardens	£950.00
	Dual Waste bin	To provide an additional dual waste bin on Gorringe Road.	£245.00
	Little Chelsea Santa's Grotto	Santa Grotto	£500.00
Upperton Total			£9,845.00
Grand Total			£81,872.34

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	Original Budget	Revised Budget	Actual	Variance	Comments	
	£'000	£'000	£'000	£'000		
CORPORATE SERVICES						
Corporate Management	359	279	311	32	Includes contribution to Neon Noel	
Financial Services Team	1,364	1,464	1,420	(45)	Unfunded pensions and savings on insurances MMI Levy	
Corporate Finance	313	564	612	48		
Internal Audit and Corporate Fraud	236	367	359	(8)		
Strategic Finance	1,913	2,395	2,391	(5)		
Human Resources	380	321	308	(13)	Salary, contract and licence savings offset by agency costs	
Legal Services	230	230	203	(27)		
Systems Admin and Support	1,643	1,462	1,367	(95)		
Projects and Performance	340	386	389	3		
IT Services	1,983	1,848	1,756	(92)		
Corporate Development	153	268	285	17	Includes £37k additional work on PR contract	
Local Democracy	704	849	857	8		
Corporate Development and Governance	857	1,117	1,142	25		
TOTAL CORPORATE SERVICES	5,722	6,190	6,111	(80)		
SERVICE DELIVERY						
Service Management	(63)	(68)	(4)	64	Reallocation of HRA recharge to Specialist advisory	
Strategy and Commissioning Community	189	332	395	63	Includes HB overspend £183k and £78k surplus on Solarbourne	
Service Management	82	82	80	(2)	£82k reallocation from service management HRA recharge , £126k savings on Waste/Cleansing/Recycling, additional Development Control income £42k, Revenues £118k surplus income, offset by additional costs within Public Health £33k, £31k salary and agency costs within Benefits, £36k additional Private Housing costs	
Specialist Advisory	4,465	4,481	4,231	(250)		
Customer Contact	856	856	741	(115)		Salary savings
Case Management	615	582	586	4		
Account Management	456	452	555	103	Agency costs Includes salary savings £40k and additional car parking income £96k, offset by additional costs for Public Conveniences	
Neighbourhood First	538	556	449	(107)		
Customer First	7,012	7,009	6,642	(367)		
Bereavement Services	(1,067)	(1,107)	(1,213)	(106)	Fee income surplus and other income	

	Original Budget	Revised Budget	Actual	Variance	Comments
	£'000	£'000	£'000	£'000	
TOTAL SERVICE DELIVERY	6,071	6,166	5,820	(346)	
REGENERATION, PLANNING POLICY & ASSETS					
Service Management	59	62	64	2	
Regeneration and Planning Policy	419	402	396	(6)	
Corporate Landlord	(572)	(532)	(576)	(44)	Includes backdated rent increases for Investment properties
Facilities Management	206	203	295	92	Rental income shortfall and additional costs offset by additional lettings income
Estates and Property	(366)	(329)	(281)	48	
TOTAL REGENERATION, PLANNING POLICY & ASSETS	112	135	179	44	
TOURISM AND ENTERPRISE					
Service Management	99	93	98	5	
Towner	680	623	621	(2)	
Devonshire Park Complex	-	1	11	10	
Tourism and Enterprise	404	406	431	25	
Catering	59	8	(86)	(94)	Savings and trading income
Heritage	186	182	204	22	
Tourist Information	90	95	115	20	
Tourism and Enterprise	739	691	664	(27)	
Sports Delivery	270	271	272	1	
Seafront	(6)	1	(2)	(3)	
Events	611	624	615	(9)	Includes Airbourne £69k overspend offset by additional event income
Theatres	824	894	800	(94)	Show income surplus of £173k offset by additional buildings related costs
TOTAL TOURISM AND ENTERPRISE	3,217	3,198	3,079	(119)	
Other Operating Income and Expenditure	(469)	(363)	-	363	Re profiling of JTP savings target to 17/18
TOTAL SERVICE EXPENDITURE	14,653	15,326	15,189	(138)	

Revenue Transfers to/(from) Reserves

Reserve and Purpose	Transfer to (from) General Fund £	Transfer between reserves £	Comments/ Approval
GENERAL FUND EARMARKED RESERVE - z10112			
Risk Management Training Zurich		13,850	
Improvement Fund Cems and Crem Solarbourne	(22,735)		Fee Element for future enhancements
Taxi & Private Hire	(16,200)	(16,200)	
Sports Park - Astro Park	(719)		Required by legislation
HPSC - Tennis	(10,000)		As per agreement
HPSC -Multi Court	4,000		Approved Cabinet 13/12/16
	5,435		Approved Cabinet 13/12/16
STRATEGIC CHANGE RESERVE - z10125			
IESE 16/17	46,875		
Transformation fund	(186,279)		
Future Model	13,128		
Finance Staff Costs	78,299		
Redundancies	396,661		
CAPITAL PROGRAMME RESERVE - z10127			
Town Hall Vending Machine	(3,000)		Funding capital expenditure
Disposal Costs	148,666		Funding capital expenditure
Cultural Centre	(21,615)		Funding capital expenditure
Future Model Phase 2	59,708		Funding capital expenditure
Camera Obscura	24,920		Funding capital expenditure
Princes Park Café Refurb	6,564		Funding capital expenditure
67-69 Seaside	26,484		Funding capital expenditure
Transfer to Capital Programme Reserve	(677,748)		As per budget strategy
REVENUE GRANTS RESERVE - z10128			
Grants received in advance	(310,134)		Grants receive in advance where expenditure incurred in future year. Accounting technical adjustment
REGENERATION RESERVE - Z10130			
Town Team	6,449		Approved Cabinet 30/05/12
Eastbourne Park/Visitor Centre feasibility	5,000		
Transfer to General Fund		500,000	As per budget setting for 2016-17
DEVONSHIRE PARK REVIEW RESERVE			
PR Costs	19,755		
Redundancies	20,631		
Total Movement in Transfer to and from Reserves	(385,855)	497,650	
GENERAL FUND REVENUE ACCOUNT - z10190			
Transfer of overprovision of IT accrual back to the General Fund Solarbourne	(52,413)	16,200	Approved Cabinet 22/03/17
Seafront Showers	4,200		Agreed as part of 15/16 Final Accounts and approved at Cabinet 22/03/17
SMS messaging for payment recovery - 15/16 one off grant	2,720		One off growth funded from reserves
Contribution to Local Dementia action plan	10,000		One off growth funded from reserves
Single Equality Scheme implementation	5,000		One off growth funded from reserves
Langney Village Hall match funding for works	5,000		One off growth funded from reserves
Transfer from Regen Reserve		(500,000)	Agreed as part of budget setting process
Cost of elections	25,965		
Zurich Insurance reserve		(13,850)	
Year end transfer	(1,119,906.27)		
Total Movement in Transfer to and from General Fund balance	(1,119,435)	(497,650)	

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HOUSING REVENUE ACCOUNT 2016/17				
	ORIGINAL BUDGET £' 000	REVISED BUDGET £' 000	ACTUAL £' 000	VARIANCE £' 000
INCOME				
Gross Rents	(14,580)	(14,565)	(14,624)	(59)
Charges for Services	(1,006)	(1,138)	(1,120)	18
TOTAL INCOME	(15,586)	(15,703)	(15,744)	(41)
EXPENDITURE				
Management Fee (Eastbourne Homes Limited)	7,319	7,361	7,351	(10)
Supervision and Management	1,002	998	968	(30)
Provision for Doubtful Debts	126	81	(67)	(148)
Depreciation and Impairment of Fixed Assets	4,113	4,010	3,998	(12)
TOTAL EXPENDITURE	12,560	12,450	12,250	(200)
NET COST OF SERVICE	(3,026)	(3,253)	(3,494)	(241)
Loan Charges - Interest	1,831	1,831	1,799	(32)
Interest Receivable	(22)	(22)	(20)	2
NET OPERATING (SURPLUS) DEFICIT	(1,217)	(1,444)	(1,715)	(271)
Appropriations				
Transfer to Reserve	924	1,027	1,027	0
HOUSING REVENUE ACCOUNT (SURPLUS) / DEFICIT	(293)	(417)	(688)	(271)
HOUSING REVENUE ACCOUNT WORKING BALANCE				
In Hand at 1st April 2016	(3,549)	(3,678)	(3,678)	
Surplus for 2016/17	(293)	(417)	(688)	
In Hand at 31st March 2017	(3,842)	(4,095)	(4,366)	

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Summary of Capital Programme 2017 to 2021

	Total 2017/18	Total 2018/19	Total 2019/20	Total 2020/21
Capital Programme	£000	£000	£000	£000
HRA	9,114	4,290	4,376	4,376
Community Services	8,202	1,652	1,530	300
Tourism & Leisure	4,228	10,500	10,480	-
Corporate & Core Services	32,191	3,224	3,225	255
Asset Management	18,657	17,377	3,494	821
Pier Grant & Coastal Communities Grant	1,146	-	-	-
Total Programme	73,538	37,043	23,105	5,752
Financed By:-				
Capital Receipts HRA	1,740	-	-	-
Capital Receipts GF	12,667	10,680	2,345	368
Grants and Contributions	7,288	2,649	2,532	300
Major Repairs Reserve	5,207	4,289	4,376	4,376
Revenue Contribution to Capital	620	-	-	-
Reserves	297	-	-	-
Section 106 Contributions	1,366	-	-	-
GF Borrowing (Committed)	37,897	18,095	12,522	628
GF Borrowing (Uncommitted)	5,290	1,330	1,330	80
HRA Borrowing	1,166	-	-	-
Total Financing	73,538	37,043	23,105	5,752

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Scheme	Total Scheme Approved £000	Total Scheme Spend to 31 Mar 2016 £000	Scheme Spend 2016-17 £000	Allocation 2016-17 £000	Revised Allocation 2017-18 £000	2018-19 £000	2019-20 £000	2020-21 £000	2016-17 variance to allocation £000	Variance to total allocation where complete	Funding	Comments
HOUSING REVENUE ACCOUNT												
Major Works	Ongoing		3,892	4,893	5,167	4,250	4,376	4,376	(1,001)		EBC	Works still in progress at year end
Environmental Improvements	Ongoing		81	86	40	40	-	-	(5)		EBC	Planned works completed
Riverbourne House Conversion	262	-	-	-	262	-	-	-	-			2017-18 Allocation
Managed by Eastbourne Homes			3,973	4,979	5,469	4,290	4,376	4,376	(1,006)			
Other Schemes												
Total Empty Homes	3,117	3,002	121	114	-	-	-	-	7	0%	EBC/Grant	Completed
Total LA New Build	4,225	4,519	55	56	-	-	-	-	(1)	0%	EBC/Grant	Completed
New Build Phase 2	4,503	120	1,070	1,110	3,310	-	-	-	(40)		EBC/Grant	Works on target
Total Empty Homes Ph 2	2,236	1,407	543	570	334	-	-	-	(27)		EBC/Grant	Works on target
Total HRA			5,762	6,829	9,113	4,290	4,376	4,376	(1,067)			
COMMUNITY SERVICES												
Memorial Safety Cems	40	6	-	-	34	-	-	-	-		EBC	2017-18 Allocation
Digitalise Burial Records	10	-	-	-	10	-	-	-	-		EBC	2017-18 Allocation
Ocklynge Cemetery Chapel	150	82	(2)	-	70	-	-	-	(2)		EBC	2017-18 Allocation
Main Chapel Refurb - Phase 2	26	5	4	4	17	-	-	-	-		EBC	Planned works completed
Disabled Facilities Grants	Ongoing	-	509	600	2,169	1,200	1,200	-	(91)		Grant	Planned works completed
BEST Grant (housing initiatives)	Ongoing	1,862	74	66	159	117	-	-	8		Grant	Planned works completed
Acquisition of Land & Property	3,080	-	-	-	3,080	-	-	-	-		EBC	Schemes under investigation
Bridgemere CC	20	-	20	20	-	-	-	-	-	0%	EBC	Completed
Contaminated Land	185	83	31	30	71	-	-	-	1		Grant	Further investigations completed. Balance re-profiled to 2017-18
Coast Defences Beach Management	Ongoing	-	570	568	298	300	300	300	2		Grant	Completed
Coast Defences by New Forest DC	Ongoing	-	49	-	-	-	-	-	49		Grant	Works completed by New Forest DC for SE authorities
Cycling Strategy	41	-	-	-	41	-	-	-	-		EBC	2017-18 Allocation
Play Area Sovereign Harbour	27	-	-	-	27	-	-	-	-		S106	2017-18 Allocation
Terminus Road Improvements	500	-	-	-	500	-	-	-	-		EBC	2017-18 Allocation
CIL - Software	19	-	19	19	-	-	-	-	-	0%	EBC	Completed
Sov Harbour Community Centre	1,600	282	89	60	1,229	-	-	-	29		EBC/S106/Grant	Planned works completed
Bodiam Cres Play Area Path	20	12	6	8	2	-	-	-	(2)	-10%	EBC	Completed
Shinewater Skate Park	50	-	-	50	50	-	-	-	(50)		EBC	Works to be completed 2017-18 Additional £60k to be funded from external contributions
Seaside rec - Play Equipment	120	-	9	60	111	-	-	-	(51)		EBC	Planned works completed
Motcombe Pond	50	24	22	26	4	-	-	-	(4)		EBC	Planned works completed
Hampden Park - Improvements (Green Flag)	50	-	15	50	35	-	-	-	(35)		EBC	Planned works completed
Old Town Rec. - Improvements (Green Flag)	25	-	14	25	11	-	-	-	(11)		EBC	Planned works completed
Allotments - Improvements	16	8	8	8	-	-	-	-	-	0%	External	Completed
Seaside Rec - all weather path	50	-	28	35	22	-	-	-	(7)		EBC	Planned works completed

Scheme	Total Scheme Approved £000	Total Scheme Spend to 31 Mar 2016 £000	Scheme Spend 2016-17 £000	Allocation 2016-17 £000	Revised Allocation 2017-18 £000	2018-19 £000	2019-20 £000	2020-21 £000	2016-17 variance to allocation £000	Variance to total allocation where complete	Funding	Comments
Signage Re-branding (Parks & Open Spaces)	30	-	-	-	30	-	-	-	-	-	EBC	2017-18 Allocation
Tugwell Park - all weather path (Phase 1 & 2)	50	-	37	25	13	-	-	-	12	-	EBC	Planned works completed
Car Parking Machines	72	-	67	72	5	-	-	-	(5)	-7%	EBC	Completed
Public Conveniences Beachy Head	40	-	39	40	1	-	-	-	(1)	-3%	EBC	Completed
Public Conveniences Green Street	40	-	37	40	3	-	-	-	(3)	-8%	EBC	Completed
Shinewater Park - Scoping	20	-	-	-	20	-	-	-	-	-	EBC	2017-18 Allocation
Air Quality Monitoring Equipment	31	-	2	31	28	-	-	-	(29)	-	EBC	Equipment due 2017-18
Helen Gardens Play Equip	40	-	-	-	40	-	-	-	-	-	EBC	2017-18 Allocation
Chiltern Close Play Equip	25	-	-	-	25	-	-	-	-	-	EBC	2017-18 Allocation
Oak Tree Lane Play Equip	35	-	-	-	-	35	-	-	-	-	EBC	2018-19 Allocation
Mulberry Close Play Equip	30	-	-	-	-	-	30	-	-	-	EBC	2019-20 Allocation
Lower Holywell Public Con	50	-	-	-	50	-	-	-	-	-	EBC	2017-18 Allocation
Redoubt Public Convenience	40	-	-	-	40	-	-	-	-	-	EBC	2017-18 Allocation
Green Street Disabled Toilet	31	-	25	31	6	-	-	-	(6)	-19%	EBC	Completed
Total Community Services			1,672	1,868	8,201	1,652	1,530	300	(196)			
TOURISM & LEISURE												
Volleyball Court	25	2	5	2	18	-	-	-	3	-	EBC	2017-18 Allocation
Signage	40	24	18	16	-	-	-	-	2	5%	EBC	Completed
Sports Park Flood Lights	30	-	-	-	30	-	-	-	-	-	EBC/External	2017-18 Allocation
Re-surface Tennis Courts	265	236	5	5	23	-	-	-	-	-	EBC/External	2017-18 Allocation
ILTC - Air Conditioning	60	-	-	60	60	-	-	-	(60)	-	EBC	Re-profiled to 2017-18
Redoubt - Stair Climber	20	-	-	-	20	-	-	-	-	-	EBC	2017-18 Allocation
Colonnade Removal	500	-	-	-	500	-	-	-	-	-	EBC	2017-18 Allocation
Redoubt - Asphalt Gun Platform	50	-	-	-	50	-	-	-	-	-	EBC	2017-18 Allocation
HPSC - Changing Rooms	20	-	-	-	20	-	-	-	-	-	EBC	2017-18 Allocation
New Beach Huts	210	164	46	33	-	-	-	-	13	0%	EBC	Completed
5 Iconic Beach Huts	90	-	-	-	90	-	-	-	-	-	EBC	2017-18 Allocation
ILTC Showers	25	-	23	25	-	-	-	-	(2)	-8%	EBC	Completed
Equipment at Devonshire Park	20	-	20	20	-	-	-	-	-	0%	EBC	Completed
Old Ticket Pavilion refurbishment	10	-	10	10	-	-	-	-	-	0%	EBC	Completed
Sovereign Centre	24,480	-	270	200	3,230	10,500	10,480	-	70	-	EBC	Initial planning work in progress.
Changing Places	69	-	-	-	69	-	-	-	-	-	External	2017-18 Allocation
Wash Down - Devonshire Park	20	-	-	-	20	-	-	-	-	-	EBC	2017-18 Allocation
Equipment at Devonshire Park	50	-	-	-	50	-	-	-	-	-	EBC	2017-18 Allocation
Seafront Van	12	-	-	13	13	-	-	-	(13)	-	EBC	Re-profiled to 2017-18
Sports Park Astro Pitch	35	-	-	-	35	-	-	-	-	-	EBC	2017-18 Allocation
Total Tourism & Leisure			397	384	4,228	10,500	10,480	-	13			
CORPORATE SERVICES												
Carbon Reduction Works	468	144	28	85	262	-	-	-	(57)	-	EBC	Planned works completed.

Scheme	Total Scheme Approved £000	Total Scheme Spend to 31 Mar 2016 £000	Scheme Spend 2016-17 £000	Allocation 2016-17 £000	Revised Allocation 2017-18 £000	2018-19 £000	2019-20 £000	2020-21 £000	2016-17 variance to allocation £000	Variance to total allocation where complete	Funding	Comments
Invest to Save	-	-	-	7	15	80	80	80	(7)		EBC	Available for schemes to be identified
Future Model Phase 2	3,661	3,415	119	119	126	-	-	-	-		EBC	Programme nearing completion.
Investment Capital	5,750	1,150	-	-	4,600	-	-	-	-		External	Some budget re-profiled to 2017-18 2017-18 Allocation
IT - Block Allocation	Ongoing	-	40	91	517	175	175	175	(51)		EBC	Planned works on schedule. Some budget re-profiled to 2017-18
EHIC - Loan (Gowland Ct)	1,850	1,560	275	210	15	-	-	-	65		EBC	Property purchase 26.11.15. Full loan not yet drawn down
EHIC - Revolving Credit	100	-	65	-	35	-	-	-	65		EBC	Available for drawdown as required
EHIC - Loan Facility Available (EBC transfers)	1,370	-	-	-	1,370	-	-	-	-		EBC	Further schemes to be identified
EHIC Loans approved (EBC Transfers)	2,803	-	450	370	2,353	-	-	-	80			Completed. Full loan not yet drawn down
EHIC - Loan Facility Available (Pte Properties)	3,325	-	-	-	825	1,250	1,250	-	-		EBC	Further properties to be identified
EHIC Loans approved (Private Properties)	1,675	-	490	640	1,185	-	-	-	(150)			Full loan not yet drawn down or completion due 2017-18
EHIC - Victoria Mansions	4,035	-	2,960	2,930	1,075	-	-	-	30		EBC	Completed. Major works due 2017-18 Exchanged. Completion expected March 2017
Bedfordwell Road - Land	3,100	-	1,604	1,810	1,496	-	-	-	(206)		EBC	Completion early 2017-18
Hampden Retail Park	18,840	-	35	18,000	18,806	-	-	-	(17,965)		EBC	Completed
Victoria Mansion - Commercial	2,500	-	2,500	2,500	-	-	-	-	-	0%	EBC	Completed
Buccaneer Pub	1,500	-	-	-	1,500	-	-	-	-		EBC	2017-18 Allocation
Purchase of Land on Seafront	525	-	515	515	-	-	-	-	-	-2%	EBC	Completed
JTP Programme Office	6,878	-	2,296	1,720	1,143	1,720	1,720	-	576		EBC	Planned works on schedule.
Mayor's Car	20	-	-	-	20	-	-	-	-		EBC	2017-18 Allocation
Total Corporate Services			11,377	28,997	35,343	3,225	3,225	255	(17,620)			
Asset Management												
Devonshire Park Redevelopment Project	44,000	568	5,497	4,740	17,744	16,877	2,994	321	757			Works on schedule
Congress Theatre redesign & restoration	1,950	1,803	88	88	-	-	-	-	-	-3%	EBC	Completed
Spinnakers Café	200	-	-	-	200	-	-	-	-		EBC	2017-18 Allocation
Princes Park Fit Out	260	-	-	-	260	-	-	-	-		EBC	2017-18 Allocation
Downland Pumps/Pipes Replacement	88	80	8	8	-	-	-	-	-	0%	EBC	Completed
Hampden Pk Com Centre Fire Alarm & Light	28	-	28	28	-	-	-	-	-	0%	EBC	Completed
Royal Hippodrome Theatre	127	-	-	127	127	-	-	-	(127)		EBC	Re-profiled to 2017-18
Devonshire Park Theatre - rendering & Towers	996	624	551	372	-	-	-	-	179	18%	EBC/External	Completed. Additional works were necessary
Town Hall Community Hub	20	-	-	20	20	-	-	-	(20)		EBC	Options being considered
Shinewater Boiler replacement	45	34	-	-	-	-	-	-	-	-24%	EBC	Completed, under budget
Hide Hollow Lay By	34	-	34	34	-	-	-	-	-	0%	EBC	Completed

Scheme	Total Scheme Approved £000	Total Scheme Spend to 31 Mar 2016 £000	Scheme Spend 2016-17 £000	Allocation 2016-17 £000	Revised Allocation 2017-18 £000	2018-19 £000	2019-20 £000	2020-21 £000	2016-17 variance to allocation £000	Variance to total allocation where complete	Funding	Comments
Car Park lighting adj SWA works	14	-	14	14	-	-	-	-	-	0%	EBC	Completed
Seafront Lighting	37	-	36	37	-	-	-	-	(1)	-3%	EBC	Completed
Replacement pumps - Towner	24	-	24	19	-	-	-	-	5	0%	EBC	Completed
Asset Management - Block Allocation	Ongoing	-	-	87	306	500	500	500	(87)		EBC	Awaiting allocation to specific schemes
Total Asset Management			6,280	5,574	18,657	17,377	3,494	821	706			
Grant Funded Schemes												
Wish Tower Restaurant	1,200	31	44	10	1,125	-	-	-	34		Grant	2017-18 Allocation
Replace staircase to Camera Obscura	90	-	90	90	-	-	-	-	-	0%	Grant	Completed
Statue Sculpture Installation	22	-	1	1	22	-	-	-	-		Grant	2017-18 Allocation
Princes Park - Café Refurbishment	586	277	309	332	-	-	-	-	(23)	0%	Grant	Completed
Princes Park - Public Realm Work	740	109	632	556	-	-	-	-	76	0%	Grant	Completed
Sea Houses Sq - Plaza Improvements	157	44	111	113	-	-	-	-	(2)	-1%	Grant	Completed
Sea Houses Sq 1-5 Seaside Refurb	58	-	57	88	-	-	-	-	(31)	-2%	Grant	Completed
Seaside Rd - Elms Bdg Façade	96	110	(14)	-	-	-	-	-	(14)	0%	Grant	Completed
Seaside Rd - 67-69 Seaside refurb (Devonshire Collective)	173	6	168	143	-	-	-	-	25	1%	Grant	Completed
Refurb of Council Building (Devonshire Collective)	85	-	85	85	-	-	-	-	-	0%	External	Completed
			1,483	1,418	1,147	-	-	-	65			
General Fund			21,209	38,241	67,576	32,754	18,729	1,376	(17,032)			
HRA			5,762	6,829	9,113	4,290	4,376	4,376	(1,067)			
Total			26,971	45,070	76,689	37,044	23,105	5,752	(18,099)			

BODY: CABINET
DATE: 12th July 2017
SUBJECT: Treasury Management Annual Report 2016-17
REPORT OF: Deputy Chief Executive

Ward(s): All

Purpose: To report on the activities and performance of the Treasury Management service during 2016/2017

Decision Type

Contact: Alan Osborne, Deputy Chief Executive, Financial Services Telephone Number 01323 415149.

Recommendations: Cabinet is recommended to:

1. Agree the annual Treasury Management report for 2016/17.
2. Approve the 2016/17 prudential and treasury indicators included.
3. Approve the re-profiling of the Authorised Limit and Operational Boundary.
4. Note the review of Minimum Revenue Provision.

1.0 Introduction

1.1 This Council is required through regulations issued under the Local Government Act 2003 to produce an annual treasury report reviewing treasury management activities and the actual prudential and treasury indicators for 2016/17. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

During 2016/17 the minimum reporting requirements were that the full Council should receive the following reports:

- an annual treasury strategy in advance of the year (Council 22 February 2017)
- a mid year (minimum) treasury update report (Council 16 November 2016)
- an annual report following the year describing the activity compared to the strategy (this report)

In addition Treasury Management updates are included in the quarterly performance management reports, considered by both the Cabinet and Scrutiny Committee.

Recent changes in the regulatory environment place a much greater onus on Members for the review and scrutiny of treasury management policy and activities. This report is important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the Council’s policies previously approved by members.

This Council also confirms that it has complied with the requirement under the Code to give prior scrutiny to all of the above treasury management reports by the Audit & Governance Committee before they were reported to the full Council. Member training on treasury management issues was undertaken on 23 November 2015 in order to support Members’ scrutiny role.

1.2 This report summarizes:

- Capital activity during the year;
- Impact of this activity on the Council’s underlying indebtedness (the Capital Financing Requirement (CFR));
- Reporting of the required prudential and treasury indicators and changes to be approved;
- Review of Minimum Revenue Provision (MRP);
- Overall treasury position identifying how the Council has borrowed in relation to this indebtedness, and the impact on investment balances;
- Summary of interest rate movements in the year;
- Debt activity and investment activity.

2.0 The Council’s Capital Expenditure and Financing 2016/17

The Council undertakes capital expenditure on long-term assets. These activities may either be:

- Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council’s borrowing need; or
- If insufficient financing is available, or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.

The actual capital expenditure forms one of the required prudential indicators. The table below shows the actual capital expenditure and how this was financed.

	2015/16 Actual £m	2016/17 Estimate £m	2016/17 Actual £m
Non-HRA capital expenditure	12.24	38.24	21.19
HRA capital expenditure	5.03	6.39	5.76
Total capital expenditure	17.93	44.63	26.95

Resourced by:			
• Capital receipts	1.78	5.24	3.00
• Capital grants & external funding	2.69	3.59	5.93
• Capital Reserves	5.36	5.35	3.84
• Revenue	0.01	0.06	-
Use of internal balances/ borrowing	8.08	30.39	14.18

3.0 The Council's overall borrowing need

3.1 The Capital Financing Requirement (CFR) represents the Council's total underlying need to borrow to finance capital expenditure, i.e. capital expenditure that has not been resourced from capital receipts, capital grants and contributions or the use of reserves. Some of this borrowing is from the internal use of cash balances.

3.2 Part of the Council's treasury activities is to address the funding requirements for this borrowing need. Depending on the capital expenditure programme, the treasury service organises the Council's cash position to ensure sufficient cash is available to meet the capital plans and cash flow requirements. This may be sourced through borrowing from external bodies (such as the Government, through the Public Works Loan Board [PWLB] or the money markets), or utilising temporary cash resources within the Council.

3.3 **Reducing the CFR** – the Council's (non HRA) underlying borrowing need (CFR) is not allowed to rise indefinitely. Statutory controls are in place to ensure that capital assets are broadly charged to revenue over the life of the asset. The Council is required to make an annual revenue charge, called the Minimum Revenue Provision (MRP), to reduce the CFR. This is effectively a repayment of the non-Housing Revenue Account (HRA) borrowing need (there is no statutory requirement to reduce the HRA CFR). This differs from the treasury management arrangements which ensure that cash is available to meet capital commitments. External debt can also be borrowed or repaid at any time, but this does not change the CFR.

The total CFR can also be reduced by:

- the application of additional capital financing resources (such as unapplied capital receipts); or
- charging more than the statutory revenue charge (MRP) each year through a Voluntary Revenue Provision (VRP).

- 3.4 The Council's 2016/17 MRP Policy (as required by CLG Guidance) was approved as part of the Treasury Management Strategy Report for 2016/17 on 3 February 2016.

The Council's CFR for the year is shown below, and represents a key prudential indicator. The figures include a credit sales agreement on the balance sheet, which increases the Council's borrowing need, the CFR.

CFR	31 March 2016 Actual £m	31 March 2017 Original Indicator £m	31 March 2017 Actual £m
Opening balance	68.23	76.1	75.09
Add unfinanced capital expenditure (per table 2.0)	8.09	3.1	14.18
Less MRP	(1.23)	(1.2)	(0.39)
Closing balance	75.09	78.0	88.88

- 3.5 The borrowing activity is constrained by prudential indicators for net borrowing and the CFR, and by the Authorised Limit.

Net borrowing and the CFR - in order to ensure that borrowing levels are prudent over the medium term the Council's external borrowing, net of investments, must only be for a capital purpose. This essentially means that the Council is not borrowing to support revenue expenditure. Net borrowing should not therefore, except in the short term, have exceeded the CFR for 2016/17 plus the expected changes to the CFR over 2017/18 and 2018/19. This indicator allows the Council some flexibility to borrow in advance of its immediate capital need in 2016/17. The table below highlights the Council's net borrowing position against the CFR. The Council has complied with this prudential indicator.

	31 March 2016 Actual £m	31 March 2017 Original £m	31 March 2017 Actual £m
Net borrowing position	53.15	59.0	55.10
CFR	75.09	78.0	88.88

The Authorised limit - the Authorised limit is the "affordable borrowing limit" required by s3 of the Local Government Act 2003. The Council does not have the power to borrow above this level. The table below demonstrates that during 2016/17 the Council has maintained gross borrowing within its Authorised limit.

The operational boundary - the operational boundary is the expected borrowing position of the Council during the year. Periods where the actual position is either below or over the boundary is acceptable subject to the

Authorised limit not being breached.

Actual financing costs as a proportion of net revenue stream - this indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue stream.

	2016/17
Authorised limit	£93.0m
Maximum gross borrowing position	£55.1m
Operational boundary	£78.0m
Average gross borrowing position	£61.4m
Financing costs as a proportion of net revenue stream:	
Non HRA	4.4%
HRA	11.8%

The Non HRA financing costs as a proportion appears low due to the review of MRP in 2016-17 which considered the financing over past years and produced a one off reduction in the MRP for 2016-17. The figure would have been 10.9% if the review had not taken place.

- 3.6 The Authorised Limit and Operational Boundary for 2017-18 were approved Cabinet in February 2017. Cabinet are asked to approve a re-profiling of the CFR as investment opportunities arose in earlier years than originally estimated. The old and new limits are detailed below showing there is no overall increase in the CFR by 2019/20.

Operational boundary - £m	2017/18 Estimate	2018/19 Estimate	2019/20 Estimate
Original approved 2 February 2017	116.0	141.6	162.0
Amended for approval	131.9	149.7	162.0

Authorised limit £m	2017/18 Estimate	2018/19 Estimate	2019/20 Estimate
Original approved 2 February 2017	131.0	156.6	177.0
Amended for approval	146.9	164.7	177.0

- 3.7 During 2016-17 the Council undertook a review of the Minimum Revenue Provision (MRP) which resulted in a reduced MRP during 2016-17. The Council considers that its approach to MRP is prudent and affordable and is in accordance with the approved strategy.

4.0 Treasury Position as at 31 March 2017

- 4.1 The Council's debt and investment position is organised by staff within Financial Services in order to ensure adequate liquidity for revenue and capital activities, security for investments and to manage risks within all treasury management activities. Procedures and controls to achieve these

objectives are well established both through Member reporting detailed in the summary, and through officer activity detailed in the Council's Treasury Management Practices. At the beginning and the end of 2016/17 the Council's treasury position was as follows:

TABLE 1	31 March 2016 Principal	Rate/Return	31 March 2017 Principal	Rate/Return
Fixed rate funding:				
-PWLB	£38.55m		£46.55m	
-Market	£13.50m		£18.50m	
- Serco Paisa	£1.09m		£0.76m	
Total debt	£53.10m	4.14%	£65.81m	3.66%
CFR	£75.1m		£88.9m	
Over/ (under) borrowing	(£21.95m)		(£23.09m)	
Total investments	£0m		£0m	

The Council held cash balances of £1.7m in a current account on which interest of 0.15 was being earned.

4.2 The maturity structure of the debt portfolio excluding Serco Paisa was as follows:

	31 March 2016 Actual £m	2016/17 Original limits £m	31 March 2017 Actual £m
Under 12 months	6.00	3.00	10.00
12 months and within 24 months	7.00	4.00	4.00
24 months and within 5 years	9.02	8.3	9.02
5 years and within 10 years	4.14	4.9	4.14
10 years and above	25.89	38.8	37.89

The exposure to fixed and variable rates (including Serco Paisa) was as follows:

	31 March 2016 Actual £m	2016/17 Original Limits £m	31 March 2017 Actual £m
Principal - Debt Fixed rate	53.10	59.0	65.81

Principal – Investments Variable rate	0	N/a	0
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5.0 **The Strategy for 2016/17**

5.1 The expectation for interest rates within the treasury management strategy for 2016/17 anticipated low but rising Bank Rate, (starting in quarter 1 of 2017) and gradual rises in medium and longer term fixed borrowing rates during 2016/17. Variable, or short-term rates, were expected to be the cheaper form of borrowing over the period. Continued uncertainty in the aftermath of the 2008 financial crisis promoted a cautious approach, whereby investments would continue to be dominated by low counterparty risk considerations, resulting in relatively low returns compared to borrowing rates.

In this scenario, the treasury strategy was to postpone borrowing to avoid the cost of holding higher levels of investments and to reduce counterparty risk.

During 2016/17 there was major volatility in PWLB rates with rates falling during quarters 1 and 2 to reach historically very low levels in July and August, before rising significantly during quarter 3, and then partially easing back towards the end of the year.

During 2016/17 the Council used internal balances and temporary borrowing to ensure new borrowing was taken at the most advantageous rates. The Council took various long term borrowing during 2016/17 to lock into historically low rates and thereby reduce the risk of interest rate increases expected in the future. These are detailed below at 6.1.

6.0 **Borrowing Outturn for 2016/17**

6.1 **Treasury Borrowing.**

Borrowing – new loans totaling £12m were drawn down from PWLB in 2016-17 to fund the net unfinanced capital expenditure and to replace maturing loans and temporary loans of £7m were taken to cover cash flow requirements. The loans drawn were all fixed rate as follows:

Lender	Principal	Interest Rate	Start date	Maturity
PWLB	£2m	2.87%	7/4/16	24/3/66
PWLB	£2m	2.86%	16/5/16	24/3/63
PWLB	£2m	2.78%	3/6/16	24/9/60
PWLB	£2m	2.68%	10/6/16	24/3/64
PWLB	£2m	2.49%	20/6/16	24/3/59
PWLB	£2m	1.92%	15/8/16	24/9/59
Runnymede BC	£2m	0.30%	10/2/17	10/5/17
Middlesbrough BC	£5m	0.36%	22/3/17	15/5/17

This compares with a budget assumption of borrowing at an interest rate of 3.50%.

Rescheduling – no debt rescheduling was carried out during the year as there was no financial benefit to the Council.

Repayment – £4m of long term PWLB debt was repaid at maturity on 24 March 2017. A temporary loan of £2m from Lewes DC was repaid on 1 June 2016.

Summary of debt transactions – the overall position of the debt activity resulted in a fall in the average interest rate by 0.48%, representing a saving to the General Fund.

7.0 Interest Rates in 2016/17

7.1 The tight monetary conditions following the 2008 financial crisis continued through 2016/17 with little material movement in the shorter term deposit rates.

7.2 Bank Rate fell to an historical low of 0.25% during the year. Investment rates remained very low. With many financial institutions failing to meet the Council’s investment criteria, the opportunities for investment returns were limited. The investment rates at the beginning, average and end of the year are provided below.

Investment Term	Interest Rate March 2016	Average Rate	Interest rate April 2017
Overnight	0.40%	0.20%	0.11%
1 Month	0.40%	0.22%	0.13%
3 Months	0.55%	0.31%	0.21%
6 Months	0.70%	0.46%	0.37%
12 Months	0.95%	0.95%	0.59%

The PWLB rates (including the 0.2% reduction for Certainty Rate) at the beginning, average and end of the year are provided below.

Loan Term	Interest Rate March 2016	Average Rate	Interest rate April 2017
1 Year	1.13%	0.93%	0.83%
5 Years	1.62%	1.36%	1.24%
10 Years	2.31%	2.01%	1.91%
20 Years	3.14%	2.72%	2.60%
50 Years	2.95%	2.49%	2.35%

8.0 Investment Outturn for 2016/17

8.1 **Investment Policy** – the Council’s investment policy is governed by CLG guidance, which was been implemented in the annual investment strategy approved by the Council on 3 February 2016. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies supplemented by additional market data (such as rating outlooks, credit default swaps, bank share prices etc.).

8.2 The investment activity during the year conformed to the approved strategy, and the Council had no liquidity difficulties.

8.3 **Resources** – the Council’s longer term cash balances comprise, primarily, revenue and capital resources, although these will be influenced by cash flow considerations. The Council’s core cash resources comprised as follows, and met the expectations of the budget:

Balance Sheet Resources	31 March 2016 £m	31 March 2017 £m
Balances	3.28	2.66
Earmarked reserves	8.30	8.98
HRA	3.68	4.37
Major Repairs Reserve	0	0.51
Capital Grants & Contributions	4.28	5.61
Usable capital receipts	6.05	5.16
Total	25.59	27.29

8.4 **Investments held by the Council** - the Council maintained an average balance of £13.1m of internally managed funds. The internally managed funds earned an average rate of return of 0.44%. The comparable performance indicator is the average 7-day LIBID rate, which was 0.32%. This excludes the Council’s investment with Lloyds Bank of £1m for 5 years at 3.03% which supports the Local Authority Mortgages Scheme (LAMS).

9.0 The Economy and Interest Rates Forecast

9.1 The two major landmark events that had a significant influence on financial markets in the 2016-17 financial year were the UK EU referendum on 23 June and the election of President Trump in the USA on 9 November. The first event had an immediate impact in terms of market expectations of when the first increase in Bank Rate would happen, pushing it back from quarter 3 2018 to quarter 4 2019. At its 4 August meeting, the Monetary Policy Committee (MPC) cut Bank Rate from 0.5% to 0.25% and the Bank of England’s Inflation Report produced forecasts warning of a major shock to economic activity in the UK, which would cause economic growth to fall almost to zero in the second half of 2016. The MPC also warned that it would be considering cutting Bank Rate again towards the end of 2016 in order to support growth. In addition, it restarted quantitative easing with purchases of £60bn of gilts and £10bn of corporate bonds, and also introduced the Term Funding Scheme whereby potentially £100bn of cheap financing was made available to banks.

In the second half of 2016, the UK economy confounded the Bank’s pessimistic forecasts of August. After a disappointing quarter 1 of only +0.2% GDP growth, the three subsequent quarters of 2016 came in at +0.6%, +0.5% and +0.7% to produce an annual growth for 2016 overall, compared to 2015, of no less than 1.8%, which was very nearly the fastest rate of growth of any of the G7 countries. Needless to say, this meant that the MPC did not cut Bank Rate again after August but, since then, inflation has risen rapidly due to the effects of the sharp devaluation of sterling after

the referendum.

- 9.2 The Council's treasury advisor, Capita, provides the following forecast as at 17th May 2017:

	NOW	Jun-17	Sep-17	Dec-17	Mar-18	Jun-18	Sep-18	Dec-18	Mar-19	Jun-19	Sep-19	Dec-19
BANK RATE	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.50	0.50	0.75
3 month LIBID	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.40	0.50	0.60	0.70	0.80
6 month LIBID	0.40	0.40	0.40	0.40	0.40	0.40	0.40	0.50	0.60	0.70	0.80	0.90
12 month LIBID	0.60	0.60	0.60	0.70	0.70	0.80	0.80	0.90	1.00	1.10	1.20	1.30
5 yr PWLB	1.20	1.40	1.40	1.50	1.60	1.70	1.70	1.80	1.80	1.90	1.90	2.00
10 yr PWLB	1.90	2.00	2.10	2.20	2.30	2.30	2.40	2.40	2.50	2.50	2.60	2.60
25 yr PWLB	2.60	2.70	2.80	2.90	2.90	3.00	3.00	3.10	3.10	3.20	3.20	3.30
50 yr PWLB	2.40	2.50	2.60	2.70	2.70	2.80	2.80	2.90	2.90	3.00	3.00	3.10

The Capita central forecast is for the Bank Rate to increase to 0.50% in quarter 2 of 2019.

10.0 **Executive Summary and Conclusion**

- 10.1 During 2016/17, the Council complied with its legislative and regulatory requirements. The key actual prudential and treasury indicators detailing the impact of capital expenditure activities during the year, with comparators, are as follows:

Actual prudential and treasury indicators	2015/16 Actual £m	2016/17 Original £m	2016/17 Actual £m
Actual capital expenditure	17.93	45.1	26.95
Total Capital Financing Requirement:			
• Non-HRA	34.01	62.7	47.18
• HRA	<u>41.08</u>	<u>41.4</u>	<u>41.70</u>
• Total	<u>75.09</u>	104.1	88.88
Net borrowing	52.05		65.1
External debt	52.05		65.1
Investments (all under 1 year)	0		0

Other prudential and treasury indicators are to be found in the main body of this report. The Deputy Chief Executive also confirms that borrowing was only undertaken for a capital purpose and the statutory borrowing limit (the Authorised limit), was not breached.

The financial year 2016/17 continued the challenging environment of previous years; low investment returns and continuing counterparty risk

continued.

11.0 Consultation

Not applicable

Background Papers:

The Background Papers used in compiling this report were as follows:

CIPFA Treasury Management in the Public Services code of Practice (the Code)

Cross-sectorial Guidance Notes

CIPFA Prudential Code

Treasury Management Strategy and Treasury Management Practices adopted by the Council on 18 May 2010.

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

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BODY:	CABINET
DATE:	12th July 2017
SUBJECT:	Medium Term Financial Strategy 2017-2021
REPORT OF:	Deputy Chief Executive (Chief Finance Officer)
Ward(s):	All
Purpose:	To set out an overarching financial strategy to support the Council's strategic priorities and plans over a four year period.
Contact:	Alan Osborne, Chief Finance Officer, Tel 01323 415149 or internally on ext 5149
Recommendations:	Members are asked to: <ol style="list-style-type: none">i) Approve the updated medium term financial strategy and associated plan 2017-21 as summarised in Appendix 2.ii) Agree the balance of assumptions made in the strategyiii) Request that the emerging budget proposals for 2018/19 be brought to Cabinet in December prior to detailed consultation and that the MTFS be represented if material changes arise in the interim.iv) Agree the principal risks of the strategy in Appendix1.

1.0 Introduction

The Council's Medium Term Financial Strategy is a Rolling 4 year Strategy that takes into account:

- The external financial environment
- The overall financial demands of services
- The Council's existing and projected financial resources
- The Council's political priorities and stated aims
- The Joint Transformation Programme with Lewes DC
- The Council's corporate plan
- The major service strategies and plans

- 1.1 The MTFS was last approved in July 2016 and set the scene for the 2017/18 budget setting process as well as informing a three year rolling service and financial planning cycle.
- 1.2 In common with most authorities the medium term outlook for the Council is extremely challenging and in order to protect and improve services an ambitious ongoing programme of savings is key to success. With more radical measures required, it is essential that the Council takes a longer term approach to savings as more radical savings initiatives will inevitably take longer to plan and deliver.
- 1.3 Over the life of the last two parliaments the Government has effectively reduced the general support to the Council by some 60% in cash terms which equates to over 70% in real terms. Government funding is expected to fall a further 20%

over the next parliamentary cycle to 2022/23.

- 1.4 In order to protect front line services the Council put in place a priority based budget system that has kept pace with the scale of cuts to funding and made provision for reinvestment in services.
- 1.5 The Council's Joint Transformation Programme (JTP) provides the methodology to deliver efficiencies and support the Councils Corporate Plans. The MTFS and Capital Strategy identify and direct resources at a strategic level, which are then detailed via the service and financial planning and budget setting process.
- 1.6 In setting annual budgets the Council has achieved its "Golden Rule" of meeting its ongoing budget requirement from ongoing resources in each year. Technically, the rule applies to the cycle of the MTFS, and it is reasonable to use reserves to smooth out the budget as savings accrue over the cycle. By not using reserves in this manner it has meant that reserves over the minimum level are available for one off investments in services decided via the service and financial planning process.
- 1.7 The Council, as a registered social landlord is obliged to run a Housing Revenue Account (HRA) that is statutorily ring-fenced from its general fund. A 30 year rolling business plan has been adopted for the HRA. The Council is working in partnership with Eastbourne Homes Ltd its wholly owned subsidiary to deliver efficiency savings in partnership using shared services. All savings accruing to the HRA are reinvested in housing services. During the last three years over £1m of ongoing efficiencies has been realised.

2.0 Sustainable finance

- 2.1 The basic legal definition of a balanced budget is that planned expenditure can be met from income and reserves.
- 2.2 Whilst that definition is the legal minimum, it does not provide for sustainability if reserves are used in the long term to resource any differences between ongoing expenditure commitments and ongoing incoming resources.
- 2.3 Therefore it is a given that over the cycle of this MTFS ongoing expenditure must be financed from ongoing resources with only non recurring investments being met from reserves over and above the minimum.
- 2.4 As with all Councils, the effect of inflation is felt on gross expenditure, whilst any increase in council tax or grant is based on a net position. This "gearing effect" means that there is a natural gap of c£300k per annum that needs to be met from efficiencies (approximately 2% of net spend) if services are to be protected. This is on top of the Government reductions outlined in 1.3.
- 2.5 Given the current reduction in grant and the inability to raise council tax in real terms due to capping criteria, the Council has to look to longer term measures to maintain sustainable finances.

3.0 The impact of the capital programme

- 3.1 The Capital Programme also has an effect on the Councils revenue finances as any investments that cannot be met from grants, contributions, capital receipts or straight revenue funding need to be met from borrowing. This has to be

repaid with interest from revenue and/or capital receipts over time.

3.2 The General Fund policy is to use borrowing only on a business case basis. Any such borrowing is fully financed by way of interest charges and the Minimum Revenue Provision (MRP) which is the capital repayment. As new schemes that require borrowing are approved, the Council has to make provision for repayment via the capital financing budget. In order to keep this sustainable a stability mechanism that pools the following budgets is maintained.

- Interest earned
- Interest payable on debt
- Minimum Revenue Provision
- Revenue contributions to the capital programme (to balance)

3.3 It is up to Councils to set their own MRP and balances of Capital Receipts and Contributions can be offset to reduce this liability in the short term, although this only provides for short term relief against the cost of capital. Any budget surplus from interest and MRP is recycled into the capital programme by way of a transfer to the "capital programme reserve". This system creates a stabiliser mechanism between interrelated budgets. The surplus is currently running at approximately £500k per annum.

3.4 Capital investment can be used as "invest to save" therefore borrowing is an important tool in the overall financial strategy where savings on schemes exceed the cost of capital. More recently it has been necessary to look for investments that have a yield over and above the borrowing costs to make a net contribution to the general fund. In December 2016 the Council approved £30m for acquisition of land and property.

4.0 The National Financial Picture

4.1 The current Government has set an objective to continue reducing the nation's budget deficit within the next 8 years (2025).

4.2 This will involve various measures that will reduce the amount of resources to local government including:

- A further reduction in general central government support 2017-2020
- Reducing the amount of resource available to DCLG as it is not a "protected Department" which will impact on specific grants
- Increasing in the funding for New Homes Bonus (NHB) paid for by further reducing the revenue support grant (RSG) which is set to be zero for EBC by 2019
- A further year on year reduction in Housing benefit administration grant (on top of the £300k cumulative reduction in the last 6 years)

4.3 The current extended period of low interest rates reduces the income to the council as it generates investment income due to positive cash flow and reserve balances. Any debt is taken at fixed rates and it is important to manage all capital financing as one budget as described in section 3.

- 4.4 The Government continues to target an inflationary rate of 2% using its preferred method of Consumer Price Index (CPI) and is currently above target, although the Bank of England that is responsible for achieving the target has indicated that the current rate is due to short term effects principally oil prices and food and the effect of a low exchange rate.
- 4.5 The actual effect of the national deficit reduction programme to this Council has been the amount made available via the Revenue Support Grant (RSG). The Council received £8.9m in RSG in 2010/11. Whilst a scheme to retain an element of business rates was introduced in 2013, the Council is now receiving £0.9m of RSG in 2017/18. This will be zero by 2019.
- 4.6 Against this backdrop service demands on Councils are ever increasing with demographic and increased expectation causal effects.
- 4.7 In his last budget statement, the chancellor reaffirmed that a cap on public sector pay rises would be maintained and they should not increase above 1% per annum until at least 2020.
- 4.8 The Government has already reduced the benefits paid to members of the local government pension scheme, by pegging future increases to the CPI instead of RPI. This has had the effect of increasing the overall funding of pensions schemes and therefore reduces the demand for future increases in employer contributions. A career average revalued scheme (CARE) came into being on 1.4.14 with employee contributions lifted and benefits reduced. The Council will however have to find additional resources to fund "auto enrolment" due to start in November 2017. The actuary of the East Sussex Pension Fund announced new employer rates effective from 1.4.17 in January. This represented a rise of 1% over three years.

5.0 The strategy commentary and main assumptions

5.1 Issues arising from previous years

The Foundation of any sound financial plan is a predictable budget to outturn position. The 2016/17 outturn, whilst containing normal variances in year, resulted in a positive overall variance on service costs. Many of the credits are potentially recurring and the majority of the adverse variances were one off.

5.2 Inflation on goods and services

The Government has a long term commitment to retain an inflation rate of 2% per annum (CPI) however rates are currently 2.6% and predicted to rise to around 3.6% by the end of the year falling back into target in 2018.

The Council, in common with most, does not add inflation each year to all its supplies and services budgets as this would add some £250,000-300,000 per annum.

Therefore continuous efficiency improvement of approximately £100,000 per annum is assumed. This results in an allowance for non-pay inflation of £150,000-£200,000 per annum in the strategy.

5.3 Pay inflation

One of the major costs in a District Council is the cost of its employees. This

accounts for some £12m for this Council.

The recent economic climate and caps on public sector pay has led to some cost relief in this respect.

The strategy assumes the following increases based on the Government announcements and inflation targets:

Year	Pay inflation
2018/19	1%
2019/20	1%
2020/21	1.5%

In addition the Council has to honour contractual increments and an allowance of £60,000 (0.5%) per annum is assumed in the strategy.

The Council is required to pay 0.5% as an “apprenticeship levy” from April 2017. The Council is currently working with accredited suppliers and is aiming to make the levy cost neutral by identifying posts within the new joint structures that qualify under the scheme.

5.4 Pension costs

The triennial revaluation of the fund was announced in January and set rates effective from 2017/18. With the recent change from RPI to CPI as the annual index, and the changes arising from the Pensions Bill including Career Averaged Revalued Earnings (CARE) instead of the previous final salary scheme, the strategy assumes modest increases in employer contributions after the current revaluation period of 1% over 3 years.

5.5 Fees and charges

The Council currently receives income from fees and charges for its services of around £16m.

The Council has been reducing its exposure to income targets in areas affected by the economic downturn in successive budgets.

It is assumed that for the year 2017/18 an overall gain of £160,000 (1%) per annum will be realised in fees and charges from inflation.

Individual service and financial plans will still strive to achieve some real terms increases where it is felt appropriate and achievable as well as new income streams to reduce the long term dependency on government grants.

In addition to updating existing fees and charges the Council is seeking new income streams to replace Government grants and targets are included in this strategy.

5.6 Interest Rates

The current bank “base rate” is 0.25% and has been since August 2016.

There are differing forecasts in the future profile of interest rates which are largely dependent on a recovery and inflationary pressures in the economy. Most

analysts now predict that there will be a very slow recovery and rates will only increase modestly from 2019.

The strategy assumes no increase in overall yield from interest rate rises over the life of the MTFS. Any increases that do occur will have a short term effect of increasing the amount of resources available to the Council (around £100k per percentage point) however the strategy will need to recycle these into capital financing as longer term interest rates used for borrowing purposes will increase too. The stabiliser mechanism as outlined in 3.3 will be used to smooth any effects of changes in interest rates over the life of the MTFS.

5.7 Council Tax

It is inevitable that surpluses and deficits will arise due to the fact that the tax base has to be estimated 3 months before the start of the year and the actual position is subject to collection fund performance as well as changes in the tax base in year. However in recent years these have been well managed. The collection rate for budget purposes of 98% is assumed from 2017/18 which is consistent with current performance.

The strategy assumes rises of 2% (based on CPI target) from 2018/19 (i.e. no real terms (based on target CPI) increase in council tax across the life of the MTFS)

The strategy also assumes increases (0.5%) each year in the overall council tax base. The Base will be reassessed annually as part of each budget setting process. Each 1% increase in the tax base yields approximately £80,000 per annum of additional tax.

5.8 Government Grants/Retained Business Rates

The Council currently receives £0.9m of revenue support grant. This is set to reduce to zero by 2019.

In addition the Council retains a proportion of business rates (c£4m) collected based on 40% of the real increase in those collected using a base year of 2011/12. The East Sussex Councils will be reviewing the merits of pooling in October 2017 with the potential for 100% rate retention being factors.

From time to time the Government will make adjustments to business rates scheme, for which it compensates Councils for the loss of retained rates by way of a "section 31 grant". An example is for small business rate relief.

There are still backdated appeals on rates that relate to the old national scheme (pre 2013) the Council has had to make immediate provision for these appeals.

The strategy assumes that business rate retention will rise by 2% per annum based on CPI rate increases, although initiatives such as the Town Centre and should contribute to further retention in future years.

The new Homes Bonus is a reward grant that currently gives c£10,000 for each new property brought into use/constructed and is paid over four years. The funding stream is currently of £1m per annum in 2017/18. A de minimis threshold of 0.4% growth was introduced in the 2017/18 settlement in order to fund adult care demands in upper tier authorities, no NHB is paid until the threshold is reached (around 180 new homes for Eastbourne)

It is assumed that the scheme will be withdrawn and it will wind down gradually (approximately £180k per annum in the first three years from 2017/18)

The third type of grant is specific grants for the purposes of running individual services e.g. housing benefit administration and NNDR collection grants. The service and financial planning process deals with fluctuations in such grants with a view to matching the cost of the service against the grant received.

The overall amount of the main general grants from Government is therefore as follows:

Funding	2017/18 £m	2018/19 £m	2019/20 £m	2020/21 £m
RSG	0.9	0.4	0	0
Rate Retention and s31 grants	4.0	4.1	4.2	4.3
New Homes Bonus	1.0	0.6	0.6	0.4
Other grants	0.3	0.1	0.1	0.1
TOTAL	6.2	5.2	4.9	4.8

5.9 Savings and income streams

Taking all known factors and assumptions as outlined above the Council needs make an average level of new additional savings and/or new income streams of £900k per annum over the life of the MTFS.

Whilst these programmes have stretch targets that have been agreed as part of each individual programme, this strategy assumes the following bankable savings accruing as set out below. This does not alter the targets set for each programme, but merely reflects what can reasonably be counted at this stage. Service and financial planning will provide more certainty as each year approaches.

Programme	2017/18 £m	2018/19 £m	2019/20 £m	2020/21 £m
Shared services including Joint transformation programme	0.500	0.500	0.300	0.200
Procurement	0.100	0.200	0.200	0.200
New income Streams	1.400	0.500	0.300	0.200
Total	2.000	1.200	0.800	0.600

5.11 The Housing Revenue Account (HRA)

The HRA is ring fenced from the General Fund although should it fall into deficit then it would have to be subsidised by the general fund.

Transactions between the HRA and the general fund comprise three main elements:

- Interest on the HRA balances paid to the HRA
- Debt charges paid by the HRA to the General Fund
- Recharges from the General Fund to the HRA for support services

For the purposes of this strategy it is assumed that there is no change to the existing overall level of transactions between the accounts.

From 2012/13 the HRA became more like the general fund in that it needs to assess the cost of its capital programme against the resources available in the HRA, now that the subsidy system has been disbanded. Responsibility for setting rent levels is now localised however controls over rent levels and borrowing limits remain.

A 30 year business plan was adopted by the Council February 2012, and the HRA is subject to an annual refresh.

Substantial reform to the HRA has been brought about by the Housing and Planning Act 2016 and the Finance Bill. Measures include;

- A levy on "high value" asset sales (approximately £4-£6m per annum) to be paid to Government from 2018
- A reduction in HRA rents of 1% per annum for four years 2016-2020 (previously subject to a CPI increase)

These measures have led to further pressures in the HRA that have to be managed in order to keep it sustainable. The HRA business plan/budget is updated annually and reported to Cabinet each February.

6.0 Reserves

6.1 The Council has four main revenue reserves:

Revenue

- General fund reserve – as a contingency and support the corporate plan
- Strategic change fund – to support the JTP programme
- Capital Programme reserve – to support the capital programme
- Economic regeneration fund – to support the local economy
- Devonshire Park revenue reserve – to support the capital scheme

In addition there is one principal usable capital reserve

- Usable Capital Receipts – earmarked for future capital schemes

In addition the Council holds funds on behalf of others e.g. section 106 contributions.

6.2 The 2016/17 draft accounts show the balance available to the general fund to be c£3.8m. This is the assumed starting point for the MTFS. There is a planned draw on reserves to meet non- recurring expenditure in subsequent years at around £200k per annum. No assumption on in year underspends is made in the strategy.

6.3 The previous MTFS recommended a minimum general fund reserve of at least

£2m. The budget paper in February itemised the risks and as they have not changed materially in the interim, it is assumed that the minimum level of reserves is fixed at £2m for the MTFS.

- 6.4 The strategic change fund was established in order to help facilitate the release of ongoing savings. This reserve is a key enabler for change and it will need replenishing in time.
- 6.5 The capital programme reserve had a balance of over £1.5m at 31.3.17 and has been used to support the asset management plan, high priority and corporate asset non capital items are financed from this fund where they cannot be met from the service budgets.
- 6.6 The Council has had a conscious policy of keeping reserve levels above minimum levels in reaction to the challenging economic climate and the continued squeeze on public sector spending. The MTFS summary (appendix 2) shows that the general reserve will be reduced over the life of the MTFS to an estimated £2.8m excluding any windfalls or underspends.

7.0 Risks

- 7.1 The main risks arising from this strategy and actions to manage are included at **appendix 1**.

8.0 Consultation

- 8.1 The MTFS starts the period of consultation and a separate paper on the agenda on the Councils improvement journey makes recommendations on the consultation processes from now until the budget setting in February 2018.
- 8.1 It is a requirement to consult with the business and voluntary sectors over the detailed budget proposals that will emerge from this strategy in the autumn.
- 8.2 The Joint Staff Committee is briefed regularly as the process emerges.
- 8.3 The Council's staff are consulted routinely via the Managers Forum as well as participating in the service and financial planning process annually.

9.0 Conclusions

- 9.1 In order to maintain sustainable finances and fund its ambitions, the Council will need to make new efficiency savings or income streams averaging £xm per annum for the next three years.
- 9.2 Due to the scale of the challenge the programme of change will require more radical measures for savings that often have a lead in period of 1 to 2 years, therefore the JTP programme is a key enabler to meeting this challenge as well as developing new income streams.
- 9.3 The MTFS both collects the financial effects of demand and supply changes and informs the corporate change agenda.

Alan Osborne
Deputy Chief Executive and Chief Finance Officer

Background Papers:

The Background Papers used in compiling this report were as follows:

Cabinet Reports:

- *Budget and Council Tax Setting February 2017.*
- *MTFS – July 2016.*
- *Draft Statement of Accounts – June 2017.*
- *Performance Monitoring Reports - Quarterly*

Audit and Governance Committee - Final Accounts - September 2016.

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

Risk/Effect	Contained in MTFS	Other Mitigating Measures
Income Reductions due to demand changes	<ul style="list-style-type: none"> • Statutory recession hit income budgets adjusted each year as part of service and financial planning • The economic regeneration reserve set aside to aid regeneration and contribute new sources of income • Interest budget set at current low interest rate • Unachievable income budgets reviewed during service and financial planning and adjusted • Programme savings targets being set higher than the assumed delivery in the MTFS • Reserves above the minimum level 	<ul style="list-style-type: none"> • Service and financial plans to test possible income generation activities and price sensitivity • New sources of income explored in service and financial Plans annually across three year horizon • Planning at 2 levels in service and financial planning process to challenge assumptions
Government Support Being Reduced even further than forecast	<ul style="list-style-type: none"> • Assumption follows the Governments announcements to date • Prudent estimates of future income flows • Zero basing of reward / new burdens grants 	<ul style="list-style-type: none"> • Possibility of service alterations to a modified level • Change assumptions during budget setting • Update MTFS early in the event of material change • Priority based budget system has flexibility to adapt

	<ul style="list-style-type: none"> • Reserves above minimum level 	
Benefits Performance reducing due to scale of changes	<ul style="list-style-type: none"> • No overall surplus built into subsidy budget 	<ul style="list-style-type: none"> • Service review of delivery arrangements • Mobilise resources from other areas if performance hit by staffing shortages • Relieve service with one off resources to avoid performance drop
Savings not being delivered	<ul style="list-style-type: none"> • Reserves above minimum level can be used to smooth out fluctuations • Level of Revenue contribution to capital can be varied in the short term 	<ul style="list-style-type: none"> • Use compensating savings in short term • Reduce discretionary spend in year • Review minimum revenue provision to slow down capital repayments • Review vacancy management policy in year

Summary of MTFIS 2017-2021
General Fund

Appendix 2

	2017/18	2018/19	2019/20	2020/21
Total Budget b/f	16,667	14,192	13,497	13,337
Less non recurring items	(1,143)			
Adjusted Base Budget	15,524	14,192	13,497	13,337
Pay and Price Inflation				
Pay Award and Increments	219	180	180	240
Pension costs	30	30	30	30
National Living Wage	30	30	20	0
Inflation on Contracts	143	200	150	150
Capital Financing	0	200	400	400
Other Growth	261	100	100	100
Total Budget Demand	16,207	14,932	14,377	14,257
External Funding				
RSG	(944)	(445)	0	0
Retained Business Rates	(3,112)	(3,174)	(3,238)	(3,302)
Section 31 Grants	(911)	(929)	(948)	(967)
Other Government Grants	(347)	(147)	(147)	(147)
New Homes Bonus	(844)	(600)	(600)	(400)
Total External Funding	(6,158)	(5,295)	(4,933)	(4,816)
Council Tax	(7,904)	(8,102)	(8,304)	(8,512)
Council Tax Surplus	(130)	(100)	(100)	(100)
Total Sources of Funding	(14,192)	(13,497)	(13,337)	(13,428)
Gap in Funding	2,015	1,435	1,040	829
Inflation on Income	(127)	(150)	(150)	(150)
General Savings	(62)	(100)	(100)	(100)
JTP- Shared Transformation	(400)	(500)	(300)	(200)
Procurement Savings	(46)	(200)	(200)	(200)
New Income Streams	(1,380)	(500)	(300)	(200)
Residual Gap / (Surplus)	0	(15)	(10)	(21)
General Reserves B/F	(3,755)	(3,258)	(3,073)	(2,883)
Non recurring service investments	497	200	200	200
Budget balance from (to) reserves	0	(15)	(10)	(21)
Reserves C/F	(3,258)	(3,073)	(2,883)	(2,704)

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- BODY:** CABINET
- DATE:** 12 July 2017
- SUBJECT:** Corporate Plan Refresh 2017-18
- REPORT OF:** Director of Regeneration and Planning
- Ward(s):** All
- Purpose:** This report sets out the results of a review which has been undertaken of the Council's four year plan (2016 – 2020) at the end of the first year.
- Contact:** Jo Harper, Head of Business Strategy and Performance
Tel 01273 661374 email jo.harper@lewes.gov.uk
Jo Holt, Programmes & Performance Lead
Tel 01323 415905 or e-mail jo.holt@eastbourne.gov.uk.
- Recommendations:** Members are asked to:
- Approve the action plan for year 2 of the Corporate Plan 2016-20 (Appendix A), including the additional actions and projects and revisions to Key Performance Indicators

Reasons for Recommendations

- 1 During the period of a four year Corporate Plan, adjustments and refinements may need to be made to respond to changed circumstances and emerging opportunities. In acknowledgement of this, an annual review is a helpful way of ensuring that the Plan remains focused on delivery of the organisation's overall strategic objectives.

Information

- 2 The Corporate Plan is a key corporate document. It sets out the Council's commitments to its residents and businesses and outlines a programme of important strategic objectives and the projects that will deliver these for the Borough. The Plan draws upon a range of statistical data, as well as the views of key stakeholders, to inform and help shape the policy priorities for the Council.
- 3 The 2016-2020 Corporate Plan was adopted by the Council in May 2016, following extensive consultation and engagement with local residents, partners and stakeholders.
- 4 Progress against key success measures and project deliverables set out in the Plan has been reported to Members on a quarterly basis, as part of normal

performance management arrangements (through both Scrutiny and Cabinet). This reporting will continue in 2017/18.

- 5 It was agreed by Council that, although covering a four year period, the Plan would be considered a dynamic document that would evolve over time. As such, an annual review was agreed. The results of the first such review are set out in this report.

Achievements in the First Year

- 6 The Council has made good progress in the past year in delivering across a range of the projects and initiatives set out in the Corporate Plan. These are set out in the accompanying paper '*Corporate Plan Performance Report 2016-17*'.

Completed Projects

- 7 While most actions included in the Corporate Plan are long term, the following were completed in 2016-17 and will now be removed from the Plan.
 - 7.1 Online Tourist Guide – EB Now is live
 - 7.2 Allotment Improvements to Manor Gardens, Marchant Fields, Priory Rd.
 - 7.3 Improvements to Parks and Playgrounds (Seaside & Old Town Rec & Tugwell path)
 - 7.4 Explore options for the delivery of housing services across LDC and EBC
 - 7.5 Set up a joint Corporate Landlord Service with EBC

New Areas of Work

- 8 Included in Appendix A is information about the volume and range of services the Council has delivered across its functions.
- 9 As well as the projects and actions set out in the Corporate Plan, through the year opportunities have arisen for additional areas of work to be progressed, which help to deliver the Corporate Plan objectives, many of which are in partnership with Lewes District Council as the two organisations continue to integrate services as part of the Joint Transformation Programme. Cabinet is asked to agree that these new projects & actions be included in the 2016-2020 Corporate Plan, and progress will then be reported quarterly.
 - 9.1 Establish and operate the new Joint Housing Investment Company with LDC
 - 9.2 Explore the potential for a joint waste contract with LDC
 - 9.3 Creation of joint Eastbourne Borough Council and LDC customer contact teams by February 2018
 - 9.4 Launch a new shared website with LDC by Summer 2017

- 9.5 Enable more self-serve options for our customers through new technology
- 9.6 Introduce a new aligned complaints policy across LDC/EBC by January 2018
- 9.7 Commence Conservation Area Appraisals (2 per year)

Changes to Performance Indicators

- 10 In order that we set challenging and realistic targets the following changes are proposed:
 - 10.1 Redoubt Fortress visitors – due to refurbishment it is suggested that the target is reduced from 15,200 to 8,500 visitors a year.
 - 10.2 Tourism numbers and spend – these indicators were previously data only, it is proposed that an annual target is set to equal or improve on last year's performance.
 - 10.3 Net Homes delivered – increase the annual target from 241 to 245
 - 10.4 Reported fly-tipping incidents – set a more challenging target and aim for under 600 reports a year (formerly 1,500)
 - 10.5 Percentage of council tax collected – increase the target amount to be collected in the year from 96.75% to 97%
 - 10.6 It is proposed to include two high level Eastbourne Homes Limited (EHL) indicators to cover rent collected and time to let a property so that Housing Management performance can be monitored at corporate as well as at EHL Board Level. In addition, following the tragic fire at Grenfell Tower, it is proposed to add additional safety compliance indicators to the corporate set to give members additional assurance (these are already reported at EHL board level).

Financial Appraisal

- 11 The recommendations in this report have no direct financial implications for the General Fund or the Housing Revenue Account. The financial aspects of all projects and actions within the Corporate Plan are either included within the approved budget for 2017/18 and the Medium Term Finance Strategy, or (in the case of new initiatives which may still be at an early planning stage) will be subject to future reports to, and approval by, Cabinet.

Risk Management Implications

- 12 The risk management implications of individual decisions relating to the projects and initiatives covered in this report will be addressed as part of the planning and delivery of those individual projects.

Equality Screening

- 13** Equality Analyses are being undertaken in relation to the individual projects which make up the Corporate Plan, and therefore it has not been considered necessary to undertake an overarching analysis of the Plan as a whole.

Background Papers

- 14** The Corporate Plan 2016 – 2020 – Report to Council 11 May 2016

The Corporate Plan 2016 – 2020

http://www.eastbourne.gov.uk/_resources/assets/inline/full/0/249015.pdf

Appendices

- 15** Appendix A – Corporate Plan Refresh 2017 – 18

APPENDIX A - EASTBOURNE BOROUGH COUNCIL CORPORATE PLAN 2016-20

2017-18 Refresh

1. Prosperous Economy Actions

Theme	Ref	Outcome	Action for 2017/18
A great destination for tourism, arts, heritage & culture	1.1	Seafront/tourism strategy action plan delivery	Progressing
	1.2	Redevelop the Devonshire Park Complex by 2020	Progressing
	1.3	Deliver a new online tourist guide - EB Now	Completed
	1.4	Refurbish the Redoubt Fortress	Progressing
	1.5	A new restaurant at the Wish Tower	Progressing
	1.6	Deliver a vibrant programme of tourism events	Progressing
	1.7	Explore options for a New Museum	Progressing
	1.8	Establish and Operate the New Joint Housing Investment Company with LDC	New Action 2017-18
Investing in housing & economic development	1.9	Support delivery of the Sovereign Harbour Innovation Park due to complete 2022	Progressing
Providing Opportunities for businesses to grow & invest	1.10	Support delivery of the Arndale Shopping Centre Extension due to complete 2018	Progressing

2. Prosperous Economy KPIs

Theme	Ref	Outcome	Action for 2017/18
A great destination for tourism, arts, heritage & culture	2.1	More than 30,000 Bandstand Patrons	No change
	2.2	More than 15,200 visitors to the Redoubt Fortress	Reduce Target to 8,500
	2.3	At least 4.87m visitors to Eastbourne	Added annual target
	2.4	At least £300m Total Tourist Spend in Eastbourne	Added annual target
	2.5	At least £129m Day visitor spend in Eastbourne	Added annual target
	2.6	At least £171m spend on holiday accommodation	Added annual target
Investing in Housing & Economic Development	2.7	More than 241 homes delivered	set more challenging target of 245 homes
	2.8	More than 30 affordable homes delivered	No change
Providing opportunities for businesses to grow & invest	2.9	Vacant retail space in the town centre is reduced below national average	No change

3. Quality Environment - Actions & Projects

Theme	Ref	Outcome	Action for 2017/18
A range of transport options	3.1	Eastbourne cycling & walking strategy development with ESCC	Progressing
Excellent Parks & Open Spaces	3.2	Conservation & enhancement of Eastbourne Park completing 2020	Progressing
	3.3	Hampden Park Improvements completing summer 2017	Progressing
	3.4	Parks and Open Spaces Signage completing winter 2017	Progressing
High Quality Built Environment	3.5	Allotment Improvements	Completed
	3.6	Support town centre public realm improvements completing 2019	Progressing
	3.7	Commence Conservation Area appraisals (2 per year)	New Action 2017-18
Less Waste & a low carbon town	3.8	Set up a Joint Venture for Energy & Sustainability by summer 2017	Progressing
	3.9	Explore potential for joint waste contract with LDC in summer 2017	New Action 2017-18

4. Quality Environment - KPIs

Theme	Ref	Outcome	Action for 2017/18
Clean & Attractive Town	4.1	Reported fly-tipping incidents under 1,500	set more challenging target of 600
	4.2	Enhance and/or bring back to use at least 30 difficult properties	no change
High Quality Built Environment	4.3	Process 60% Major planning applications within 13 weeks	no change
	4.4	Process 80% Minor planning applications within 8 weeks	no change
	4.5	Process 80% other planning applications within 8 weeks	no change
	4.6	Over 35% of household waste sent for reuse, recycling and composting	no change
Less Waste & a low carbon town	4.7	Reduce the carbon footprint of council buildings & vehicles	no change

5. Thriving Communities - Action Plan

Theme	Ref	Outcome	Action for 2017/18
Improved Health & Wellbeing	5.1	Deliver the Active Eastbourne Strategy	Progressing
	5.2	Deliver a new Leisure Centre to replace the Sovereign Centre by 2020	Progressing
	5.3	Support delivery of Health & Housing projects across East Sussex	Progressing
	5.4	Deliver improvements to Parks and Playgrounds (Seaside & Old Town Rec & Tugwell Path)	Completed
	5.5	Deliver a new Skate Park in Shinewater by summer 2017	Progressing
Keeping Crime & Anti social behaviour low	5.6	Eastbourne Community Safety Partnership delivery plan	Progressing
Meeting Housing Needs	5.7	Deliver the Housing & Economic Development Programme	Progressing
	5.8	Explore options for the delivery of housing services across EBC and LDC	Completed
Putting the Customer First	5.9	Creation of joint EBC and LDC customer contact teams by Feb 2018	New Action 2017-18
	5.10	Launch new shared website with LDC by summer 2017	New Action 2017-18
	5.11	Enable more self-serve options for customers	New Action 2017-18
	5.12	Introduce a new aligned complaints policy across LDC/EBC by Jan 2018	New Action 2017-18
Resilient & Engaged Communities	5.13	Deliver the annual action plan to support young people	Progressing
	5.14	Support delivery of a Community Centre for the Sovereign Harbour Neighbourhood by 2018	Progressing
	5.15	Support community groups to self-manage their facilities	Progressing
	5.16	Manage the changes to benefits as part of the Welfare Reform Act	Progressing
	5.17	Deliver a new Community Lottery for Eastbourne by March 2018	Progressing

6. Thriving Communities KPIs

Theme	Ref	Outcome	Action for 2017/18
Keeping Crime & Anti social behaviour low	6.1	Higher than 4th ranking for low levels of crime (compared to similar areas).	No change
Meeting Housing Needs	6.2	No more than 30 households living in temporary accommodation	No change
	6.3	EHL Property Lettings – No more than 25 days to let a property	New indicator
	6.4	EHL Rent Collection – At least 98% of rent collected	New indicator
	6.5	EHL Safety Compliance Indicators for Fire & Gas (tbc)	New indicator
Putting the Customer First	6.6	At least 80% of calls to the contact centre answered within 30 seconds	No change
	6.7	No more than 5% of calls to the contact centre are abandoned	No change
Improved Health & Wellbeing	6.8	No more than 100 days to deliver disabled adaptations	No change

7. Sustainable Performance - Action Plan

Theme	Ref	Outcome	Action for 2017/18
Working in partnership	7.3	Deliver the Joint Transformation Programme with LDC. In 2017 complete Phase 2 (service delivery) restructure - resulting in the majority of functions shared across LDC and EBC	Progressing
	7.5	Set up a Joint Corporate Landlord Service with LDC	Completed

8. Sustainable Performance - KPIs

Theme	Ref	Outcome	Action for 2017/18
Delivering a balanced budget	8.1	Collect at least 96.75% of Council Tax in the year	set more challenging target of 97%
	8.2	Collect at least 98% of business rates in the year	no change
Managing our People & Performance	8.3	No more than 5.8 employee days lost through sickness absence	no change

COMMITTEE:	CABINET
DATE:	12 July 2017
SUBJECT:	Adoption of the Corporate Asset Management Plan 2017-2020
REPORT OF:	Director of Regeneration and Planning

Ward(s):	All
Purpose:	For Members to consider adoption of the Corporate Asset Management Plan 2017-2020
Contact:	Mark Langridge-Kemp, Senior Manager, Asset Development (Property and Facilities Shared Service) Tel no: 01323 415876

Recommendations:

1. To approve adoption the Corporate Asset Management Plan 2017-2020;
2. To delegate authority to the Director of Regeneration and Planning, in consultation with the Strategic Property Board, to make minor amendments to the Plan if required before formal publication;
3. To delegate authority to the Director of Regeneration and Planning, in consultation with the Strategic Property Board, to approve procurement waivers in respect of commercial agents and legal fees relating to strategic acquisitions undertaken in line with the Council's Acquisition and Investment Strategy;
4. To agree that save for exceptional circumstances, the Council's policy will be to apply open market rent for all new leases.

1. Background

- 1.1 The Corporate Asset Management Plan (AMP) is a fundamental document outlining the Council's strategy and priorities for its non-residential property. It encapsulates key initiatives and aims relating to the property portfolio and sets the direction for managing the property portfolio to help achieve the property aspirations of the Corporate Plan and the Council's overarching aim of reaching a sustainable asset base by 2021.
- 1.2 The AMP 2017-2020 (attached at Appendix 1a (Plan) and 1b (AMP Appendices)) is designed to run concurrently with the lifespan of the current Corporate Plan and will then be reviewed in light of the revised Corporate Plan priorities from 2021. It is an important plan and is the first joint property document between Lewes District Council (LDC) and Eastbourne Borough

Council (EBC). In line with the commitment both Councils have to sharing services whilst retaining sovereignty over their respective areas, property asset management will be aligned across LDC and EBC but each Council's property portfolios will be treated separately. Accordingly, the AMP reflects both the shared vision and each Council's individual priorities.

2. Purpose of the AMP

2.1 The financial outlook for the Council continues to be challenging with a need to save around £3m each year between 2017 and 2020 in line with the prospect of continuing reductions in government funding. Although by sharing services with LDC Eastbourne can build resilience that will help protect services for local communities and visitors, this alone will not be enough to face the challenges ahead.

2.2 Poorly managed property assets can be a major drain on Council resources, but when managed efficiently, the asset base plays a key part in helping to realise savings and generate income needed in order to meet future financial challenges. The Council requires flexibility from its property portfolio to support local communities, business and visitors and ensure that any held assets are efficiently managed to maximise and improve their uses and fully unlock their potential. The strategy to support this objective has been captured in a management plan against which progress can be clearly monitored and objectives updated in line with the changing future economical and environmental needs of the Council and its communities. It will be the primary tool the Council will use to deliver the property elements of its corporate objectives and priorities working within the legislative framework and the Council's Constitution.

2.3 There is a yield growth target of 10% year on year which will be achieved through the strategic management of current and future assets in line with the AMP. Costs incurred in meeting objectives and carrying out works arising out of the adoption of the Plan will generally come from existing budgets, however, there may be circumstances, subject to relevant approvals, when additional funding is sought from central resources to support future one-off projects that will help achieve the aspirations of the Corporate Plan.

2.2 With the Property and Facilities Shared Service (PFSS) now established, the AMP sets out a clear framework for how the service area will manage the LDC and EBC portfolios and how PFSS will realise anticipated savings and benefits of the service. This will be accomplished through the establishment of a Corporate Landlord model which essentially brings property management and the responsibility for maintenance, development, disposal, estate management (including leases and licences) and statutory compliance under a centralised corporate unit.

3 Aims and themes of the AMP

3.1 3.1 The AMP focuses on four key areas for realising efficiencies:

- Improving yield from the investment portfolio.
- Reducing maintenance costs and liabilities.
- Delivering efficiencies through smarter procurement.
- Increasing the capital value of each Council's asset base.

3.2 The Plan:

- Provides the strategy framework for LDC and EBC to manage and maximise the potential of their property portfolios and meet the Asset Challenge;
- Ensures that the respective property portfolios are managed and operated in accordance with the Councils' Corporate and Council plans and priorities and Medium Term Financial Strategies;
- Ensures that the Property and Facilities Shared Service (PFSS) efficiently delivers benefits to each Council from the respective property portfolios;
- Unlocks the potential of land and buildings across Lewes District and Eastbourne Borough, working with external partners where appropriate.

3.3 The efficiency areas and aims of the Plan are met through six themes which underpin the AMP Implementation Plan, the area of the document that sets out the AMP objectives over its lifespan and beyond. The themes are:

- **Theme 1:** Establish a clear vision regarding how LDC and EBC will achieve a sustainable asset base by 2021: delivered through the Corporate Landlord model and Property and Facilities Shared Service planning;
- **Theme 2:** Challenge the reasons for retaining assets and ensure that retained assets contribute towards a sustainable asset base: this comprises a critical part of Phase 1 of Asset Challenge;
- **Theme 3:** Identify the benefits and make best use of each asset to stimulate regeneration including the provision of affordable housing: Phase 2 of Asset Challenge;
- **Theme 4:** Seek opportunities where key strategic assets could realise significant capital and/or revenue returns in order to reinvest in the retained operational portfolio: the key element of Phase 2 of Asset Challenge as the portfolios move towards achieving a sustainable asset base;
- **Theme 5:** Reduce on-going property maintenance and financial liabilities for LDC and EBC: supports theme 4 in achieving the sustainable asset base objective;
- **Theme 6:** Ensure that retained assets combine social, cultural, environmental and economic benefits: guarantees that the Councils are only holding properties that meet corporate aims and objectives.

3.4 The AMP Implementation Plan will be subject to progress reporting to Strategic Property Board and annual refresh in line with changes in legislation and government requirements and the priorities of the Council's Corporate Plan and Medium Term Financial Strategy.

3.5 Whilst the AMP sets the strategy for managing the Council's property portfolio, it also provides the foundation stone for a number of supporting documents that will bring the AMP's aspirations and objectives to life as set out below:

3.5.1 Building Maintenance Plan

This identifies the overarching priorities for maintenance, such as Health & Safety, Statutory Compliance, and ensuring that buildings are weathertight and sets out how LDC and EBC will move from the current position of almost 100% reactive maintenance to a 60/40 planned/reactive maintenance basis over a two-year period;

3.5.2 Strategy and Policy principles

There are a number of strategies and policies that provide the governance and procedures to support AMP workstreams. They outline pledges from PFSS, and set the principles and decision-making processes. The principles of each strategy and policy are summarised within the AMP Appendices and below:

Acquisition and Investment Strategy

- That the yield from the investment should achieve a return to the Council at a specific % above the cost of capital borrowing, and after servicing the purchase costs, to be agreed on a case by case basis by the Council's Section 151 Officer.
- Due diligence checks are to be carried out on each acquisition
- That investment risk is spread over a range of property assets
- The asset base is to be balanced with the overall aim to achieve 70% of assets held as a long-term investment and 30% trading for profit.
- Where the business case is strong enough, acquisitions may occur outside of the Council's boundaries.

Disposal and Transfer Strategy

- In the normal course of events, property will only be identified as surplus to requirements having first been taken through the Asset Challenge process and clear reasoning provided. In exceptional circumstances, properties may be identified in advance of Asset Challenge.
- Due diligence to be carried out prior to consideration of a disposal/asset transfer.
- The most appropriate disposal method to be identified, which will usually be either private sale, private auction, informal negotiated tender, formal tender, or exchange of property.
- All disposals will be advertised via an agent and on the Council's website.

Lease and Rent Management Policy

- All new leases will generally be assessed on an open market rent basis. Social value may be taken into consideration if this is clearly in support of the Councils' main aims and objectives.
- New leases cover standard issues that will clearly explain both the landlord's and the tenant's responsibilities.
- Tenant selection and assessment will be clearly defined.
- Leases will specify how rent reviews will be conducted, along with the basis for assessment.
- Lease term will be considered on a case by case basis.

Accessibility Policy

- Accessibility funding will be prioritised in order to enable access to all.
- Where it is not possible to improve access to a building, an access plan will be put in place and alternative arrangements made so that the Councils' services remain accessible.
- Poorly performing assets will be identified and recommendations made to rationalise the corporate Estate.
- Equality Impact Assessments will be carried out where relevant to ensure no-one has been discriminated against by our property management processes.

Risk and Compliance Policy

- The Councils will provide and maintain buildings that are safe for users and staff by ensuring that the duty of care is fulfilled by meeting our statutory requirements.
- A rolling programme of surveys and assessments will be undertaken to identify, quantify, and prioritise any risks, or possible risks, to our staff, users, contractors, the general public and to our buildings.
- Safe management and ultimately the safe removal of any high priority risks identified will be prioritised.
- Procedures and measures will reflect the requirements of current legislation and regulations.
- In partnership with other public sector agencies, LDC and EBC will explore shared learning with the aim of reduce our costs, sharing opportunities to streamline the inspections and testing regime, and to develop best practice.
- Contractors will be monitored to ensure that their performance targets are being met in relation to the Councils' inspection and testing regime.

Property Maintenance Policy

- Maintenance spend will be focused on planned rather than reactive works.
- Energy saving works will be included in replacement programmes where it is cost effective to do so.
- Operational buildings will be maintained to a Good (Grade B) standard.
- Essential statutory maintenance will be undertaken correctly and by competent contractors
- PFSS will engage with service managers through provision of appropriate and timely information to help them comply with all current policies, strategies and management procedures for health and safety including associated compliance.
- Predictable risks will be identified and managed for the H&S of occupants and visitors.

3.6 When acquiring property, market opportunities are frequently presented by commercial agents on a time-limited basis. As a result, there is limited ability for the Council to scope best fees relating to external property agents and also for external legal fees. In order to ensure compliance with Council Contract Procedure Rules and allow the Council the flexibility to move quickly to secure acquisitions, this report recommends that authority to be delegated to the Director of Regeneration and Planning, in consultation with SPB, to agree waivers in respect of agents and legal fees relating to acquisitions.

4.0 Asset Challenge

4.1 A key part of the AMP is the Asset Challenge process whereby officers will stress-test existing assets considering income generation, and costs of the assets to the Council. Difficult decisions will then need to be made regarding retention, disposal, investment or transfer of assets, as well as taking account of any community value.

4.2 Importantly, whilst disposal and realising capital receipts is part of efficient property management, Asset Challenge is not solely a disposals programme. Whilst inevitably there will likely be some assets identified for disposal as they no longer meet the needs of the Council and its communities, all elements that will help achieve a sustainable asset base will be considered, such as

regeneration opportunities, opportunities for increased yield, and reduced maintenance and financial liabilities for retained properties. Key to the process is recognition of the Council's unique role as custodian for its communities and ensuring all assets that are retained have strong social, cultural, environmental and economic benefits and clearly contribute to increasing social value.

5.0 Consultation and approval

- 5.1 Consultation on the Plan has taken place with Strategic Property Board, relevant Service Heads and the Eastbourne Disability Involvement Group.
- 5.2 As the AMP is a joint property document across LDC and EBC, it will need to be formally agreed by each Council's Cabinet. Lewes District Cabinet considered the matter at their 26 June 2017 Cabinet. Subject to adoption by both Cabinets, the Plan will then be published and adopted.

6.0 Links to the Corporate Plan

- 6.1 The AMP meets the following aspirations of the Corporate Plan:
- Prosperous economy: by improving Eastbourne as a destination, supporting employment, providing opportunities for business growth, and identifying opportunities for investing in housing and economic development;
 - Quality environment: by identifying opportunities to reduce the carbon footprint, and supporting a high quality built environment and excellent parks and open spaces;
 - Thriving communities: by increasing community resilience and ensuring the Customer comes first;
 - Sustainable performance: by making the best use of assets, proactively managing building performance, working with partners to deliver improvements and delivering a balanced budget.

In addition it supports achieving the 2026 Partnership vision of Eastbourne being a premier seaside destination.

7.0 Legal Implications

- 7.1 There are no legal implications arising directly out of this report (21 April 2017 Ref: 006238-JOINT-MR).

8.0 Finance Implications

- 8.1 Financial implications have been included in the body of this report.

9.0 Conclusion

- 9.1 In order to ensure the property aspirations of the Council's Corporate Plan are met, in particular the over-arching aim of achieving a sustainable asset base by 2021, the Council needs to put in place a robust property strategy. The Corporate Asset Management Plan 2017-2020 provides this strategy and sets out the objectives against which progress in delivering the aspirations of the Corporate Plan can be measured and should therefore be adopted.

9.2 An Equality and Fairness analysis has been undertaken regarding this proposal. The draft analysis has concluded that no major changes are needed; the policy is robust and evidence shows no potential for discrimination and all opportunities to advance equality and foster good relations between groups has been taken.

Appendix 1a
Corporate Asset Management Plan 2017-2020

Appendix 1b
Corporate Asset Management Plan 2017-2020: Appendices

Background papers:

Equality and Fairness Analysis

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

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Lewes District Council *and* Eastbourne Borough Council

Corporate Asset Management Plan 2017-2020



STRONGER together



Lewes District Council



Working in partnership with Eastbourne Homes

CONTENTS

	PAGE
<u>FOREWORD</u>	2
<u>SECTION 1 - INTRODUCTION</u>	3
<u>SECTION 2 – MEETING THE CHALLENGE</u>	7
<u>SECTION 3 – INTERNAL AND EXTERNAL INFLUENCES</u>	11

Appendices (separate document)

Appendix 1 – Implementation Plan

Appendix 2 – Strategy and Policy Principles

Appendix 3 – Property and Facilities Shared Service Structure Chart

Note: The Corporate Asset Management Plan 2017-2020 replaces the LDC Property Strategy 2012 and the EBC Asset Management Plan 2008-2013.

FOREWORD

Welcome to the Corporate Asset Management Plan (AMP) 2017-2020.

This is the first AMP following the decision by Lewes and Eastbourne to integrate services. Both Councils will retain their own sovereignty with separate corporate and strategic plans that reflect the nature of the areas they cover, however, Lewes and Eastbourne are looking to achieve the same aims with their assets and this AMP sets out how our Councils intend to plan and manage their corporate property portfolios.

This AMP is produced against a backdrop of change for local authorities with the need to find new ways to help face reduced funding from the Government and the changing face of local government itself through the move to devolution with more partnership arrangements and greater autonomy from central Government. Although by sharing services we can build resilience and protect services for our local communities and visitors, this alone will not be enough to face the challenges ahead.

Property and land needs to be responsive to changing future needs and buildings need to be fit for purpose providing services communities want and need. This AMP sets out the strategy for how we will challenge the reasons for continuing to hold the Councils' corporate property and how we will ensure that only those assets that help support the aims of the Councils' Corporate and Council Plans and priorities are retained.



Councillor Andy Smith

Leader

Lewes District Council



Councillor David Tutt

Leader

Eastbourne Borough Council

SECTION 1 – INTRODUCTION

Purpose and aims of the Corporate Asset Management Plan



The future continues to look very challenging for local authorities. Lewes District Council (LDC) and Eastbourne Borough Council (EBC) are faced with finding substantial savings at a time when the Government grant for Councils will disappear altogether by 2019.

Across the portfolios there are a wide variety of assets including office buildings, commercial, industrial, retail, community centres, tourist attractions, recreation areas, theatres, and leisure centres which reflect the diversity of our local communities.

Efficiently managing these assets will play a key part in helping to realise the savings needed in order to meet the future financial challenges the Councils are faced with. Each Council will require flexibility from its property portfolio to support local communities, business and visitors and ensure that any held assets are efficiently managed to maximise and improve their uses.

LDC and EBC need to challenge themselves to see whether there are better ways of delivering services from their properties in order to ensure they continue to deliver what customers want and need, both now and in the future. The AMP focuses on 4 key areas:

1. Improving yield from the investment portfolio.
2. Reducing maintenance costs and liabilities.
3. Delivering efficiencies through smarter procurement.
4. Increasing the capital value of each Council's asset base.

Key aims and objectives

The key corporate objectives and priorities for the Councils are outlined within the Lewes District Council Plan 2016-2020 and the Eastbourne Borough Corporate Plan 2016-2020. The Councils' plans are supported through the Medium Term Financial Strategy which governs and reports on the financial structure of LDC and EBC. The AMP is the primary tool to deliver the property elements of the corporate objectives and priorities working within legislation and the Constitution (fundamental principles) of each Council. It will help deliver the agreed priorities by defining how the Councils manage their property portfolios and setting objectives that need to be achieved over the lifespan of the AMP, progress against which will be reviewed annually. The Property and Facilities Shared Service (PFSS) will deliver the objectives of the AMP on behalf of service areas.

The AMP will:

- Provide the strategy framework for LDC and EBC to manage and maximise the potential of their property portfolios and meet the Asset Challenge;
- Ensure that the respective property portfolios are managed and operated in accordance with the Councils' Corporate and Council plans and priorities and Medium Term Financial Strategies;
- Ensure that the Property and Facilities Shared Service (PFSS) efficiently delivers benefits to each Council from the respective property portfolios;
- Unlock the potential of land and buildings across Lewes District and Eastbourne Borough, working with external partners where appropriate.

The AMP objectives are underpinned by six asset management strategy themes outlining the iterative work that will be undertaken across the Councils.:

- **Theme 1: Establish** a clear vision regarding how LDC and EBC will achieve a sustainable asset base by 2021: delivered through the Corporate Landlord model and Property and Facilities Shared Service planning;
- **Theme 2: Challenge** the reasons for retaining assets and ensure that retained assets contribute towards a sustainable asset base: this comprises a critical part of Phase 1 of Asset Challenge;
- **Theme 3: Identify** the benefits and make best use of each asset to stimulate regeneration including the provision of affordable housing: Phase 2 of Asset Challenge;
- **Theme 4: Seek** opportunities where key strategic assets could realise significant capital and/or revenue returns in order to reinvest in the retained operational portfolio: the key element of Phase 2 of Asset Challenge as the portfolios move towards achieving a sustainable asset base;
- **Theme 5: Reduce** on-going property maintenance and financial liabilities for LDC and EBC: supports theme 4 in achieving the sustainable asset base objective;
- **Theme 6: Ensure** that retained assets combine social, cultural, environmental and economic benefits: guarantees that the Councils are only holding properties that meet corporate aims and objectives.

One of the key over-arching corporate objectives that the Councils have set for their property portfolios is to achieve a sustainable asset base by 2021. In other words, reaching a position where every asset should at least 'break-even' and pay for itself, ensuring assets are not a drain on the Councils' resources or those of local tax-payers.

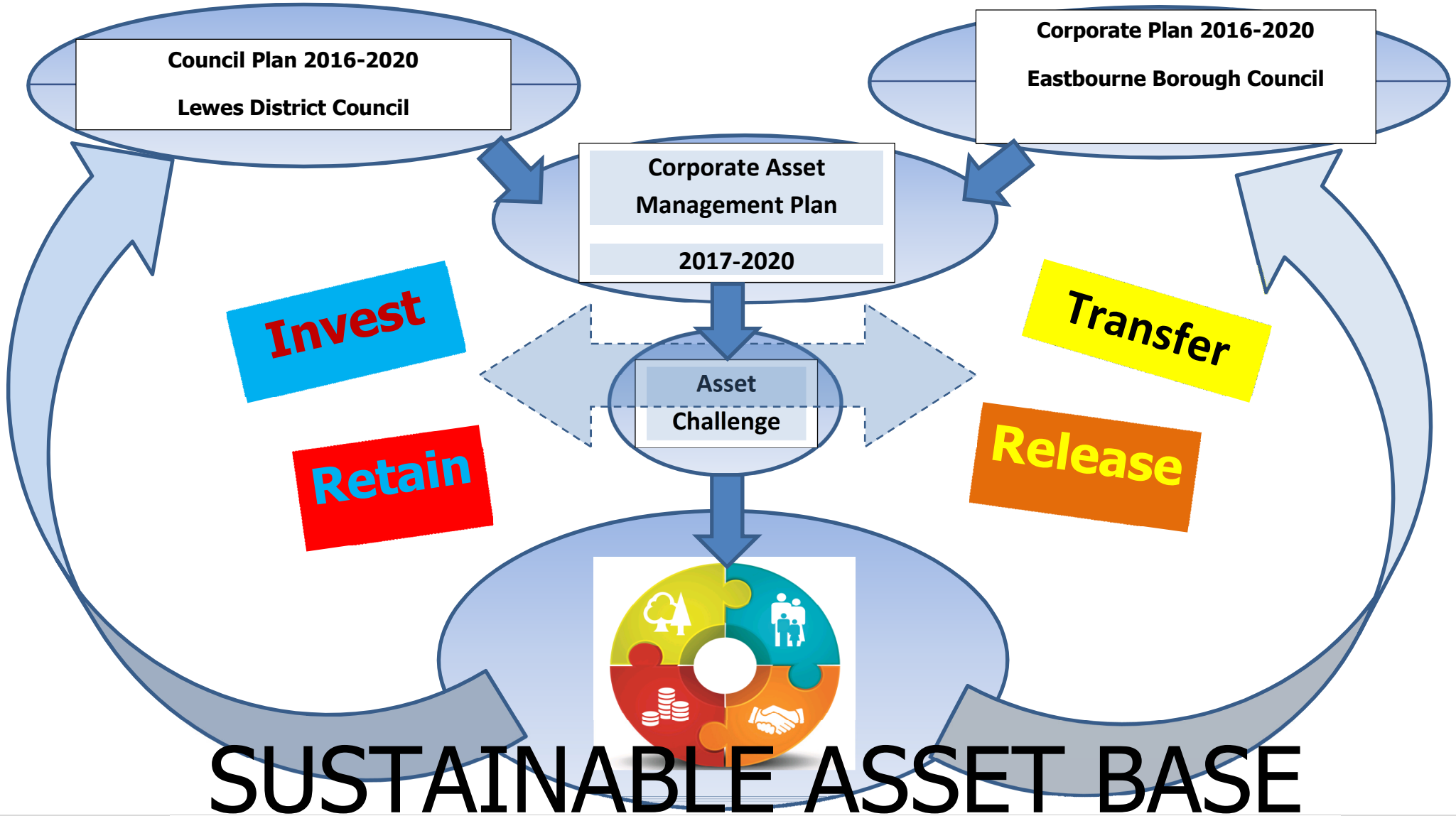
Difficult decisions will need to be made if the Councils are to achieve a sustainable asset base, particularly those around disposal, acquisitions, investment and transfer of properties. This AMP sets out the visions, values and objectives to help the Councils meet this aim. It will ensure that LDC and EBC only hold property assets that are fundamental in

supporting the social, economic and environmental wellbeing of those that live, work and visit the Lewes District and Eastbourne Borough areas, through either directly providing space for services to be delivered or creating income that can be reinvested in the property portfolios.

Central to the AMP is the AMP Implementation Plan set out in Appendix 1 which outlines the main objectives to be achieved over the life of the AMP. Each objective links to one or more of the six asset management strategy themes as well as the Councils Corporate and Council plans. These objectives provide a framework to enable the Councils to reshape their assets in response to corporate objectives, challenges, opportunities and changing needs and will ensure that retained properties are managed efficiently and effectively.

The diagram on the following page shows how the plans are inter-connected.

How do the Asset Management Plan and Asset Challenge fit in?



SECTION 2 - MEETING THE CHALLENGE

Corporate Landlord and Shared Service



The property functions of the Councils aligned in May 2016 as the Property and Facilities Shared Service (PFSS), part of a move to a Corporate Landlord model aimed at bringing savings and improvements to quality of service. The structure chart for the service is attached at appendix 3. Under the Corporate Landlord model, the management of a property asset and the responsibility for maintenance, development, disposal, management (including leases and licences) and statutory compliance is delivered by a centralised corporate unit. Budgets are transferred from the service department to enable strategic procurement of services and the service departments become clients of PFSS.

The service plan for PFSS sets out the main objectives for the service, which includes the following areas of responsibility:-

- Maintenance and Facilities (including planned and reactive repair and maintenance service for the Councils' non-housing property, caretaking for the Councils' administrative properties, capital works, and building security);
- Asset Development (including disposals, acquisitions, leases, licences, rent reviews, and support to strategic property projects);
- Corporate Landlord and Procurement (including delivering savings for both Councils through joint procurement of service and supply contracts, off-street car parking policy and tariffs, management of public conveniences across LDC, compliance with landlord statutory obligations, client functions and implementation of the Councils' property asset management system.

PFSS will, working with service heads across both Councils and external partners, deliver the objectives of the AMP on behalf of LDC and EBC. Service delivery, efficiency and quality will be monitored through performance indicators. Within the AMP, progress against each AMP implementation objective will be assessed and reported annually and the AMP objectives will continue to be refined over the lifecycle of the AMP to reflect priorities and central government policy changes.

Service areas will be better supported by PFSS as the strategic responsibilities for assets will now fall to the shared service Corporate Landlord allowing service areas to focus more on their own areas of expertise. It will continue to be important to maintain close liaison between service areas and the Corporate Landlord to ensure a shared understanding of service plans, and property priorities in order to ensure that the Councils' property portfolios deliver the objectives of each service area. Service Level Agreements will be established between PFSS and the service departments to ensure the asset base meets service need.

Asset Challenge



To achieve a sustainable asset base by 2021, LDC and EBC must test why they hold the assets they do, along with the true costs of those assets, and how they benefit our customers. Difficult decisions will need to be taken by both Councils. This will be represented through the Asset Challenge programme - a key strand of the Councils' AMP and asset management strategy objectives.

The programme will give each Council the opportunity to consider their assets in a new light and make strategic decisions about their future and indeed the future face of LDC and EBC. Asset Challenge will assess each asset's viability, to include considerations such as retention, investment, transfer or disposal. There will need to be a proven case for the retention of any assets, which will need to be supported by a business case setting out the benefits as well as how any costs relating to the asset will be funded in future years. In addition to the relative costs associated with each asset, the social, economic and environmental benefits will be a key factor in determining future actions. The Asset Challenge process is supported by a suite of property appraisal documents establishing property management criteria including disposal, acquisition and investment.

Whilst undoubtedly there is a strong financial need to complete the Asset Challenge process, key to the process is making sure that all assets that are retained have strong social, cultural, environmental and economic benefits to the areas served by each Council and clearly contribute to increasing social value.

In addition to considering the existing portfolio, it is important that both Councils are open to opportunities to increase income through investment in the purchase of new properties. As funding from central government decreases, the Councils will move towards a more commercially focused position seeking investment opportunities that can generate good rates of income to ensure frontline services are protected and improvements are made across the District and Borough areas. Opportunities will be sought to increase potential through marriage values of schemes where possible by incorporating mixed-use development opportunities and other benefits.

On 23 June 2016, the country decided to leave the European Union. It is too early to say what impact Brexit may have on land and property prices and invariably the extent of any impact will vary from area to area. As a consequence it brings with it uncertainty, however, what is clear is that undoubtedly property is going to need to work harder than ever before to sustain not only itself but support other services and the Councils will need to invest in property in order to build resilience against the future challenges faced. Innovation and opportunity will be key to this success.

Acquisition, investment and disposals will be considered on a case by case basis in line with asset policies, the principles of which are set out in Appendix 2.

Building Maintenance Plan



Key to realising the aspirations of this AMP is the development of a joint Building Maintenance Plan (BMP) setting out the Councils' priorities for planned maintenance expenditure on their assets over the next five years.

The BMP identifies the overarching priorities for maintenance, such as Health & Safety, Statutory Compliance, and ensuring that buildings are weathertight.

The Plan sets out how LDC and EBC will move from the current position of almost 100% reactive maintenance to a 60/40 planned/reactive maintenance basis over a two-year period. It also sets out the sustainability priorities for LDC and EBC that need to be factored in when work is taking place, such as the EBC priority to reduce the carbon footprint in Eastbourne by 40% from the 2009 baseline.

Existing condition data will be reviewed and funding forecasts will identify the resources needed over the life of the plan in order to achieve the maintenance priorities and act as a tool to inform strategic decisions on the future of assets through the Asset Challenge process.

With regards to any Heritage buildings and facilities, repairs and maintenance will be prioritised to ensure that the buildings are weather tight, and so that health and safety risks are managed. Major works and refurbishments will be subject to external funding bids that will be co-ordinated through the relevant lead officer.

The Plan will be subject to periodic review, reflecting repairs and maintenance works undertaken, increased knowledge of the condition of each Council's assets, and changes to the Councils' property portfolios.

Asset Policies



The AMP is supported by a number of strategies and policies, which form the basis for evaluation and recommendations on the Councils' portfolios in a clear and transparent manner. These work in conjunction with Asset Challenge and the Building Maintenance Plan to ensure that decisions are made in accordance with the AMP and corporate policies and priorities.

The principles of the strategies and policies are set out in Appendix 2.

Data Management

Part of the work around aligning property functions across LDC and EBC is the move to streamlining and a shared approach regarding property data management and systems including details of agreements relating to each property, asset valuations, insurance details, rent reviews, condition surveys and a photographic record of the asset.

In addition, LDC and EBC have computerised Geographic Information Systems (GIS), which shows the Councils' land ownership with associated information such as site and ward boundaries, planning, and contaminated land.

Decision making



The Councils are in the process of aligning their property decision making processes. Once this is completed there will be a similar decision making procedure in place across both Councils as follows:

- PFSS: this is the service responsible for the day to day management of the portfolios working in its capacity as Corporate Landlord with service areas to deliver the corporate priorities and AMP implementation objectives. PFSS additionally meets finance and legal colleagues monthly to discuss each respective property portfolio and associated legal matters affecting each portfolio.
- Strategic Property Board: The aim is for both Councils to have a Strategic Property Board (SPB) which will act as the consultation forum with Members regarding strategic property matters (acquisitions, disposals, debtors, investment opportunities and development updates). There is already an SPB in place in EBC and proposals are similarly being considered for an SPB in Lewes.
- Cabinet: is the decision making body of each Council and considers recommendations put forward by officers at Cabinet meetings. In some cases, final decisions are then delegated by Cabinet back to senior managers, in other cases decisions are made at the Cabinet meeting itself, the Cabinet having decided on whether to agree, disagree or change any recommendations that have been made to them.

SECTION 3 – INTERNAL AND EXTERNAL INFLUENCES

Internal

The AMP is not a stand-alone plan. It exists in conjunction with the Councils' corporate strategies and priorities, ensuring a clear joined up vision and aims to support their delivery.

Below are the main plans and governance that the AMP supports and works within:-

Constitution

Each Council has a Constitution in line with the Local Government Act 2000. This is a fundamental document which sets out the framework for how the Councils, councillors and officers carry out all of their business and it underpins the Councils commitment to openness and involvement.

The Constitution contains a number of parts which set out the basic rules for how each Council works. The respective Constitutions also tell residents how they can make their voices heard in the decision making process.



Lewes District Council: Council Plan 2016-2020

LDC's Council Plan sets out the Council's key priorities and projects over the four year period to 2020 and sets out a number of commitments to residents, businesses and local communities. The commitments are themed around communities, place and value for money and aim to provide:

- Resilient, healthy and engaged communities – making communities stronger and better able to support themselves through addressing environmental crime and anti-social behaviour, promoting healthy lifestyles and supporting people to maintain their wellbeing, and continuing to work with key voluntary organisations.
- Improved customer service – improving customer service by making better use of technology, joining up systems and training staff,
- Delivering sustainable new housing and infrastructure – delivering new and affordable homes and infrastructure improvements to new and existing homes and businesses.
- Growth and prosperity – working closely with strategic and economic partners to bring about investment in jobs, skills and training opportunities to contribute the regeneration needed, especially in coastal and rural areas.
- Clean and green district – investing in recycling services and encouraging much higher rates of recycling and preserving parks, open spaces and nature reserves for future generations.
- Delivering sustainable services – integrating all services with EBC by 2020 in order to achieve annual savings of £2.7million per year.

The full plan can be downloaded from:

http://www.lewes.gov.uk/Files/Council_Plan_2016-2020.pdf



Eastbourne Borough Council: Corporate Plan 2016-2020

One of EBC's main documents is the Corporate Plan and sets out the Council's priority aims in order to help make Eastbourne the best place to live, work and visit. The current plan is divided into four priority themes:

- Prosperous Economy sets out how EBC will help make Eastbourne a thriving borough. Priority aims include having an outstanding seaside resort and gateway to the South Downs National Park, a transformed and accessible town centre, and creating opportunities for improving skills, employment, learning, and participation for residents and tourists.
- Quality Environment outlines how the borough will be made more sustainable and a better place to live, work and visit. Priority aims are to transform sites that are currently under-used in the town centre, improve the quality and quantity of public space, produce less waste and recycle and reuse more and improve public transport and cycling facilities.
- Thriving Communities sets out the aims for improving the lives of our communities and for those who visit the borough. Priority aims include having the lowest levels of crime in comparison to similar towns in the South East, supporting families and young people to reach their full potential, having a wider range of activities and facilities for young people, enabling them to be the best they can be and a wide range of quality homes including affordable housing for those in need.
- Sustainable Performance outlines the ways in which the Council will continue to make sure that it provides value for money for its customers and visitors to the borough. Priorities include providing excellent service, being high performing and a valued partner across the public, private and voluntary sectors, continuing to be customer focused, being an excellent employer, and having a sustainable asset base.

The plan also sets out the 2026 Partnership vision for Eastbourne to be a premier seaside destination within an enhanced green setting - a safe, thriving, healthy and vibrant community with excellent housing, education and employment choices, actively responding to the effects of climate change.

The full plan can be downloaded from:

<http://www.eastbourne.gov.uk/resources/assets/inline/full/0/249015.pdf>

Pride of Place

Pride of Place

Eastbourne is one of six local authorities and six Local Strategic Partnerships that have worked together to produce Pride of Place - the sustainable community strategy for East Sussex. The strategy sets out the vision for East Sussex to 2026 for improving people's quality of life based on the issues and priorities that local people have said they are most concerned about. Priorities include developing the economy; providing high quality education, learning and skills opportunities; improving travel choices and access to services; providing high quality affordable housing; protecting natural and built environments and adapting and responding to climate change; improving health, well-being, safety, security; creating strong communities and community leadership; and supporting older people, children, young people and carers.



Medium Term Financial Strategy (MTFS)

Each Council has a Medium Term Financial Strategy (MTFS) which provides the financial framework to support delivery of the corporate aims of the Council. It is updated annually and makes medium term forecasts about expenditure, funding and other resources. The MTFS allows the Councils to balance priorities and resources, anticipate and plan for change.

The medium term outlook for both Councils is extremely challenging. Both LDC and EBC have seen significant reductions in levels of government funding. The Councils' response to the challenge is the Joint Transformation Project discussed earlier in this document, which will see an integration of services across both Councils by 2020, enabling each Council to save around £3million per year.



Joint Efficiency Plan 2016-2020

In 2016 the Government offered local authorities a guaranteed minimum level of grant funding for four years starting in 2016/2017. This offer was conditional on each council approving and publishing an efficiency plan. LDC and EBC prepared a joint Efficiency Plan demonstrating how greater certainty around funding would help deliver the Councils' four years financial plans and bring about opportunities for further savings.

The full plan can be downloaded from: http://www.lewes.gov.uk/Files/efficiency_plan_-_final_October_2016.pdf



Localism Act 2011

Localism Act 2011

The Localism Act was introduced in order to provide new freedoms and flexibilities for local government and new rights and powers for individuals and communities. Two of the main provisions of the Act are the Community Right to Bid and the Community Right to Challenge.

The Localism Act requires local authorities to maintain a list of assets of community value which have been nominated by the local community under Community Right to Bid. When listed assets then come up for sale or change ownership, community groups are given time to develop a bid and raise the money to bid to buy the asset.

Once on the register of Community Assets, an asset cannot be sold without first allowing a community group a period of up to 6 months to raise funds to make a market based offer.



Transparency Agenda and One Public Estate

The Transparency Agenda is aimed at opening up government and public services in order to improve local transparency and accountability and increase innovation and growth to meet local needs and demands. As part of this agenda local authorities are encouraged to make data openly available.

The One Public Estate programme is an initiative being delivered in partnership with central government and the Local Government Association (which works with the government on behalf of local authorities) supporting collaborative property-led projects in local areas, delivering ambitious projects that transform local services. It aims to support partnerships to use assets more effectively, creating economic growth and deliver more integrated public services.



Strategic Property Asset Collaboration in East Sussex (SPACES)

SPACES is a 10 year partnership programme with a range of public and voluntary sector partners across the south east. It is a property collaboration programme that aims to generate capital receipts and reduce costs through property sharing and alignment amongst partners. There are targets to achieve £10 million reduction in revenue cost of property assets, £30 million in capital receipts through the disposal of property and reduce carbon emissions by 10,000 tonnes across the life of the programme.

Property Legislation

The portfolios will be operationally and strategically managed in accordance with all relevant property legislation and procedures will be reviewed from time to time to ensure that they are updated to reflect changes in legislation.

The Property Market and the Economy

These are interlinked and will impact on the strategic and operational asset management of the portfolios. The assets will be managed having regard to the state of the Property Market and the expected trends within the different property uses and having regard to the economy and how economic trends will impact on property assets.



Lewes District Council *and* Eastbourne Borough Council

Corporate Asset Management Plan 2017-2020



Appendices

STRONGER together



Lewes District Council



Working in partnership with Eastbourne Homes

Appendix 1 – IMPLEMENTATION PLAN



The AMP Implementation Plan sets out the key activities to deliver the AMP. It will be reviewed on an annual basis with achievements and progress to date reported to the Strategic Property Board for each Council.

Each activity relates to one AMP strategy themes which in turn support the aims of the Councils Corporate and Council plans.

As this is the first year of the joint AMP, this is very much the start of the process. Each subsequent annual review will give the Councils an opportunity to:

- Include new objectives to meet changes in legislation and government requirements;
- Refine current objectives to reflect changes in the priorities of the Councils' Corporate and Council plans and Medium Term Financial Strategies; and,
- Meet the key strategy themes of the plan for achieving a sustainable asset base by 2021.

Theme 1: Establish a clear vision for how each Council will achieve a sustainable asset base by 2021			
Links to Corporate Plans	Deliverables	Delivery Dates	Status
LDC: Delivering sustainable services	Property & Facilities Shared Service (PFSS) launched to manage LDC and EBC assets.	May 2016	Green
	Objectives for Asset Management Plan (AMP) defined.	October 2016	Green
EBC: Sustainable performance	AMP produced for consultation.	December 2016	Green
	Develop and implement appropriate property management processes and procedures to support the AMP.	June 2017	Green
	Develop KPIs to measure progress.	July 2017	
	Draft of Building Maintenance Plan produced for consultation.	July 2017	
	Corporate Asset Management Plan adopted	July 2017	Green
	Alignment of decision making processes for each Council.	July 2017	Green
	Annual review of AMP	April 2018	
	Ensure that property data for each Council meets Data Transparency standards.	Ongoing	Green
	Populate and keep updated electronic asset records with good quality property data which will be used to analyse the portfolio and produce management information.	Ongoing	Green
	Develop an options appraisal for the future management of PFSS beyond 2020.	March 2019	

Theme 2: Challenge the reasons for retaining assets and ensure that retained assets contribute towards a sustainable asset base.			
Links to Corporate Plans	Deliverables	Delivery Dates	Status
	Identify potential under-performing or high risk assets	May 2017	Green
	Consult and engage with Service Heads and other key stakeholders to understand current and future service needs.	May 2017	Green
	Analyse assets by function, running cost, income and community benefit to set a framework for the first phase of asset challenge.	July 2017	Green
	Complete Phase 1 of the Asset Challenge Process	July 2017	Green
	Identify historic repairs and maintenance spend	April – July 2017	Green

Theme 3: Identify the benefits and make best use of each asset to stimulate regeneration including the provisions of affordable housing.			
Links to Corporate Plans	Deliverables	Delivery Dates	Status
<p>LDC: Resilient, healthy & engaged communities; Delivering sustainable new housing and infrastructure; Growth and prosperity.</p> <p>EBC: Prosperous economy; Quality environment; Thriving communities; Sustainable performance; 2026 Partnership vision – Premier seaside destination</p>	Deliver an options appraisal on all void assets	September 2017	
	Develop an Estate Plan for the Downland Farms and Open Downland.	September 2017	
	Implement a programme of works to include development and refurbishment of assets to generate a capital receipt, improved yield or improved condition.	July 2017 – February 2018	
	Carry out a review of all leases to summarise the key points so that risks are identified and managed appropriately, maintenance liabilities are understood, and information is available to all in a standard format.	December 2017	
	Identify opportunities for asset disposal or transfer and complete a business case for each.	March 2018	
	Complete Phase 2 of the Asset Challenge process for all property.	March 2018	
	Implement a programme of new build to improve service delivery, asset value or yield generation	May 2017 – August 2018	
	Work with HEDP to deliver the best commercial terms from mixed-use developments.	Ongoing	Green

Theme 4: Seek opportunities where key strategic assets could realise significant capital and/or revenue returns in order to reinvest in the retained property portfolio.			
Links to Corporate Plans	Deliverables	Delivery Dates	Status
<p>LDC: Delivering sustainable new housing and infrastructure; Growth and prosperity.</p> <p>EBC: Prosperous economy; Quality environment; Thriving communities; Sustainable performance; 2026 Partnership vision – Premier seaside destination</p>	<ul style="list-style-type: none"> Using the business cases as an output within Themes 3 and 4, develop a pipeline programme of capital investment to improve rental yields. 	April – August 2018	
	<ul style="list-style-type: none"> Using the business cases as an output within Themes 3 and 4, develop a pipeline of disposals to ensure future capital receipts. 	April – August 2018	
	<ul style="list-style-type: none"> Conduct Phase 3 of the Asset Challenge Process 	September 2018	
	<ul style="list-style-type: none"> Identify opportunities for asset development and investment and complete a business case for each. 	March 2019	
	<ul style="list-style-type: none"> Identify opportunities to acquire property that will produce additional revenue streams and which meet the test(s) set out in the Property Acquisitions and Investment Strategy. 	Ongoing	Green

Theme 5: Reduce ongoing property maintenance and financial liabilities for each Council.			
Links to Corporate Plans	Deliverables	Delivery Dates	Status
LDC Delivering sustainable services; Growth and prosperity. EBC Sustainable performance; Prosperous economy; Quality environment	Establish a procedure for procuring works and services <£100k that aligns with the Contract Procedure Rules.	December 2016	Green
	Assess current compliance levels, set up systems to record and resolve incidences of non-compliance and record inspections.	May 2017	Green
	Develop a PROTECT and PREPARE action plan	June 2017	
	Develop a facilities management SLA with service areas and arrange quarterly maintenance and SLA review meetings.	April – July 2017	
	Review, revise and update condition survey data.	September 2017	
	Develop Building Maintenance Programme for 2018-19 (1 year plan).	September 2017	
	Achieve 100% compliance.	September 2017	Green
	Develop a maintenance programme for car parks and public conveniences.	September 2017	
	Develop a programme of inspections to ensure that all incursions are identified.	September 2017	
	Implement a programme of Landlord inspections on the leased Estate to inform AMP and BMP.	October 2017	
Set up a programme of monthly H&S walkarounds for operational buildings and review and update Risk Assessments, Safe Systems of Work, Policies and Procedures.	May 2017-March 2018		

	Implement the FM procurement programme	March 2018	
	Complete 3-5 year maintenance plan	March 2018	
	Develop a plan to meet the requirements of the Energy Act 2011 (MEES), taking into account the need to be compliant by 1 st April 2018.	March 2018	
	Develop and implement a preferred suppliers framework for minor works.	September 2018	
	Deliver a shift from 100% reactive maintenance to 60% planned, identifying the resources required to deliver the plan.	December 2016 - March 2019	
	Rationalise the property portfolio for each Council to deliver revenue savings.	March 2019	
	Increase agile working and explore the potential for collaborative working with other public sector partners to reduce running costs.	Ongoing	Green
	Carry out Landlord's inspections of properties and agree schedules of dilapidations with tenants.	Ongoing	Green
	Review the procurement of consultants and contractors for the provision of works and services.	Ongoing	Green
	Carry out rent reviews generally on an open market rent basis in a timely manner. Social value benefits to be considered where relevant.	Ongoing	Green

	Identify and rectify all property risks associated with statutory compliance, including new and changed legislation.	Ongoing	Green
	Programme access audits to ensure adherence to Equality Act 2010 and public sector Equality Duty issues.	Ongoing	

Theme 6: Ensure that retained assets deliver social, cultural, environmental and economic benefits.			
Links to Corporate Plans	Deliverables	Delivery Dates	Status
LDC Delivering sustainable services; Growth and prosperity. EBC Sustainable performance; Prosperous economy; Quality environment	Identify leaseholders in receipt of EBC Rent Support Grant (RSG) and work with the Strategy and Partnership Lead for Thriving Communities to develop a business case for each which reduces the reliance on RSG over time.	March 2018	Green
	Achieve target increase of 10% growth in rental yield for LDC and EBC.	March 2018	Green
	Demonstrate cost savings achieved against current spend on FM services.	March 2018	
	Demonstrate contract management efficiencies achieved through the reduction of suppliers.	March 2018	
	Working with service areas, develop and deliver a pipeline programme of strategic property projects that meets the aims and objectives of each Council.	September 2018	
	Assess investment opportunities against the Acquisition and Investment Strategy.	Ongoing	Green

Appendix 2 – STRATEGY AND POLICY PRINCIPLES

PFSS have developed a range of strategies and policies to support the AMP and to ensure that property is managed in a transparent and equitable manner. The policies and the principles underpinning each one are set out as follows:

Acquisition and Investment

- That the yield from the investment should achieve a return to the Council at a specific % above the cost of capital borrowing, and after servicing the purchase costs, to be agreed on a case by case basis by the Council's Section 151 Officer.
- Due diligence checks are to be carried out on each acquisition
- That investment risk is spread over a range of property assets
- The asset base is to be balanced with the overall aim to achieve 70% of non-operational assets held as a long-term investment and 30% trading for profit.
- Where the business case is strong enough, acquisitions may occur outside of the Council's boundaries.

Disposal and Transfer

- In the normal course of events, property will only be identified as surplus to requirements having first been taken through the Asset Challenge process and clear reasoning provided. In exceptional circumstances, properties may be identified in advance of Asset Challenge.
- Due diligence to be carried out prior to consideration of a disposal.
- The most appropriate disposal method to be identified (subject to relevant approval), which will usually be either private sale, private auction, informal negotiated tender, formal tender, or exchange of property.
- All disposals will be advertised via an agent and on the Council's website.

Lease and Rent Management

- All new leases will generally be assessed on an open market rent basis. Social value may be taken into consideration if this is clearly in support of the Councils' main aims and objectives.
- New leases cover standard issues and will clearly explain both the landlord's and the tenant's responsibilities.
- Tenant selection and assessment will be clearly defined.
- Leases will specify how rent reviews will be conducted, along with the basis for assessment.
- Lease term will be considered on a case by case basis.

Accessibility

- Accessibility funding will be prioritised in order to duties under the Equality Act 2010 are discharged.
- Where it is not possible to improve access to a building, an access plan will be put in place and alternative arrangements made so that the Councils' services remain accessible.
- Poorly performing assets will be identified and recommendations made to rationalise the corporate estate.
- Equality Impact Assessments will be carried out where relevant to ensure no-one has been discriminated against by our property management processes.

Risk and Compliance

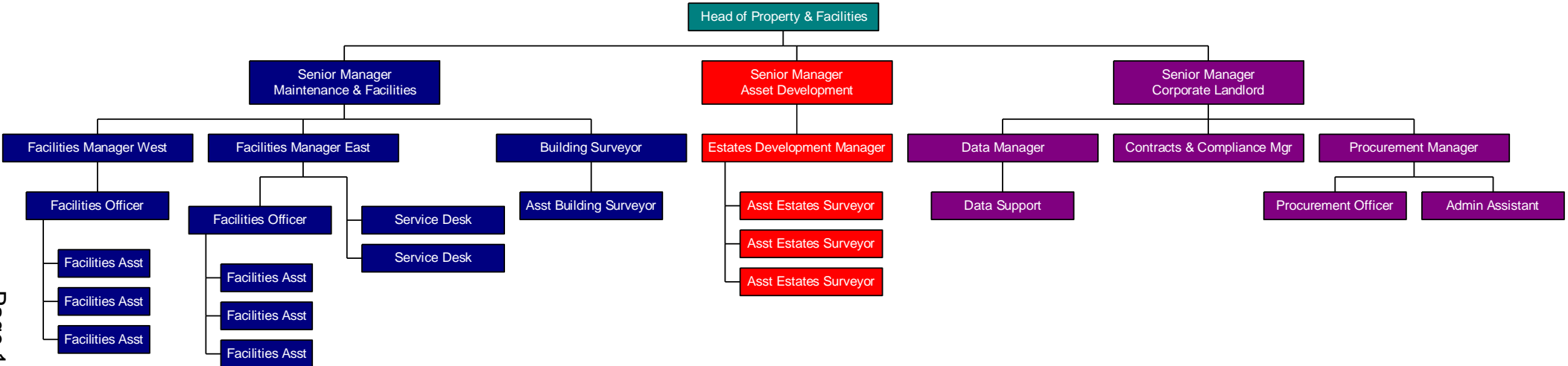
- The Councils will provide and maintain buildings that are safe for users and staff by ensuring that the duty of care is fulfilled by meeting our statutory requirements.
- Landlords' responsibilities will be met.
- A rolling programme of surveys and assessments will be undertaken to identify, quantify, and prioritise any risks, or possible risks, to our staff, users, contractors, the general public and to our buildings.
- Safe management and ultimately the safe removal of any high priority risks identified will be prioritised.
- Procedures and measures will reflect the requirements of current legislation and regulations.
- In partnership with other public sector agencies, LDC and EBC will explore shared learning with the aim of reduce our costs, sharing opportunities to streamline inspections and testing regime, and to develop best practice.
- Contractors will be monitored to ensure that their performance targets are being met in relation to the Councils' inspection and testing regime.

Property Maintenance

- Maintenance spend will be focused on planned rather than reactive works.
- Energy saving works will be included in replacement programmes where it is cost effective to do so.
- Operational buildings will be maintained to a Good (Grade B) standard.
- Essential statutory maintenance will be undertaken correctly.
- PFSS will engage with service managers through provision of appropriate and timely information to help them comply with all current policies, strategies and management procedures for health and safety including associated compliance.
- Predictable risks will be identified and managed for the H&S of occupants and visitors.

APPENDIX 3

PROPERTY AND FACILITIES SHARED SERVICE STRUCTURE CHART



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BODY:	CABINET
DATE:	12th July 2017
SUBJECT:	Joint Venture on Energy & Sustainability
REPORT OF:	Nazeya Hussain, Director of Regeneration and Planning
Ward(s)	All
Purpose	To set up a structure with a private sector partner that will deliver a range of projects to meet environmental ambitions whilst also ensuring resilience against future energy, sustainability and climate change challenges.
Decision Type:	Key decision
Recommendation:	<ol style="list-style-type: none">i. Appoint the Robertson Aecom Consortium as the Preferred Bidder for the Energy & Sustainability Joint Venture and award it a contract to work with Eastbourne Borough Council and Lewes District Council as the private sector partner subject to satisfactory finalisation and completion of the contractual agreements.ii. Approve the setting up of a new Joint Board for Energy & Sustainability comprising Eastbourne Borough Council and Lewes District Council Members as nominated by the group leaders on a politically proportionate basis. Such Board will be advisory only and substitute Members may be drawn from any political group.iii. Delegate authority to the Director of Regeneration and Planning to take all necessary operational decisions to implement the Joint Venture in consultation with the Portfolio Holder for Place Services and where appropriate the Chief Finance Officer and Assistant Director – Legal and Democratic Services.iv. Delegate authority to the Director of Regeneration and Planning to agree the inclusion in the Joint Venture structure of other participants in consultation with the Portfolio Holder for Place Services and where appropriate the Chief Finance Officer and Assistant Director – Legal and Democratic Services.v. Delegate authority to the Director of Regeneration and Planning in consultation with the Portfolio Holder for Place Services and where appropriate the Assistant Director – Legal and Democratic Services to agree the terms of an inter-authority agreement to govern the relationship between Eastbourne Borough Council and Lewes District Council as founding participants under the arrangement.

Contact: Lisa Rawlinson, Strategy & Partnership Lead for Growth & Prosperity
Telephone 01323 415250 or internally on extension 5250.
E-mail lisa.rawlinson@eastbourne.gov.uk

1.0 Background

- 1.1 Eastbourne Borough Council has made a commitment to providing a Quality Environment in its Corporate Plan 2016 – 2020, with this being one of four key themes. Likewise, Lewes District Council has made a similar commitment in its Council Plan 2016 – 2020, to having a Clean and Green District. Specifically, by 2020, the Councils intend to be moving towards becoming low carbon areas, with a wide range of locally derived environmentally friendly initiatives. Both Councils have ambitious plans to improve their respective areas and deliver significant projects, along with high quality operational services, and so have made a commitment to deliver a shared service.
- 1.2 Both Councils have already given consideration to the Joint Venture, and approved the public procurement process for a private sector partner, with reports going to Eastbourne’s Cabinet on 25th May 2016, and Lewes’s Cabinet on 4th January 2017. At Lewes District Council’s Cabinet on 26th June 2017, the recommendations above were approved.
- 1.3 Within the energy sector there is a combination of increasing prices, future shortage of supply, and the need to reduce carbon emissions. The food chain faces similar future uncertainty with population growth and major global food regions are under threat from extreme weather patterns. There will also be future sustainability issues with transport, waste and water.
- 1.4 Eastbourne Borough and Lewes District Councils have good track records of investing and delivering in sustainability, and both have invested in solar panels on social housing, reduced their own carbon footprints, invested in green spaces, supported local community groups, and increased the amount of recycling collected. However in the context of future needs, a more ambitious approach to achieve large scale change is required, and a step change in investment, and working alongside commercial organisations for their specialist skills and experience, is required.
- 1.5 This report sets out how the Councils will be taking a leading role to develop projects that both tackle the issues in paragraph 1.3 above, and in addition, provide an income for the Councils. Whilst a key focus of the Joint Venture is to deliver potentially innovative Energy & Sustainability projects, it is of course possible that many capital projects could be delivered through the Joint Venture, provided that they come within the wide scope of the procurement and there is a sufficient element of energy and sustainability.
- 1.6 The Joint Venture is in effect a partnering relationship between the two Councils and the private sector partner, and offers significant advantages to accelerate the delivery of projects, which will be completed to a high standard and will achieve Members’ ambitions for their respective areas. There would be no requirement for forthcoming projects to be procured,

which takes time and can have cost implications, however a request can be made to the private sector partner to run a mini-competition. Another benefit is the facility to bundle up smaller projects, some of which will be of community benefit. Finally, Robertson Aecom will need to build a local supply chain for sub-contractors, and they have made a commitment to holding open days for local suppliers, with a view to setting up the local supply chain.

1.7 Given that Eastbourne Borough Council and Lewes District Council are in the process of sharing services, the procurement process has been undertaken on behalf of both Councils, as founding partners. The Invitation to Submit Final Tender stage has now concluded, completing the procurement process. The Robertson Aecom Consortium are recommended as the preferred bidder and subject to the approval of both Eastbourne Borough Council's Cabinet, and Lewes District Council's Cabinet at its meeting on 26th June 2017, and satisfactory finalisation of the contractual agreements it is recommended that they are appointed as the Joint Venture partner for a period of 20 years, to provide a long term arrangement for a framework for the right strategic planning and investment to take place. There will also need to be an inter-authority agreement between the two Councils to govern the occasions when they must make decisions jointly e.g. at the Steering Board where they will have one collective vote.

1.8 Officers from the Department for Business, Energy and Industrial Strategy (BEIS) have approved the approach taken by both Councils, and the long-term thinking. They have also been regularly briefed on the procurement process.

2.0 Robertson Aecom

2.1 The term "Robertson Aecom Consortium" is used in this report to refer to:

- Robertson Capital Projects Limited; and
- Aecom Limited

who will jointly and severally enter the Strategic Partnering Agreement with the Councils.

2.2 Robertson Aecom have been working with the hub programme, which operates across five geographical territories in Scotland. In each, the participating public bodies have teamed up with a private sector partner to form a joint venture company known as a hubCo, to develop and deliver a diverse pipeline of community infrastructure projects. Robertson and AECOM were each appointed to establish and operate one of the hubCo areas. They have over five years of experience and success, helping multiple council areas to deliver a wide range of project types. Particular points to note are:

- The total project value of each hub is just under £500m, which is a combination of schemes that have been delivered, are in development or are under construction;
- A significant proportion of SMEs are involved in delivering contracts;
- New jobs and apprenticeships have been created (in excess of 500);
- There are high satisfaction scores on completed schemes;
- Ability to reinvest any surpluses into developing a new pipeline of projects.

2.3 Robertson's Hub East Central Scotland projects have included early years,

primary schools, secondary schools, health centres, mental health facilities, pharmaceutical manufacturing facilities, community facilities, museums, libraries, leisure facilities, cultural attractions, offices, customer facing facilities, depots, vehicle maintenance facilities, affordable housing and care homes.

2.4 AECOM deliver a full range of technical and management services for construction and infrastructure projects to public and private sector bodies throughout the UK. Two local and relevant projects to the Energy & Sustainability Joint Venture and the delivery of early projects in Eastbourne and Lewes are the Sussex Coast College in Hastings, where AECOM have provided full development management for the relocation of the college campus, and the Splashpoint Leisure Centre in Worthing, where AECOM have contributed both Structural and MEP design services in parallel with the development Cost Management services.

3.0 Operation of the Joint Venture

3.1 The objectives of the Joint Venture are to:

- Strategically identify, develop and deliver a diverse range of projects and services embedding energy and sustainability;
- Provide an opportunity for public, private and third party organisations to strategically collaborate, plan and deliver improved aggregated outcomes;
- Provide a tool that will deliver major capital projects to budget and to a high standard;
- Support local businesses and the community through long-term needs review and investment planning;
- Create low carbon sustainable communities.

3.2 There are a number of background documents that support this report, that help to explain how the Joint Venture might work operationally and the different processes that are involved, including how other public bodies and organisations can access the Joint Venture. These are listed below along with a short summary about each one:

- i. **Joint Venture Toolkit** – a guide to the key processes and how projects can be delivered;
- ii. **Q&A Briefing Document** – answers key questions on Scope, Governance, Finance, and Delivery;
- iii. **Governance Method Statement** - further detail on how the Council and private sector partners will operate the Joint Venture;
- iv. **Stage 0 Method Statement** - how sites can be taken from concept and vision to workable or 'qualifying projects';
- v. **Project Development Method Statement** – how qualifying projects can be taken forward to delivery;
- vi. **Engagement Method Statement** – how the community and other stakeholders will be engaged.

4.0 Governance

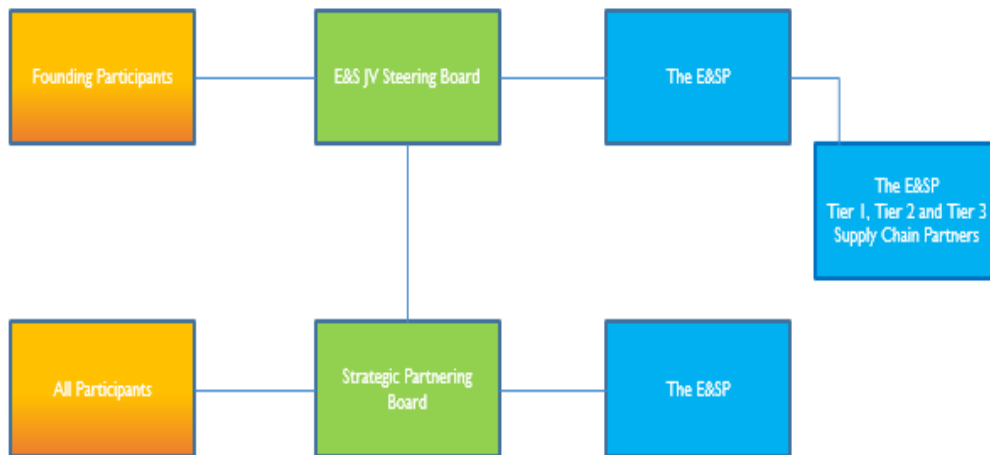
4.1 The governance arrangements are explained in detail in the Governance

Method Statement, but in summary, the Councils as founding partners will be able to:

- Recommend which of their own projects to develop and will, alongside the joint venture partner, approve the project delivery plan, which may include projects put forward by other public sector bodies;
- With the joint venture partner, decide to allow access to other participants (other local authorities and public bodies) to use the joint venture, and agree the terms on which they do so;
- Cancel or reject a project proposal at various gateways (although it should be noted that cancellation or rejection for certain reasons can result in liability for aborted costs, and where a final approval has been given to a project, potentially loss of profits);
- Invest in projects which generate a financial return.

A Carbon Reduction Board has operated in Eastbourne for some years, attended by relevant Portfolio Holders and senior officers. It is proposed to extend this and create an Eastbourne/Lewes Joint Board for Energy and Sustainability to scrutinise and review all projects prior to Cabinet consideration. All projects will be reviewed by this Board prior to any Cabinet decisions to proceed, so Members will be involved at each stage of the project gateway process. The community will be consulted (as appropriate) before any project is approved and funding given.

4.2 A diagram showing the Project Governance mechanism is shown below.



The Joint Venture consists of 3 parts as shown by the coloured boxes above:

Yellow area (public sector)

The founding participants are Eastbourne and Lewes Councils.

All participants will be Lewes and Eastbourne Councils and any other public sector body that joins the Joint Venture.

Green area (public and private sector)

The role of the Energy & Sustainability Joint Venture (E & S JV) Steering Board is oversight and accountability review, strategic leadership, strategic planning and Stage 0 Overview.

The Strategic Partnering Board oversees the work of the E & SP (see below).

Its role is guidance, performance review, scrutiny, strategic engagement and alignment of priorities.

Blue area (private sector)

The E & SP is the Energy and Sustainability Partner and comprises Robertson Aecom, and their supply chain partners.

Tier 1 Supply Chain Partners - Contractor or Service Provider

Tier 2 Supply Chain Partners - Consultant or Single service provider

Tier 3 Supply Chain Partners - SME or service specialist

5.0 Identifying the pipeline

5.1 Once appointed, the private sector partner will work with the two Councils to examine our investment pipeline. Once established the private sector partner will commence a '100 day plan' which will scope out in more detail the potential pipeline for the next five to ten years.

5.2 Within the 100-day plan, all the key themes (energy, food, transport, water waste, and climate resilience) will be mapped onto the Geographic Information System (GIS), which will allow the Councils to take a holistic master-view of regeneration. All sites would be ranked and prioritised and aligned with the JV Project Approval Process, which closely follows the RIBA stages. This process will build in the appropriate Cabinet approvals, and will involve workshops with a wider set of stakeholders.

5.3 The Councils can choose which projects are included in the Joint Venture, and may not want to use the Joint Venture for schemes that are already underway, or for future projects. If it looks like the initial potential pipeline is small in the Eastbourne/Lewes Joint Venture Area, then the private sector partner will work with other Participants in the Joint Venture Core Area of Kent, Surrey, Brighton & Hove, East Sussex and West Sussex, and their supply chain of contractors, to develop a larger project pipeline. To ensure all costs are recovered a notional first 5 year minimum pipeline scenario would be in the region of £175m - £185m, approximately £35m a year.

5.4 When either Council wants to consider a project, a project approval process will be followed, with six steps outlined below.

E&S JV Stage	Summary	Key Outputs
Pre-Stage 0	Site Listing	<ul style="list-style-type: none"> Internally the Council agrees which sites can be considered by the JV Part 1 list created, which will require Cabinet approval
Stage 0	Strategic Definition	<ul style="list-style-type: none"> Scope out all of the Part 1 sites Prioritisation and classification of potential projects
Stage 1	Preparation & Brief	<ul style="list-style-type: none"> Develop scope of potential projects including outline delivery

		<p>programme, project requirements, planning requirements and affordability cap</p> <ul style="list-style-type: none"> • Agree which sites can be taken forward as Qualifying Projects (Part 2 projects) which will require Cabinet approval • Submit new project requests
Stage 2	Concept Design	<ul style="list-style-type: none"> • Agree affordability cap, comparators, and benchmarks • Price cap adjustments • Options appraisal • Initial design and feasibility • Develop preferred option • VfM assessment • Guaranteed maximum price
Stage 3 & 4	Developed and Technical Design	<ul style="list-style-type: none"> • Develop Design • Pre-planning consultation • Confirm VfM • Market test construction packages • Finalisation of price
Contract Finalisation	Completion of contract	<ul style="list-style-type: none"> • Resolve residual risks • Technical Project Agreement • Financial Close

At each stage the level of work increases and will be paid for through the Ongoing Partnering Services (OPS) and Transformational Partnering Services (TPS) fees (see paragraph 6.3 of this report for definitions of these fees). Prior to each stage commencing, the criteria for the next stage is agreed and if these criteria are delivered, it is expected that the costs will be paid through the OPS & TPS fees. If the Council decides to withdraw at any stage and the criteria have been met, then the Council will be expected to pay the costs, and the amount will depend on the type and size of the project. At the start of the Joint Venture, the private sector partners will be carrying out Stage 0 work at risk, with a view to delivering a Qualifying Project. Their costs will be repaid (with interest) once a Qualifying Project has been delivered.

5.5 Cabinets will be required to give approval to projects being listed in Part 1 of the Joint Venture Delivery Plan as well as Part 2.

Part 1 projects are a shortlist of potential projects which may require further development and feasibility studies to be undertaken.

Part 2 projects are "Qualifying Projects" to which the exclusivity provisions apply.

Approval will also be required before a new project request is made to take forward a Qualifying Project and during the project approval process at the Stage 1 decision and at the Stage 2 decision, (unless a particular decision is delegated to officers), so Members will always be in the position of deciding which projects are progressed.

A diagram of the Gateway Approval Process is shown at Appendix A.

The 'Stage 0' and 'Project Development' Method Statements explain in detail how projects will be taken from concept to delivery.

An initial Part 1 list of projects is shown below:

Eastbourne Borough Council

New Sovereign Leisure Centre
Bedfordwell Road
Wish Tower Restaurant

Lewes District Council

North Street Quarter: Springman House New Community Fire Station
North Street Quarter: Energy Services Company
Newhaven Enterprise Zone: Railway Quay
Newhaven Enterprise Zone: Town Centre

6.0 Strategic Partnering Agreement

6.1 The Joint Venture will be overseen at its top level through a 'Strategic Partnering Agreement' (SPA) which gives the greatest flexibility for the long term aims. The SPA will act as an enabling agreement through which individual projects will be delivered.

6.2 The SPA has been procured by both Councils through the Competitive Procedure with Negotiation. Key elements of the SPA are:

- Flexible governance arrangements, providing the Councils with the capability to take forward projects with the private sector partner;
- Other public sector bodies can have a direct relationship with the private sector partner;
- The Joint Venture Business plans are jointly developed between all parties, with final approval by the Founding Participants (Eastbourne and Lewes Councils) and the private sector partner;
- There will be no need for further procurement as the private sector partner can choose its own supply chain of contractors and sub-contractors in conjunction with Eastbourne and Lewes Councils (subject to usual best value tests);
- Internal and external capital can be raised as and when required;
- Contracts for additional joint ventures and regeneration projects will be drawn up to suit the project, templates will be available, and over time these will be developed for repeating projects.

The SPA is of necessity a detailed legal document.

6.3 The private sector partner has the sole and exclusive right and obligation for a period of 10 years from the commencement date of the SPA to provide:

- (i) On-going Partnering Services; and
- (ii) Transformational Partnering Services in respect of Qualifying Projects.

Definitions of these terms are provided below.

On-going Partnering Services: are constant or recurring services which include:

- Partnering and Collaborative Working, supporting participants to develop the Joint Venture Delivery Plan, to establish and develop the Strategic Partnering Board;
- Supply Chain Management to establish, manage and refresh a supply chain of contractors that can deliver and demonstrate continuous improvement;
- Value for Money to the participants during the term of the SPA.

The private sector partner has no obligation to provide On-going Partnering Services if there are no Qualifying Projects.

Transformational Partnering Services: are services in connection with the development of new projects and include:

- New Project Development and Delivery;
- Selection from Supply Chain for each New Project;
- Funding;
- Value for Money.

- 6.4 With regard to exclusivity, there are a few points worth emphasising:
- The private sector partner will have conditional exclusivity rights over Qualifying Projects (the Part 2 list);
 - There is no obligation on the Councils to use the Joint Venture to deliver projects unless they choose to make them Qualifying Projects, however if there are no Qualifying Projects over a continuous three year period either party may terminate the arrangements;
 - Exclusivity can be suspended if the private sector partner fails to meet certain Key Performance Indicators;
 - With regard to Qualifying Projects, exclusivity operates by the project being offered to the private sector partner through the submission of a New Project Request (NPR). This does not oblige a Council to take forward a project. The private sector partner can reject the NPR and then, depending on the circumstances for the rejection, the Council is free to take the project forwards through a different means;
 - If other public bodies join the Joint Venture, the E & S JV Steering Board will have the ability if it wishes, to consider projects in their areas, and if appropriate take the decision that they cannot be delivered if they are in conflict with the values and visions of Eastbourne and Lewes Councils in their roles as Founding Participants.
- 6.5 The procurement process required the tenderer to provide example business cases to test their potential to deliver, and their competitiveness.
- 6.6 Once Eastbourne Borough Council and Lewes District Council approve the appointment of the Joint Venture private sector partner, it is anticipated that the SPA will be in place by July/August 2017.

- 6.7 The SPA contains detailed termination provisions. Each new project will be governed by its own set of contractual documents which will contain separate provisions. Compensation is payable on termination in some situations.
- 6.8 The intention is that only Eastbourne Borough and Lewes District Councils as the Founding Participants will be able to terminate the overall arrangements, although individual participants may terminate their own involvement. Participants are liable on a several (not a joint) basis, and compensation is payable on termination in some situations by either party depending on fault. Further detail on these arrangements can be found in the SPA.

7.0 Legal implications

- 7.1 Legal Services have been closely involved with the project from inception, and in particular with the procurement process.

The Joint Venture on Energy & Sustainability involves both the selection of a joint venture partner and the award of contracts/concessions. The process undertaken has therefore covered both of these elements to create a long term incremental partnership arrangement. The nature of this arrangement may entail contracts covered by the Utilities Contracts Regulations 2016 and the Concessions Contract Regulations 2016 as well as the Public Contract Regulations 2015 (PCR 2015).

A compliant competitive procedure with negotiation has been undertaken under the PCR 2015 in order to select the proposed Preferred Bidder.

Previous reports have set out the relevant powers. When considering a complex or multi layered arrangement, a number of powers will be used to cover all aspects of the arrangements. It is considered that there are sufficient powers to enable the Councils to procure and participate in the proposed arrangements. Key powers include:

- Section 1 Localism Act 2010: general power of competence
- Section 11 of the Local Government (Miscellaneous Provisions) Act 1976 (as amended by the Electricity Act 1989) which provides that a local authority may generate and sell heat and electricity, and may also purchase and supply heat.

It is considered that the proposed arrangements are compliant with State Aid rules. This element will be monitored throughout the life of the arrangement and in relation to individual projects.

8.0 Resource Implications

7.1 Staffing

Staff time will be required for both the development of the 100 day plan, and for on-going project development. Each project that is delivered through the Joint Venture will be charged an Ongoing Partnering Service Fee. This will be used to pay both the public and private sector's set up costs. Following that,

0.25% will be payable to the Council. Over time, this should enable the Council to recover its costs of participation.

7.2 **Financial**

7.2 i) **Start-up costs**

The total start-up costs are up to £300,000, which comprises:

- £100,000 for both Councils' set up costs (£50,000 from Eastbourne Borough Council and £50,000 from Lewes District Council);
- £100,000 for Robertson/AECOM's set-up costs;
- Up to £100,000 to cover Robertson AECOM's costs for the initial scoping and potentially the 100-day plan.

The Councils' set up costs have been met by an existing budget and Robertson/AECOM will be doing work at risk. The £300,000 will be recovered through the fees that will be applied to new projects.

Eastbourne Borough Council will contribute the Government's Heat Networks Delivery funding of £32,500 which is matched by £32,500 of its own funds.

7.2ii) **On-going costs**

As mentioned in 7.1 the Councils will be required to invest staff time in project development (approx. 181 days) and these costs are recoverable through the income generated by the management fee that is applied.

7.2iii) **Capital**

A business case will be developed for each individual project that sits beneath the SPA, to include fees, and capital allocations will be requested for each project. Both the business case and capital allocation for each project will require Cabinet approval.

7.2.iv) **Fees**

There are two types of fees:

On-going Partnering Services (OPS) fee

An Ongoing Partnering Services (OPS) fee of 1.75% will be charged against the total contract value of capital and services projects. This fee is effectively a project management charge, received by the partners, which is broken down as follows:

- | | |
|-------------------------|-------|
| • Founding Participants | 0.25% |
| • E&SP | 1.20% |
| • Surplus Fund | 0.30% |

A brief explanation of each follows:

Founding Participants (FP) - a Management Fee will be taken by EBC/LDC that reflects the Participants' involvement in delivering OPS and recognises their ongoing stewardship of the E&S JV procurement mechanism;

Energy & Sustainability Partner (E&SP) - an OPS Fee will be taken by the Robertson/AECOM JV that reflects it is the primary deliverer of OPS and this necessitates the commitment to a range of fixed annual as well as periodic

scalable costs;

Surplus Fund - a contribution to the E&S JV surplus fund will be made to generate cash balances that can be used to fund Stage 0 activities and in turn support the development of an ongoing pipeline of projects and services.

The Business Plan modelling shows that a surplus is likely to start arising once a stated threshold of income is received, most likely towards the end of year 3 or the beginning of year 4. Accordingly, the FP and E&SP have agreed that from a cash flow perspective they will have first call on income received ahead of the surplus fund.

All OPS costs incurred by the FP and the E&SP are incurred at risk, and are only recoverable (with interest) when enough OPS income is generated from the E & S JV's pipeline of projects and services. No party has any obligation to the other to make OPS payments in the absence of sufficient OPS income being received to cover the costs of service provision.

Transformational Partnering Services fee

In addition to the OPS fee of 1.75%, a Transformational Partnering Services (TPS) fee of 2.75% will be charged against the capital value of all projects that are delivered as Qualifying Projects. This fee effectively covers any technical input that is required. The TPS for Services & Supplies projects will be calculated on a project by project basis.

Projects generating lower returns but which hold strategic importance will be considered as part of a blended approach.

The OPS and TPS rates will be reviewed every 5 years.

7.2v) **Income generation**

The main route for income generation is the returns on investments for particular projects. In addition to the Council obtaining a Management Fee income of 0.25% on all projects to cover its costs, it can also invest in projects as a shareholder or investor and generate an income.

Robertson AECOM intend to invest in projects, and the Councils and other Participants can invest where appropriate. Robertson AECOM are comfortable with 100% public sector investment for particular projects, but the SPA provides for the option of up to 50% equal footing.

8.0 Other Implications, Environmental, Community Safety, Youth, Anti-poverty, Equality and Fairness analysis

8.1 **Environmental:**

The projects that sit beneath the SPA will assist the reduction of carbon emissions throughout the towns and deliver long-term sustainability aims.

8.2 **Community benefits**

There will be significant engagement with the community on relevant projects, and the Joint Venture can be used to deliver projects of community benefit.

8.3 **Equality and Fairness**

An Equality and Fairness Analysis has been carried out.

9.0 **Summary**

- 9.1 Setting up a Strategic Partnering Agreement (SPA) Joint Venture, is a low cost, low risk option for Eastbourne Borough Council, putting the Council in a strong position alongside Lewes District Council to deliver sustainability ambitions, and invest in significant capital projects with the potential for financial return.
- 9.2 The Joint Venture can be used to accelerate the delivery of projects, which will be completed to agreed timescales, and to a high standard, achieving Members' ambitions for their respective areas. Use of a private sector Joint Venture partner will mean that other contractors can be brought into projects without the requirement for a procurement exercise, which can take time and have cost implications, so it will have a positive impact on the Councils' budgets.
- 9.3 A local supply chain will be developed and projects with community benefit can be delivered.
- 9.4 As the SPA forms and grows, it will be a platform for advice and capacity building to other local authorities, something the Department for Business, Energy and Industrial Strategy (BEIS) formerly the Department for Energy and Climate Change (DECC) is keen to encourage and see develop.

Appendices:

Appendix A – Gateway Approval Process

The Background Papers used in compiling this report were as follows:

Eastbourne Borough Council Cabinet report 25th May 2016

Lewes District Council Cabinet report 4th January 2017

Lewes District Council Cabinet report 26th June 2017

Joint Venture Toolkit

Q&A Briefing Document

Governance Method Statement

Stage 0 Method Statement

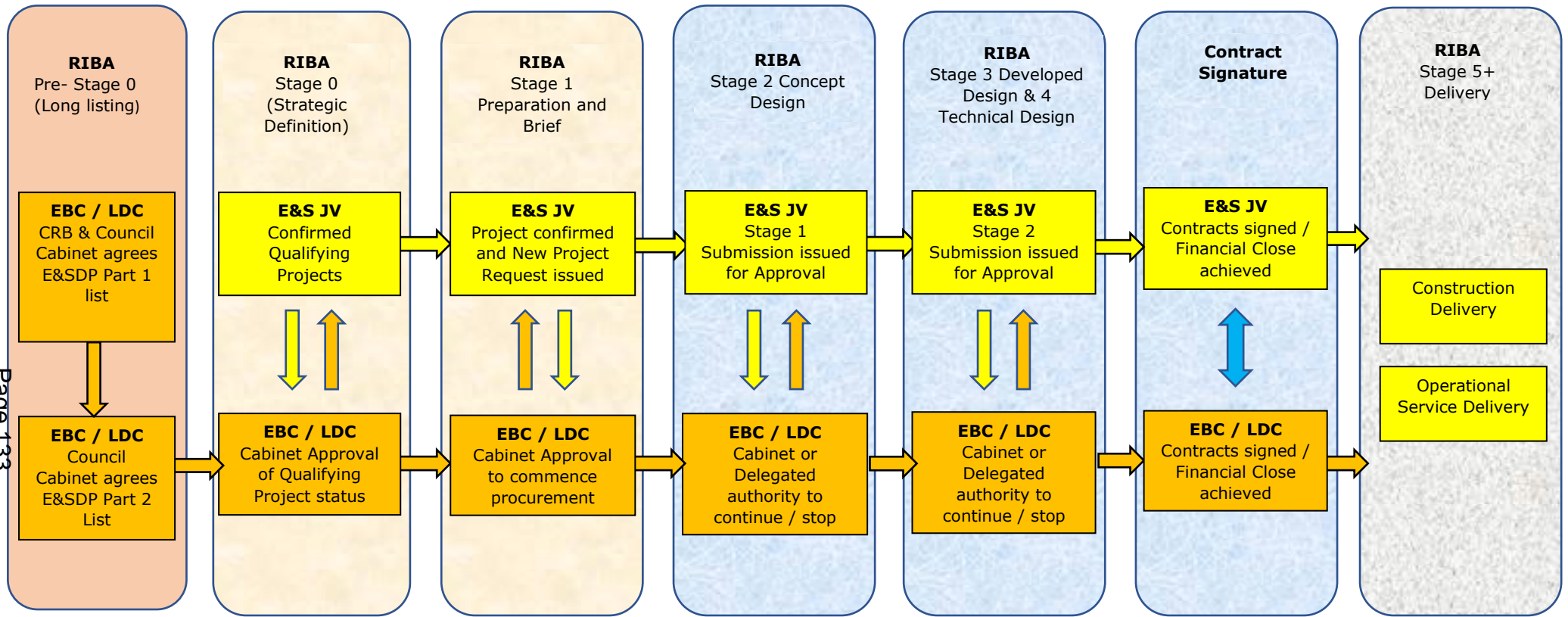
Project Development Method Statement

Engagement Method Statement

Equality and Fairness Analysis

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

E&S JV GATEWAY APPROVAL PROCESS



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COMMITTEE	CABINET
DATE	12 July 2017
SUBJECT	Statement of Community Involvement
REPORT OF	Director of Regeneration & Planning

Ward(s) All

Purpose To seek Cabinet endorsement of the Statement of Community Involvement (SCI) for formal adoption at Full Council on 19 July 2017.

Contact Matt Hitchen, Senior Planning Policy Officer
1 Grove Road, Eastbourne
Tel no: (01323) 415253
E-mail: matt.hitchen@eastbourne.gov.uk

- Recommendations**
1. That Cabinet endorse the Statement of Community Involvement as set out in Appendix 3, and recommend its adoption by Full Council.
 2. That Cabinet endorse, and recommend to Full Council, the revocation of the previous Statement of Community Involvement (adopted 2006, amended 2009) as set out in Appendix 4.
 3. That Cabinet recommend to Full Council that any minor or technical adjustments found necessary in the Statement of Community Involvement be delegated to the Director of Regeneration and Planning in consultation with the Cabinet portfolio holder.
-

1.0 Introduction

- 1.1 Eastbourne Borough Council has prepared a new Statement of Community Involvement (SCI), which sets out the Council's approach to consulting the local community and other stakeholders on planning matters within the local planning authority boundary.
- 1.2 The Council's previous SCI is 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 is being prepared to guide public consultation in the preparation of a new Local Plan for the town.

- 1.3 The SCI was published for consultation with the local community and other stakeholders between 24 March and 18 May 2017, following authority from Cabinet on 22 March 2017. It now needs to be adopted by Full Council, following endorsement from Cabinet. Once adopted, the SCI will be used to guide consultation on planning policy documents.
- 1.4 Once adopted, the new Statement of Community Involvement will supersede the previous Statement of Community Involvement (adopted 2006, updated 2009). Therefore there is a need for the previous SCI to be revoked.

2.0 Background

- 2.1 The Planning & Compulsory Purchase Act 2004 requires local planning authorities to produce a Statement of Community Involvement (SCI), which should explain how they will engage local communities and other interested parties in producing their Local Plan and determining planning applications. It is a legal requirement that any consultation on Local Plans is undertaken in accordance with the adopted SCI.
- 2.2 The current SCI was adopted in 2006, with minor amendments made in 2009 as a result in changes in legislation. This SCI was used to co-ordinate extensive community and stakeholder consultation on a number of planning policy documents that have since been adopted, including the Core Strategy, Town Centre Local Plan and the Employment Land Local Plan.
- 2.3 The introduction of the National Planning Policy Framework (NPPF) and changes to the regulations governing the production of Local Plans means that the current SCI is now out of date.
- 2.4 The Council is embarking on a new round of plan making to replace existing planning policies through the production of a new Local Plan. A new, up to date SCI is being produced to ensure that the local community and other stakeholders are provided with opportunities to have their input into the development of the Plan.

3.0 Summary of the SCI

- 3.1 The SCI sets out how Eastbourne Borough Council will 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 in local communities, the SCI first provides an overview of the planning system and information about the Eastbourne community.
- 3.2 The SCI then provides more detailed information on how communities and stakeholders will be consulted in Plan-making (the preparation of the Local Plan, SPDs & CIL Charging Schedule); and in Development Management (the

determination of planning applications).

3.3 Plan-Making

3.3.1 Within the plan making process, there are three types of plan that will be produced by Eastbourne Borough Council:

- Local Plan
- Supplementary Planning Document
- Community Infrastructure Levy Charging Schedule

3.3.2 The timetable for the production of these planning policy documents is identified within the Council's Local Development Scheme, which was adopted in February 2017.

3.3.3 The SCI sets out the stages in the preparation in each of these plans that there will be engagement and consultation with the local community and other stakeholders. As regulations limit the types of representation that can be submitted at certain stages, the SCI sets different consultation periods for different stages. This includes 8 week consultations where any type of feedback is welcome, and 6 weeks where consultation is a 'technical' consultation and representations are limited to only addressing issues of 'soundness'.

3.3.4 The SCI sets out the basic consultation standards will be applied as a minimum in all consultation on planning policy document. These are:

- Use of the on-line Consultation Portal to host consultation material and enable responses, either directly via the website or by downloading comment forms that can be uploaded, emailed or posted back
- Direct notifications to organisations and individuals through the Local Plan Consultation Database and the 'GovDelivery' email subscribers list
- Putting paper copies of documentation on deposit at 1 Grove Road
- Putting notices in the local paper to advertise consultation
- The promotion of consultation by local Councillors within their wards, especially in areas where there tends to be a lack of engagement.

3.3.5 In addition, an email newsletter will be sent out on a quarterly basis to everyone on the consultation database and 'GovDelivery' subscribers to provide updates on preparation of planning policy documents and when consultation is expected to be undertaken.

3.3.6 The SCI also identifies additional consultation methods and approaches will be used on a case-by-case basis depending on the nature and scale of the consultation.

3.3.7 Feedback on the consultation, including responses to the representations

received and how they will be addressed in the next stage of plan making, will be published on the website and promoted via the quarterly email newsletter.

3.4 Development Management

3.4.1 The SCI sets out the procedures that the Council undertakes in the process of determining planning applications. Opportunities exist for the community and stakeholders to be informed and consulted on development proposals at each of the following stages:

- Pre-application consultation
- Planning application
- Planning appeals.

3.4.2 The methods that the Council uses to publicise applications and consult the community, which exceed the minimum requirements set out by legislation, are as follows:

- Neighbour Notification Letters
- Site Notice
- Public Notice in the local press
- Publication on the Council's website

3.4.3 The deadline for submitting comments on a planning application will be set out in the publicity accompanying the planning application. This will be not less than 21 days.

4.0 Consultation

4.1 A Draft SCI was subject to an 8 week consultation period between 24 March and 18 May 2017 to allow stakeholders and the local community to comment and make representations, in accordance with the consultation principles set out in the document.

4.2 During the consultation on the SCI, a total of 21 representations were received from 11 respondents. This includes representations from the Clinical Commissioning Group, Highways England, Southern Water, the Health & Safety Executive, Natural England, Bespoke and five individuals. Six of the 21 representations did not comment on the content of the SCI.

4.3 The full representations and the recommended officer response to the representations are contained in Appendix 1. A schedule of changes recommended in light of those representations is provided as Appendix 2. An amended version of the SCI as a result of the recommended changes is provided as Appendix 3. A summary of the main issues raised during the consultation is provided below.

4.4 Consultation on Supplementary Planning Documents

- 4.4.1 A representation received during the consultation raised a concern that the 'evidence gathering' stage in the production of a SPD should involve formal consultation, otherwise there would be an in-built democratic deficit. The SCI currently identifies two consultation stages in the preparation of a SPD: 1) evidence gathering and public participation; and 2) representations of a draft SPD. The 'Representations on a Draft SPD' stage is the public consultation stage where there is no limit on who can make representations. The SCI identifies the 'Evidence gathering and public participation' as being informal consultation, with the Council approaching organisations and consultation bodies for their input.
- 4.4.2 As a SPD can only provide detail on an existing Local Plan policy, and these Local Plan policies will have already been through extensive consultation and public examination, it is not considered necessary to have two formal rounds of consultation on a SPD. Informal consultation at the first stage allows stakeholder who have a particular interest to put forward their views in the development of the SPD. This approach worked well with the Tourist Accommodation Retention SPD, where the Eastbourne Hospitality Association were heavily involved in the 'evidence gathering and public participation' stage and helped shape the document. The extent to which stakeholders are involved in the 'Evidence Gathering and Public Participation' stage can be decided on a case by case basis, and would not preclude anyone making comments at the 'Representations on a Draft SPD' stage. Therefore it is recommended that there should be no change as a result of this representation.

4.5 Neighbourhood Planning

- 4.5.1 A small number of representations requested further information and clarification on the stages in the producing neighbourhood plans. This involves additional information relating to reflect the regulations. This involved clarification as to the process for designating a neighbourhood forum, and clarification on the specific stages in the production of a neighbourhood plans. Amendments are recommended in order to address these issues.

4.6 On-line Discussion Forum

- 4.6.1 A representation suggested that it would be beneficial to have a digital platform to allow the community to discuss and debate issues relating to Council proposals and develop ideas to take forward. EBC's on-line Consultation Portal does have a facility to host a discussion forum for a particular consultation, which is not currently used. This could be used at the 'Evidence gathering and early engagement' and 'Issues and Options consultation' stages in the preparation of Local Plans to allow people to

discuss and debate issues relating to the consultation, and to ask questions of the Council. However it is recognised that this consultation method will only be appropriate for certain types of consultation. Therefore it is recommended that the use of a discussion forum should be added to the list of additional consultation methods in the SCI.

5.0 Implications

5.1 Legal Implications

5.1.1 Section 18 of the Planning and Compulsory Purchase Act 2004 provides that a Local Planning Authority must prepare a Statement of Community Involvement. The SCI has been prepared in order to comply with Regulations 12 and 13 of the Town & Country Planning (Local Planning) (England) Regulations 2012, and with regard to the requirements of the National Planning Policy Framework.

5.1.2 Following adoption, there is a three month period where any person aggrieved by the decision to adopt the SCI may make an application to the High Court for judicial review. Any application for judicial review should be made not later than 3 months after the date of adoption (i.e. no later than Thursday 19 October 2017).

5.1.3 In revoking the previous SCI, Regulation 15 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires that the Local Planning Authority cease to make any documents relating to the revoked SCI available and take such other steps as it considers necessary to draw the revocation of the documents to the attention of persons living and working in their area. Therefore, and subject to Council agreeing recommendation 2 to this report, the SCI would be removed from the Council's website and a statement made available on the website and in next year's Annual Monitoring Report that the SCI has been revoked. (*Date of Legal Advice 20th June 2017 - Legal Ref 6092-EBC-JCS*).

5.2 Financial Implications

5.2.1 There are no financial implications to the Council as a direct result of this report. The requirements for future consultation as set out in the SCI will be met from within the service budget. Financial resources will be taken into consideration when determining the specific approach to consultation on a planning policy document.

5.3 Human Resource Implications

5.3.1 Officers in the Planning Policy team will manage consultation procedures as set out in the SCI and can be made from existing resources.

5.4 Equalities Implications

- 5.4.1 The SCI aims to promote consultation across all sectors of the community, particularly amongst age groups and neighbourhoods that do not usually participate, with additional effort to engage 'hard to reach' groups. It also identifies that public exhibitions will be held in accessible venues, and consultation material will be easily understandable and accessible, and sense checked for 'Plain English'. Although consultation will be 'digital by default', paper copies of documentation will be made available for people to view at the Council offices.
- 5.4.2 An Equalities Impact Assessment for the Statement of Community Involvement is a background paper to this report. This Equalities Impact Assessment is currently a draft and subject to sign-off by the Equalities and Fairness Planning Group.

6.0 Conclusion

- 6.1 There is a need to produce a new Statement of Community Involvement (SCI) ahead of the new round of plan making as the previous SCI is out of date due to changes in legislation and national policy.
- 6.2 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) have identified issues that have been addressed within the SCI.
- 6.3 Public consultation was undertaken on the Draft SCI, resulting in 21 representations from 11 respondents. As a result of these representations, a small number of modifications to the SCI are recommended.
- 6.4 In order for the SCI to be formally adopted, it requires approval from Full Council. The previous SCI, which the new SPD will replace, will also need to be revoked. Cabinet are requested to endorse the SCI and recommend to Full Council that the SCI be formally adopted.

Background Papers:

- Eastbourne Statement of Community Involvement (2006, amended 2009)
- National Planning Policy Framework (DCLG, 2012)
- Town & Country Planning (Local Planning) (England) Regulation 2012
- Community Infrastructure Levy Regulations 2010
- Equalities and Fairness Analysis Findings Report – Statement of Community Involvement (EBC, 2017)

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

APPENDIX 1

Table of Representations Received on Draft SCI

Rep ID	Name	Section	Representation	Officer Response
SCI/1	Kay Warner	Introduction – Consultation on Draft SCI	<p>The first thing I would say about this document is whilst it is fine to have planning consultations accessible via this route, as this is not a specific planning consultation but refers to Council Policy in Involving The Community, it should appear on the main website under the heading of “Consultations”.</p> <p>I also think this consultation should be widely advertised and printed copies available for those residents not having computer access. Otherwise a significant number of residents will be excluded from this Community Involvement process.</p>	<p>It is accepted that consultations on plan-making should be advertised on the Council’s main webpage under the “Consultation” headings, and an amendment will be made to the SCI to reflect this. However it is not consider appropriate for consultation on Development Management to be advertised via this method due to the nature, scale and number of consultations that take place.</p> <p>The Council operates a ‘digital by default’ consultation method and all consultation material is made available on-line. However it is recognised that some residents may not have access to a computer. In order to notify these residents about the consultation, a public notice is placed in the Eastbourne Herald newspaper at the start of the consultation period. In addition, press releases could be issues to the media in order to make the wider community aware of consultation. Paper copies of consultation material are also made available at the Customer Contact Centre at the Eastbourne Borough Council offices at 1 Grove Road. In the event that an interested party is unable to access the consultation on-line and is physically unable to pick up a hard copy, a paper copy could be posted.</p>
SCI/3	Hastings & Rother CCG (Nicky	Introduction – Why get involved	Eastbourne, Hailsham and Seaford CCG would like to be actively informed and potentially involved in planning developments.	Comments noted.

Rep ID	Name	Section	Representation	Officer Response
	Cambridge)			
SCI/4	Hastings & Rother CCG (Nicky Cambridge)	Overview of the Planning System – Plan-making – Local Plans	Eastbourne, Hailsham and Seaford CCG would like to be involved in the development of local plans.	Comments noted.
SCI/5	Hastings & Rother CCG (Nicky Cambridge)	Overview of the Planning System – Plan-making – Community Infrastructure Levy	Eastbourne, Hailsham and Seaford CCG would like to ask that the Levy includes consideration of health and well-being impacts and issues.	Although the CIL Charging Schedule itself cannot consider health impacts as it relates to how much financial contribution development should make to the provision of infrastructure, the need for and issues surrounding health infrastructure will be considered through the Infrastructure Delivery Plan and considered for the Regulation 123 list.
SCI/6	Hastings & Rother CCG (Nicky Cambridge)	Background to Eastbourne – Eastbourne and its residents	Eastbourne, Hailsham and Seaford CCG would ask that all relevant health data (including health inequalities data) is considered as part of the needs of the local population affected.	The 'Eastbourne and its residents' section of the SCI will be updated to include some information about the health of residents. All relevant health data (including health inequalities data) will be considered through the Sustainability Appraisal in terms of the needs of the local population and how this can be affected by planning policy.
SCI/7	Hastings & Rother CCG (Nicky Cambridge)	Community Involvement in Plan Making	This sounds very helpful and the CCG would be keen to be involved in proportionate ways.	Comments noted.
SCI/8	Bespoke (P Humphreys)	Overview of the Planning System – Plan-making – Local Plans	Too many EBC plans and strategies have vague targets. Some strategy and planning documents, appear to deliberately avoid using real measurable targets. Without this plans are hard to review later in terms of success or failure. Bespoke are interested in active travel. There are no real targets to increase	Each of EBC's Local Plans includes a Monitoring Framework that sets out a number of detailed targets and indicators in order to allow the performance of Local Plan policies to be monitored. Each year EBC prepares an Annual Monitoring

Rep ID	Name	Section	Representation	Officer Response
			cycling and pedestrian numbers. ESCC congestion data appears to be missing from recent EBC plans and replaced by vague statements about an increase. If it is a target then state it, track it and review any progress.	Report (AMR) that monitors the policies using the indicators set out in the Monitoring Frameworks to identify how well the policy is performing. This information is then used in reviewing policies and their effectiveness.
SCI/9	Bespoke (P Humphreys)	Background to Eastbourne – Eastbourne and its residents	The above reads like Eastbourne is separate to the rest of the area. Most plans seem to play down the reality of the neighbouring District and Boroughs. (See above) Polegate and Willingdon are part of the same conurbation. Planning for road and active travel infrastructure cannot just be around Eastbourne. Even more so with the 10,000 new homes in South Wealden. Bespoke would like more joined up work with the neighbouring Authorities.	<p>Eastbourne Borough Council is the local planning authority for the Eastbourne Borough, with the exception of the area in the South Downs National Plan, which is under the planning jurisdiction of the South Downs National Park Authority. Therefore the Local Plans prepared by Eastbourne Borough Council have to cover the Eastbourne local planning authority area.</p> <p>However it is recognised that Eastbourne’s area of influence extends further than the Borough boundary into Willingdon and Polegate, and Eastbourne Borough Council does work with Wealden District Council in relation to this.</p> <p>Eastbourne Borough Council has a ‘Duty to Co-operate’ with neighbouring authorities on strategic planning matters, as identified in para 1.14 of the SCI. This ‘Duty to Co-operate’ is enacted at both the Member and Officer level. However it should be noted that the ‘Duty to Co-operate’ is not a ‘Duty to Agree’.</p> <p>In order to make this clearer, additional information will be added to the ‘Eastbourne and its residents’ section.</p>
SCI/10	Bespoke (P Humphreys)	Community Involvement in Plan Making – How	Bespoke have found that consultations are often too late. Discussions need to take place earlier. Plus pressure groups are likely to state their ideal. This will clash with other groups so the process is	The SCI at para 4.5 identifies an ‘Evidence gathering and early engagement’ stage in the preparation of a Local Plan, whereby there will be engagement with stakeholders to identify locally

Rep ID	Name	Section	Representation	Officer Response
		will we consult	adversarial. So the assumption is there is no agreement. In fact these positions are sometimes negotiable and Bespoke might support other groups stands or agree a joint position. Where meeting take place with other groups there is often agreement.	relevant visions and objectives for the area and identify what the Local Plan must cover to address the critical issues in the area. This stage provides an opportunity for early discussion and negotiation with groups such as Bespoke.
SCI/11	Stuart Bannerman	Overview of the Planning System – Development Management	More detail is needed at 2.29 and 2.30 about the scheme of delegation - as it affects the planning process. The footnote link is to the whole council-wide scheme but the planning bit is too hard to find (way down at para 47). I suggest a proper summary of the relevant parts of said para 47, at g, h, I & j, should be provided within the body of the SCI as part of 2.30 or as a new para. This is to inform others how their rights are affected by delegated powers.	The types of application that may be decided by delegation and those that are more likely to go to Planning Committee are set out in the Council’s Scheme of Delegation. This Scheme of Delegation may be amended during the life of the SCI, meaning that if additional information was added to the SCI, this information could be out of date and incorrect at some point in the future. However it is recognised that people may want to understand how delegated powers work, and therefore a more specific reference to where this information can be found will be included in the SCI.
SCI/12	Stuart Bannerman	Community Involvement in Plan-Making – Who will we consult - Para 4.6	Evidence gathering to inform SPD should be by formal consultation - not informal consultation - and involve all registered email subscribers to EBC planning policy (not limited to certain bodies). This is essential to ensure all views are taken into account at the earliest stage, and especially because the draft SPD is not subject to any independent examination. In my view, as currently written, 4.6 has an in-built democratic deficit and requires closer consideration to improve community consultation and involvement.	It is important to recognise that a SPD relates to an existing policy in a Local Plan that will already have been subject to extensive consultation and scrutiny through a Public Examination. The SPD can only provide additional detail on the implementation of the policy and cannot amend or change the existing policy. This is explained at para 2.16 of the SCI. This is why SPDs do not require Public Examination, as their related Local Plan policy has already been through the consultation and examination process. As such, an SPD is only a material consideration in the determination of a planning application and not

Rep ID	Name	Section	Representation	Officer Response
				<p>part of the development plan.</p> <p>The Town & Country Planning (Local Planning) (England) Regulations 2012 require that any person may make representations about a SPD (Reg 13). In the SCI, this consultation stage is the 'Representations on Draft SPD' identified in para 4.6. There are no other requirements to consult on a SPD in the regulations, and therefore the SCI is in accordance with the regulations.</p> <p>However, EBC recognises that, depending on the topic of the SPD, additional early engagement with organisations and communities that the SPD is relevant to will help in the preparation of the SPD. For example, in the preparation of the Tourist Accommodation Retention SPD, the Eastbourne Hospitality Association were heavily involved in the 'evidence gathering and public participation' stage and helped shape the document, as this was appropriate for this SPD. Where it is appropriate, organisations and communities will be engaged at this stage in the future preparation of SPDs, but all interested parties without limitation will have the opportunity to comment at the 'Representations on Draft SPD' stage.</p>
SCI/13	Stuart Bannerman	Community Involvement in Development Management – Appeals - Para 5.26	The matter of 'third party rights' (or lack of) requires a more complete explanation, preferably as a stand-alone para, not tacked on the end. It should appear earlier within 5.26 defining 'third parties' so that it is obvious to neighbours et al and clearly explain their status and limited rights following a decision.	Agreed. Additional explanation will be added to the SCI to provide more information on this subject.
SCI/14	Stuart Bannerman	Community Led Planning – Who	A footnote link should be provided to enable the community to access the process for setting up	Agreed. Additional information will be provided on the process for setting up a neighbourhood forum.

Rep ID	Name	Section	Representation	Officer Response
		can prepare a Neighbourhood Plan or Order	Neighbourhood forums and creating Neighbourhood plans.	
SCI/15	Stuart Bannerman	Community Led Planning – Community Right to Build	A footnote link should be provided to enable the community to access the process for Community Right to Build Orders, as mentioned at 6.9 in a similar way as my comment on Neighbourhood Forums at 6.5.	Agreed. Additional information will be provided on the process for setting up a community right to build.
SCI/16	Highways England (Elizabeth Cleaver)	General	<p>Thank you for inviting Highways England to comment on the Eastbourne Borough Council Draft Statement of Community Involvement.</p> <p>Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. We will therefore be concerned with proposals that have the potential to impact the safe and efficient operation of the strategic road network.</p> <p>Having reviewed the published documentation, we do not have any comments on the Eastbourne Borough Council Draft Statement of Community Involvement. However, please could you amend your database so that consultations to Highways England are sent to our general planning team email address, PlanningSE@highwaysengland.co.uk</p>	The Local Plan Mailing List has been amended to contain the email address referred to in the response.

Rep ID	Name	Section	Representation	Officer Response
			<p>instead of sending them to my colleague Keith Jacobs?</p> <p>We look forward to continuing to work with Eastbourne Borough Council as your Local Plan progresses and to receiving consultations on any planning proposals that may affect the SRN.</p>	
SCI/17	Peter Martin	General	<p>A rule which needs to be enacted now is the complete ban on residential building below the 10 metre above sea level contour. With the current cycle of Global Warming, the tilting of the UK & movement of the World's Axis even this current contour may disappear under the sea within the lifetime of the new generation & unfortunately drown part of this Town.</p>	<p>EBC take flooding issues very seriously. The coastal defences are maintained to a level to protect the town from tidal flooding, and the Eastbourne Park flood storage scheme helps to protect the town from river and surface water flooding.</p> <p>It is also important to ensure that residential properties are provided in order to contribute towards meeting local housing need. However this development will only take place in areas that are not at high risk of flooding and through the development management process it should be ensured that development does not increase the risk of flooding elsewhere.</p>
SCI/18	Southern Water (Charlotte Mayall)	Community Led Planning – Neighbourhood Plans and Community Development Orders	<p>Between points (2) and (3) of paragraph 6.8 an additional point should be added to reflect the requirements of Regulation 14 of the Town and Country Planning (Neighbourhood Planning) (England) Regulations 2012, namely the pre-submission consultation and publicity of the neighbourhood plan.</p> <p>From Southern Water's perspective, as a statutory consultee on local and neighbourhood development plan documents, we would wish to ensure that the additional numbered point includes reference to the 'consultation bodies' that should be consulted as a</p>	<p>Agreed. Para 6.8 will be amended to include an additional key step of pre-submission consultation and publicity of the neighbourhood plan. This will also include reference to the 'consultation bodies' that should be consulted as a requirement of Regulation 14(b).</p>

Rep ID	Name	Section	Representation	Officer Response
			requirement of Regulation 14(b).	
SCI/19	Health & Safety Executive (Allison J Chippendale)	General	<p>We have concluded that we have no representation to make at this stage of your local planning process. This is because there is insufficient information in the consultation document on the location and use class of sites that could be developed. In the absence of this information, HSE is unable to give advice regarding the compatibility of future developments within the consultation zones of major hazard establishments and MAHPs located in the area of your local plan.</p> <p>HSE acknowledges that early consultation can be an effective way of alleviating problems due to incompatible development at the later stages of the planning process, and that we may be able to provide advice on development compatibility as your plan progresses. Therefore, we would like to be consulted further on local plan documents where detailed land allocations and use class proposals are made; e.g. site specific allocations of land in development planning documents.</p>	Comments noted. The level of detail in the Statement of Community Involvement is appropriate at this stage. Where it is relevant to the consultation, the location and use class of sites that could be developed will be provide for the HSE to comment.
SCI/20	Phil Belden	General	<p>One earnest plea, is that you honour your pledge, that this genuinely is for "the local community and other interested parties" as the recent proposed Eastbourne Downs sale involved neither the local community nor interested parties.</p> <p>The council decision to dispose of the majority of the downland estate (75% / 3,000 acres) was made in secret and didn't even involve the whole democratically elected council, but a small Cabinet minority. The reason given, once ordinary people had found out and protested at the town hall, was</p>	<p>This Statement of Community Involvement relates to engaging the community and stakeholders in planning decisions, particularly those relating to the plan-making and development management.</p> <p>Whilst this response is focused on issues relating to the Downland, which do not fall under the scope of the SCI, some points are raised that are relevant to the SCI.</p> <p>Notification of consultation on the Local Plan goes out to those on the Local Plan mailing list, and there is no restriction on people living outside of</p>

Rep ID	Name	Section	Representation	Officer Response
			<p>that it was not considered significant enough to involve the public. This does not bode well for any serious attempt at community involvement – such a statement may “not be worth the paper it is written on”.</p> <p>Eventually, the council bowed to considerable pressure from the people, locals and others, opposition parties, the collective media etc, and decided to run a poll for its local residents in the council-owned propaganda freesheet (not my words, but those of The Times, 24/7/17). This loaded poll (not my words, but the headline in the Eastbourne Herald, 14/2/17) makes one seriously question the motives behind any community involvement – making it hard to accept the sincerity of any words in a council “statement of community involvement”. The council has a job to do, to restore trust as a result of the ill-judged Eastbourne Review poll, essential if this is to be a key organ for community involvement which the draft statement seems to be pinning its hopes on (p.6 Of the Summary).</p> <p>If the council had not changed its mind and had stuck to its minority cabinet decision, which would have been a shock in the face of such overwhelming opposition, though not with the way the poll was loaded with public service threats and fear, then all this would have been tested in the courts. As it is, we move on in a spirit of reconciliation and optimism for a conserved and enhanced Eastbourne Downs, protected in perpetuity (not my words, but your previous Mayor’s session in the House of Lords when this land was being secured for the people).</p> <p>Finally, community involvement needs to involve the local community AND other interested parties. The</p>	<p>the Eastbourne Borough to signing up for email notifications. All community members and interested parties are encouraged to sign up for email notifications as a quick and easy way to keep up to date with planning issues in Eastbourne.</p> <p>EBC has a ‘Duty to Co-operate’ with neighbouring authorities, including the South Downs National Park Authority, on strategic planning matters, and this duty is taken seriously.</p> <p>The SCI sets out a number of different approaches to consultation on plan-making that could be used depending on the scale and nature of the consultation. For instance, consultation on a Local Plan that impact upon the whole of Eastbourne and beyond will employ the widest range of consultation methods. These consultation methods will be identified by officers and recommended to Cabinet when Cabinet make the decision to approve the document for public consultation, which is the process that is set out in the Council’s constitution.</p> <p>Consultation on planning policy documents that only affect a small area or those on a detailed and technical topic may employ a narrower range of consultation methods. Again, these consultation methods will be identified by officers and recommended to Cabinet when Cabinet make the decision to approve the document for public consultation.</p> <p>In order to demonstrate that consultation responses are taken seriously and fully considered, responses to consultation responses are provided in a form similar to this. Paras 4.34 to 4.36 of the</p>

Rep ID	Name	Section	Representation	Officer Response
			<p>highly selective targeting of the poll, which only went to some local residents was only eligible to Eastbourne residents. What about all those other interested parties, such as the local resident neighbours of East Dean, Friston, Jevington, Folkington, ... ? I live in Brighton and am a regular user of the South Downs, where the eastern end has the greatest draw because of its iconic landscape, the impressive sheer white cliffs and dramatic verdant rolling topography of the coastal hinterland – it is THE most popular part of the South Downs National Park. Regionally, nationally and internationally the Eastbourne Downs is a renowned and much-loved place. If Eastbourne Borough Council is to involve the community over downland issues then it needs to make sure it knows who that community is, and it is far from being just a proportion of local residents. In its Duty to Co-operate role, the council will need to take this into full consideration, so please make sure the words in the statement are robust and sincere.</p> <p>The Statement of Community Involvement has to reflect what community involvement is needed for the various issues being considered. As such, it should be flexible, but inclusive, not left to a handful of cabinet members to dictate whether any issue is significant enough for involving the community. I have used the recent Downs debacle to illustrate the point – this matter is pertinent to the town and all future planning, town and down. Many planning decisions affect the South Downs and, as to Eastbourne’s downland, it will require some solid links to join town and down, planning authorities of Eastbourne and South Downs National Park</p>	<p>SCI identifies the process for responding to representations made during consultation.</p>

Rep ID	Name	Section	Representation	Officer Response
			Authority.	
SCI/21	Natural England (Sharon Jenkins)	General	<p>Thank you for your consultation on the above, which was dated and received by Natural England on 24 March 2017.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>We are supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.</p> <p>We regret we are unable to comment, in detail, on individual Statements of Community Involvement but information on the planning service we offer, including advice on how to consult us, can be found at: https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals.</p> <p>We now ask that all planning consultations are sent electronically to the central hub for our planning and development advisory service at the following address: consultations@naturalengland.org.uk. This system enables us to deliver the most efficient and effective service to our customers.</p>	Comments noted. EBC can confirm that the email address provided in the representation is the email address that is currently held on the Local Plan Mailing List and will be sent notifications of consultation.
SCI/22	Carol McAuley	Introduction	There has been much spontaneous on line discussion around the Council's proposals to sell off the Down Land Farms. It seems the people of Eastbourne are keen to become involved in the plans for our Town. I	The Council's on-line Consultation Portal allows consultation material to be hosted on-line and accessed by anyone, and also allows comments to be made directly on the consultation. The use of

Rep ID	Name	Section	Representation	Officer Response
			<p>understand the Council already has on line mechanisms in place where by we can be informed about developments. But such platforms are 'passive' involvement (i.e. we sit back and receive information and may then make a point or 2). What I believe this Town would greatly benefit from is a more interactive platform. The recent spontaneous debate and discussion hugely demonstrated this. We would benefit from a platform where we can post, comment, share and develop our understanding and views about our Council's proposals; and where in turn, our own proposals can be generated, voted upon and put forward. This would involve some sort of digital participatory platform. I know these sorts of platforms are not main stream yet but they are being effectively used for similar business as the business of this Town. And, there are people in this Town who are much more knowledgeable on this than I am. These are 3 such digital platforms that were posted on the Eastbourne Can Facebook Page, set amongst a fruitful discussion on how to raise the 1.1 million shortfall that was indicated in the Sussex Review Poll.</p> <p>Perhaps it would be more cost effective to install and run such a platform considering the great cost involved in the much criticized poll? Indeed, consultations in the regular sense are costly. My understanding is that the digital participatory platforms I refer to are not that expensive to run.</p> <p>I would be proud to live in a Town whose Council was prepared to seriously explore the use of such platforms. I would be even more proud to live in the Town where they are put into use. If you are</p>	<p>social media, which would allow discussion, is also identified as an additional consultation method in consultation on plan-making at para 4.20.</p> <p>The on-line Consultation Forum also has a function that allows the creation of a Discussion Forum for a particular consultation. This could be used at the 'Evidence gathering and early engagement' and 'Issues and Options consultation' stages to allow people to discuss and debate issues relating to the consultation, and to ask questions of the Council. This consultation method will only be appropriate for certain types of consultation, for example in the preparation of a Local Plan. Therefore the use of a discussion forum will be added to the list of additional consultation methods (at para 4.20 of the SCI) that could be used depending on the nature and scale of the consultation that is being undertaken.</p>

Rep ID	Name	Section	Representation	Officer Response
			interested in finding out more, I would be happy to put you in touch with a local person who has more knowledge on these matters than I.	

APPENDIX 2

Schedule of Changes to the Draft SCI

Note: Deleted text highlighted by ~~strikethrough~~. New text highlighted in red and underlined.

Ref	Section	Modification
C1	Introduction – What is a Statement of Community Involvement	Amend para 1.7 The Council is now taking the opportunity <u>has reviewed and amended the previous</u> to review its SCI to take into account legislative changes since 2009 and to reflect on previous experience of consultation in order to make the consultation process more <u>accessible</u> , efficient and effective. <u>This SCI was subject to public consultation between 24th March and 19th May 2017.</u>
C2	Introduction – Consultation on the Draft SCI	Delete paras 1.17 to 1.19
C3	Overview of the Planning System – Development Management	Amend para 2.30: <u>The criteria used to decide which applications</u> Applications that should be determined by Planning Committee are covered in <u>at paragraph 47 of</u> the Council’s Scheme of Delegation. The dates for Planning Committee can be found on the Council’s website.
C4	Background to Eastbourne – Eastbourne and its residents	Add new paragraph after para 3.1: <u>Eastbourne Borough Council is responsible for planning within the Eastbourne Local Planning Authority area. This includes the Eastbourne Borough boundary with the exception of the area within the South Downs National Park, which is in the planning jurisdiction of the South Downs National Park Authority. However it is recognised that Eastbourne’s area of influence extends further than the Borough boundary into Willingdon and Polegate, and Eastbourne Borough Council does work with Wealden District Council and the South Downs National Park Authority on cross-boundary strategic planning matters in accordance with the ‘Duty to Co-operate’.</u>
C5	Background to Eastbourne – Eastbourne and its residents	Add new paragraph after para 3.12: <u>6.1% of Eastbourne’s population described themselves as having bad or very bad health at the</u>

Ref	Section	Modification
		<p><u>2011 census, compared to 4.4% across the South East region. There are over 20,000 people with a limiting long-term illness, and 10.6% of Eastbourne’s population provides unpaid care for others. The rate of teenage pregnancy is 22.2 per 1,000 females aged 15-17, and the mortality rate of circulatory diseases for persons aged 0-74 is higher than the average for East Sussex.</u></p>
C6	Community Involvement in Plan-Making – How will we consult	<p>Amend 4th bullet point to para 4.19:</p> <ul style="list-style-type: none"> • Local Media – A public notice will be placed in a local newspaper to advertise formal periods of consultation. These will include details of the consultation, including where to view the consultation and the deadline for submission of representations. <u>Press releases will also be issued to publicise the consultation more widely.</u>
C7	Community Involvement in Plan-Making – How will we consult	<p>Add additional bullet point to para 4.18:</p> <ul style="list-style-type: none"> • Website - <u>The consultation will be advertised on the Eastbourne Borough Council website, particularly under the ‘Consultations’ heading.</u>
C8	Community Involvement in Plan-Making – How will we consult	<p>Add additional bullet point to para 4.20:</p> <ul style="list-style-type: none"> • Discussion Forum – <u>Where it is appropriate for the stage of consultation, a discussion forum could be made available through the on-line Consultation Portal to allow the community to debate and discuss issues and proposals related to the consultation and to ask questions of the Council. However it is recognised that this consultation method will only be appropriate for certain types of consultation.</u>
C9	Community Involvement in Plan-Making – How will we consult	<p>Amend the 5th bullet point to para 4.20:</p> <ul style="list-style-type: none"> • Presentations and forums – Presentations and forums may be arranged to enable discussion with appropriate groups, organisations or stakeholders, or to target particular sectors of the community who may be interested in certain topics or may be under-represented. <u>Examples of such groups may be the Eastbourne Disability Involvement Group or the Eastbourne Cultural Communities Network.</u>
C10	Community Involvement in Plan-Making –	Amend the 7th bullet point to para 4.20:

Ref	Section	Modification
	How will we consult	<ul style="list-style-type: none"> • Summary Documentation – Non-technical summaries of consultation documents will be produced in order to provide a more accessible way to access and understand the consultation. <u>These summary documents will be sense checked for 'Plain English'</u>. Depending on the scale of the consultation, different versions of consultation documents that clearly set out the expected amount of time that it would take to read, based on: <ul style="list-style-type: none"> ○ the full plan (1 hour read) ○ a shorter version of the plan (10 min read) ○ key questions from the plan (5 mins to answer)
C11	Community Involvement in Plan-Making – How will we consult	<p>Amend 8th bullet point to para 4.20:</p> <ul style="list-style-type: none"> • On-line Videos/Presentations – Videos and presentations may be published on-line as an easy visual way of presenting the consultation material. It is envisaged that they would present the background to the consultation, and highlight opportunities for people to comment using other methods identified. <u>Where relevant, British Sign Language (BSL) will be incorporated in any online consultation videos that are produced.</u>
C12	Community Involvement in Development Management – Appeals	<p>Add new paragraph after para 5.24:</p> <p><u>Only the applicant can appeal against a planning decision. There is no 'third party' right of appeal for other people who disagree with the Council's decision. However, anyone can challenge a planning decision in the courts if they have evidence that the decision was not made following the proper procedures. Legal challenges cannot take into account whether the decision was right or not in planning terms, only whether regulations and conventions about making decisions were properly followed.</u></p> <p><u>Footnote: The 'first party' in planning is the applicant for planning permission and the 'second party' is the local authority. 'Third parties' are anyone else with a view on a planning application, whether they have a direct interest (e.g. as owner of the land on which the application is submitted) or a personal interest (e.g. as a neighbour) or a wider interest (e.g. as a parish council or interest group).</u></p>
C13	Community Involvement in Development Management – Appeals	<p>Amend para 5.26:</p> <p>The Inspector will consider the evidence and decide whether the Council's decision was correct.</p>

Ref	Section	Modification
		The Inspector's decision is binding on the Council, although it can be challenged by anyone on a point of law in the High Court. Third parties do not have the right to appeal decisions.
C12	Community Led Planning – Who can prepare a Neighbourhood Plan or Order	<p>Add new paragraph after para 6.4:</p> <p><u>Detailed information and guidance on Neighbourhood Planning and the required processes can be found in the Neighbourhood planning section of the national Planning Practice Guidance.</u></p> <p><i>Footnote: https://www.gov.uk/guidance/neighbourhood-planning--2</i></p>
C13	Community Led Planning – Who can prepare a Neighbourhood Plan or Order	<p>Add new paragraph after para 6.6:</p> <p><u>An application to the Council to form a Neighbourhood Forum must include the following:</u></p> <ul style="list-style-type: none"> • <u>The name of the proposed neighbourhood forum</u> • <u>A copy of the written constitution of the proposed neighbourhood forum</u> • <u>The name of the neighbourhood area to which the application relates and a map which identifies the area</u> • <u>The contact details of at least one member of the proposed neighbourhood forum (to be made public)</u> • <u>A statement which explains how the proposed neighbourhood forum meets the conditions contained in section 61F(5) of the Localism Act 2011</u> <p><i>Footnote: For further information about submitting an application for a Neighbourhood Forum, please contact the Council's Planning Policy team.</i></p>
C14	Community Led Planning – Neighbourhood Plans and Community Development Orders	<p>Add new numbered bullet point to para 6.8:</p> <p><u>3. Pre-submission consultation and publicity – before a neighbourhood plan is submitted it should be publicised in a manner that is likely to bring it to the attention of people who live and/or work in the neighbourhood and provide the opportunity for the local community and other stakeholders, including the statutory consultation bodies that are identified in the Neighbourhood Planning Regulations.</u></p>
C15	Community Led Planning – Neighbourhood Plans and Community Development Orders	<p>Amend the third bullet point of para 6.8:</p> <p>3. 4. Submission of the Plan or Order to Eastbourne Borough Council – once a draft plan</p>

Ref	Section	Modification
		<p>or order has been <u>subject to consultation, it can be</u> submitted to Eastbourne Borough Council. the Council will publicise the Plan or Order and arrange public consultation to ask for representations to be submitted. <u>The Council will check that the submitted plan to ensure that it is consistent with the Neighbourhood Planning Regulations, and then arrange for examination.</u></p>
C16	Community Led Planning – Community Right to Build	<p>Amend para 6.10:</p> <p>A Community Right to Build Order may be prepared by local community organisations in addition by <u>to</u> parish and town councils, but only where they meet certain legal requirements. <u>The prescribed conditions for community right to build organisations are set out in in Section 13 of the Neighbourhood Planning Regulations 2012.</u></p> <p><i>Footnote: http://www.legislation.gov.uk/uksi/2012/637/regulation/13/made</i></p>

APPENDIX 3

Statement of Community Involvement (2017)

APPENDIX 4

Statement of Community Involvement (adopted 2006, updated 2009)

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Eastbourne

STATEMENT OF COMMUNITY INVOLVEMENT



July 2017



Contents

1.0 Introduction	1
What is a Statement of Community Involvement?.....	1
Why get involved?.....	2
Legislation and National Policy	2
2.0 Overview of the Planning System	5
Plan-making	5
<i>Local Plans</i>	6
<i>Supplementary Planning Documents</i>	10
<i>Community Infrastructure Levy</i>	12
Development Management	15
3.0 Background to Eastbourne	18
Eastbourne and its residents.....	18
Residents Consultation Survey 2015	22
Community Survey on Participation in Planning Consultation 2016	22
4.0 Community Involvement in Plan Making	25
What will we consult on?	26
Who will we consult?	28
How will we consult?.....	29
When will we consult?.....	34
What will we do with consultation responses?.....	38
5.0 Community Involvement in Development Management	40
Pre-application stage	41
Planning application stage	42
Appeals	44
Planning performance agreements.....	45
Customer Satisfaction Survey	45



6.0 Community-Led Planning 46

- Introduction to Community-Led Planning 46
- Who can prepare a Neighbourhood Plan or Order? 47
- Neighbourhood Plans and Neighbourhood Development Orders 48
- Community Right to Build..... 49

7.0 Monitoring and Review..... 50

Appendices 51


- Appendix 1: Glossary..... 51
- Appendix 2: Further advice and information sources 55

1.0 Introduction

- 1.1 Every day, decisions are made about our surroundings: what homes, roads, offices, and shops are built and where, and what public spaces will be created and protected. These decisions affect us all, and the Town and Country Planning system seeks to ensure that the local community and other stakeholders are involved in them.
- 1.2 It is important that local people understand the planning process and are given the opportunity to get involved to contribute to planning decisions. In order to achieve this, Eastbourne Borough Council has produced this Statement of Community Involvement (SCI) to set out the standards and approaches that the Council will take to involve stakeholders and the community in the consulting on planning matters.

What is a Statement of Community Involvement?

- 1.3 Section 18 of the Planning and Compulsory Purchase Act 2004 (as amended) requires local planning authorities to produce a Statement of Community Involvement (SCI), which should explain how they will engage local communities and other interested parties in producing their Local Plan and determining planning applications.
- 1.4 Eastbourne Borough Council is the Local Planning Authority for the Eastbourne Borough area, excluding the area within the South Downs National Park. Within this area, the Local Planning Authority is the South Downs National Park Authority.
- 1.5 Eastbourne Borough Council's SCI sets standards and methods that will be followed for engaging residents, local groups, stakeholders and statutory consultees in:
 - The preparation of the plans (known as Local Development Documents) and policies that set out what the town requires and how it will change over a 15 to 20 year period (**Plan making**); and
 - The determination of planning applications for new development (**Development Management**).

- 
- 1.6 The Council's first SCI was adopted in 2006, with a technical amendment made in 2009. This SCI has been used to direct consultation on the production of planning policy documents such as the Core Strategy, the Town Centre Local Plan and the Employment Land Local Plan.
 - 1.7 The Council has reviewed and amended the previous SCI to take into account legislative changes since 2009 and to reflect on previous experience of consultation in order to make the consultation process more accessible, efficient and effective. This SCI was subject to public consultation between 24th March and 19th May 2017.

Why get involved?

- 1.8 Most people have limited contact with the planning system. They may need to make a planning application for an extension to their home, or possibly their neighbour makes a planning application and the Council contacts them for their views.
- 1.9 However many people are interested in their town's future. They want their children to have a decent home and job and they value Eastbourne's environment. They have clear ideas as to the kind of place they would like Eastbourne to be but probably have not realised the important role of planning in helping to achieve these ideas.
- 1.10 The Council values these ideas and wants to hear from the local community both when it is considering planning applications and when it is preparing planning policies.

Legislation and National Policy

- 1.11 The key pieces of legislation and national policy that are relevant to consultation on planning matters and the preparation of this SCI are outlined below.

National Planning Policy Framework

- 1.12 The National Planning Policy Framework (NPPF) sets out guidance for local planning authorities both in drawing up plans and making decisions about planning applications. Paragraph 17 of the NPPF set outs 12 core planning principles. One of the key principles states that planning should 'be genuinely

plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area.’ The NPPF also requires local planning authorities to demonstrate evidence of having effectively co-operated to plan for issues with cross boundary impacts when their local plans are submitted for examination.

- 1.13 In addition, the National Planning Practice Guidance (NPPG) adds further context to the NPPF and provides additional advice on a range of matters including on local plans, determining planning applications, and consultation and pre-decision matters. Regard must be had to national policies and advice contained in the NPPF and NPPG in plan making, and these are also ‘material considerations’ in the determination of planning applications.

Localism Act 2011

- 1.14 Section 110 of the Localism Act 2011 introduced a “Duty to Co- operate” for local planning authorities and other public bodies to work collaboratively on strategic, cross boundary issues. It requires Local Planning Authorities and other prescribed bodies to engage in the preparation of development plan documents and other activities relating to the sustainable development and use of land, in particular in connection with strategic matters, defined as matters affecting more than one planning area.

Equalities Act 2010

- 1.15 Under the Equalities Act 2010, local authorities must have regard to the Public Sector Equalities Duty in respect of engaging with people with ‘protective characteristics’: age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation. The Equalities Act requires that due regard should be given to:
- eliminate unlawful discrimination
 - advance equality of opportunity between people who share a protected characteristic and those who don’t
 - foster or encourage good relations between people who share a protected characteristic and those who don’t.

Data Protection Act 1998 and Freedom of Information Act 2000

- 1.16 Representations submitted on planning consultations cannot be treated in confidence under the Freedom of Information Act 2000. This means that copies of representations and the name of the person submitting the representation will be made publicly available, and by submitting



representations, consultees accept responsibility for their comments. However, under the Data Protection Act 1998, other personal information such as telephone numbers, email/private addresses and signatures will not be made publicly available.

2.0 Overview of the Planning System

- 2.1 The Planning System manages the use and development of land and buildings with the aim of achieving 'sustainable development'.
- 2.2 The Planning System has two main parts to it:
- **Plan making** – setting out a plan and policies for how an area will develop over time as a guide to future development.
 - **Development Management** – when proposals for development is assessed and granted or refused planning permission.
- 2.3 The planning system is a 'plan-led system', which means that applications for planning permission should be determined according to what the plan and policies for the area says about it, unless there are material considerations that would go against this. Therefore it is important that the local community get involved in the plan making stage as well as commenting on specific planning applications.
- 2.4 Planning officers prepare the local policy and assess applications, and provide advice to elected Councillors, who are responsible for approving planning policy documents and plans, and making decisions on whether planning permission should be granted.

Plan-making

- 2.5 Plan-making is setting the strategy for the future of the area over a long period, typically 15/20 years, in the form of plans and policies. These plans and policies are contained within Local Development Documents, which is collective term used to describe Local Plans and Supplementary Planning Documents.
- 2.6 Plan-making can be undertaken by local communities through Neighbourhood Planning. Community-led plan-making is discussed in more detail in Section 6.
- 2.7 The legal requirements for the production of Local Development Documents are set out in the Town and Country Planning (Local Planning) (England) Regulations 2012, which will subsequently be referred to as 'the Local Planning Regulations'.

- 2.8 The Council sets out its timetable for plan-making in the Local Development Scheme (LDS)¹. The LDS specifies the Local Development Documents that are to be produced; the subject matter and geographical area to which each document relates; and the timetable for the preparation and revision of these documents.

Local Plans

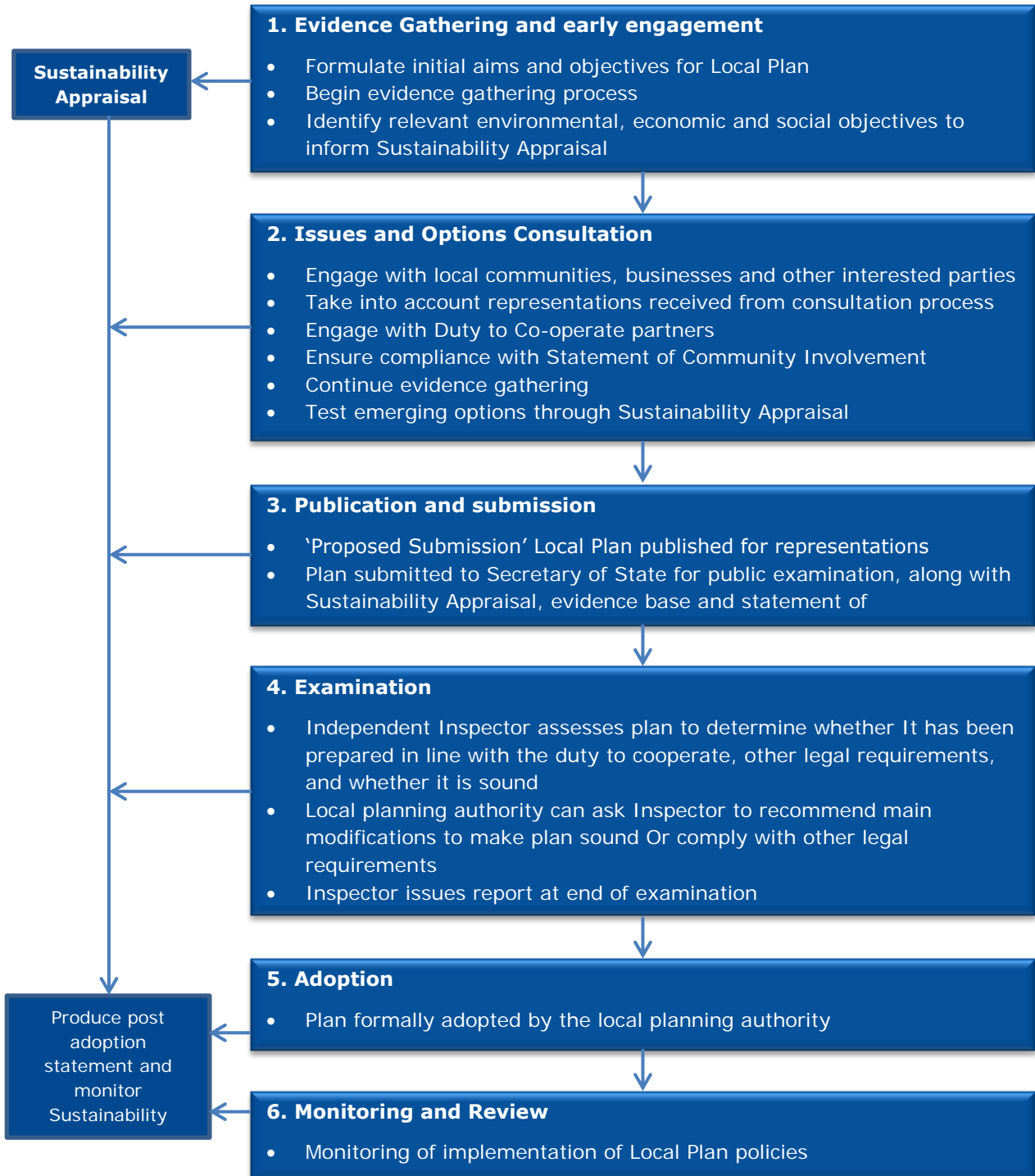
- 2.9 The Local Plans are formal plans that set out the strategic priorities for future development including the requirements for housing, the economy, community facilities and infrastructure, as well as a basis for safeguarding the environment, adapting to climate change and securing good design.
- 2.10 The Local Plan sets out what opportunities there are for development in the area, and what will and will not be permitted and where. Therefore Local Plans are critical in determining what will be developed, what will be protected and what will not be given permission to be built.
- 2.11 In preparing Local Plans, Local planning authorities will firstly assess the future needs and opportunities in the area. Options for addressing these issues will be presented, and a preferred approach will be identified. This process involves the gathering of evidence, carrying out of a Sustainability Appraisal to ensure that development is sustainable, and effective engagement and consultation with the local community and other stakeholders.

Key Stages of Production of a Local Plan

- 2.12 The process of preparing a Local Plan involves several stages, which are identified in Figure 1.

¹ www.eastbourne.gov.uk/lds

Figure 1 - Stages in the preparation of a Local Plan



Adapted from Planning Practice Guidance, Paragraph 005 Reference ID: 12-005-20140306

2.13 Further details of the key stages in Local Plan preparation are identified below, along with the appropriate sections from the Local Planning Regulations where relevant:

1. Evidence Gathering and early engagement (*Regulation 18*)

The first stage in Local Plan preparation is to establish a clear understanding of what the Local Plan should cover to address the critical issues in the area. This is achieved by preparing a robust and relevant evidence base, which will also be used to develop policies and proposals at later stages in plan preparation. Social, economic and environmental data will be collected and the scope of the Sustainability Appraisal established.

There may be informal engagement with stakeholders at this stage to consider specific issues arising from the evidence gathering process. This will normally involve informal meetings to discuss issues with relevant consultees and stakeholders, but may also involve wider public engagement. Statutory bodies will be consulted on the scope of the Sustainability Appraisal.

2. Issues and Options Consultation (*Regulation 18*)

The issues and options arising from the evidence gathering and early engagement will be subject to public consultation, and comments will be invited as to what the Local Plan should contain.

Once the Issues and Option consultation has concluded, all comments received will be reviewed and considered alongside the evidence collected. All emerging options will be tested through the Sustainability Appraisal, and all of this information will be used to draft the Local Plan.

3. Publication and submission (*Regulation 19, Regulation 20 and Regulation 22*)

The Local Plan, at this stage known as the 'Proposed Submission' version, will be published alongside the Sustainability Appraisal to allow representations to be made on the plan before it is submitted to Secretary of State for public examination. Representations made at this stage should relate to issues of 'soundness'.

Following this representation period, the Council will submit the Proposed Submission version of the Local Plan, together with all other relevant reports,

the representations received and a Statement of Representations, to the Secretary of State for public examination.

4. Examination (*Regulation 23 and Regulation 24*)

An independent Inspector will be appointed by the Secretary of State, who will conduct an Examination into the 'soundness' of the Local Plan. This is likely to include public hearing sessions. The Inspector will consider all of the information submitted alongside the Local Plan, including the evidence base and any representations submitted on the 'Proposed Submission' version. Anyone who submitted representations on the 'Proposed Submission' version will be invited to participate in the Examination, either through written representations or by appearing at public hearing session (it is important to note that both methods carry equal weight).

During the Examination, the Inspector may propose changes to address issues of soundness or legal compliance. These are known as 'Main Modifications'. Following the conclusion of the hearing sessions, the Main Modifications will be published for consultation.

5. Adoption (*Regulation 25 and Regulation 26*)

Following the hearing sessions and the conclusion of the Main Modification consultation, the Inspector will issue a report on the examination, including conclusions as to whether the Local Plan is sound and legally compliant.

If the Inspectors Report considers the Local Plan to be sound and legally compliant, the Council can decide if they wish to adopt the Local Plan, including any modifications that the Inspector decides are necessary.

If agreed, the Local Plan should be adopted by Full Council. Following this there is a six week period for legal challenges to the adoption of the Plan to be submitted.

6. Monitoring and Review

Once the Local Plan has been adopted, it will be monitored through the Authority Monitoring Report (AMR) which will be produced on an annual basis. This will inform when the Local Plan needs to be reviewed.

Sustainability Appraisal

- 2.14 Sustainability Appraisal is a process that must be carried out during the preparation of a Local Plan. Its role is to promote sustainable development by assessing the social, economic and environmental impacts that would result from the implementation of the policies contained within Local Plans, as well as a means of identifying and mitigating any potential adverse effects that the plan might otherwise have.
- 2.15 The carrying out of a Sustainability Appraisal on Local Plans is a requirement of Section 19 of the Planning and Compulsory Purchase Act 2004. Sustainability Appraisal incorporates the requirement to prepare a 'Strategic Environmental Assessment' from the Environmental Assessment of Plans and Programmes Regulations 2004.

Supplementary Planning Documents

- 2.16 A Supplementary Planning Document (SPD) is a planning policy document that builds upon and provides more detailed advice or guidance on the policies in a Local Plan. The purpose of a SPD is to help applicants make successful applications. Once adopted, SPDs become material planning considerations in the determination of planning applications.
- 2.17 SPDs are not required to go through the Sustainability Appraisal process; however in exceptional circumstances a Strategic Environmental Assessment may be required if they are likely to have significant environmental effects that have not already been assessed during the preparation of the Local Plan.

Key Stages of Production of a SPD

- 2.18 There are fewer stages in the preparation of a SPD compared to a Local Plan, meaning the SPDs can be produced in a shorter timeframe. The process of preparing a SPD involves several stages, which are identified in Figure 2 below.

Figure 2 - Stages in the preparation of a Supplementary Planning Document



2.19 Further details of the key stages in SPD preparation are identified below, along with the appropriate sections from the Local Planning Regulations where relevant:

1. Evidence Gathering and Public Participation (*Regulation 12*)

The first stage in SPD preparation is to assess the existing policy to identify what additional detail is required to assist in its implementation. If there is need for evidence in addition to that which supported the development of the policy, this will be gathered. Early engagement should take place with stakeholders and statutory bodies to identify early issues and how they can be addressed.

2. Representations (*Regulation 13*)

The SPD will be drafted and published for public consultation with the local community and other stakeholders. Once the consultation has concluded, all comments received will be reviewed and considered, and where the recommendations are considered beneficial, the Supplementary Planning Document will be amended accordingly.

3. Adoption (*Regulation 14*)

Once the consultation responses have been considered, the Council can adopt the SPD as there is no requirement for an independent examination of a SPD.

Once adopted by Full Council, there is a 12 week period for legal challenges to the adoption of the SPD to be submitted.

Community Infrastructure Levy

2.20 The Community Infrastructure Levy (CIL) is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities to help deliver infrastructure to support the development of their area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010 (as amended), which will subsequently be referred to as 'the CIL Regulations'.

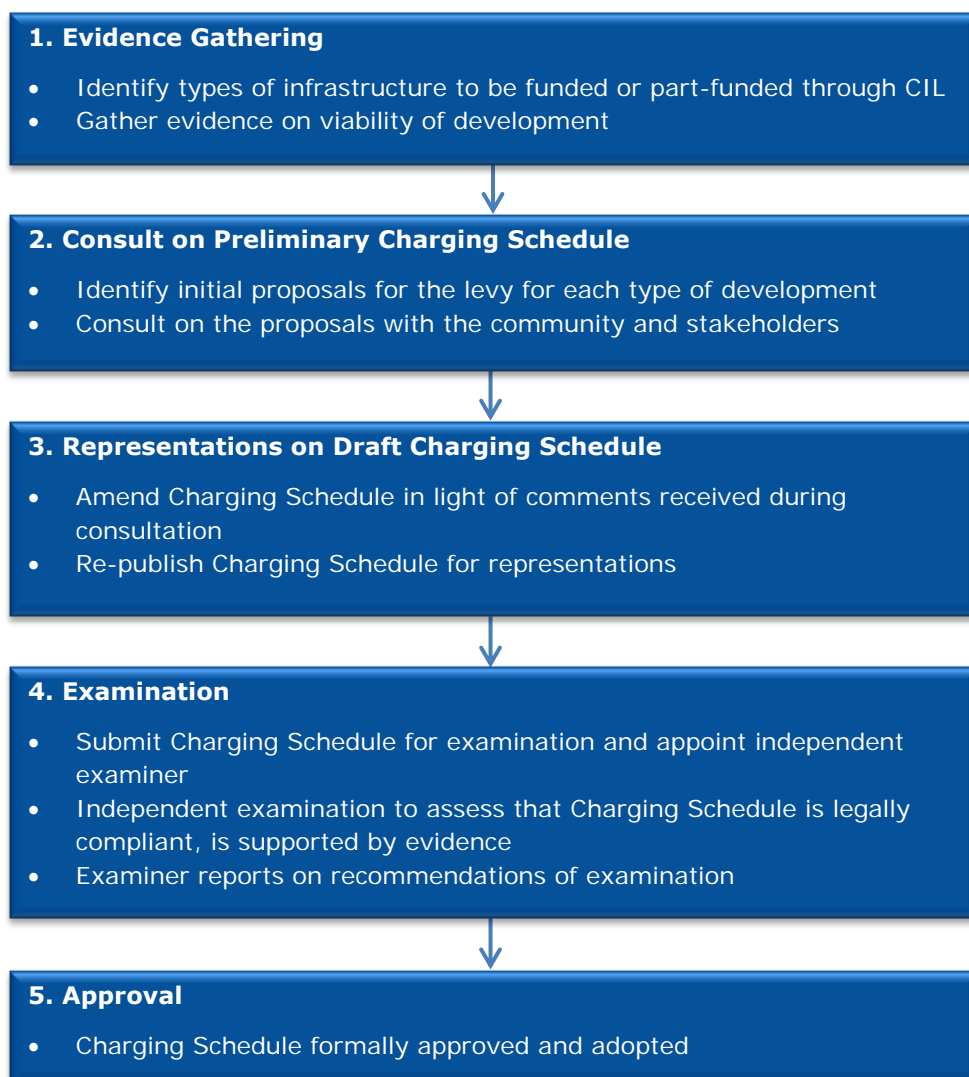
2.21 Eastbourne Borough Council adopted CIL on 1 April 2015. The charging rates are set out in the CIL Charging Schedule and are expressed as £ (pounds) per square metre.

2.22 Charging schedules are not formally part of the Local Plan, but charging schedules should be consistent with, and support the implementation of, up-to-date Local Plans. Charging Schedules are not required to undergo Sustainability Appraisal.

Key Stages of Production of a CIL Charging Schedule

2.23 The process for preparing a CIL Charging Schedule is not too dissimilar to that of a Local Plan. The process of preparing a CIL Charging Schedule involves several stages, which are identified in Figure 3.

Figure 3 - Stages in the preparation of a CIL Charging Schedule



2.24 Further details of the key stages in CIL Charging Schedule preparation are identified below, along with the appropriate sections from the CIL Regulations where relevant:

1. Evidence gathering

The first stage in the preparation of a Charging Schedule is to identify the types of infrastructure that should be funded wholly or partly through CIL, drawn from the Infrastructure Delivery Plan produced to support the Local Plan.

Evidence should then be gathered to demonstrate the potential effects that any levy might have on the economic viability of development in the area, which is used to identify appropriate rates of different types of development.

2. Consult on Preliminary Charging Schedule (*Regulation 15*)

A preliminary draft charging schedule, which sets out the charging authority's initial proposals for the levy, will be published for public consultation with the local community and other stakeholders.

Once the consultation has concluded, all comments received will be reviewed and considered, and taken into account when firming up its proposals in the form of the draft charging schedule.

3. Representations on Draft Charging Schedule (*Regulation 16, Regulation 17 and Regulation 19*)

A Draft Charging Schedule is prepared in light of comments received on the preliminary draft and other updated evidence where applicable. It is published for further public consultation before going forward for a formal independent examination. During the consultation period, any person may comment on the draft charging schedule, and may ask to be heard by the examiner if they wish

Alongside the draft charging schedule, appropriate available evidence on infrastructure costs, other funding sources and economic viability must also be published.

4. Examination (*Regulation 20 and Regulation 21*)

Once submitted, the charging schedule will be examined in public by an independent person appointed by the charging authority. Any person asking to be heard before the examiner at the examination must be heard in public. The examination could take the form of a public hearing, or if no-one has requested the right to be heard, through written representations.

5. Approval (*Regulation 23 and Regulation 25*)

Following Examination, the examiner will report their recommendations and may recommend that the draft charging schedule should be approved, rejected, or approved with specified modifications.

The charging schedule, incorporating any modifications specified by the examiner, must be formally approved by Full Council. The resolution should include an appropriate commencement date for the Charging Schedule.

Development Management

- 2.25 Development Management is the process of managing the development of land and buildings through the granting of planning permission. Eastbourne Borough Council is responsible for deciding whether planning permission should be granted for a proposed development when a planning application is submitted.
- 2.26 Planning permission is generally required to carry out any form of 'development'. Development means constructing new buildings or significantly changing how land or buildings are being used. However, certain types of development do not require planning permission – this is called Permitted Development. This is because the effect of such developments on neighbours or the surrounding environment is likely to be small. Also, certain areas get additional special protection against particular types of development, particularly where it is within a Conservation Area or involves a Listed Building.
- 2.27 There are a number of different types of application that can be submitted, and these will be classed as either 'major' or 'minor'. Different applications have different timeframes for determination, for example the determination for a 'major' application should be within 13 weeks, whilst a 'minor' application should be determined within 8 weeks. By way of an agreement between the Council and the applicant/agent, an 'Extension of Time' can set a determination date outside of these parameters.
- 2.28 Whether planning permission is granted will depend on whether the application is in line with the policies and proposals within the Development

Plan, or if there are other strong planning reasons or 'material considerations'² that would influence a decision.

2.29 Decisions on whether planning permission should be granted will be taken via one of two mechanisms:

- Determination by elected Councillors on the Planning Committee
- Determination by the Senior Specialist Advisor in consultation with the Chair of Planning Committee through delegated powers

2.30 The criteria used to decide which applications should be determined by Planning Committee are covered at paragraph 47 of the Council's Scheme of Delegation³. The dates for Planning Committee can be found on the Council's website⁴.

2.31 Where an application is refused, either by Planning Committee or through delegated powers, the applicant has the right to appeal to the Planning Inspectorate, or to negotiate an amended scheme to overcome the areas of concern.

2.32 Eastbourne Borough Council makes decisions on around 800 applications per year, with approximately 90% being determined using delegated authority.

Process for determining planning applications

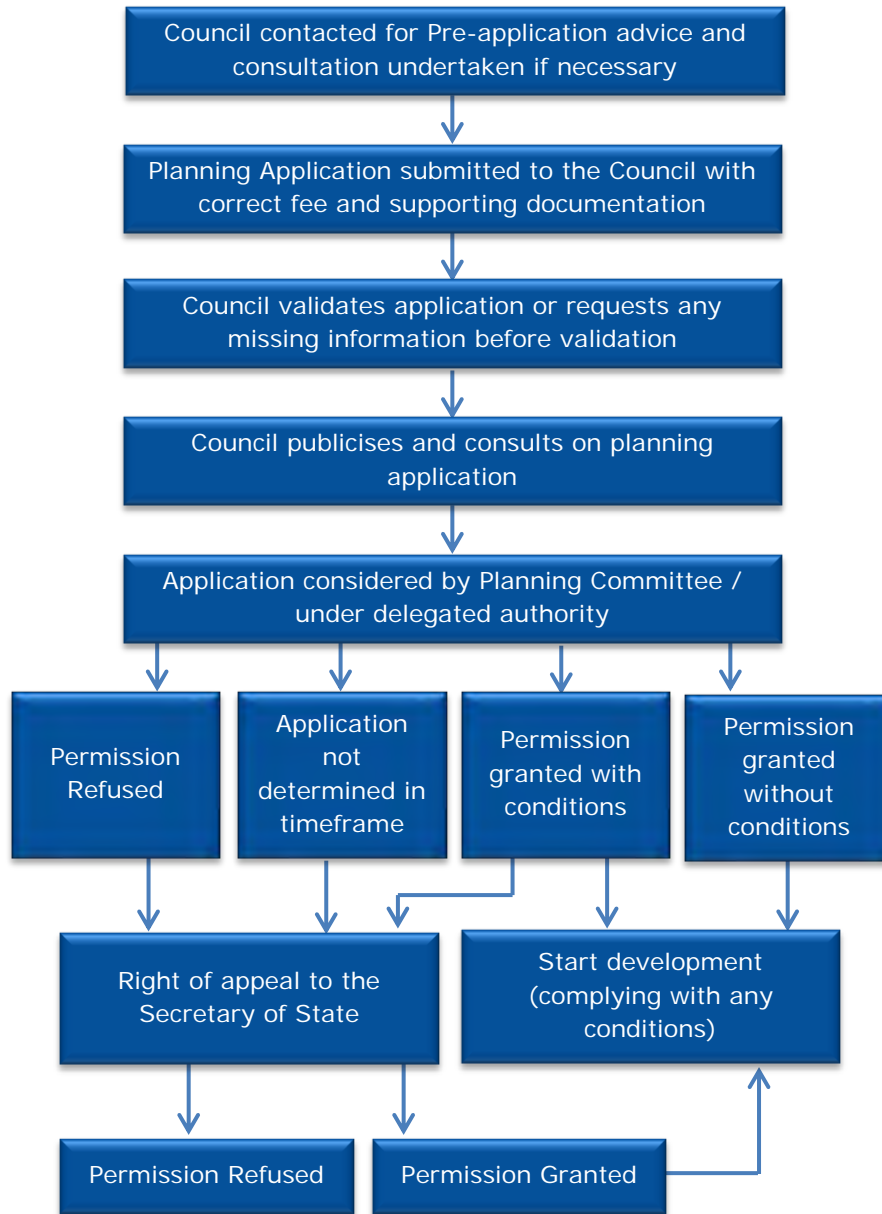
2.33 A summary of the process for the determination of planning applications is described in Figure 4.

² <http://www.rtpi.org.uk/media/686895/Material-Planning-Considerations.pdf>

³ <http://www.eastbourne.gov.uk/about-the-council/the-constitution/>

⁴ <http://democracy.eastbourne.gov.uk/ieListMeetings.aspx?CIId=144&Year=0>

Figure 4 - Stages in the processing of a planning application



Adapted from the Planning Portal website (Applications – the Decision-making process)

3.0 Background to Eastbourne

Eastbourne and its residents

- 3.1 Eastbourne is a coastal borough located within the county of East Sussex in the South East of England. It is bordered by the district of Wealden and the English Channel.
- 3.2 Eastbourne Borough Council is responsible for planning within the Eastbourne Local Planning Authority area. This includes the Eastbourne Borough boundary with the exception of the area within the South Downs National Park, which is in the planning jurisdiction of the South Downs National Park Authority. However it is recognised that Eastbourne's area of influence extends further than the Borough boundary into Willingdon and Polegate, and Eastbourne Borough Council does work with Wealden District Council and the South Downs National Park Authority on cross-boundary strategic planning matters in accordance with the 'Duty to Co-operate'.
- 3.2 Eastbourne has a population of 102,465 (ONS Mid-2015 Population Estimates), an increase of 7.3% over the preceding 10 years. This rate of growth is broadly in line with that of East Sussex as a whole.
- 3.3 Eastbourne has a substantially older age profile than the region and nationally, although it is broadly in line with the county profile. 24.2% of Eastbourne's population is aged over 65, and there is a particularly high percentage of people aged over 85 in comparison to East Sussex, the South East region and nationally.
- 3.4 At the 2011 Census, Eastbourne has 45,102 households. 36.2% of these were single person households, a higher proportion than across the county, the region and nationally. Average household size across Eastbourne is projected to fall over the next 10 years from 2.14 to 2.02 people per household.
- 3.5 Eastbourne's population change since 2001/02 has mainly been driven by net migration. Internal migration (the exchange of people between Eastbourne and other parts of the UK) has had the most significant impact on population growth, although the levels of net migration have decreased since 2008.
- 3.6 Since 2001, internal in-migration has averaged 6,140 per year, with internal out-migration averaging 5,247 per year, resulting in an average annual population net increase of 893 people per year due to internal migration.

Eastbourne has net increases of population from Lewes, Brighton & Hove and Croydon, and a net decrease in population to Wealden.

- 3.7 The age profile of migration reveals that Eastbourne has experienced a net inflow in all age-groups with the exception of 20–24 year-olds.
- 3.8 International migration has had a less significant impact upon Eastbourne's population growth.
- 3.9 Natural change has resulted in a population decline (i.e. more deaths than births), which is a reflection of the older age profile to Eastbourne's population.
- 3.10 According to the Census 2011, 68% of Eastbourne's workforce is economically active, with 4.1% of the workforce being unemployed. The most common industries of work are 'Human health and social work activities' and 'Wholesale and retail trade'. Average weekly earnings in 2016 were £392 compared to a regional average of £460.
- 3.11 There is a broadly similar number of jobs in Eastbourne and the resident workforce. At the 2011 Census, there were 44,449 workers aged 16–74 living within Eastbourne and 43,888 workers aged 16–74 working within Eastbourne.
- 3.12 Of Eastbourne working age residents, approximately 71% work within the Borough. The most popular workplace destination for out-commuters is Wealden (9.5%), whilst 10% travel out of East Sussex for work. In terms of in-commuting, the most popular origin is also Wealden (14.9%).
- 3.13 6.1% of Eastbourne's population described themselves as having bad or very bad health at the 2011 census, compared to 4.4% across the South East region. There are over 20,000 people with a limiting long-term illness, and 10.6% of Eastbourne's population provides unpaid care for others. The rate of teenage pregnancy is 22.2 per 1,000 females aged 15-17, and the mortality rate of circulatory diseases for persons aged 0-74 is higher than the average for East Sussex.

Geo-demographic classification

- 3.13 A profile of the types of people who live in Eastbourne, including expected behaviours and beliefs, is provided by the Experian 'Mosaic' geo-demographic population classification tool. 'Mosaic' divides Eastbourne's population into 15

groups which are defined by individual characteristics gathered from a range of data sources including the Census, consumer behaviour and lifestyle factors.

3.14 It shows that the most common types of household in Eastbourne are within the following group classifications:

- **Rental Hubs:** Educated young people privately renting in urban neighbourhoods (15.40%)
- **Vintage Value:** Elderly people reliant on support to meet financial or practical needs (14.21%)
- **Senior Security:** Elderly people with assets who are enjoying a comfortable retirement (12.68%)

3.15 Figure 5 provides a breakdown of Eastbourne's households by 'Mosaic Group'.

3.16 This classification tool indicates the behaviours of people within each group. This allows an analysis of how people of Eastbourne are most likely to behave in relation to consultation.

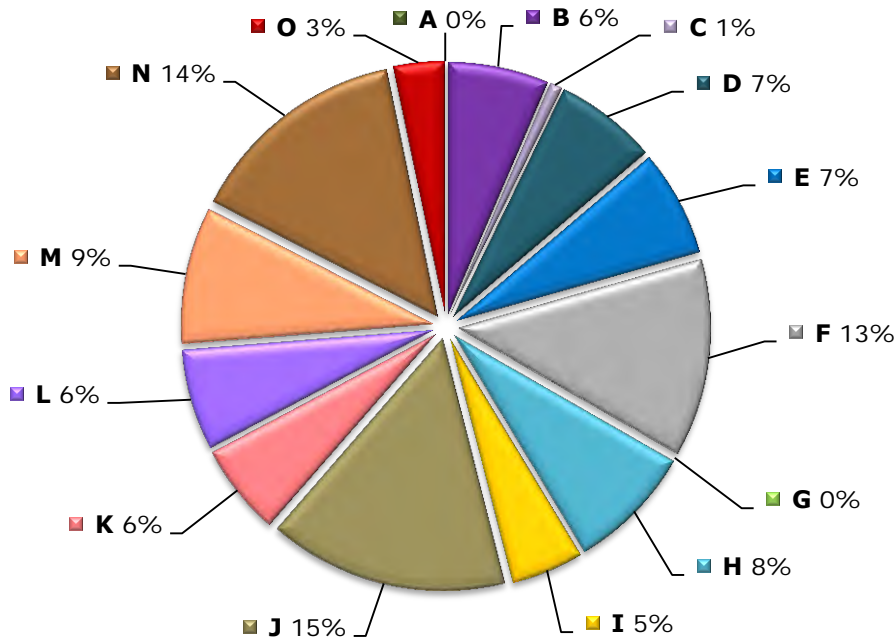
3.17 One of the behaviours analysed is the preference for contacting organisations. It is considered that this could be relevant for how residents would like to respond to consultation.

3.18 The data identifies that residents of Eastbourne are most likely to prefer using email to contact organisations, and slightly more likely to prefer using the phone. Residents are also significantly less likely to prefer contacting organisations via the internet.

3.19 Another behaviour identified by Mosaic is the preference for being notified of offers and promotions. This is relevant for how residents could prefer to be notified on consultation.

3.20 The data identified that residents of Eastbourne are most likely to prefer not being contacted about offers and promotions. However, there is also a small preference for email.

Figure 5 – Households in Eastbourne by 'Mosaic Group'



- A** – Country Living – *Well-off owners in rural locations enjoying the benefits of country life* (0.0%)
- B** – Prestige Positions – *Established families in large detached homes living upmarket lifestyles* (6.4%)
- C** – City Prosperity – *High status city dwellers living in central locations and pursuing careers* (0.8%)
- D** – Domestic Success – *Thriving families who are busy bringing up children and following careers* (6.6%)
- E** – Suburban Stability – *Mature suburban owners living settled lives in mid-range housing* (6.8%)
- F** – Senior Security – *Elderly people with assets who are enjoying a comfortable retirement* (12.7%)
- G** – Rural Reality – *Householders living in inexpensive homes in village communities* (0.0%)
- H** – Aspiring Homemakers – *Younger households settling down in housing priced within their means* (8.1%)
- I** – Urban Cohesion – *Residents of settled urban communities with a strong sense of identity* (4.6%)
- J** – Rental Hubs – *Educated young people privately renting in urban neighbourhoods* (15.6%)
- K** – Modest Traditions – *Mature homeowners of value homes enjoying stable lifestyles* (5.8%)
- L** – Transient Renters – *Single people privately renting low cost homes for the short term* (6.5%)
- M** – Family Basics – *Families with limited resources who have to budget to make ends meet* (8.8%)
- N** – Vintage Value – *Elderly people reliant on support to meet financial or practical needs* (14.2%)
- O** – Municipal Challenge – *Urban renters of social housing facing an array of challenges* (3.3%)


Residents Consultation Survey 2015

- 3.21 In 2015, Eastbourne Borough Council commissioned a Resident Consultation survey to help inform the priorities for the Corporate Plan for 2015-2020. As part of this, residents were asked to evaluate how well informed they feel about local public services and decision making, which is relevant to public engagement in planning.
- 3.22 71% of residents completing the survey agreed that they can influence decisions affecting their local area. However, when this broken down by age group, it is clear that younger residents are also less likely to feel they can influence local decision making.
- 3.23 91% of respondents would generally like to be more involved in decisions affecting their area, although for 60% only on the basis that the issue is one that concerns them. 31% said outright that they would like to be more involved in all decisions affecting their local area. Just 9% would not be prepared to be more involved, regardless of the issue.
- 3.24 By age, those aged 65+ are least likely to express an interest in becoming more involved, although even amongst this group 85% said they might wish to be more involved, either outright or on particular issues.

Community Survey on Participation in Planning Consultation 2016

- 3.25 In November 2016, Eastbourne Borough Council published a community survey to ask the local community about their previous experiences of participating in planning consultation, and their interest and expectations of participating in future consultations.
- 3.26 Based on the times that responses were submitted, it is believed that the majority of responses came as a result of a direct email that went out to subscribers. This highlights the importance of encouraging people to sign-up for email notifications as an efficient and effective method of disseminating information to the community.
- 3.27 The majority of the survey responses came from people over the age of 50, with 40% of the responses specifically coming from people aged between 51 and 70 years old. Just 8% of responses came from people aged under 40. The age profile of the respondents suggests that the results of the survey are not

- representative of the wider community. However the responses do identify important issues that should be considered in future planning consultation.
- 3.28 According to the Residents Consultation Survey 2015, those aged 65+ are least likely to express an interest in becoming more involved in local decision making, yet this age group was the most represented in the responses to the community survey. This suggests that other methods of publicising consultation may need to be considered in order to promote consultation to make people across the whole community aware.
- 3.29 There was particularly high representation from the Town Centre, Upperton Meads and Sovereign Harbour neighbourhoods. However areas such as Hampden Park, Langney and Shinewater & North Langney had low response rates when compared to their populations.
- 3.30 Just over half of respondents have not been aware of Local Plan consultations being undertaken in the past. Of those that were aware, 51% did not participate in the consultation despite being aware of it. The most commonly cited reason for not participating was that they did not feel that their comments would make any difference.
- 3.31 Despite this, 90% of people responding to the survey would be interested in participating in Local Plan consultations in the future, with the majority preferring to be notified of consultations by email.
- 3.32 One of the main reasons identified for not engaging in consultations is that there is a perception that comments submitted will not make a difference. This is further drawn out by comments made by respondents, many of whom commented that their views were 'overruled' or ignored. Therefore, it is also important that improved feedback processes are considered so that people can identify their comment and an appropriate response to their comment, and that they can identify what happens as a result.
- 3.33 In terms of responding to consultation, the most preferred methods were completing an electronic form to be returned by email, and responding directly via a website. Interestingly, this facility is already available through the on-line Consultation Portal, and is rarely used. This suggests that consultees are not aware of this facility and additional steps should be taken to promote it as the main way of accessing consultations.
- 3.34 It is also important that the community are provided with simple and clear information about the background to the consultation. This can be used to better inform local communities about planning issues and help people to



understand what they are being consulted on and therefore make for a more efficient and effective consultation.

- 3.35 A number of comments suggested that information on the consultation should be made easier to understand, and should be in formats that will help engage people, including animation through pictures and maps.
- 3.36 Whilst the majority of people responding were keen to visit an exhibition, there is no particular time that would be most suitable. Therefore future exhibitions should be held at various points across town with a number of events in the town centre at different times. Comments also suggested making better use of existing community groups such as neighbourhood panels.
- 3.37 A number of people also commented that they have not been aware of planning applications and decisions on development taking place near them until building starts, and would like to be better informed about this.

4.0 Community Involvement in Plan Making

- 4.1 Eastbourne Borough Council has adopted a number of Local Plans and Supplementary Planning Documents following extensive community and stakeholder consultation. The public consultation activities undertaken during the preparation of these documents has been effective in engaging a wide variety of individuals and organisations and has had a positive impact on the creation of these plans.
- 4.2 The Council is embarking on the next round of plan making to replace existing planning policies and ensure that the Local Plan is up to date. The programme for preparing Local Plans, Supplementary Planning Documents and CIL Charging Schedule is contained in the Local Development Scheme, which is available on the Council's website⁵. The stages in the production of these planning policy documents are summarised in Section 2 of this document.
- 4.3 The Council wants to ensure that the next round of plan making involves extensive consultation and provides opportunities for the local community and other stakeholders to put their views across. The Council's approach to consultation in plan making has been influenced by past experience, best practice and the results of recent surveys. This approach will be used in the preparation of all Local Plans, including revisions to plans and preparation of joint plans.
- 4.4 The main issues that should be addressed through the proposed approach to consultation on plan making are:
- Promoting consultation across all sectors of the community, particularly amongst age groups and neighbourhoods that do not usually participate, with additional effort to engage 'hard to reach' groups.
 - Creating new approaches to the use of email as data suggests that people prefer to be contacted and respond via this method.
 - Being clearer about how plan making will affect local residents as they mainly want to be involved in local decision making when the issue is one that concerns them.

⁵ <http://www.eastbourne.gov.uk/lds>

- The provision of feedback on consultation and showing how comments have been taken on-board.
- Using consultation and engagement as a means to inform residents about planning issues as well as to seek their views.
- Ensuring that consultation material is easily understandable and accessible.

What will we consult on?

4.5 In the preparation of the Local Plan, engagement and formal consultation will be undertaken at the following stages:

- **Evidence gathering and early engagement** – In the initial stages of the production of the Local Plan, there will be engagement with stakeholders to identify locally relevant visions and objectives for the area and identify what the Local Plan must cover to address the critical issues in the area. This stage is likely to be informal consultation, with the Council approaching organisations and consultation bodies for their input. There may be elements of public consultation with communities within this stage.
- **Issues and Options** – Evidence collected during the initial stages in plan preparation will be presented for a formal consultation period. This will include an identification of the issues that need to be addressed, and initial options for doing this. Local communities and other stakeholders will be able to comment on whether there are any other issues that need to be considered, and which of the options they would prefer to see brought forward as the basis for the Local Plan. This is the stage that the majority of people will be able to have their say of how they would like the town to develop.
- **Proposed Submission** – Once the Local Plan has been drafted using the information collected at the Issues and Options Stage, a Proposed Submission version will be published for formal consultation. At this stage, the Council is only able to accept representations on the 'soundness'⁶ of the policies and proposals in the Plan. Consultees submitting representations at this stage will be given the opportunity to raise their objections at Public Examination.


⁶ National Planning Policy Framework, para 182.

- **Main Modifications** – During the Examination of a Local Plan, the Planning Inspector may require modifications to be made to the Local Plan in order for it to be considered 'sound'. These modifications should be subject to a formal period of consultation to allow the Inspector to consider any representations on the modifications.
- 4.6 In the preparation of Supplementary Planning Documents, engagement and formal consultation will be undertaken at the following stages:
- **Evidence gathering and public participation** – In the initial stages of the preparation of a SPD, there will be public engagement to identify issues relating to the interpretation of policy through the SPD. This stage is likely to be informal consultation, with the Council approaching organisations and consultation bodies for their input.
 - **Representations on Draft SPD** – Once the SPD has been drafted, it will be published for formal consultation with the local community and other stakeholders. Consultees can raise any issues or changes that they think the Council should consider, and the Council will provide a response to these representations before the SPD is adopted.
- 4.7 In the preparation of the CIL Charging Schedule, engagement and formal consultation will be undertaken at the following stages:
- **Preliminary Charging Schedule** – The Preliminary Charging Schedule will identify initial proposals for the levy for each type of development and provide the opportunity for the local community and other stakeholders to comment
 - **Draft Charging Schedule** – The Draft Charging Schedule will be published following revision and amendments resulting from comments made of the Preliminary Charging Schedule.
- 4.8 It is recognised that residents who want to get involved in consultation might not be familiar with the planning system and the issues that should be taken into consideration in plan making. Consultation, particularly at the Issues and Options stage, presents an opportunity to inform and update residents as well as seek their views. Therefore it is proposed that where possible consultation material should include sufficient information to provide a background on the consultation and the framework within which decisions on plan making issues should be made.

- 4.9 The nature of plan making to address issues over a long period of time means that it is not always obvious for local people to understand how they might be affected, and where this is the case they may not get involved in the consultation. Survey responses suggest that people do want to get involved when an issue that affects them, so consultation should attempt to identify what might change in their area. Where possible, it is proposed that a neighbourhood approach to consultation material be taken to help identify how plan making may result in changes to a local area.

Who will we consult?

- 4.10 Eastbourne Borough Council would like to engage anyone who may have a role or interest in the development of the town in the plan-making process, including residents, businesses, community groups, landowners, developers, public sector organisations and national agencies.
- 4.11 The 'Local Planning' Regulations 2012 set out the minimum legal requirements for consultation and public participation in relation to Local Development Documents. These are known as 'specific consultation bodies', and must be consulted at formal consultation stages in the production of a plan.
- 4.12 In addition to this, the Local Planning Regulations 2012 also require the Council to consult with 'general consultation bodies'. These include organisations and bodies that have an interest in the Borough, to ensure that a wide range of stakeholders have the opportunity to get involved.
- 4.13 The Council is committed to ensuring that local residents get an opportunity to have their say, and local people are encouraged to take part in consultations and input into the production of planning policy documents. The Council maintains a database of people and organisations who want to be kept informed or have previously responded to consultation. This database is used to inform consultees about consultation.
- 4.14 If you would like to be added to the consultation database, you can register yourself at <http://planningpolicyconsult.eastbourne.gov.uk> or contact the Regeneration and Planning Policy team. In addition, consultees are encouraged to inform us of changes of details, or if they no longer want to be on the consultation database.

- 4.15 In addition, the Council sends out email newsletters to everyone who has signed up for Planning Policy notifications via the Council's website. These newsletters will inform recipients about when consultation on Local Development Documents will take place. Residents can subscribe to notifications by clicking on the 'Keep me posted' icon on the Council's website.
- 
- 4.16 It has been identified through surveys that younger people are less likely to respond to consultation, and that certain areas of town are less likely to respond. Additional measures will be taken to engage with these and other 'hard to reach' groups to ensure that all sections of the community are engaged and consulted.

How will we consult?

Basic Consultation Standards

- 4.17 The Local Planning Regulations 2012 sets out some minimum requirements for consultation, however there is considerable flexibility open to the Council in how consultees are engaged in plan-making, provided they comply with the legislative requirements and are consistent with commitments in the Statement of Community Involvement.
- 4.18 Through this SCI, the basic consultation standards that Eastbourne Borough Council will apply as a minimum in all consultation on planning policy documents are set out below:
- **Consultation Portal** – All consultations on planning policy issues will be hosted on the Council's on-line Consultation Portal. Each consultation on the Consultation Portal will include the opportunity to read and comment on the document in question. The Consultation Portal will also contain other documentation relevant to the consultation. People can respond to consultation via the on-line consultation portal in the following ways:
 - Submit comments directly using the website
 - Download a representation form and submit comments by uploading the completed form to the website
 - Download a representation form and submit comments by returning the completed form by email
 - Download a representation form and submit comments by returning the completed form by post

The Consultation Portal can be accessed via <http://planningpolicyconsult.eastbourne.gov.uk>.

Residents and other stakeholders are encouraged to use the on-line Consultation Portal to view consultation material and submit comments and representations.

- **Direct notifications to organisations and individuals** – All organisations and individuals on the consultation database will receive direct notification of the publication of a planning policy document for consultation. This will either be by email or by post, depending on the consultees stated preference. If no preference is stated, the default method will be by email.



Residents are encouraged to sign up to the Planning Policy Consultation Database and email notifications to ensure that they are kept up to date with progress in plan making.

- **Deposit** – Planning policy documents published for consultation will be made available in paper copy for consultees to view at Eastbourne Borough Council's Customer Contact Centre, 1 Grove Road, Eastbourne, BN21 4TW.
- **Local Media** – A public notice will be placed in a local newspaper to advertise formal periods of consultation. These will include details of the consultation, including where to view the consultation and the deadline for submission of representations. Press releases will also be issued to publicise the consultation more widely.
- **Local Councillors** – Local Councillors know their local areas and have many contacts within their communities. Local Councillors will help to promote consultation within their wards and encourage all residents to get involved. This is especially important in areas where engagement in



consultation has previously been at low levels, such as Hampden Park and Langney.

- **Website** - The consultation will be advertised on the Eastbourne Borough Council website, particularly under the 'Consultations' heading.

4.19 In addition, an email newsletter will be sent out on a quarterly basis to everyone on the consultation database and to anyone who has subscribed to email notifications on Planning Policy topics via 'Keep me posted' on the Council's website. This will provide updates on preparation of Local Development Documents and when consultation is expected to be undertaken.

Additional consultation methods

4.20 In most instances, other consultation methods in addition to the basic standards will be employed. The use of additional consultation methods will be determined on a case by case basis depending on the type of planning policy document that is being consulted on. The additional consultation methods that may be employed include:

- **Social media** – Social media may be used to promote consultation through updates on the Council's Facebook⁷ and Twitter⁸ pages. However it should be noted that social media posts will only be used to promote consultation and comments made on these posts will not be taken as formal representations on consultations and will not be considered to be 'duly made'. The social media posts will include links to opportunities for comments to be submitted officially.
- **Public exhibitions** – Evidence from the Community Survey on Planning Consultation (2016) suggested that the people responding to consultation would be interested in attending public exhibitions on consultation. Where exhibitions are put on, these will initially be located within Eastbourne Town Centre, usually



⁷ <https://www.facebook.com/EastbourneC/>

⁸ <https://twitter.com/eastbournebc>

the Town Hall as a central and accessible location, and will be available across a range of times to enable attendance by a wide range of people. This approach has been informed by the results of the survey. However, where there is a request from a local community group such as a Neighbourhood Panel or Residents Association, a public exhibition may be put on at a specific time within a local neighbourhood outside of the Town Centre.

- **Discussion Forum** – Where it is appropriate for the stage of consultation, a discussion forum could be made available through the on-line Consultation Portal to allow the community to debate and discuss issues and proposals related to the consultation and to ask questions of the Council. However it is recognised that this consultation method will only be appropriate for certain types of consultation.
- **Younger People** – Students at Brighton University, Sussex Downs College, and those in Years 10 and 11 of local Secondary Schools will be engaged in consultation through invitations to existing groups that have already been set up. This consultation is likely to take the form of meetings, presentations and forums to allow feedback and discussion.
- **Presentations and forums** – Presentations and forums may be arranged to enable discussion with appropriate groups, organisations or stakeholders, or to target particular sectors of the community who may be interested in certain topics or may be under-represented. Examples of such groups may be the Eastbourne Disability Involvement Group or the Eastbourne Cultural Communities Network.
- **Leaflets and posters** – Leaflets and posters may be produced and distributed to promote consultation events or to summarise information on consultations. These could be delivered to community venues or places of interest within the neighbourhood, e.g. doctors' surgeries, libraries, community centres.
- **Surveys and questionnaires** – Surveys and questionnaires may be used to gather information and canvass views on key issues, options and proposals. These surveys and questionnaires will be hosted on-line via the



Consultation Portal; however paper copies of the forms will also be made available.

- Summary Documentation** – Non-technical summaries of consultation documents will be produced in order to provide a more accessible way to access and understand the consultation. These documents will be sense checked for 'Plain English'. Depending on the scale of the consultation, different versions of consultation documents that clearly set out the expected amount of time that it would take to read, based on:

 - the full plan (1 hour read)
 - a shorter version of the plan (10 min read)
 - key questions from the plan (5 mins to answer)
- On-line Videos/Presentations** – Videos and presentations may be published on-line as an easy visual way of presenting the consultation material. It is envisaged that they would present the background to the consultation, and highlight opportunities for people to comment using other methods identified. Where relevant, British Sign Language (BSL) will be incorporated in any online consultation videos that are produced.
- Community Organisations/Groups** – It is recognised that there are some well represented and supported community organisations and groups in Eastbourne such as Neighbourhood Panels and Community/Residents Associations. They could be used to get members of communities involved and may be asked to help promote consultation within their local area through the use of email notifications, newsletters and social media posts. These community organisations and groups can also request exhibitions and meetings to discuss consultation in more detail.
- Eastbourne Review** – Where possible, the Council will use the Eastbourne Review to inform residents about and summarise the consultation. The Eastbourne Review is a free newspaper produced by the Council and delivered to every home in the Borough usually around twice a year.



When will we consult?

- 4.21 The Local Planning Regulations 2012 describe the statutory consultation period for a Local Plan to be 6 weeks. The Regulations also require that the formal consultation period on a Supplementary Planning Document should be not less than 4 weeks.
- 4.22 In terms of the CIL Charging Schedule, there are no regulations governing the length of consultation on a Preliminary Charging Schedule; however regulations do require at least 4 weeks consultation on a Draft Charging Schedule.
- 4.23 Eastbourne Borough Council is committed to full and proper consultation on planning policy issues and has signed up to the East Sussex 'Compact' Agreement⁹, which sets out best practice on consultation with the voluntary and community sector in East Sussex. One of the principles of the Compact is allow sufficient time for voluntary/community organisations to involve their service users, beneficiaries, members, volunteers and trustees in preparing responses.
- 4.24 Consultations should last for a proportionate amount of time: consulting for too long will unnecessarily delay policy development, whilst consulting too quickly will not give enough time for consideration and will reduce the quality of responses. Taking this into account, this SCI proposes that formal consultation periods on planning policy documents will be determined by the type and stage of plan being consulted on. These are described in Table 1.

⁹ <http://www.essp.org.uk/What-we-do/Pride-of-Place/Community/East-Sussex-Compact.aspx>

Table 1 - Consultation Periods

Type of Document	Stage in Preparation	Consultation Period
Local Plan	Issues and Options Stage	Minimum of 8 weeks
	Proposed Submission version	Minimum of 6 weeks
	Main Modifications following Examination	Minimum of 6 weeks
Supplementary Planning Documents	Representation Stage	Minimum of 8 weeks
CIL Charging Schedule	Preliminary Charging Schedule	Minimum of 6 weeks
	Draft Charging Schedule	Minimum of 6 weeks

- 4.25 The publication of a quarterly newsletter containing updates on progress and expected dates of consultation will mean that consultation periods can be announced ahead of time, allowing voluntary and community organisations to plan their response in advance.
- 4.26 Where possible, consultation over holiday periods will be avoided. If this is unavoidable, the consultation period will be extended to compensate for this.
- 4.27 In the event that a consultee requests additional time to submit a representation, this will only be accepted with the agreement of the Lead Member for Planning.
- 4.28 The tables below outline the possible consultation methods that may be used during each consultation stage in the preparation of Local Plans (Table 2), Supplementary Planning Documents (Table 3) and CIL Charging Schedules (Table 4).

Table 2 - Consultation on Local Plans

Stage	Consultation Period	Potential Additional Consultation Methods
Evidence Gathering and early engagement	On-going engagement (no formal period)	Surveys/questionnaires Presentations/Forums Community Orgs/Groups
Issues and Option Consultation	Min. 8 weeks	Social Media Public Exhibitions Presentations/Forums Leaflets/Posters Summary Documentation On-line Videos/Presentations Community Orgs/Groups Eastbourne Review
Proposed Submission	Min. 6 weeks	Social Media Public Exhibitions Presentations/Forums Leaflets/Posters Summary Documentation On-line Videos/Presentations Community Orgs/Group
Main Modifications	Min. 6 weeks	Social Media Summary Documentation On-line Videos/Presentations

Table 3 - Consultation on Supplementary Planning Documents


Stage	Consultation Period	Potential Additional Consultation Methods
Evidence Gathering and Public Participation	On-going engagement (no formal period)	Surveys/questionnaires Presentations/Forums Community Orgs/Groups
Representations	Min. 8 weeks	Social Media Public Exhibitions Presentations/Forums Leaflets/Posters Summary Documentation On-line Videos/Presentations Community Orgs/Groups Eastbourne Review

Table 4 - Consultation on CIL Charging Schedules

Stage	Consultation Period	Potential Additional Consultation Methods
Consult on Preliminary Charging Schedule	Min. 6 weeks	Social Media Presentations/Forums Summary Documentation On-line Videos/Presentations Community Orgs/Groups
Representations on Draft Charging Schedule	Min. 6 weeks	Social Media Presentations/Forums Summary Documentation On-line Videos/Presentations Community Orgs/Groups

What will we do with consultation responses?

- 4.29 Representations made during formal consultation periods will be recorded through the on-line Consultation Portal and published. Please note that the Council is not able to acknowledge receipt of comments, other than through automated responses to emails or comments submitted through the on-line Consultation Portal. Individual responses to representations submitted are unlikely to be provided.
- 4.30 In accordance with the Data Protection Act 1998 and Freedom of Information Act 2000, representations cannot be treated in confidence and by submitting a representation, the consultee accepts responsibility for their comments. Copies of all representations will be made publicly available, including the name of the person submitting the representation, however personal information such as telephone numbers, emails or private addresses will not be published.
- 4.31 All 'duly-made' responses will be carefully considered and used alongside other evidence, government legislation and national planning policy to inform the preparation or amendments to the relevant planning policy document being consulted upon. To be 'duly made', representations should:
- Be received before the deadline of the consultation period;
 - Relate to the document, its content, or its preparation;
 - Not be anonymous; and
 - Not be offensive, libellous or otherwise breach the law.
- 4.32 Confidential or anonymous comments, including those submitted using avatars or web-names, cannot be accepted. In addition, any comments that are offensive, obscene, racist or illegal in any way will be rejected.
- 4.33 It should be noted that representations submitted at the 'Proposed Submission' stage in Local Plan preparation can only be taken into account where they address issues of soundness or legal compliance.
- 4.34 Following consultation, all representations received will be documented within a Statement of Consultation and Representations, which will identify what consultation has been undertaken, the main issues that have been raised, and how these issues have been addressed.
- 4.35 Feedback on the consultation, including responses to the representations received and how they will be addressed in the next stage of plan making,



will be published on the website and promoted via the quarterly email newsletter.

- 4.36 It is important for local residents and other stakeholders to understand that comments submitted as part of consultation will be fully considered and are part of the evidence informing plan making, but they are not necessarily the only or determining factor. National policy or other evidence may provide good reasons why consultation comments cannot be implemented.

5.0 Community Involvement in Development Management

- 5.1 Eastbourne Borough Council is committed to informing and engaging with the community on planning applications. It is important that a balance is struck between providing the community with a genuine opportunity to comment and determining applications within the statutory determination period.
- 5.2 Opportunities exist for the community and or stakeholders to be informed and consulted on development proposals at each of the following stages:
- Pre-application consultation
 - Planning applications
 - Planning appeals.
- 5.3 Community involvement in Development Management not only involves the local community, but also statutory and non-statutory consultees, depending on the nature and location of the proposals.

Statutory Consultees

- 5.4 Planning law prescribes circumstances where consultation must be undertaken with statutory bodies on a planning application. These organisations are under a duty to respond to consultations within 21 days (article 22 of the Development Management Procedure Order), or such longer period as may be specified in other legislation, and must provide a substantive response to the application.
- 5.5 A list of statutory consultees on applications for planning permission is available via the National Planning Practice Guidance¹⁰ (Table 2, Paragraph: 030 Reference ID: 15-030-20140612).

Non-Statutory Consultees

- 5.6 Where there are planning reasons, other non-statutory consultees who may have an interest in a proposed development may be consulted on planning applications, even though they are not designated in law. Non-statutory consultees should respond within 21 days of being notified of the application.

¹⁰ <https://www.gov.uk/guidance/consultation-and-pre-decision-matters#Statutory-consultees-on-applications>

- 5.7 A list of the organisations identified in national policy and guidance who may have an interest in development and may be consulted as non-statutory consultees are identified in the National Planning Practice Guidance¹¹ (Table 3, Paragraph: 031 Reference ID: 15-031-20140306).

Pre-application stage

- 5.8 Prior to submission of an application for development, the Council encourages the applicant to engage with the local community, statutory consultees and service providers on their proposal. For very large-scale development, pre-application consultation is a requirement under the Localism Act 2011.
- 5.9 Effective pre-application consultation provides an opportunity for applicants and developers to find out the views of local residents about their development proposals, and allows the local community to make suggestions which can then be taken into account by the developer in finalising their planning application. This process can help to reduce local opposition, help resolve early design and development problems and ensure that high quality planning applications are received.
- 5.10 The Council expects applicants to carry out their own pre-application consultation. The level of community consultation at the pre-application stage should be appropriate/proportionate to the scale of the application.. Potential methods of pre-application on proposals for major development could include public meetings and exhibitions, workshops, websites, leaflets and other media. On significant applications that are likely to be controversial the Council may choose to inform the Ward Councillors and also the Councillors of planning committee of the proposal
- 5.11 It would be expected that this consultation will be documented in a 'Statement of Community Involvement' for the proposal, which should describe in detail the pre-application consultation that has been undertaken by the applicant and how the comments have been addressed in progressing the proposal. This document should be submitted with the application.

¹¹ <https://www.gov.uk/guidance/consultation-and-pre-decision-matters#table-3-Non-statutory-consultees>

Planning application stage

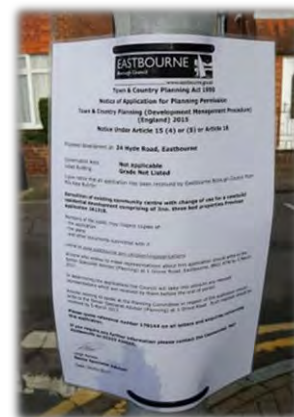
- 5.12 It is important that all relevant planning issues associated with a proposed development are identified and considered in the determination of a planning application. The Council is required to undertake a formal period of consultation, so therefore publicises applications that are submitted and invites comments from the local community and other consultees and stakeholders. Anyone can respond to a planning consultation.
- 5.13 Consultees may be able to offer particular insights or detailed information which is relevant to the consideration of the application, and comments made that are addressing 'material considerations' will be taken into account in the determination of the application.
- 5.14 There are significant amounts of information relating to planning applications on the Council's website and residents are encouraged to find out information on proposals using this method where possible.
- 5.15 It is important that residents and other stakeholders understand that whilst comments addressing 'material considerations' will be taken into account in determining the application, they are not necessarily the only or determining factor. Local or national policy, or other material considerations, may lead to a decision that is contrary to views expressed during consultation.
- 5.16 Article 15 of the Town & Country Planning (Development Management Procedures) (England) Order 2010 sets out the minimum requirements for publicising and consulting on planning applications. The requirements vary according to the type of development proposed, and are set out in National Planning Practice Guidance¹² (Table 1, Paragraph: 029 Reference ID: 15-029-20140306).
- 5.17 The methods that the Council uses to publicise application and consult the community, which exceed these minimum requirements, are as follows:
- **Neighbour Notification Letters**
The Council will notify any neighbours immediately adjoining a development proposal by letter or email. The letter provides details of the planning application, where to view plans, how to make comments and by

¹² <https://www.gov.uk/guidance/consultation-and-pre-decision-matters#statutory-publicity-requirements>

what date. Any consultation wider than this will be on a case by case basis and at the discretion of the case officer.

- **Site Notice**

Site notices are displayed on or near to the application site. Site notices provide details of the planning application, where to view plans, how to make comments and by what date.

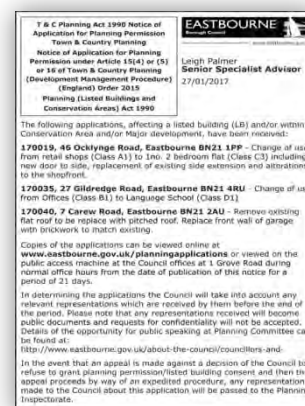


- **Publication on the Council's website**

Weekly lists of applications received and decisions made are available on the Council's website. All planning applications that have been or are being processed, including appeals, are also available to view on the Council's website.

- **Public Notice**

A Public Notice is placed in a local newspaper for certain types of planning applications. For example, major or significant development proposals, departures from local policy or where there is a statutory requirement such as for Listed Building Consent.



- 5.18 The deadline for submitting comments on a planning application will be set out in the publicity accompanying the planning application. This will be not less than 21 days. The Council is under no obligation to consider comments submitted after the deadline.

Re-consultation following amendments to an application

- 5.19 Where an application is amended after it has been submitted, further consultation may be undertaken if the proposed changes are significant. Any representations received subject to any round of consultation will be taken into account in evaluating the merits of the application. Any representation received outside of the consultation period may not be fully considered. The timeframe for responses to re-consultation will be decided on a case-by-case basis.

- 5.20 If a new planning application is required, this will be subject to new public consultation.

Planning Committee

- 5.21 Where an application is due to be determined by planning committee, members of the public can request to address the committee. This request should only be an amplification of their representations received during the consultation period and should not raise new/unrelated issues.
- 5.22 Anyone wishing to address the committee on a planning application will need to register their interest, outlining the points they wish to raise, by the end of the consultation period. Should the application be referred to planning committee, **normally** only one objector is allowed to address the Committee on a 'first come, first served basis' or a spokesperson can be nominated , although the Committee (at the discretion of The Chair) may allow more than one objector to speak in certain circumstances. A time limit of 3 minutes shall apply to each speaker.
- 5.23 Details of meeting dates and times are publicised on the Council's website, and also outside the Town Hall and at the Central Library. Meetings of the Planning Committee take place in the Town Hall, Grove Road, Eastbourne at 6.00pm. Agendas are published a week before the meeting.

Appeals

- 5.24 When a planning application is refused, the applicant may lodge an appeal against the decision with the Planning Inspectorate. An appeal may also be submitted when the applicant considers any conditions of approval to be unacceptable, or in the event that an application is not determined by the relevant deadline.
- 5.25 Only the applicant can appeal against a planning decision. There is no 'third party'¹³ right of appeal for other people who disagree with the Council's decision. However, anyone can challenge a planning decision in the courts if they have evidence that the decision was not made following the proper procedures. Legal challenges cannot take into account whether the decision

¹³ The 'first party' in planning is the applicant for planning permission and the 'second party' is the local authority. 'Third parties' are anyone else with a view on a planning application, whether they have a direct interest (e.g. as owner of the land on which the application is submitted) or a personal interest (e.g. as a neighbour) or a wider interest (e.g. as a parish council or interest group).

was right or not in planning terms, only whether regulations and conventions about making decisions were properly followed.

- 5.25 All those who were notified of the original application or submitted comments will be informed if an appeal is made. There is then an opportunity for additional comments to be submitted directly to the Planning Inspectorate, who will determine the appeal, either through written representations, an informal hearing or a public inquiry, depending on the nature and scale of the application. Where it is decided that the appeal should be determined by informal hearing or public inquiry, interested parties are also given the opportunity to appear before the Inspector at the hearing or inquiry.
- 5.26 The Inspector will consider the evidence and decide whether the Council's decision was correct. The Inspector's decision is binding on the Council, although it can be challenged by anyone on a point of law in the High Court.

Planning performance agreements

- 5.27 A planning performance agreement (PPA) is a project management tool which the Council may enter into with applicants to agree timescales, actions and resources for handling particular applications, in order to determine an application in advance of the determination target. The Council may make an additional charge for the administrative work associated with this.
- 5.28 PPAs can assist in identifying an approach to community engagement, including the identification of the communities to involve, the process of engagement and the best approach to incorporating their views. Any consultation on an application with a PPA should be consistent with this Statement of Community Involvement.

Customer Satisfaction Survey

- 5.29 Since June 2015, Eastbourne Borough Council has been undertaking regular Customer Satisfaction Surveys on the Development Management service. This survey is sent to applicants and agents following the decision on a planning application, and also to those who made representations. The survey requests views on how well the application was dealt with. The results of this survey are used to identify improvements to the service.

6.0 Community-Led Planning

Introduction to Community-Led Planning

6.1 The Localism Act 2011 introduced new rights and powers for communities to enable them to get more involved in planning for their areas through the production of Neighbourhood Plans or Orders, or Community Right to Build Orders:

- A **Neighbourhood Plan** is a planning document which establishes general policies for development and use of land in a neighbourhood, including the location of new homes and offices, and what they should look like.
- A **Neighbourhood Development Order** means that Town and Parish Councils can grant permission for certain types of development without the need for people to apply to Eastbourne Borough Council. These could include, for example, all house extensions in a defined area, changes of use, or development on a particular site. Certain types of development are excluded, such as minerals and waste developments, certain public and private environmental projects, and nationally significant infrastructure.
- A **Community Right to Build Order** enables small scale development in neighbourhoods, such as housing or community facilities, but can be prepared by any local community organisation rather than just Town and Parish Councils. As above, certain types of development are excluded.

6.2 Community-led planning is undertaken by a Town or Parish Councils within a 'parished' area, or by a Neighbourhood Forum in 'non-parished' areas. Once a Plan or Order has been agreed by a local referendum, it attains the same legal status as the Local Plan, and becomes part of it.

6.3 Community-led planning should be used positively to plan for future development and support growth, reflect and build on the strategic needs set out in the Local Plan, and be in conformity with the National Planning Policy Framework.

6.4 A Neighbourhood Plan or Order is not a process that can be used to prevent development or promote a lower level of development than is set out in a Local Plan.

- 6.5 Detailed information and guidance on Neighbourhood Planning and the required processes can be found in the Neighbourhood planning section of the national Planning Practice Guidance¹⁴.

Who can prepare a Neighbourhood Plan or Order?

- 6.5 As Eastbourne Borough is not a 'parished' area, (i.e. it does not have Town or Parish Councils), Neighbourhood Plans or Orders can only be prepared by a Neighbourhood Forum.
- 6.6 A group or organisation can apply to the Borough Council to be designated as a Neighbourhood Forum. A proposed forum group will need a minimum of 21 people who live in the neighbourhood area, or work there, and/or who are elected members for any ward of Eastbourne Borough Council. Only one body can be designated for a chosen area.
- 6.7 An application to the Council to form a Neighbourhood Forum must include the following¹⁵:
- The name of the proposed neighbourhood forum
 - A copy of the written constitution of the proposed neighbourhood forum
 - The name of the neighbourhood area to which the application relates and a map which identifies the area
 - The contact details of at least one member of the proposed neighbourhood forum (to be made public)
 - A statement which explains how the proposed neighbourhood forum meets the conditions contained in Section 61F(5) of the Localism Act 2011
- 6.7 Once an application for designating a Neighbourhood Forum has been received, Eastbourne Borough Council will publicise the application and invite comments from the public on the designation. Eastbourne Borough Council will take any comments into account in deciding whether or not to agree the application and designate the forum.

¹⁴ <https://www.gov.uk/guidance/neighbourhood-planning--2>

¹⁵ For further information about submitting an application for a Neighbourhood Forum, please contact the Council's Planning Policy team.

Neighbourhood Plans and Neighbourhood Development Orders

6.8 Once a Neighbourhood Forum is ready to proceed, the key steps to prepare a Neighbourhood Plan or Order are:

1. **Designation of a neighbourhood area** - the neighbourhood area that the Plan or Order will cover will be the area that the Neighbourhood Forum decided on during its application for designation.
2. **Production of the Neighbourhood Plan or Order** – the group will prepare the plan or order, and can ask for advice and support of other organisations including Eastbourne Borough Council. The group should agree a timeline and budget, review existing plans and policies, and engage with local people, businesses, and other stakeholders within their area.
3. **Pre-submission consultation and publicity** – before a neighbourhood plan is submitted it should be publicised in a manner that is likely to bring it to the attention of people who live and/or work in the neighbourhood and provide the opportunity for the local community and other stakeholders, including the statutory consultation bodies that are identified in the Neighbourhood Planning Regulations.
4. **Submission of the Plan or Order to Eastbourne Borough Council** – once a draft plan or order has been subject to consultation, it can be submitted to Eastbourne Borough Council. The Council will check that the submitted plan to ensure that it is consistent with the Neighbourhood Planning Regulations, and then arrange for examination.
5. **Independent examination** - Once the Neighbourhood Plan or Order has been submitted it will be subjected to an independent examination. This will make sure that the proper legal process has been followed and that the plan meets the basic conditions, including general conformity with the Borough Council's Local Plan.
6. **Public referendum and adoption** - The examiner may suggest modifications to make sure the legal requirements are met. When this has been done, a public referendum is held in the Neighbourhood Area covered by the Plan or Order. If more than 50% of those voting in the referendum vote 'yes' then the Plan or Order will be adopted by the Council as part of its Local Plan.

Community Right to Build

- 6.9 A Community Right to Build Order is a type of Neighbourhood Development Order which enables small scale developments such as community facilities or housing for local needs. It can be used to grant outline or full planning permission for specific development which complies with the order.
- 6.10 A Community Right to Build Order may be prepared by local community organisations in addition to parish and town councils, but only where they meet certain legal requirements. The prescribed conditions for community right to build organisations are set out in Section 13 of the Neighbourhood Planning Regulations 2012.
- 6.11 The steps to producing a Community Right to Build Order are very similar to those for a Neighbourhood Plan or Order.
- 6.12 However, when producing a Community Right to Build Order, additional information is needed to accompany the submission of the Order to the Borough Council. This includes: a map of the area the proposal relates to, a statement explaining how the proposed Order meets planning regulations, and a statement of those consulted and a summary of the main issues raised.
- 6.13 In addition to being in conformity with the National Planning Policy Framework and the Local Plan, the organisation must also show that the Order:
- Would not breach or is not incompatible with EU Regulations
 - Is consistent with human rights law
 - Has special regard to the desirability of preserving any listed building or its setting and to enhancing the character or appearance of a conservation area, including an archaeology statement if appropriate
 - The extent of the area for the referendum.



7.0 Monitoring and Review

- 7.1 The SCI will be monitored regularly. It is not proposed to establish a formal review period; however a review may be undertaken if it is considered that the SCI becomes out of date or if there is a significant level of dissatisfaction from the local community and stakeholders about how they are being involved in the preparation of Local Plans.

- 7.2 It is considered that the SCI is sufficiently flexible to allow for appropriate changes in the approach to community involvement as a result of changes in national policy, or to make improvements to the process as a result of new or different approaches to consultation.

Appendices

Appendix 1: Glossary

Term	Definition
Adoption	The final confirmation of a Development Plan / Local Plan or Supplementary Planning Document status by a Local Planning Authority.
Authority Monitoring Report (AMR)	Local Planning Authorities are required to prepare and publish an Authority Monitoring Report containing information on the implementation of the Local Development Scheme (LDS) and the extent to which the policies set out in the Local Plan documents are being achieved. Also known as <i>Annual Monitoring Report</i> or <i>Local Monitoring Report</i> .
Charging Schedule	The types of development that are liable to pay the Community Infrastructure Levy (CIL) and the amount that is required to be paid (expressed as pounds (£) per square metre is set out in a local authority's Charging Schedule.
CIL Regulations	See Community Infrastructure Levy Regulations 2010.
Community Infrastructure Levy (CIL)	The Community Infrastructure Levy is a charge which local authorities in England and Wales are empowered, but not required, to charge on types of new development in their area. The proceeds of the levy will be spent on local and sub-regional infrastructure to support the development of the area.
Community Infrastructure Levy Regulations 2010	Regulations that govern the Community Infrastructure Levy and the process of preparing the Charging Schedule.
Community Right to Build	A Community Right to Build Order is a specific type of Neighbourhood Development Order that can be prepared by any local community organisation rather than just a parish council or neighbourhood forum.
Community Strategy	A strategy developed by the local community, focusing on what is important to people who live, work and visit the town and to make positive changes.

Term	Definition
Conservation Area	An area of special architectural or historic interest, the character or appearance of which is desirable to preserve or enhance.
Core Strategy	The main planning policy document for Eastbourne that sets out the long term strategic planning vision between 2006 and 2027.
Corporate Plan	Sets out the major place-shaping initiatives crucial to the future success of Eastbourne. Examples of these initiatives are the Town Centre Regeneration and the development of a Business Park at Sovereign Harbour.
Development Plan	The set of documents that provide the Local Planning Authority's policies and proposals for the development and use of land and buildings in the authority's area. This includes adopted Local Plans, any Neighbourhood Plans and the Waste & Minerals Local Plan.
Development Plan Document	Statutory documents which are subject to specified consultation periods and are subject to independent examination. Also known as Local Plans.
Eastbourne Strategic Partnership (ESP)	A non-statutory body made up of a wide range of representatives from the public, private and voluntary sector. The ESP is responsible for producing, monitoring and reviewing the Eastbourne Community Strategy, reducing duplication in the provision of services and developing joint projects.
Evidence Base	The information and data gathered by local authorities to justify the "soundness" of the policy approach set out in the Local Plan, including physical, economic, and social characteristics of an area.
Examination / Examination in Public	The process by which a Planning Inspector may publicly examine a Local Plan for legal compliance and 'soundness' before issuing a binding report.
Infrastructure Delivery Plan (IDP)	Detailed assessment of the infrastructure required to deliver the spatial development strategy and how this will be delivered.
Inspectors Report	A report issued by a Planning Inspector regarding the planning issues debated at an Independent Examination of

Term	Definition
	a Development Plan or a Planning Inquiry.
Local Development Document (LDD)	A generic term for documents prepared by Local Planning Authorities for the use and development of land or containing environmental, social and economic objectives relevant to the development and use of land which are intended to guide the determination of applications for planning permission.
Local Development Scheme (LDS)	The LDS sets out the programme for the preparation of the Local Development Documents. All plan making authorities must maintain an up to date LDS.
Local Plan (LP)	The plan for the future development of the local area, drawn up by the Local Planning Authority in consultation with the community
Local Planning Regulations	See Town & Country Planning (Local Planning) (England) Regulations 2012
National Planning Policy Framework (NPPF)	The NPPF sets out the Government’s planning policies and how these are expected to be applied. It was published on 27 March 2012.
National Planning Practice Guidance (NPPG)	A web-based resource which brings together planning guidance on various topics linked to the NPPF into one place. It was launched in March 2014.
Neighbourhood Plan	A Neighbourhood Plan is a plan prepared by a Parish Council or Neighbourhood Forum, that once adopted becomes part of the Local Plan and the policies contained within them are then used in the determination of planning applications.
Neighbourhood Development Order	A Neighbourhood Development Order is an order prepared by a Parish Council or Neighbourhood Forum that automatically grants planning permission for a particular type of development in a particular area.
Planning and Compulsory Purchase Act 2004	The legislation that introduced a new development planning system, based on the preparation of Local Development Frameworks. The Act commenced 28th September 2004.
Soundness	<p>In order to be sound, a Local Plan must be:</p> <ul style="list-style-type: none"> • Positively prepared – the Plan should be prepared based

Term	Definition
	<p>on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;</p> <ul style="list-style-type: none"> • Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence; • Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and • Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.
South Downs National Park (SDNP)	England's newest National Park, covering the South Downs and Western Weald, situated in the counties of Hampshire, and West and East Sussex. Planning responsibility within this area falls to the South Downs National Park Authority.
Statement of Community Involvement (SCI)	Document explaining to stakeholders and the community how they can be involved in the preparation of Local Development Documents, and the steps that will be taken to facilitate their involvement.
Strategic Environmental Assessment (SEA)	The term used internationally to describe the environmental integration of policies, plans and programmes. The SEA Directive (2001/42/EC) requires a formal 'environmental assessment' of plans and programmes that are to be adopted by a public authority including those in spatial planning. This assessment is often combined with the Sustainability Appraisal.
Supplementary Planning Document (SPD)	These provide additional planning policy guidance to the policies and proposals in the Local Plan. They do not need to be subject to independent examination
Sustainability Appraisal (SA)	Assessment of the social, economic and environmental impacts of proposals in Local Development Documents.
Town & Country Planning (Local Planning) (England) Regulations 2012	Regulations that govern the process for preparing Local Plans and Supplementary Planning Documents. Also known as 'Local Planning Regulations'.

Appendix 2: Further advice and information sources

Further information and advice on planning matters is available from Eastbourne Borough Council. Please contact the Customer Contact Centre at:

Eastbourne Borough Council Offices, 1 Grove Road, Eastbourne, BN21 4TW
(01323) 410000

customerfirst@eastbourne.gov.uk

www.eastbourne.gov.uk

Independent advice is available from the following sources:

The Planning Portal

The Planning Portal is the Government's online 'one-stop-shop' for planning and building services. It provides information on the planning system, allows you to submit a planning application, find out about development in your area, appeal against a decision and research government policy.

Website: www.planningportal.gov.uk

Email: support@planningportal.gsi.gov.uk

Department of Communities and Local Government (DCLG)

The DCLG provides general information on the planning system including the latest national planning policy, decisions on planning appeals, research and statistics and reform of the planning systems.

Website: www.communities.gov.uk

Email: contactus@communities.gsi.gov.uk

Postal Address: Fry Building, 2 Marsham Street, London SW1P 4DF

Telephone Number: 030 3444 0000

Planning Aid England (PAE)

Planning Aid England provides free, independent and professional planning advice to communities and individuals who cannot afford to pay professional fees. It is provided by the Royal Town Planning Institute.

Website: www.rtpi.org.uk/planningaid



Email: advice@planningaid.rtpi.org.uk

Postal Address: The Royal Town Planning Institute, 41 Botolph Lane, London EC3R 8DL

Telephone: 020 7929 9494

The Planning Inspectorate

The Planning Inspectorate processes planning appeals and holds examinations into statutory planning policy documents and the Community Infrastructure Levy (CIL).

Website: www.planningportal.gov.uk/planning/planninginspectorate

Email: enquiries@pins.gsi.gov.uk

Postal Address: The Planning Inspectorate, Room 3/13, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN

Telephone: 0303 444 5000

Eastbourne LDF

Local Development Framework

STATEMENT OF COMMUNITY INVOLVEMENT

Technical Update - Adopted July 2009



Eastbourne Borough Council
1 Grove Road
Eastbourne East Sussex
BN21 4TW

This information is available in other formats including large print and other languages on request from Eastbourne Borough Council Planning Service
Tel: 01323 415255

The Local Development Framework

STATEMENT OF COMMUNITY INVOLVEMENT

Technical Update 2009

Adopted at Full Council on 22 July 2009

Planning Policy Unit
Economy, Tourism and Environment
Eastbourne Borough Council
1 Grove Road, Eastbourne
East Sussex, BN21 4TW

Tel: (01323) 415255
Fax: (01323) 641842
Minicom: (01323) 415111

Email: planning.policy@eastbourne.gov.uk

Date: July 2009

Price: £35.00

Available to view and download for free at:
<http://www.eastbourne.gov.uk/sci>

1 Introduction	1
1.1 What is Planning?	1
1.2 Why get involved?	1
1.3 About this Statement	2
2 Involving the Local Community	3
2.1 A Brief Introduction to the Planning Process	3
2.2 Who will we consult?	8
2.3 How will we consult?	11
2.4 Sustainability Appraisal	24
2.5 Reporting Back	24
2.6 Review	24
3 Technical Background	25
3.1 Step 1 - Establish a Baseline Structure	25
3.2 Step 2 - Identify main areas where the involvement of the community and stakeholders will be needed to prepare the documents	26
3.3 Step 3 - Assess resources for managing community involvement	27
3.4 Step 4 - Discuss with the community and stakeholders how they wish to be involved in document preparation	28
3.5 Step 5 - Consider which methods of community involvement to deploy and when	29
3.6 Step 6 - Identify the process and commitments to reporting back	29
3.7 Consulting on Planning Applications	30
Appendix	
Appendix A Consultation Bodies	31
A.1 Specific Consultation Bodies	31
A.2 General Consultation Bodies	32
A.3 Other Consultation Bodies	32

1 Introduction

"Planning shapes the places where people live and work. So it is right that people should be enabled and empowered to take an active part in the process ⁽¹⁾ ."

1.1 What is Planning?

- 1.1.1** Many building works require planning permission, whether it is to build a new house; a new estate or change a small shop into a flat.
- 1.1.2** Eastbourne Borough Council is usually responsible for making decisions on planning applications. Decisions are based on a number of different factors but the Council's agreed planning policies are very important.
- 1.1.3** Planning policies set out a course of action for decisions on planning applications for the whole town. For example, a policy could say that a hotel will not be granted planning permission to become a house unless it can be shown that it is no longer profitable.
- 1.1.4** Planning policies are, therefore, very important tools in shaping the future of the town as a place to live, work and visit. For example, if the "blue-print" for the town included the aim of supporting and increasing the number of local jobs then it is important to make sure that business land and buildings are kept in employment use because they are likely to be needed to achieve this aim.
- 1.1.5** Planning policies prepared by the Council should accord with the South East Plan, which is prepared by the South East England Regional Assembly (www.southeast-ra.gov.uk). Policies should also reflect the local communities' needs and aspirations, which are set out in the Eastbourne section of the East Sussex Integrated Sustainable Community Strategy.
- 1.1.6** For further information about the planning system, refer to "Creating Better Places to Live: a Guide to the Planning System in England" published by the Department for Communities and Local Government, and available free from Planning Policy, 1 Grove Road, Eastbourne, BN21 4TW (telephone 01323 415255).

1.2 Why get involved?

- 1.2.1** Most people have limited contact with the planning system. They may need to make a planning application for an extension to their home, or possibly their neighbour makes a planning application and the Council contacts them for their views.

1 Community Involvement in Planning: The Government's Objectives. ODPM 2004

1.2.2 However many people are interested in their town's future. They want their children to have a decent home and job and they value Eastbourne's environment. They have clear ideas as to the kind of place they would like Eastbourne to be but probably have not realised the important role of planning in helping to achieve these ideas.

1.2.3 The Council values these ideas and wants to hear from the local community both when it is considering planning applications and when it is preparing planning policies.

1.3 About this Statement

1.3.1 This Statement explains how the Borough Council will involve the local community in planning. It is intended to "signpost" opportunities for anyone who wishes to make a contribution to planning for Eastbourne's future.

1.3.2 The Statement has been prepared in two sections:

- Section 1 is an explanation of some of the ways the Council will involve the local community in planning for the town's future;
- Section 2 is more technical and demonstrates that the Council's approaches are soundly based. ⁽²⁾

1.3.3 Section 1 is aimed at the general public who may have little or no experience of the planning system. Section 2 is for the practitioner.

² In demonstrating soundness the Council has had regard to the requirements of the Town and Country Planning (Local Development) (England) Regulations 2004, the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008 and Planning Policy Statement 12: Local Spatial Planning (CLG, 2008).

2 Involving the Local Community

2.1 A Brief Introduction to the Planning Process

2.1.1 This Statement explains how the local community can be involved in:

- The preparation of planning policy; and
- Decisions on planning applications.

The Local Development Framework

2.1.2 The Council is required by Government to prepare a Local Development Framework (LDF). The LDF is a folder containing planning policy documents which are known as "local development documents".

2.1.3 There are two types of "local development document":

- "Development plan documents"; and
- "Supplementary planning documents" which provide greater detail on the way specific planning policies will be put into effect.

2.1.4 "Development plan documents" include a "Core Strategy" which sets the "headlines" for the town in 15-20 years (such as the number of houses needed, the amount and type of employment likely to be required, valued natural environment to be protected etc.). Other "development plan documents" will provide the detail behind these headlines. These will include documents for:

- Specific land allocations (e.g. for housing development);
- Action plans for areas where change is expected or for areas which should be protected from further change;
- Control policies to ensure that development is of the right type and in the right place.

2.1.5 In addition a proposals map will be prepared illustrating where specific policies apply every time a new DPD is adopted.

2.1.6 The process of preparing a Development Plan Document is shown in Figure 1.

2.1.7 A Supplementary Planning Document (SPD) is a Local Development Document that may cover a range of issues, thematic or site specific, and provides further detail of policies and proposals in a 'parent' Development Plan Document. The process of preparing a SPD is shown in Figure 2.

Figure 1 Development Plan Document Process

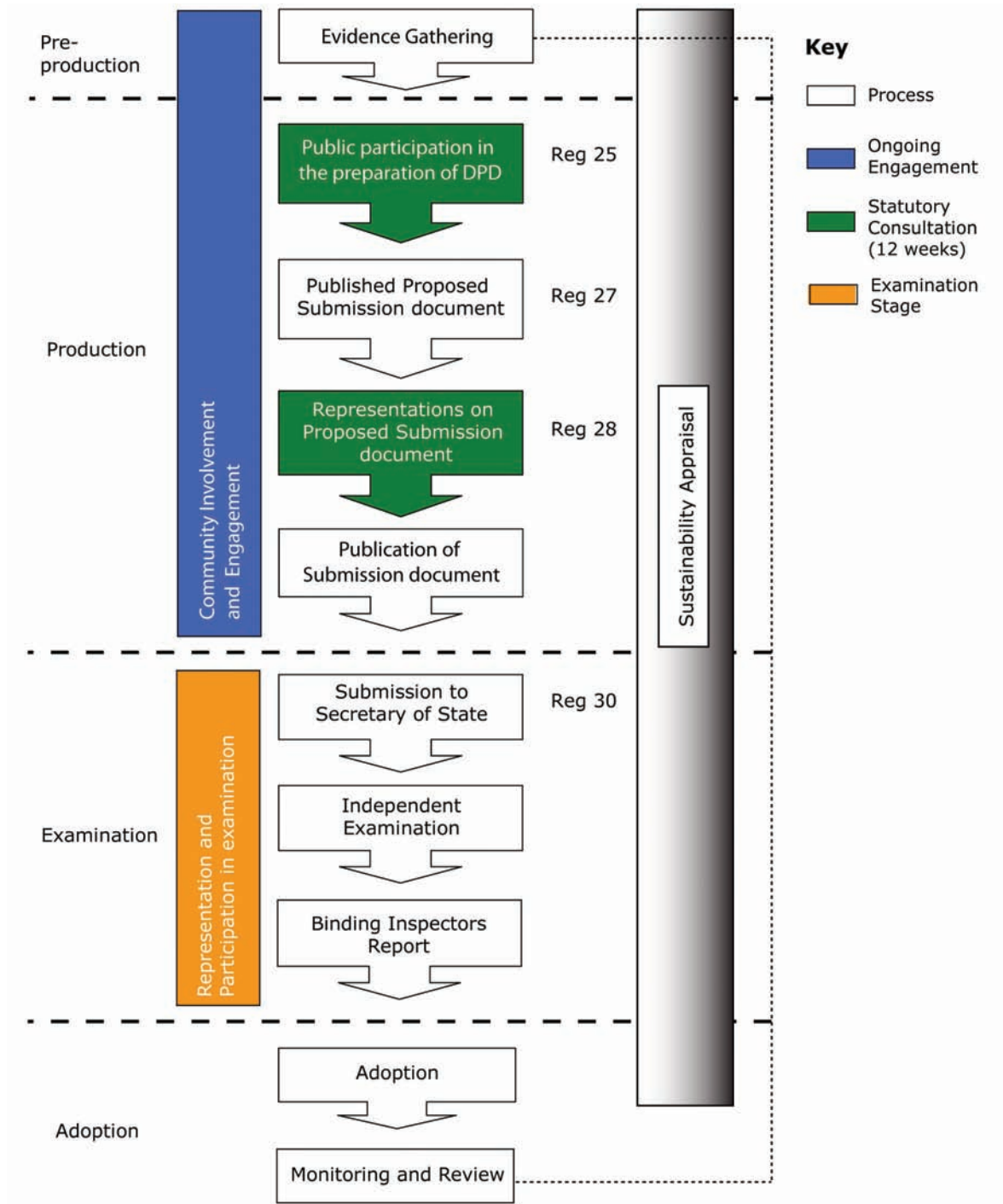
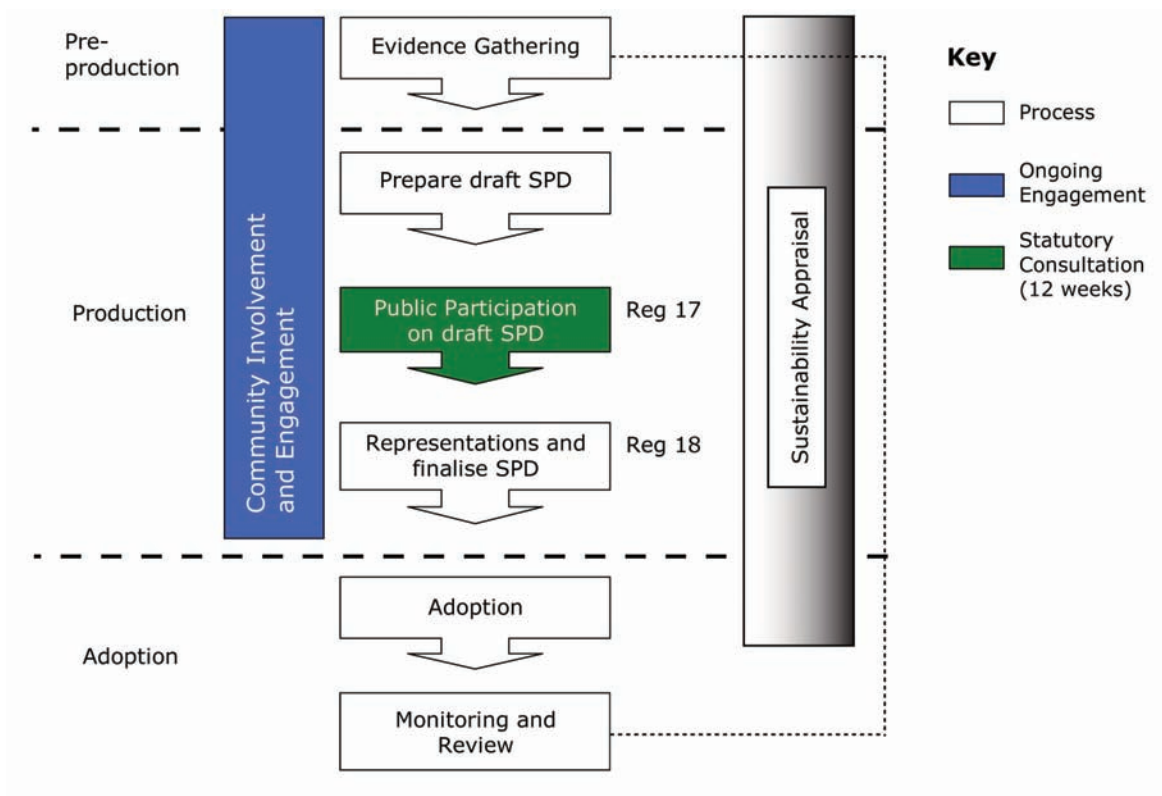


Figure 2 Supplementary Planning Document Process



2.1.8 Government intends that the local community and stakeholders should be involved in all stages of preparation of planning policy. Early involvement in the process is encouraged so that suggestions can be fully explored and included, where appropriate.

2.1.9 In addition to planning policy documents the LDF will include:

- This Statement of Community Involvement when it has been formally adopted by the Council;
- The Local Development Scheme setting out details of each of the planning policy documents to be produced; and
- Annual Monitoring Report setting out progress on the planning policy documents and putting policies into effect.

2.1.10 All planning policy documents are subject to sustainability appraisal to assess social, environmental and economic effects arising at each stage in their preparation. The Government recommends that the local community should have the opportunity to be involved in sustainability appraisals.

Planning Applications

2.1.11 Eastbourne Borough Council receives over 800 planning applications a year. In addition the Council also deals with applications for listed building consent, conservation area consent and advertisement consent. About 44% of applications are for schemes for householders (such as porches, conservatories and other domestic extensions and alterations); 4% are for major developments ⁽³⁾ and 40% are for minor developments and for the change of use of existing buildings. A weekly list of all planning applications received is available on the Council's web-site (www.eastbourne.gov.uk)

2.1.12 It is the Council's usual practice to inform owners and occupiers of neighbouring properties that a planning application has been received on a site and/or display a notice on or near the land to which the application relates for a minimum of 21 days. The extent of neighbour consultation will depend on the nature of the proposed development. All comments from neighbours are taken into account in the determination of the application. If six or more objections are received or the proposal is a departure from the Development Plan or an objector has requested to address the Planning Committee or the application is submitted by or on behalf of a Councillor or certain officers of the Council or the item is referred by the Planning Manager or Councillor, the planning application will be determined by the Planning Committee, which is made up of elected Councillors. In all other cases the Council gives a Planning Officer the responsibility of determining the application on its behalf.

³ Major developments are residential schemes where 10 or more dwellings are to be built or in the case of other uses more where more than 1000 square metres of floorspace is to be built or subject to change of use

- 2.1.13** Objectors have the right to address the meeting on request. This request must be registered with the Council's Development Control section (by telephone, letter, fax or e-mail) by 12 noon two whole working days before the day of the meeting. For example, if the committee meet on a Tuesday, the request would need to be lodged by 12 noon on the previous Friday. Further details on the right to address the Planning Committee are contained in the Council's leaflet entitled "Your Right to Speak at the Planning Committee" which is available on request.
- 2.1.14** Depending on the nature of the planning application and the development proposed the Council may also carry out statutory consultation with organisations such as the South East England Regional Assembly, the Highways Authority, the Environment Agency, Sussex Police and Southern Water. Any representations received from interested organisations will also be taken into account in the determination of the planning application. In addition, applications for major developments and proposals that are contrary to the Council's planning policies are advertised in the local newspaper. Furthermore, on occasions when a proposed development is particularly significant, the Council may arrange a surgery to enable the public to obtain information on the development proposed. The Council will notify statutory consultees by letter giving them 21 days to comment, or in the case of development affecting an SSSI or an SSSI consultation area the Council will notify consultees by letter, giving them 28 days to respond.
- 2.1.15** In the case of development affecting a listed building or the character or appearance of a conservation area, or the development is not in accordance with the Local Plan, the Council will advertise the proposals in the local newspaper and display a notice on or near the application site, indicating the nature of the development proposed and confirming that the application can be viewed at the Council offices.
- 2.1.16** The Council encourages prospective applicants to discuss their proposals with relevant individuals and organisations prior to the submission of a formal planning application, in order to highlight and address any potential issues and concerns. This is particularly important for major developments and the Council's Planning Officers will be pleased to meet with prospective applicants and discuss their proposals and advise on the ways in which stakeholders and the local community can be involved in refining the scheme before it is formally submitted.

2.2 Who will we consult?

- 2.2.1** The Council has a duty to involve local people in meaningful consultation on the delivery of Council services ⁽⁴⁾ as well as an obligation to consult with 'Hard to Reach' groups ⁽⁵⁾. The aim of the planning service is to consult with anyone who has an interest in the future of the town, as a place to live, work and visit.
- 2.2.2** The Council has drawn the following distinctions in putting together its approach to consultations:
- Stakeholders - these are statutory organisations and others who have a key role in the town's future ⁽⁶⁾;
 - Communities of interest - local organisations who have a common specific interest ⁽⁷⁾;
 - Geographical communities- local communities who represent specific parts of the town ⁽⁸⁾;
 - Individuals - who may or may not be members of one of the above.

Consulting with Stakeholders

- 2.2.3** Government Regulations prescribe a number of important stakeholders that should be consulted ⁽⁹⁾ (Appendix 1). In addition to these it is the Council's intention to involve the Eastbourne Strategic Partnership in the preparation of the Local Development Framework. The Eastbourne Strategic Partnership is a body of organisations working together for the town's future. The member organisations are:
- Sussex Police;
 - Eastbourne Association of Voluntary Services;
 - Eastbourne Momentum;
 - East Sussex County Council;
 - Eastbourne and District Chamber of Commerce;
 - Eastbourne Borough Council;

4 The Local Government White Paper, Modern Local Government in Touch with the People- DETR 1998 and the Local Government Act 2000.

5 Required under the Race Relations (Amendment) Act 2000, and the Disability Discrimination Act 1995.

6 Stakeholders will include the "specific consultation bodies" as defined in the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended);

7 Communities of interest will include the "general consultation bodies" as defined in the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended);

8 Geographical communities will include the "general consultation bodies" as defined in the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended);

9 The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008.

- NHS East Sussex Downs and Weald Primary Care Trust;
- East Sussex Adult Learning and Skills Partnership;
- Eastbourne Community Environment Partnership;
- Eastbourne Housing Partnership;
- East Sussex Fire and Rescue;
- Eastbourne Community Network.

2.2.4 It has been agreed that the Strategic Partnership would have the opportunity to endorse relevant planning policy documents before they are agreed for distribution to the wider community ⁽¹⁰⁾.

2.2.5 Within the Strategic Partnership it is proposed to work closely with the Housing Partnership and the Environmental Partnership in the preparation of planning policy documents which are relevant to them. These Partnerships are made up of a number of organisations with specific interest in housing, environmental and regeneration issues in the town.

2.2.6 House builders, developers and landowners who are interested in developing land or buildings for another use are important stakeholders in the town's future. The Council is keen that they should make their interest known at an early stage in the preparation of planning policy documents so that their proposals can be fully taken into account, including exploring any impacts with tenants and leaseholders who make a wider contribution to the local community. Officers will be pleased to meet with house builders developers and landowners to listen to their proposals

Consulting with Communities of Interest

2.2.7 The Council keeps a mailing list of many local organisations who have said they are interested in being consulted on planning policy. This list includes:

- Voluntary organisations;
- Organisations which represent the interests of different racial, ethnic or national groups;
- Organisations which represent different faith groups;
- Organisations which represent the interests of disabled persons;

¹⁰ This was agreed at a conference on the Local Development Framework organised for members of the partnership and other key organisations in May 2004.

- Organisations which represent the interests of businesses operating in Eastbourne;
- Organisations which represent amenity, conservation, recreational and other interests.

Additions to this mailing list are always welcome (contact Planning Policy Unit, 1 Grove Road, Eastbourne, BN21 4TW, telephone 01323 415255).

2.2.8 There are many ways by which Eastbourne Borough Council has directly engaged with 'Hard to Reach' groups. This has been made possible through the Eastbourne Strategic Partnership (ESP), which has 10 Core Partner organisations, including the Eastbourne Association of Voluntary Services (EAVS). The Eastbourne Cultural Community Network also enables officers to consult on policy planning proposals directly, through focus groups and specialist forums.

2.2.9 The Council recognises that more specialised methods of consultation are needed to ensure that our vulnerable and hard to reach communities have an equal opportunity to have their say. For instance focus groups and visits by planning officers to existing meetings and forums. In addition the Council will be seeking to involve:

- People who do not speak English as their first language;
- Young people;
- People with learning difficulties;
- Minority faith groups and other minority groups.

2.2.10 Planning Policy Documents will be available in other languages through the Eastbourne Borough Council translation service as well as in other formats such as recordings on tape or CD.

Consulting with Geographical Communities

2.2.11 Local Councillors will play a key role in expressing the concerns and issues for local communities. However their involvement can be supplemented and assisted by including local resident and community associations in the process as well. Some associations are included on the mailing list and the Council would be pleased to hear from others. However it is recognised that there are areas of the Borough where such organisations do not exist and efforts will be made to reach these areas.

Consulting with Individuals

2.2.12 Experience has shown that many individuals wish to be involved in the planning process, whether it be commenting on a planning application or making representations on emerging planning policy. This interest is

greatly valued. Please contact Planning Policy Unit, 1 Grove Road, Eastbourne, BN21 4TW or telephone 01323 415255 to have your details added to the mailing list.

2.3 How will we consult?

2.3.1 The Council will use a number of different methods to enable community involvement in planning matters.

Basic Consultation Standards for all Local Development Documents

2.3.2 Each of the stages in the production of all Local Development Documents will be subject to the same formal consultation procedure. This will allow everyone to make representations about a particular document. This procedure is set out below:

- Copies of all documentation and any supporting information will be available to view on the Council's website at www.eastbourne.gov.uk and at the Council's main office at 1 Grove Road, Eastbourne during office hours for the whole consultation period;
- Copies of the relevant documentation will be sent to all statutory consultees and any other targeted groups where appropriate.
- A notice will be placed in the local newspaper (Eastbourne Gazette) and on the Council's website at www.eastbourne.gov.uk. This will advise where and when the document can be inspected, how copies can be obtained, what the closing date is, and where to send representations.

2.3.3 The consultation period will last for 12 weeks for a Local Development Document and a period of 12 weeks for a Supplementary Planning Document, as set out in the 'Compact' agreement in the East Sussex Integrated Sustainable Community Strategy.

2.3.4 Other potential methods are set-out in Table 1 below.

Table 1 Methods of Community Involvement

Methods	Main Considerations
Documents available for inspection at Council offices during set consultation period	This is a minimum requirement prescribed by the Regulations at specific stages in the process of preparing planning policy documents.
Letters to statutory and other bodies	The Council has established a mailing list for the LDF based upon the requirements of the Regulations and those who have asked to be advised of planning policy documents. Any individual or organisation can ask to be included on this mailing list.

Methods	Main Considerations
Internet consultation	<p>The Council's web-site has an area set aside for the LDF. This area will be maintained and up-dated on a regular basis. It is intended that this should be the first port of call for the public and professionals seeking detailed information.</p> <p>The web-site will include a feedback form to enable direct contact with the LDF team. The documents will also be published with an interactive facility for ease of commenting by the community.</p>
Media (local press, TV, radio etc)	<p>In addition to statutory requirements to advertise planning applications and local development documents, the Council intends to brief the local press about proposals. Where appropriate the Council may carry out more extensive advertising in the local free paper and seek views on specific local development documents. The Council will also prepare items for newsletters of specific organisations as appropriate, including articles in the Council's own newsletter, the Eastbourne Review.</p>
Leaflets / brochures	<p>Non-technical leaflets can be a useful way of summarising planning policy development documents for a wider audience and will be used as appropriate. These leaflets will be available in different formats upon request.</p>
Public exhibitions	<p>These are a good medium for explaining proposals to a wider audience if they are held in popular locations, such as shopping centres. However they are human resource intensive so will need to be used on a selective basis.</p>
Public canvass / General Survey	<p>Postal or telephone interviews can be a useful means of focusing consultation on key issues. These are only likely to be used for specific projects.</p>
Hotline	<p>All literature sent out by the Council will provide a direct dial telephone number to the relevant officer responsible for the consultation.</p>
One-to-one meetings	<p>These are particularly useful for discussions with selected stakeholders and the Council will continue and build-upon its established contacts.</p>
Public Surgeries	<p>The Council has found public surgeries to be effective as they allow individuals to</p>

Methods	Main Considerations
	express their concerns about planning policy or specific planning applications on a face-to-face basis.
Focus groups (selected groups of participants with particular characteristics)	The Eastbourne Association of Voluntary Services has established a community network and it is the Council's intention to access focus groups through this network. Additional focus groups will also be convened, as necessary, to assist exploration of issues in depth. Where a general survey is undertaken opportunity may be taken to recruit a reflector group to explore the issues raised in greater detail. (A reflector group consists of people who have participated in the survey who are invited to discuss the outcomes at greater length).
Action Planning (consultation events for local people who can work with models and / or plans to show how an area works and could be developed / enhanced in the future)	Action planning exercises, such as "Planning for Real" (Trade mark) are very useful for considering and shaping proposals at the very local level but they require careful preparation to be effective.
Targeted measures for hard to reach groups/ people with disabilities	Special measures may include: <ul style="list-style-type: none"> • Convening specific focus groups; • Providing documents and leaflets in different formats and languages upon request with associated communication support.

2.3.5 The Regulations, which the Council must comply with, prescribe minimum levels of community consultation. The approaches the Council proposes to use would exceed this minimum requirement.

2.3.6 The decision on which method to use will be based on a range of factors including:

- Whether the local community will be directly affected by a proposal set-out in a planning policy document or a planning application;
- The nature of the planning policy document. The Core Strategy as a "headline" document would require much wider involvement than an Action Plan which would only affect local people;
- The stage in the preparation of the planning policy document. The Council is keen to ensure that a variety of methods are used at early stages to encourage greater participation in the plan making process.
- The resources available for community involvement will be an important consideration therefore the Council will work in partnership wherever possible.
- The Council recognises that the increasing need for all services to consult with the local community places significant strain on local

organisations and individuals. Wherever possible it will seek to combine different consultations to avoid overload. It will also prepare a summary of each document it is consulting upon so that local organisations can form an opinion as to whether they want to be involved or not.

- 2.3.7** Based on the above considerations a series of illustrative tables have been prepared to indicate the approaches to community involvement that may be adopted for different types of planning policy documents (Tables 2 - 6) and for major planning applications (Table 7).

Table 2 Core Strategy

Stage in Plan Preparation	Likely Consultees	Relevant Regulation	Purpose of Consultation / Participation	Possible Techniques
Pre-production and early consultation	<ul style="list-style-type: none"> Stakeholder Limited community 	Regulation 25	<ul style="list-style-type: none"> To assist the development of the evidence base. Consultation likely to be targeted through specific research projects. To engage with individuals / organisations who have an interest in the town's future development so that their views are known early in the process Scoping and criteria for sustainability appraisal 	<p>Will depend on the type of research being undertaken. Likely to include:</p> <ul style="list-style-type: none"> Focus groups General survey (e.g. by post or telephone canvass) to gain wider context, with possible reflector group to explore issues emerging further.
Proposed Submission Document	<ul style="list-style-type: none"> Formal consultees Stakeholder / community / individuals 	Regulation 28	<ul style="list-style-type: none"> To engage with individuals / organisations so that they understand the contents of the document. To gather representations on the soundness of the document 	<ul style="list-style-type: none"> Face to face meetings Focus groups Targeted measures for identified hard to reach groups. Web-site

Stage in Plan Preparation	Likely Consultees	Relevant Regulation	Purpose of Consultation / Participation	Possible Techniques
Submission to Secretary of State	n/a	Regulation 30	n/a	n/a

Table 3 Area Action Plan

Stage in Plan Preparation	Likely Consultees	Relevant Regulation	Purpose of Consultation / Participation	Possible Techniques
Pre-production and early consultation	<ul style="list-style-type: none"> Stakeholder Limited community 	Regulation 25	<ul style="list-style-type: none"> To assist the development of the evidence base. Consultation likely to be targeted through specific research projects. To engage with individuals / organisations who have an interest in the town's future development so that their views are known early in the process Scoping and criteria for sustainability appraisal 	<p>Will depend on the type of research being undertaken. Likely to include:</p> <ul style="list-style-type: none"> Focus groups General survey (e.g. by post or telephone canvass) to gain wider context, with possible reflector group to explore issues emerging further.
Proposed Submission Document	<ul style="list-style-type: none"> Formal consultees Stakeholder / community / individuals 	Regulation 28	<ul style="list-style-type: none"> To engage with individuals / organisations so that they understand the contents of the document. To gather representations on the soundness of the document 	<ul style="list-style-type: none"> Face to face meetings Focus groups Targeted measures for identified hard to reach groups. Web-site

Stage in Plan Preparation	Likely Consultees	Relevant Regulation	Purpose of Consultation / Participation	Possible Techniques
Submission to Secretary of State	n/a	Regulation 30	n/a	n/a

Table 4 Development Plan Document (Policy)

Stage in Plan Preparation	Likely Consultees	Relevant Regulation	Purpose of Consultation / Participation	Possible Techniques
Pre-production and early consultation	<ul style="list-style-type: none"> Stakeholder Limited community 	Regulation 25	<ul style="list-style-type: none"> To assist the development of the evidence base. Consultation likely to be targeted through specific research projects. To engage with individuals / organisations who have an interest in the town's future development so that their views are known early in the process Scoping and criteria for sustainability appraisal 	<p>Will depend on the type of research being undertaken. Likely to include:</p> <ul style="list-style-type: none"> general survey methods (by post or telephone). Focus groups General survey (e.g. by telephone canvass) to gain wider context, with possible reflector group to explore issues emerging further.
Proposed Submission Document	<ul style="list-style-type: none"> Formal consultees Stakeholder / community / individuals 	Regulation 28	<ul style="list-style-type: none"> To engage with individuals / organisations so that they understand the contents of the document. To gather representations on the soundness of the document 	<ul style="list-style-type: none"> Face to face meetings Focus groups Targeted measures for identified hard to reach groups. Web-site

Stage in Plan Preparation	Likely Consultees	Relevant Regulation	Purpose of Consultation / Participation	Possible Techniques
Submission to Secretary of State	n/a	Regulation 30	n/a	n/a

Table 5 Supplementary Planning Document (additional policy guidance)

Stage in Plan Preparation	Likely Consultees	Relevant Regulation	Purpose of Consultation / Participation	Possible Techniques
Pre-production	<ul style="list-style-type: none"> Stakeholder 		<ul style="list-style-type: none"> Assist in the preparation of the SPD - usually from a technical point of view- in the development of possible approaches. Scoping and criteria for sustainability appraisal 	<ul style="list-style-type: none"> Focus groups Specific meetings Face to face meetings
Public Participation	<ul style="list-style-type: none"> Stakeholder Limited to relevantcommunity 	Regulation 17	Consultation on draft SPD prior to formal adoption by the Council.	<ul style="list-style-type: none"> Advert in paper Formal consultation letter Focus groups Web-site

Table 6 Supplementary Planning Document (area/site based)

Stage in Plan Preparation	Likely Consultees	Relevant Regulation	Purpose of Consultation / Participation	Possible Techniques
Pre-production	<ul style="list-style-type: none"> Stakeholder Local community 		<ul style="list-style-type: none"> To explore possible development options and understand constraints / opportunities Scoping and criteria for sustainability appraisal 	<ul style="list-style-type: none"> Focus groups Action planning Face to face meetings
Public Participation	<ul style="list-style-type: none"> Stakeholder Local community 	Regulation 17	To present draft brief to local community as a basis for further discussion / refinement	<ul style="list-style-type: none"> Advert in paper Formal consultation letter Focus groups, particularly including the local community Web-site

Table 7 Consultation on major planning applications

Stage in Application Preparation	Consultation carried out by	Purpose of Consultation	Possible Techniques
Pre-application	Applicant (after advice from Council on the level of consultation and with who)	To ascertain whether there are any critical issues that need to be resolved before the planning application is finalised for submission and to give the local community / neighbours the opportunity to help shape the proposals.	<ul style="list-style-type: none"> • Face to face meetings with key stakeholders including the Council's planning officers; • Exhibition and public surgery; • Focus Group.
Application	The Council	To comply with relevant statutory requirements.	<ul style="list-style-type: none"> • Letter to statutory consultees, neighbourhoods and other interested parties; • Advert in paper if required, face to face meeting, and public surgery if proposed development is significant.

2.4 Sustainability Appraisal

2.4.1 Sustainability appraisal is an integral part of plan making. It is a specific process that identifies the social, economic and environmental effects likely to arise from the different options, policies and proposals within the plan. There are two consultative stages in the process:

- On the scope of the appraisal;
- On the Sustainability Appraisal Report which accompanies the proposed submission version of a DPD or when the draft Supplementary Planning Document is sent out for consultation with the community.

2.4.2 Sustainability appraisal is a technical process and the Council will consult with the bodies prescribed in the relevant Regulations. In addition the Council will publish the sustainability appraisal reports on its web-site for public comment and may convene focus groups of other interested parties to scrutinise the approach to the appraisal in greater depth.

2.5 Reporting Back

2.5.1 The Council recognises that it is important to report back on the outcomes of community involvement in the planning process.

2.5.2 The Council will produce a consultation report for each of the stages in the preparation of local development documents and highlight the issues raised and how they have been taken into account. The report will also indicate how the results of consultation have influenced the content of the particular local development document. This report will be made available on the web-site and will be available to individuals / organisations on request. In addition, individuals and organisations will receive a written response to any comment that they have made at statutory consultation stages in the process (see Figures 1 and 2).

2.5.3 The Council realises that it should regularly consult with the local community to find out whether they feel that they have been actively involved in the preparation of planning policy so that it can respond to local perceptions and further improve approaches to community involvement, if necessary. This consultation may be by means of a questionnaire to those who have been involved in the process but the Council may also organise a 'Planning Conference' to reflect on past experiences and also look to future challenges.

2.6 Review

2.6.1 The Statement of Community Involvement will be kept under review through the Annual Monitoring Report (AMR). The AMR will highlight any significant changes which have occurred in the types of group that Eastbourne Borough Council wishes to engage with, along with any other techniques for engagement which are to be employed.

3 Technical Background

3.0.1 The document is the submission statement as required by Regulation 26 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008, and previously Regulation 28 of the Town and Country Planning (Local Development) (England) Regulations 2004. It has been amended following earlier consultation as prescribed by the Regulations. This document has been prepared within the context of the vision for an inclusive community set out in the Eastbourne section of the East Sussex Integrated Sustainable Community Strategy.

3.0.2 This document will be reviewed in light of:

- Experience gained of community involvement, including the results of feedback from the local community of their experiences of the process;
- Resource availability;
- Changes in the regulations / legislation.

3.0.3 The Companion Guide to Planning Policy Statement 12: Local Spatial Planning identifies a six step process towards the preparation of a Statement of Community Involvement:

- Step 1: Establish a baseline structure;
- Step 2: Identify main areas where the involvement of the community and stakeholders will be needed to prepare sound documents;
- Step 3: Assess resources available for managing community involvement;
- Step 4: Discuss with the Community and Stakeholders how they wish to be involved in document preparation;
- Step 5 Consider which methods of community involvement to deploy and when;
- Step 6: Identify the process and commitments to reporting back.

3.0.4 This six step approach is considered further below.

3.1 Step 1 - Establish a Baseline Structure

3.1.1 A number of different sources have been used to identify local communities and stakeholders. These include:

- Consultation with those who were previously involved in the preparation of the Eastbourne Borough Plan 2001-2011 either as formal objectors / supporters or who were on the Council's mailing list (this list ran to some 600 contacts);
- Continual update of the Planning service database from a variety of sources including direct contact to check up to date details are retained;
- Bodies and organisations specified in the Town and Country Planning (Local Development) (England) (Amended) Regulations 2008;

- The Local Strategic Partnership;
- The Eastbourne Association of Voluntary Services Community Network;
- The Council's Comprehensive Equality Policy.

3.1.2 Both the East Sussex Integrated Sustainable Community Strategy and the Council's consultation strategy emphasise the need to engage with vulnerable and marginalised groups. In Eastbourne these are considered, but not exclusively, to be:

- Young people;
- Minority black and ethnic groups and other minority groups;
- Persons with learning difficulties;
- Faith groups;
- Particular geographic communities who do not have resident or community associations.

3.1.3 Specific efforts will, therefore, be necessary to reach all such groups.

3.2 Step 2 - Identify main areas where the involvement of the community and stakeholders will be needed to prepare the documents

3.2.1 Although some individuals / organisations will be interested in all of the local development documents prepared by the Council and will wish to be involved at the various stages, they are likely to be in the minority. It is more likely that some local development documents will be of more interest to stakeholders than the local community whilst others will be of more interest to specific local communities. Tables 2 - 7 have been based on the following assumptions, shown in Table 8:

Table 8 Interest in Development Plan Documents

	Stakeholder Involvement	Community Involvement
Core Strategy	✓	✓
Action Area	✓	✓
Site Specific	✓	✓
Supplementary Planning Document - Policy Guidance	✓	-
Supplementary Planning Document - Area/Site based	✓	✓

Where ✓ = likely to be interested
 - = less likely to be interested

3.2.2 Other assumptions made are that the earlier stages in the process of preparing local development documents afford greater opportunity for the community and stakeholders to influence the development of planning policy than the later more consultative stages, so a greater variety of community involvement techniques are indicated for these initial stages.

3.2.3 In particular the Council recognises that it will be necessary to involve specific stakeholder and community expertise early in the process. For example, affordable housing policy cannot be prepared without effective involvement of both Housing Associations and the private house builders. Neither can a site specific housing allocations document be prepared without knowledge of likely sites that might come forward for development, requiring involvement of landowners and agents.

3.3 Step 3 - Assess resources for managing community involvement

3.3.1 The illustrative approaches set-out in Tables 2 - 6 are based on a realistic assessment of the resources likely to be available to undertake community involvement initiatives.

3.3.2 The Planning Policy Manager has responsibility for the day to day management of the Local Development Framework process and will be the lead officer for consultation on Local Development Documents. The Planning Policy Manager will ensure that appropriate financial and human resources are in place for any consultation.

Financial Resources

3.3.3 Consultation will be funded from the service budget which may be supplemented from other sources such as Housing & Planning Delivery Grant. A substantial reduction in the financial resources available could necessitate a review of this Statement to ensure that the consultation methods proposed can still be achieved within budgets.

Human Resources

3.3.4 There are currently 8.7 full time equivalent posts in planning policy and work programmes within the team will be co-ordinated to ensure that staff are available to organise consultation. The Statement of Community Involvement has been prepared in co-operation with colleagues in other Council departments and there is a recognition that consultation needs to be undertaken on a co-ordinated basis to make more efficient use of resources across the Council and to avoid consultation fatigue.

3.3.5 Opportunities will be taken for joint approaches where the Council or its partners are also consulting upon relevant strategies. The Council with its partners is intending to prepare an annual consultation timetable which will assist this process. There is also recognition that consultation should be devolved to the local community wherever possible.

3.3.6 The Planning Policy Manager will also have responsibility for ensuring that appropriate facilities are in place. This will include:

- arranging accessible venues (the ground floor of the Town Hall is accessible);
- arranging induction loops;
- arranging availability of documents in other formats;
- speech to text typists;
- signed presentations for the profoundly deaf.

3.3.7 Resource availability for consultations will be a major consideration when preparing subsequent Local Development Schemes and setting future programmes for preparation of Local Development Documents. It is recognised that consulting on two Local Development Documents at the same time can result in cost saving (e.g. in terms of advertising costs) and may be appropriate for some documents where these are likely to be of more interest to stakeholders than the wider community.

3.4 Step 4 - Discuss with the community and stakeholders how they wish to be involved in document preparation

3.4.1 In preparing this Statement, the Council has undertaken discussion with the local community and stakeholders on how they might wish to be involved in document preparation. Further refinement to the Statement has been made as a result of this consultation.

3.4.2 Activities carried out to inform the original SCI (2005) were:

- A detailed questionnaire to all those who made representations on the Eastbourne Borough Plan 2001-2011 asking about their experience of the process and seeking information about how they would like to be consulted in the future; ⁽¹¹⁾
- A detailed questionnaire to all those on the mailing list for the Eastbourne Borough Plan 2001-2011 seeking information about how they would like to be consulted in the future; ⁽¹²⁾
- Equality Impact Assessment questionnaires to specific groups on their experience of the planning service;
- A stakeholder conference organised to explain the LDF process, explore issues and look at possible consultation approaches;
- A presentation and follow-up discussions with "Altogether Eastbourne" the group charged with delivering the social inclusion agenda at the local level;
- Discussions with the Eastbourne Association of Voluntary Services, the Community Network and the Local Citizen's Advice Bureau Manager;
- An internal Equality Impact Assessment was carried out on the effectiveness of community involvement in planning policy consultation. This report was also screened for its equalities impact;
- Two focus groups: One group was arranged through the local Community Network and the other was for individuals and organisations on the mailing list who had expressed interest in learning more about the Local Development Framework process.

3.4.3 A report on the consultations undertaken has been prepared and is available from the planning policy unit or the Council's web-site.

3.4.4 As this Statement is an update due to changes in the regulations, the above has not been repeated. However, consultation on the revisions will be carried out for a 12 week period.

3.5 Step 5 - Consider which methods of community involvement to deploy and when

3.5.1 Tables 2 - 7 resulted from the detailed considerations undertaken in steps 1-4 above.

3.6 Step 6 - Identify the process and commitments to reporting back

3.6.1 Reporting back to local communities will usually be by means of reports on the outcomes of consultation. These reports will be available on the Council's web-site and hard copies will be sent on request. In addition, at the statutory consultation stages in the process, individuals and organisations will receive a specific response setting out how any

11 Eastbourne Borough Plan 2001-2011: Follow-up Survey of Objectors (2004) (available on request)

12 Eastbourne Borough Plan 2001-2011: Follow-up Survey of Consultees (2004) (available on request)

representation they have made have been taken into account. Other mechanisms for reporting back will include the local media, newsletters and the Council's own newspaper the "Eastbourne Review".

- 3.6.2** The Council is committed to understanding the local communities' experience of involvement in the preparation of planning policy and decision on planning applications and will implement the measures outlined earlier. Their experience of reporting back arrangements will be an important consideration.

3.7 Consulting on Planning Applications

- 3.7.1** The text contained in paragraphs 2.1.11 to 2.1.16 of this Statement of Community Involvement is considered to comply with the tests of soundness because it describes the Council's policy for consultation on planning applications and for development affecting a listed building or the character or appearance of a conservation area. In addition to detailing the minimum requirements for consultation as laid down in the Town and Country Planning (General Development Procedure) Order 2004 and the Planning (Listed Building and Conservation Areas) Act 1990, it is also clear what type and scale of application should be subject to wider consultation and that on occasions, when a proposed development is particularly significant, the Council may arrange a surgery to enable the public to learn more about the proposals. In the case of SSSI's, the Wildlife and Countryside Act 1981 (as amended by the Countryside and Right of Way Act 2000) provides for Natural England to have 28 days to respond to applications for development potentially affecting a SSSI.
- 3.7.2** Both the text and Table 8 of this document detail the types of consultation expected at different stages of an application's preparation and determination and demonstrates the Council's commitment to pre-application consultation.
- 3.7.3** Furthermore, it is considered that the Council's approach to consultations on planning applications is both accessible and appropriate.
- 3.7.4** Finally, as the handling of planning applications is a statutory function, the Council will make available the necessary resources required to successfully perform this function.

Appendix A Consultation Bodies

Under new Regulation 25 of the Town & Country Planning (Local Development) (England) (Amended) Regulations 2008, the requirement to consult the public includes specific and general bodies, as well as consulting those residents and/or businesses the council considers appropriate.

A.1 Specific Consultation Bodies

The specific consultation bodies are listed in the The Town and Country Planning (Local Development) (England) Regulations 2004 (as amended) and relate to organisations responsible for services and utilities and infrastructure provision.

These are a list of specific bodies **who must be consulted** by the council when preparing development plan documents in which they may have an interest. The specific consultation bodies are:

- the regional planning body
- a relevant authority, any part of whose area is in or adjoins the area of the local council, such as:
 - a council
 - a county council
 - a parish council
 - a police authority
- The Coal Authority
- The Environment Agency
- English Heritage
- Natural England
- The Secretary of State for Transport
- a regional development agency whose area is in, or adjoins, the area of the council
- any person to whom the electronic communications code applies by virtue of a direction given under Section 106 (3)(a) of the Communications Act 2003
- any person who owns or controls electronic communications apparatus situated in any part of the area of the council
- any of the bodies from the following list who are exercising functions in any part of the area of the council:
 - primary care trust
 - person to whom a license has been granted under Section 7(2) of the Gas Act 1986
 - sewage undertaker
 - water undertaker.

A.2 General Consultation Bodies

The general consultation bodies are also listed in the regulations. The regulations identify five types of bodies as general consultation bodies that relate to voluntary organisations representing certain groups within the community. The general consultation bodies are:

- voluntary bodies some or all of whose activities benefit any part of the council's area
- bodies which represent the interests of:
 - different ethnic or national groups in the council's area
 - different religious groups in the council's area
 - disabled people in the council's area
 - people carrying on business in the council's area.

When preparing the development plan document, the council must consult those general consultation bodies it considers appropriate.

A.3 Other Consultation Bodies

The key principle is that the council should carry out public participation that is appropriate for the development plan document being produced.

Depending on the plan being produced, it may be appropriate to consult with other agencies and organisations in addition to those identified as specific or general consultation bodies.

Body:	Cabinet
Date:	12th July 2017
Subject:	Public Space Protection Orders (PSPO) for (1) Public Consumption of Alcohol, (2) Dog Fouling, (3) Dogs on Leads and (4) Dog Ban.
Report of:	Ian Fitzpatrick, Director of Service Delivery
Ward(s)	All
Purpose	<p>To enable the Cabinet to consider the proposal to introduce four Public Space Protection Orders to replace the Designated Public Place Order and Dog Control Orders in Eastbourne.</p> <p>To approve the draft Public Space Protection Orders for consultation and authorise the Director of Service Delivery to undertake the consultation, amend as necessary and subsequently make the definitive Orders.</p>
Decision type:	Key decision
Recommendation:	<p>Cabinet is recommended to:</p> <ol style="list-style-type: none">1. Approve the Public Space Protection Orders in draft form set out in Appendices B to E, for consultation2. Grant authority to Director of Service Delivery:<ol style="list-style-type: none">i. to carry out statutory consultation on the draft Public Space Protection Orders;ii. if necessary, to amend the content of the Orders in light of consultation responses;iii. to make and publicise the Orders in accordance with relevant legislation;iv. to put in place arrangements, including with external parties, to enforce the Orders; andv. to keep the Orders under review; and to cease, renew or amend them at the end of their term, as appropriate.
Contact:	<p>Name: Harry Williams, Policy & Engagement Coordinator Address: 1 Grove Road, Eastbourne Telephone: 07809100745 Email: harry.williams@eastbourne.gov.uk</p>

1.0 Introduction

- 1.1 Part 4 (i.e. the community protection provisions) of the Anti-Social Behaviour, Crime & Policing Act 2014 ("the 2014 Act") introduced new powers to tackle anti-social behaviour, which were designed to be more streamlined and victim focused. These provisions include the power to make Public Space Protection Orders.
- 1.2 Designated Public Place Orders ("DPPOs") and Dog Control Orders ("DCOs") in existence when part 4 of the 2014 Act came into force continue until October 2017, unless repealed. From that date they automatically become Public Space Protection Orders ("PSPOs") and would remain in force for a maximum of 3 years.
- 1.3 However, rather than simply waiting for DCOs and DPPOs to convert to PSPOs in October 2017 by operation of law, it is recommended that we take the opportunity now to review their content, agree modifications with relevant authorities (the police in particular), repeal the original Orders, and expressly replace them with new PSPOs

2.0 Designated Public Place Orders & Dog Control Orders

- 2.1 Eastbourne Borough Council implemented a DPPO in 2005, in conjunction with Sussex Police, covering the town centre as highlighted in Appendix A.
- 2.2 DPPOs enable local authorities to designate places where restrictions on public drinking apply. Police officers (and other accredited persons) then have the powers to deal with anti-social drinking in areas where a DPPO applies. This includes the power to require a person in the designated area not to drink alcohol and, if required, to ask a person to surrender any alcohol in their possession.
- 2.3 Where it's not an offence to drink alcohol in a designated public place, failure to comply with an officer's requirements, without reasonable excuse, is an arrestable offence. Penalties for the offence include: (i) a Penalty Notice for Disorder (PND); (ii) arrest and prosecution for a level 2 fine, maximum of £500.
- 2.4 The Clean Neighbourhoods and Environment Act 2005 introduce Dog Control Orders to enable Councils to deal with anti-social behaviour relating to dogs under this legislation. Eastbourne Borough Council has introduced three Dog Control Orders, namely: Dog Fouling Order, Dog on Lead Order and Dog Ban Order.
- 2.5 The Dog Fouling Order made it an offence for anyone to fail to remove dog faeces deposited by a dog for which he or she is responsible. It also designated the land to which it applies, covering all land within the Borough of Eastbourne open to the air and to which public are entitled or permitted to have access with or without payment.
- 2.6 The Dog Ban and Dog on Lead Orders also designate land to which they apply. However, unlike the Dog Fouling Order, the land to which the Order applies depends on the time of year. For example, the Dog Ban and Dog on

Lead Orders include areas, such as the seafront, that only apply from 1st May to 30th September. Other areas, such as parks, have restrictions that apply all year.

2.7 The Dog Ban Order makes it an offence for anyone to permit a dog to enter any land from which dogs are excluded. The Dog on Lead Order makes it an offence for anyone to fail to keep a dog on a lead whenever in certain areas.

2.8 Since October 2014 when part 4 of the 2014 Act came into force, it has no longer been possible to make any further DPPOs or DCOs.

3.0 Public Space Protection Orders

3.1 The 2014 Act gave local authorities the power to implement a PSPO if satisfied on reasonable grounds that two conditions have been met. The first condition is that:

a) Activities carried out in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or

b) It is likely that activities will be carried out in a public place within that area and that they will have such an effect.

3.2 The second condition is that the effect, or likely effect, of the activities:

a) is, or is likely to be, of a persistent or continuing nature

b) is, or is likely to be, such as to make the activities unreasonable, and justifies the restriction imposed by the notice.

3.3 The Order outlines the space to which it applies and can make requirements, prohibitions or both within the area. The Council can then enforce the prohibitions and/or requirements where Officers believe that it is reasonable to do so in order to prevent or reduce the detrimental impact.

3.4 The Order can apply for a maximum of three years, after which a review and consultation must again be carried out to ensure that the issues are still occurring and the Order is having the required affect. After the review the Order can be renewed for periods of up to three years.

3.5 Failure to comply with either a prohibition, or requirement, within an Order is an offence. A breach of the Order can incur a fixed penalty notice of up to £100 or a fine not exceeding level three (£1,000) upon summary conviction

4.0 The Proposal

4.1 It is recommended that the Council makes four Public Space Protection Orders. One to deal with anti-social drinking in public and the remaining three to replace the Dog Fouling, Dog Ban and Dog on Lead Orders.

4.2 The street drinking PSPO (see draft at Appendix B) would replicate the current DPPO in Eastbourne and would provide that:

Person(s) within the area defined within the attached map (see draft at Appendix A) shall:

- not continue to drink alcohol or consume intoxicating substances when required to stop doing so by an Authorised Officer of the Authority
- surrender any alcohol or intoxicating substances in his or her possession when required to do so by an Authorised Officer of the Authority.

- 4.3 The current DPPO is solely related to alcohol anti-social behaviour, which continues to be an issue within Eastbourne. There are also regular street drinkers who congregate in various locations in the town centre and along the seafront that can cause a nuisance to residents, visitors and businesses.
- 4.4 Analysis of crime and incident data obtained from Sussex Police, presents challenges to justify the introduction of a PSPO to tackle street drinking outside of the town centre. Where there is evidence to support the issues as outlined above this is not the case in other areas such as Old Town, Langney or Hampden Park.
- 4.5 With the need to act justifiably and proportionately, this report does not recommend that a PSPO to tackle alcohol related anti-social behaviour is sought outside of the boundaries of the current DPPO.
- 4.6 The second proposed PSPO would reflect the Councils' Dog Fouling Control Order (see draft at Appendix C) and it makes an offence, subject to minor exceptions, for any person in charge of a dog on any land in the Borough of Eastbourne to fail to remove their dog's faeces from that land.
- 4.7 Although incidents of dog fouling in Eastbourne have decreased over the years, there were 414 reports during 2016/17. Initiatives such as Not in My Street have positively contributed to the reduction of reports, but dog fouling across the borough still remains a top priority for our local residents.
- 4.8 The third PSPO (see draft at Appendix D) would replace the 'Dog Ban' Control Order. The proposed PSPO will make it an offence for a person in charge of a dog to take their dog onto, or permits their dog to enter or to remain on, any part of the Restricted Areas.
- 4.9 Similar to the original, the Order will apply at all times in certain areas. Other areas will apply between 1st May and 30th September every year. For the purpose of the Order these two areas are known as "the Restricted Areas". These areas will be highlighted within the final version of the PSPO.
- 4.10 The fourth PSPO will replace the 'Dog on Lead' Control Order (see draft at Appendix E). The proposed PSPO will make it an offence if a person in charge of a dog does not keep the dog on a lead in any part of the Restricted Areas.
- 4.11 Like the 'Dog Ban' PSPO, the sections of 'Dog on Lead' PSPO apply throughout the year with other areas applying between 1st May and 30th

September every year. These are also known as the Restricted Areas and will also be highlighted within the final version of the PSPO.

- 4.12 The proposals also recommend slight alterations to the existing boundaries of the current Dog Ban and Dog on Lead Orders. Subject to consultation, the proposals recommend that certain areas of Sovereign Harbour and Meads are also included within the PSPO.
- 4.13 At the time the original DCOs were introduced by the Council, Sovereign Harbour had not yet been fully developed. In addition, there have been a number of complaints of dog related anti-social behaviour in Sovereign Harbour and in areas of Meads that are not included within the current Orders.
- 4.14 The proposals aim to address these issues by extending the boundaries of the current DCOs when introducing the PSPO.

5.0 Consultation

- 5.1 Subject to Cabinet approval of the recommendations to in report, the Director of Service Delivery would, where required under the 2014 Act, carry out a consultation exercise for a minimum of 28 days. Where consultation is a requirement, the Council must consult with the following bodies over the proposals:
- Chief Officer of Police for the local area
 - Police and Crime Commissioner
 - Land owners of the affected areas
 - Any community representatives the local authority considers appropriate
- 5.2 Consultation letters would be sent to all of the above, along with relevant partnerships (such as the Eastbourne Community Safety Partnership and Business Crime Group). Engagement events in locations within the proposed Orders, such as parks, will also be considered.
- 5.3 In regards to the requirement to consult affected land owners, due to the number of properties within the proposed area, making direct individual contact would not be viable. Therefore an online survey will be created to consult with the wider public. The Council's email alter system would be used to inform residents and businesses of the consultation and a press release issued to the media to raise awareness of the survey.
- 5.4 The Director of Service Delivery would have regard to all consultation responses in deciding whether any amendments to the draft PSPOs are required. The Director would then prepare the definitive PSPOs and bring them in to force in accordance with the 2014 Act.
- 5.5 Under the 2014 Act there is no requirement for councils to undertake a new consultation where existing DPPOs or DCOs apply and transition to PSPOs

ahead of October 2017.

- 5.6 As the proposals outlined in this report recommend that the DPPO and DCOs in Eastbourne are reviewed and replaced by PSPOs on a like for like basis, there's no requirement to carry out a consultation on the 'Street Drinking' and 'Dog Fouling' PSPO.
- 5.7 However, as the proposals recommend slight changes to the boundaries of the 'Dog Ban' and 'Dog on Lead' PSPOs, a consultation will need to take place in relation to these particular orders. The consultation would only focus on the new areas proposed within the Order, such as Sovereign Harbour and areas of Meads outside of the current DCOs.

6.0 Implementation

- 6.1 A public notice of the Orders must be published on the Council's website before they come into force.
- 6.2 Signage will also be erected in Eastbourne to explain the PSPOs and what it means in practical terms. This is to provide support for the enforcement agencies and prevent risk of mitigation pleas from those found to be in breach.

7.0 Enforcement

- 7.1 Like DPPOs, PSPOs can be enforced by Police Officers and Police Community Support Officers. A PSPO can also be enforced by the Council and any groups that it designates, including officers accredited under the community safety accreditation scheme, such as the Business Wardens.
- 7.2 However, through consultation with Sussex Police, it has been agreed that, whilst the Council may have the legal ability to enforce, it does not currently have the skills or resources to undertake on-street enforcement of requirements and probations relating to the consumption or surrendering of alcohol at this time.
- 7.3 The Council will, however, enforce requirements on dog related PSPOs as part of its usual business.
- 7.4 It is important to note that even if PSPOs are in place, if the prohibitions are breached and this is not witnessed by a designated officer, legal action cannot be taken.

8.0 Corporate plan and council policies

- 8.1 The introduction of the proposed PSPOs relates to a number of priorities outlined in the corporate plan.
- 8.2 By ensuring a continued response to dog related anti-social behaviour the proposals meet the Councils priority theme Quality Environment and its aims (i) a clean and attractive town; (ii) excellent park and open spaces.
- 8.3 In addition, the proposed 'Street Drinking' PSPO takes positive action to meet the Councils priority theme Thriving Communities and the aim:

keeping crime and anti-social behaviour levels low.

9.0 Business case

9.1 The purpose of the proposals outlined in this report is to ensure that the current DPPO and DCOs in Eastbourne are replaced with PSPOs. This is in line with legislation brought about by the 2014 Act and allow a continued response to alcohol and dog related anti-social behaviour. It does not, therefore, propose the introduction of any further prohibitions and/or requirements.

9.2 Risk Management:

9.3 A number of risks were identified during the process of producing the proposals.

9.4 It is possible that the proposed 'street drinking' PSPO will not adequately deal with the anti-social behaviour it is targeting. It is also possible that the PSPO will lead to displacement of such behaviour to areas outside the PSPO boundary.

9.5 To mitigate this risk, communities will be encouraged to report incidents of anti-social street drinking as part of the implementation phase; so too will Police reports of this behaviour be monitored. In response, the scope of the PSPO will be kept under review, and amendments drafted if required. A PSPO may be varied at any time, so long as the statutory process is followed.

9.6 There is still negative national press coverage in relation to the implementation of PSPOs by local authorities. There is a risk that the PSPO could result in negative feedback about Eastbourne Borough Council.

9.7 However, analysis of PSPO consultations across the country shows that the prohibitions relating to rough sleeping, begging and unauthorised encampments draw the greatest controversy.

9.8 As outlined in Paragraphs 4.1 to 4.14, the prohibitions and requirement of the proposed PSPOs reflect the current Orders in place, which are justifiable and proportionate to the needs of Eastbourne.

9.9 A full consultation plan will be developed in partnership with Sussex Police and reactive statements will be prepared in case of any media interest.

9.10 Legal Implications:

9.11 The Legal Services Department have made the following comments:

9.12 Section 75 of the 2014 Act sets out the basis on which DPPOs and DCOs in existence when the Act commenced continue for a maximum of 3 years, after which, if those Orders still exist, they become PSPOs.

9.13 The Council's powers and obligations in relation to PSPOs are set out in Part 4, Chapter 2, of the 2014 Act and associated regulations. The Council must

be satisfied that for each PSPO, the behaviour being restricted has to:

- be having, or be likely to have, a detrimental effect on the quality of life of those in the locality;
- be persistent or continuing in nature
- be unreasonable

9.14 A further requirement is that in deciding whether to make a PSPO and what it should include, the Council must have particular regard to the rights of freedom of expression and freedom of assembly set out in articles 10 and 11 of the European Convention on Human Rights. It is not considered that either of these Convention rights will be infringed by the proposed PSPOs.

9.15 A PSPO must be publicised in accordance with regulations laid down in statutory instrument no. 2014/2591. These provisions are reflected in the body of the report above.

9.16 Each draft Order includes the required information about how its validity may lawfully be challenged.

9.17 Lawyer consulted 16 May 2017. Legal ref: 005600-Joint-OD

9.18 **Financial:**

Finance have made the following comments:

9.19 The cost associated with consulting on and the subsequent implementation and enforcement of the two PSPOs outlined in this report will be met from existing budgets and there is no additional impact on the General Fund recurring budget.

9.20 **Benefits and Impact:**

9.21 Anti-social behaviour can have a detrimental impact on communities' quality of life. It can leave people feeling frightened, unsafe and anxious.

9.22 The proposals aim to provide a continued response to alcohol related anti-social behaviour in light of changes to legislation under the 2014 Act. It is to ensure that residents, businesses and visitors continue to use the town centre without fear of victimisation and impacting on their quality of life.

9.23 In addition, like street drinking, dog related anti-social behaviour can also have similar effects on the quality of life of the community. The proposals ensure that there's an on-going response to dog fouling (and other dog related ASB).

9.24 As discussed in Paragraph 2.2 enforcement of current DPPOs can only be carried out by a Police Officer or accredited person (such as a PCSO). The 2014 Act provides further benefits as the legislation allows Council officers to enforce all prohibitions and requirements on the PSPOs.

9.25 This allows the Council to take a greater role in enforcing alcohol related ASB as the proposals enhance the powers available to Local Authorities.

10.0 Equality analysis

10.1 A full equality analysis has been produced to identify any impact to protected groups following the introduction of the PSPOs⁽²⁾. A copy of the Equality Analysis is available on request. The equality analysis will be included within the consultation.

11.0 Performance and outcomes

11.1 It's intended that the proposals will be implemented by October 2017 and a number of key performance measures have been planned to monitor progress. This includes:

- Consultation completed and final version of the PSPOs approved – to be achieved by August 2017
- Signage for the PSPO to designed and developed– to be completed by September 2017
- Signage erected and formal notification of the PSPO given – to be completed by October 2017.

11.2 The success of the proposals will be judged by the completion of the above measure by the proposed dates. Progress will be monitored through the Councils Performance Management systems and a Project Group will have the responsibility of delivering the proposals.

12.0 Conclusion

12.1 The Anti-Social Behaviour, Crime & Policing Act 2014 conferred new powers on specified public to tackle anti-social behaviour. This included the power given to local authorities to make Public Space Protection Orders, which can be used to replace existing Designated Public Place Orders and Dog Control Orders.

12.2 Existing DPPOs and DCOs continue until October 2017 but then convert to PSPOs on identical terms unless repealed before then.

12.3 The proposals and recommendations outlined in this report aim to ensure that there's a continued and updated response to alcohol and dog related anti-social behaviour in Eastbourne by reviewing the existing DPPOs and DCOs, amending them as appropriate, and expressly re-making them as PSPOs by October 2017.

Background papers

The background papers used in compiling this report were as follows:

1 - *Anti-Social Behaviour, Crime & Policing Act 2014*, available at:
<http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted/data.htm>

2 - Draft Equality & Fairness Analysis for the introduction of Eastbourne Borough Council Public Space Protection Orders

Appendices

Appendix A – Copy of Map Highlighting Eastbourne DPPO Boundaries

Appendix B – Draft Eastbourne Borough Council 'Street Drinking' PSPO

Appendix C – Draft Eastbourne Borough Council 'Dog Fouling' PSPO

Appendix D - Draft Eastbourne Borough Council 'Dog Ban' PSPO

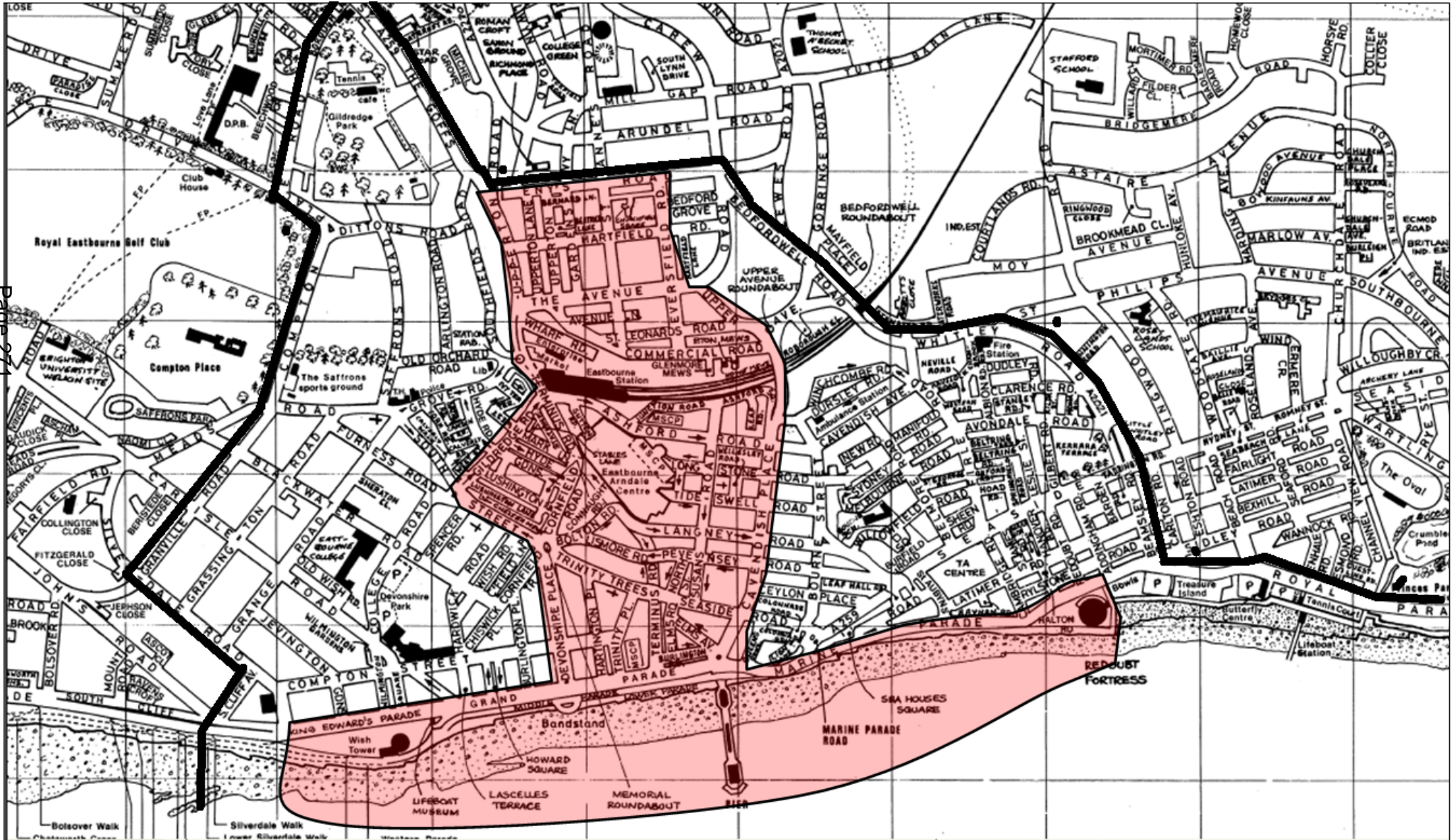
Appendix E - Draft Eastbourne Borough Council 'Dog on Lead' PSPO

DPPO/SECTION 35 MAP

Appendix A

Areas in pink - AUTHORITY UNDER SECTION 35 Antisocial Behaviour, Crime and Policing Act 2014

Black outlined area – Designated Public Place Order under Section 12 Criminal Justice and Police Act 2001



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Eastbourne Borough Council

**Anti-social Behaviour, Crime and Policing Act 2014,
Part 4, Chapter 2**

Eastbourne Public Spaces Protection Order (Consumption of Alcohol) 2017

Eastbourne Borough Council (“the Council”), in exercise of its power under sub-section 59(1) of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”), being satisfied that the conditions set out in sub-sections 59(2) to (3) of the Act have been met, and having complied with the requirements of section 72 of the Act, makes the following public spaces protection order (the “Order”):

1. This Order shall be known as the Eastbourne Public Spaces Protection Order (Consumption of Alcohol) Order 2017.
2. This Order shall come into force on [date] and shall have effect for a period of 3 years unless extended pursuant to section 60 of the Act.
3. Save for premises specified under section 62 of the Act, this Order applies to the areas edged in black on the Plan in the Schedule to this Order (“the Restricted Area”).
4. BY THIS ORDER:
 - 4.1 The Borough of Eastbourne (Designated Public Places: Consumption of Intoxicating Liquor) Order 2002 is revoked.
 - 4.2 In the Restricted Area it is **prohibited** for a person–
 - (i) to continue to drink alcohol when required to stop doing so by an Authorised Officer;
 - (ii) not to surrender any alcohol in his or her possession when required to do so by an Authorised Officer.
 - 4.3 Where an Authorised Officer reasonably believes that a person in the Restricted Area (a) is or has been consuming alcohol in breach of this Order or (b) intends to consume alcohol in circumstances in which doing so would be a breach of this Order, the Authorised Officer may require that person–
 - (i) not to consume, in breach of the Order, alcohol or anything which the Authorised Officer reasonably believes to be alcohol;
 - (ii) to surrender anything in that person’s possession which is, or which the Authorised Person reasonably believes to be, alcohol or a container for alcohol.

Appendix B

5. An “Authorised Officer” means a duly authorised Council officer, a person designated by the Council, a Police Officer or Police Community Support Officer.
6. A person who fails without reasonable excuse to comply with a requirement imposed on him under paragraph 4.3 commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
7. If any person who lives in, regularly visits or works in the Restricted Area wishes to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

GIVEN under the COMMON SEAL of EASTBOURNE BOROUGH COUNCIL this [*nth* day of *month and year*]

THE COMMON SEAL OF
EASTBOURNE BOROUGH COUNCIL
was hereunto affixed in the presence
of:-

Authorised signatory

[*Insert Schedule*]

Eastbourne Borough Council

**Anti-social Behaviour, Crime and Policing Act 2014,
Part 4, Chapter 2**

Eastbourne Public Spaces Protection Order (Dog Fouling) 2017

Eastbourne Borough Council (“the Council”), in exercise of its power under section 59(1) of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”), being satisfied that the conditions set out in section 59(2)-(3) of the Act have been met, and having complied with the requirements of section 72 of the Act, makes the following public spaces protection order (the “Order”):

1. This Order shall be known as the Eastbourne Public Spaces Protection Order (Dog Fouling) 2017.
2. The Order shall come into force on [date] and shall have effect for a period of 3 years unless extended pursuant to section 60 of the Act.
3. This Order applies to the whole of the administrative area of the Council (“the Restricted Area”).
4. BY THIS ORDER:

If within the Restricted Area a dog defecates at any time on land to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission, and a person who is in charge of the dog at the time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless:
 - a) he has reasonable excuse for failing to do so; or
 - b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.
5. This Order shall not apply to a person who:-
 - a) is registered as a blind person in a register compiled under section 29 of National Assistance Act 1948; or
 - b) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance or;
 - c) has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity upon which he relies for assistance.

Appendix C

6. For the purpose of this Order:-
- a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
 - placing the faeces in a receptacle on the land which is provided for the purpose or for the disposal of waste, shall be sufficient removal from the land;
 - being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces.
 - each of the following is a “prescribed charity”:
 - Dogs for Good (registered charity number 700454)
 - Support Dogs Limited (registered charity number 1088281)
 - Canine Partners (registered charity number 803680)
7. A person guilty of an offence under paragraph 4 is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
8. If any person who lives in or regularly works or visits the Restricted Area wishes to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

GIVEN under the COMMON SEAL of EASTBOURNE BOROUGH COUNCIL this [date] in pursuance of a resolution of the Council passed on [date]

THE COMMON SEAL OF
EASTBOURNE BOROUGH COUNCIL
was hereunto affixed in the presence
of:-

Authorised signatory

Eastbourne Borough Council

**Anti-social Behaviour, Crime and Policing Act 2014,
Part 4, Chapter 2**

Eastbourne Public Spaces Protection Order (Dog Ban) 2017

Eastbourne Borough Council (“the Council”), in exercise of its power under section 59(1) of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”), being satisfied that the conditions set out in section 59(2)-(3) of the Act have been met, and having complied with the requirements of section 72 of the Act, makes the following public spaces protection order (the “Order”):

1. This Order shall be known as the Eastbourne Public Spaces Protection Order (Dog Ban) 2017.
2. The Order shall come into force on [date] and shall have effect for a period of 3 years unless extended pursuant to section 60 of the Act.
3. This Order applies at all times in the areas detailed in Schedule 1 to this Order and applies between 1st May to 30th September every year in the areas detailed in Schedule 2 to this Order (together “the Restricted Areas”).
4. BY THIS ORDER:
A person in charge of a dog shall be guilty of an offence if he takes the dog onto, or permits the dog to enter or to remain on, any part of the Restricted Areas unless:
 - a) he has reasonable excuse for failing to do so; or
 - b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.
5. This Order shall not apply to a person who:-
 - a) is registered as a blind person in a register compiled under section 29 of National Assistance Act 1948; or
 - b) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance or;
 - c) has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity upon which he relies for assistance.

Appendix D

6. For the purpose of this Order:-
 - a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
 - each of the following is a “prescribed charity”:
 - Dogs for Good (registered charity number 700454)
 - Support Dogs Limited (registered charity number 1088281)
 - Canine Partners (registered charity number 803680)
7. A person guilty of an offence under paragraph 4 is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
8. If any person who lives in or regularly works or visits the Restricted Area wishes to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

GIVEN under the COMMON SEAL of EASTBOURNE BOROUGH COUNCIL this *[date]* in pursuance of a resolution of the Council passed on *[date]*

THE COMMON SEAL OF
EASTBOURNE BOROUGH COUNCIL
was hereunto affixed in the presence
of:-

Authorised signatory

[Insert Schedules]

Appendix E

Eastbourne Borough Council

Anti-social Behaviour, Crime and Policing Act 2014, Part 4, Chapter 2

Eastbourne Public Spaces Protection Order (Dogs on Leads) 2017

Eastbourne Borough Council (“the Council”), in exercise of its power under section 59(1) of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”), being satisfied that the conditions set out in section 59(2)-(3) of the Act have been met, and having complied with the requirements of section 72 of the Act, makes the following public spaces protection order (the “Order”):

1. This Order shall be known as the Eastbourne Public Spaces Protection Order (Dogs on Leads) 2017.
2. The Order shall come into force on [date] and shall have effect for a period of 3 years unless extended pursuant to section 60 of the Act.
3. This Order applies at all times in the areas detailed in Schedule 1 to this Order and applies from 1st May to 30th September every year in the areas detailed in Schedule 2 to this Order (together “the Restricted Areas”).
4. BY THIS ORDER:
A person in charge of a dog shall be guilty of an offence if he does not keep the dog on a lead in any part of the Restricted Areas, unless:
 - a) he has reasonable excuse for failing to do so; or
 - b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.
5. This Order shall not apply to a person who:-
 - a) is registered as a blind person in a register compiled under section 29 of National Assistance Act 1948; or
 - b) is deaf, in respect of a dog trained by Hearing Dogs for Deaf People (registered charity number 293358) and upon which he relies for assistance or;
 - c) has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity upon which he relies for assistance.

6. For the purpose of this Order:-
- a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
 - each of the following is a “prescribed charity”:
 - Dogs for Good (registered charity number 700454)
 - Support Dogs Limited (registered charity number 1088281)
 - Canine Partners (registered charity number 803680)
7. A person guilty of an offence under paragraph 4 is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
8. If any person who lives in or regularly works or visits the Restricted Areas wishes to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

GIVEN under the COMMON SEAL of EASTBOURNE BOROUGH COUNCIL this [date] in pursuance of a resolution of the Council passed on [date]

THE COMMON SEAL OF
EASTBOURNE BOROUGH COUNCIL
was hereunto affixed in the presence
of:-

Authorised signatory

[Insert Schedules]

BODY: Eastbourne Cabinet

DATE: 12th July 2017

SUBJECT: EHICL and Joint Housing Investment Partnership with Lewes District Council – JHIP

REPORT OF: Robert Cottrill, Chief Executive

Ward(s): All Wards

Purpose: To up-date Members on progress with the establishment of JHIP and set out plans for first phase delivery.

To update on the progress of Eastbourne Housing Investment Company (EHICL).

To agree officer delegations for the purpose of loans and associated matters.

Contact: Robert Cottrill, Chief Executive, Telephone 01323 415002 or internally on extension 5002. Email: robert.cottrill@eastbourne.gov.uk

- Recommendations:**
- 1 To approve the focus of first phase housing delivery via JHIP.
 - 2 To agree that all and any future decisions to agree scheme lending parameters for loans to EHICL, including decisions about the types of property for which any loan might be made and the terms of any such loan, shall be delegated to the council's Chief Executive in consultation with the council's Chief Finance Officer (and Monitoring Officer, where appropriate), and in consultation with the Cabinet Portfolio Holders for Community and Finance.
 - 3 To agree that any future purported delegation to officers to negotiate and/ or agree terms and/or confer any benefit (financial or otherwise) on any company or partnership in which the council has an interest shall be a delegation to the council's Chief Executive in consultation with the council's Chief Finance Officer (and Monitoring Officer, where appropriate), and in consultation with the relevant Cabinet Portfolio Holders.
 - 4 To agree that the council will build governance audits as described in para 5.8 of this report into its annual work programme.

1.0 Introduction

- 1.1 On 22nd March 2017 Cabinet authorised officers to take the necessary steps to establish a Joint Housing Investment Partnership (JHIP) with Lewes District Council. The new partnership is to take the form of a Limited Liability Partnership(LLP)
- 1.2 The new JHIP was formally incorporated on 1st July 2017. It has unrestricted objectives but its primary purpose is to act as the asset holding vehicle for affordable housing properties that cannot, for financial accounting or other reasons, be held in Eastbourne BC and Lewes DC's respective Housing Revenue Accounts (HRA's). Such properties may be acquired as a consequence of Eastbourne BC's new development programme via Eastbourne Housing Investment Company Limited (EHICL) or may be direct acquisitions into JHIP.
- 1.3 In March 2017 Cabinet also approved an associated recommendation to allocate up to £30m in the Council's capital programme to progress the next phase of delivery for EHICL (£20m) and first phase delivery for JHIP (£10m), in both cases for the delivery of new mixed tenure homes and associated activities.
- 1.4 This report provides:
- An up-date on delivery for EHICL
 - For approval, a programme of JHIP street property/block acquisitions to meet immediate housing priorities
 - Confirmation of financial and operational delegations under which first phase delivery will be progressed.

2.0 Delivery Up-date EHICL

- 2.1 EHICL was established in 2015 and has been actively bringing forward a mixed development programme for just over 2 years. The programme comprises:

Scheme	Purchase Price	Residential Units	Description
Street Property acquisitions	£471k	3	Target 30 from £5m separate Cabinet delegation Nov 2016
Gowland Court	£1,450k	12	Targeted acquisition in regeneration area – 12 market rent properties plus commercial space let to Devonshire Collective

Victoria Mansions	£5,200k	36	Targeted acquisition in Town Centre – 22 commercial units, 20 flats market rent, 16 flats long leasehold
HRA and G/F Transfers	£748k	18	Transfer of unsuitable assets for redevelopment and re-let as market rent. 27 Longstone, 13 The Avenue, 84-90 Northbourne Road,
183 Langney Road	£335k	15	Site purchase for new build block. Development partnership with ESCC for key worker accommodation – teachers
Total	£8,204k	84	

2.2 EHICL's programme is advanced and represents a mixed portfolio that helps meet the Council's strategic objectives in a number of ways. Through the financial delegations and established governance arrangements next phase delivery of acquisitions and new developments will further promote place shaping, generate financial returns and enable the Council to more directly meet strategic housing priorities.

3.0 JHIP Proposal

- 3.1 It is proposed to bring forward a £5m affordable homes programme of 37 x street/block acquisitions through JHIP in addition to the EHICL street acquisition programme.
- 3.2 The EHICL street acquisition programme will go some way to help meet demand but does not provide an affordable offer. EHICL rentals charged to the tenants are typically 20% higher than LHA rates in order to meet commercial development viability criteria.
- 3.3 The benefit of an additional JHIP programme is that rents can be set at affordable levels as the company can utilise right to buy receipts. This capital subsidy means rents can be set at LHA levels whilst still achieving financial viability requirements.
- 3.4 The proposal is therefore in line with the primary purpose of JHIP to provide extra capacity for the Council to provide new affordable housing beyond the constraints of the HRA.
- 3.5 Through future phase delivery JHIP will also act as the asset holding vehicle for affordable housing properties developed through the EHICL and its Lewes counterpart, Lewes Housing Investment Company Limited (LHICL) commercially focused development programmes. As an example for larger pipeline EHICL schemes, such as Bedfordwell Road, the required affordable housing will be transferred on completion to JHIP as there is insufficient headroom within the HRA to enable direct incorporation and the Council would otherwise lose control over delivery and letting of these homes. The earliest expected transfers to JHIP will take place in 2018. In the

meantime there is continued pressure on the Council to meet housing need in very challenging times. EBC is spending on average £40 a night on procuring the rental of emergency accommodation in Eastbourne for those whom the Council may have a duty to assist with housing.

4.0 Financial Appraisal

- 4.1 The proposed JHIP programme will be delivered in parallel with the EHICL street acquisitions to ensure efficiency of resourcing and that we maximise buying power.
- 4.2 Through the EHICL programme we have established procedures in place for assessing viability and undertaking all pre acquisition due diligence. The development viability appraisals have assumptions which reflect the particular requirements of this type of development such as site finder fees. These form part of the capital on costs attributed to each scheme.
- 4.3 The proposed JHIP programme will be brought forward under the £10m of previously approved capital programme delegation and will be subject to all associated financial, legal and regulatory requirements.
- 4.4 The legal implications section provides further detail on how this will operate in relationship to existing and proposed governance arrangements. It also explains how individual directors will exercise their delegated powers in relationship to individual transactions and overall programme control.

5.0 Legal Implications

- 5.1 In order to make best use of available finance and resources in a rapidly changing legal environment, both Eastbourne BC and Lewes DC are developing new ways of working together and are developing and establishing new corporate vehicles such as council companies and legal partnerships to help exploit maximum public benefit from these resources. These new ways of working can make for complex relationships which need robust governance structures. Going forward there is a need to structure council decisions in such a way as to avoid officer conflicts of interest. As Eastbourne develops its shared working with Lewes this will become a key feature of the governance arrangements at both councils.
- 5.2 As a first step in implementing appropriate governance arrangements, this report recommends that all and any decisions which need to be made *by the Council* under officer delegations and which are in relation to or affect EHL, EHICL, the JHIP or any other company or legal partnership in which the council has an interest, shall be made by the council's Chief Executive in consultation with the council's Chief Finance Officer (and Monitoring Officer where appropriate) and in consultation with the appropriate Cabinet Portfolio holder.
- 5.3 Recommendation 2 of this report deals with prospective loans which may be made by Eastbourne BC to EHICL in accordance with a resolution of Cabinet on 13 July 2016. That resolution was as follows:
"To agree that the Council makes a loan facility available of up to £5m on market terms to Eastbourne Housing Investment Company Ltd (EHICL) for the purpose of enabling the company to purchase residential

accommodation”

- 5.4 Recommendation 3 of this report is more general and asks Cabinet to approve the principle that council delegations affecting council companies and partnerships should for the time being be reserved to the council’s statutory officers.
- 5.5 The same provisions are to be implemented at Lewes DC in relation to that council’s decision-making procedures.
- 5.6 The identification of the Chief Executive, Chief Finance Officer and Monitoring Officer (the council’s three statutory officers) as those officers responsible for undertaking any delegated decision-making on behalf of the Council in cases where decisions will affect council companies or partnerships will have the following benefit: it will leave those council Directors who have been appointed as directors of council controlled companies free to make decisions on behalf of those companies *in the best interests of those companies* (which is a legal duty of any director) without putting those officers in a position where they are conflicted between their council and their company obligations. Whilst the interests of the council and its companies/ partnerships will often be aligned, this will not always be the case. They will sometimes be on opposite ends of a commercial transaction - for example, where one sells property to the other or makes a loan to it.
- 5.7 The Director of Service Delivery and the Director of Regeneration and Planning are particularly affected. The Director of Service Delivery, in his role as Board Director (EHICL) and operational Managing Director (EHL) will be responsible for securing any necessary decisions from the relevant company/companies.
- 5.8 Similar considerations will apply to the Director of Regeneration and Planning. She too is a Board Director of EHICL. An additional complexity in the case of this Director will be the need to put in place additional governance procedures to manage any potential conflict between her responsibilities for the council’s regeneration ambitions, including those realised through council companies and partnerships, and the council’s regulatory role as local planning authority.
- 5.9 The council’s legal team is currently working with external lawyers to identify specific governance procedures which we might introduce to make officer decision-making procedures conflict-free and more transparent. We will keep Cabinet abreast of any further changes which might be necessary.
- 5.10 In recognition of the complexities inherent in the challenges of joint and partnership working there should be regular governance audits to protect officers and to ensure that the provision put in place to avoid officer conflicts are working adequately. These should be built into the annual audit work programmes of both Eastbourne BC and Lewes DC.

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