

Cabinet

5 June 2019



Working in partnership with **Eastbourne Homes**

Time and venue:

6.00 pm in the Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG

Membership:

Councillor David Tutt (Chair); Councillors Alan Shuttleworth (Deputy-Chair) Margaret Bannister, Jonathan Dow, Stephen Holt, Colin Swansborough and Rebecca Whippy

Quorum: 3

Published: Tuesday, 28 May 2019

Agenda

- 1 Minutes of the meeting held on 20 March 2019 (Pages 1 - 6)**
- 2 Apologies for absence**
- 3 Declaration of members' interests (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 Downland Whole Estate Plan (Pages 7 - 34)**

Report of Director of Regeneration and Planning
Lead Cabinet member: Councillor Jonathan Dow

8 Discretionary Housing Payment (DHP) Policy 2019/2020 (Pages 35 - 46)

Report of Director of Service Delivery
Lead Cabinet member: Councillor Alan Shuttleworth

9 Eastbourne Town Centre Business Improvement District (Pages 47 - 90)

Report of Director of Service Delivery
Lead Cabinet member: Councillor Alan Shuttleworth

10 Local Employment and Training Grants Programme (Pages 91 - 114)

Report of Director of Regeneration and Planning
Lead Cabinet member: Councillor David Tutt

11 Enabling Community Assets – Royal Hippodrome Theatre and Langney Playing Fields (Pages 115 - 120)

Report of Director of Regeneration and Planning
Lead Cabinet member: Councillor Alan Shuttleworth

12 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.)*

(Note: Exempt papers are printed on pink paper).

13 Redundancy and redeployment (Pages 121 - 124)

Report of Assistant Director for Human Resources and Transformation
Lead Cabinet member: Councillor Colin Swansborough

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

Information for the public

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Information for councillors

Disclosure of interests: Members should declare their interest in a matter at the beginning of the meeting.

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).

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

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Working in partnership with **Eastbourne Homes**

Cabinet

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 20 March 2019 at 6.00 pm

Present:

Councillor David Tutt (Chair)

Councillors Alan Shuttleworth (Deputy-Chair), Margaret Bannister, Jonathan Dow, Stephen Holt, Colin Swansborough and John Ungar

Officers in attendance:

Robert Cottrill (Chief Executive), Brian Mew (Interim Deputy Chief Finance Officer), Philip Evans (Director of Tourism & Enterprise), Ian Fitzpatrick (Director of Regeneration and Planning), Tim Whelan (Director of Service Delivery), Becky Cooke (Assistant Director for Human Resources and Transformation), Peter Finnis (Assistant Director for Corporate Governance), Catherine Knight (Assistant Director of Legal and Democratic Services), Jo Harper (Head of Business Planning and Performance) and Simon Russell (Committee and Civic Services Manager)

69 Minutes of the meeting held on 6 February 2019

The minutes of the meeting held of 6 February 2019 were submitted and approved and the Chair was authorised to sign them as a correct record.

70 Apologies for absence

None were reported. The Chair welcomed Brian Mew, Deputy Chief Finance Officer to his first meeting of the Cabinet.

71 Declaration of members' interests

None were declared.

72 Corporate performance - quarter 3 - 2018/19

The Cabinet considered the report of the Director of Regeneration and Planning updating members on the Council's performance against Corporate

Plan priority actions, performance indicators and targets over quarter three period for 2018/19 (1 October to 31 December 2018).

Significant achievements reported during the quarter included the opening of the Beacon on 30 November, waste mobilisation, rough sleeping initiative with Hastings Borough Council and project to reduce single use plastics in council buildings. Further details were contained in the report.

4.2 of the report detailed two areas where the Council had missed their targets for the quarter three period, including housing (emergency accommodation) and call handling.

Councillor Swansborough provided up to date statistics to the Cabinet on the average time to answer customer calls (29 seconds as at 15 March 2019) and praised the Customer Contact Centre team for their significantly improved performance.

The Cabinet discussed the national issue of homelessness and the steps the Council were taking to tackle the number of households living in emergency accommodation. The Director of Service Delivery advised the Cabinet that last week, the Council had reduced the number by 19, leaving 110 households in emergency accommodation.

The Housing Needs team set weekly targets on the number of households leaving emergency accommodation within 28 days, number of households under investigation and the average number of days in emergency accommodation. A landlord liaison scheme had been launched to incentivise private landlords. Unfortunately the private sector market was buoyant with professional tenants that was not only increasing rental cost but impacting on families most at need.

Alternative solutions were sought to assist in the supply of properties both for temporary accommodation and affordable homes. The Cabinet unanimously agreed an additional recommendation to tackle the scale and level of demand and this was detailed below.

Part B of the report detailed the Council's financial performance for the same quarter. The Deputy Chief Finance Officer reported that the general fund and housing revenue account were scheduled to be on target by the end of the financial year. Councillor Holt and the Cabinet expressed their thanks to staff at the Bandstand for their outstanding work and being above target for income.

Resolved (Non-key decision):

- (1) To note the achievements and progress against Corporate Plan priorities for 2018/19, as set out in Part A of the report.
- (2) To agree the General Fund, HRA and Collection Fund financial performance for the quarter ended December 2018 as set out in part B of this report
- (3) To agree the virements and transfer to/from reserves as set out at appendix 4 to the report.
- (4) To agree the amended capital programme as set out at appendix 5 to the report.
- (5) To agree the Treasury Management performance as set out in section 5 in part B of the report
- (6) To approve the write offs as set out in the exempt appendix.
- (7) To authorise officers, in consultation with the Leader and relevant Portfolio holder to accelerate the supply of suitable properties by Eastbourne Housing Investment Company Limited (EHICL) to mitigate the use of temporary and emergency accommodation, subject to business case. Any decisions/action taken by officers would be reported to the next available Cabinet meeting.

Reason for decisions:

To enable Cabinet members to consider specific aspects of the Council's progress and performance.

73 Equality and fairness annual report 2018 and action plan 2019

The Cabinet considered the report of the Chief Executive setting out progress against the Council's current equality objectives and 2018/19 action plan and sought approval of an action plan for 2019/20. The Head of Business Planning and Performance was in attendance to present the report.

Councillor Swansborough expressed his thanks to the Head of Business Planning and Performance and Devan Briggs, Policy and Engagement Co-ordinator for their work in co-ordinating and bringing together members from a range of protected groups across Eastbourne and Lewes to attend the Equality and Fairness Stakeholder Group.

Resolved (Key decision):

(1) To note the Annual Report of activities carried out in 2018, set out at appendix A to the report.

(2) To approve the Action Plan proposed at appendix B to the report.

Reason for decisions:

To promote equality and fairness and eliminate discrimination, ensuring fair access to services and opportunities and comply with the Council's duties under the Equality Act 2010.

74 Acquisition of land in Old Orchard Road

The Cabinet considered the report of the Director of Regeneration and Planning setting out proposals for the acquisition of land currently in the ownership of Homes England and Ministry of Justice. The land consisted of the former Magistrates Court and adjoining property at 35 Old Orchard Road.

The Director of Regeneration and Planning recommended a slight revision to officer recommendation two, including the option to allocate from the housing revenue account fund and this was detailed below.

Resolved (Key decision):

(1) To delegate authority to the Director of Regeneration and Planning in consultation with the Portfolio holder for Housing and the Chief Finance Officer to take all steps to complete the purchase of Magistrates Court site and 35 Old Orchard Road, Eastbourne on terms equivalent or better than set out in the report.

(2) To approve a corresponding Eastbourne Borough Council general fund or housing revenue account fund allocation in the 2018/19 capital programme as set out in the exempt appendix to the report.

Reason for decisions:

To enable the acquisition of land to deliver new homes and facilities for the town.

75 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 was 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.)

76 Acquisition of land in Old Orchard Road - Appendix 1

The Cabinet considered the exempt appendix to agenda item 11.

Resolved (Non-key decision):

That the appendix be noted.

Reason for decision:

As detailed in minute 74 above

Notes: (1) The appendix remained exempt. (2) Exempt information reason 3 – information relating to the financial or business affairs of any particular person (including the authority holding that information).

77 Corporate performance - quarter 3 - 2018/19 - Write-off of irrecoverable debts

As detailed in minute 72 above.

Notes: (1) The appendix remained exempt. (2) Exempt information reason 3 – information relating to the financial or business affairs of any particular person (including the authority holding that information).

78 Vote of thanks

As this was the last Cabinet meeting of the municipal year, Councillor Tutt expressed his thanks and appreciation to fellow members and officers for their work over the last 12 months.

The meeting ended at 6.28 pm

Councillor David Tutt (Chair)

Report to:	Cabinet
Date:	5 June 2019
Title:	Downland Whole Estate Plan
Report of:	Ian Fitzpatrick, Director of Regeneration and Planning
Cabinet member:	Councillor Jonathan Dow
Ward(s):	All
Purpose of report:	For Cabinet to note progress on the Downland Whole Estate Plan and agree the Council's draft vision for the Downland Estate.
Decision type:	Key
Officer recommendation(s):	(1) That Cabinet note progress on the Downland Whole Estate Plan. (2) That the draft vision set out in paragraph 2.2 is agreed.
Reasons for recommendations:	In order to allow officers to progress the Downland Whole Estate Plan.
Contact Officer(s):	Name: Mark Langridge-Kemp Post title: Head of Property, Delivery and Compliance E-mail: mark.langridge-kemp@lewes-eastbourne.gov.uk Telephone number: 01323 415876

1 Introduction

- 1.1 The Council's Downland Estate consists of four tenanted working farms and a small holding extending to approximately 3000 acres, as well as 1000 acres of Open Downland. The Estate sits within the South Downs National Park, an Area of Outstanding Natural Beauty. There are four Sites of Special Scientific Interest across the Estate that are nationally important for their ecology and geology, the Downland is recognised as a Regionally Important Geological Site for its value to earth science and heritage and the coastal strip is designated as a Heritage Coast for its natural beauty and wildlife.
- 1.2 The South Downs National Park Authority (SDNPA) agreed a set of seven Special Qualities for the National Park in 2011
- i) Diverse, inspirational landscapes and breathtaking views;
 - ii) A rich variety of wildlife and habitats including rare and internationally

- important species;
- iii) Tranquil and unspoilt places;
- iv) An environment shaped by centuries of farming and embracing new enterprise;
- v) Great opportunities for recreational activities and learning experiences;
- vi) Well-conserved historical features and a rich cultural heritage;
- vii) Distinctive towns and villages, and communities with real pride in their area.

1.3 SDNPA has also set out its vision for the National Park for 2050, which focuses on:

- Conserving English lowland landscapes and heritage;
- Protecting and managing habitats to support wildlife networks throughout the landscape;
- Enhance the relationship between people and the landscape
- Create a self-sustaining and empowered community
Support successful farming, forestry, tourism and other business activities within the national park .

1.4 SDNPA is seeking to collaborate with landowners across the National Park in the development of Whole Estate Plans (WEPs), a non-statutory plan that seeks to protect the Park and demonstrates the aspirations of its landowners. The Whole Estates Plan process seeks to assist SDNPA and large estate organisations to work together in delivery of this vision.

The Council has said that it wishes to develop a WEP for the Downland Estate. Officers have been liaising with SDNPA and have held workshop sessions with Members, the public and tenant farmers to draft a Vision for the Downland Estate. The SDNPA state that they expect Vision statements to be signed off at the highest level within organisations.

2 Proposal

2.1 SDNPA has outlined the process for production of WEPs which covers four stages:

- Vision: Work is already well underway on the WEP but the Council needs to formally agree a Vision for the future of the Estate which sets out priorities and captures the Council's ethos. The Vision has been fomulated following feedback gained form the recent workshop events and engagement with key stakeholders, including SDNPA, and known future environmental priorities.
- Asset Audit : Establishing a complete picture of all of the assets.
- Ecosystem Service Analysis: SWOT (Strengths, weaknesses, opportunities and threats) analysis of the many eco systems, services which provide us with life's essentials; clean air and water, food, fuel and raw materials. Climate regulation, flood management, pollution filters and opportunities for improved health and wellbeing.

- Action Plan: takes the opportunities and threats identified in the Ecosystem Services Analysis and identifies the actions required and the specific projects attached to achieving those actions.

A full report on the work that has been undertaken to date on the Council's WEP is attached at Appendix 1.

2.2 Draft vision:

Our vision for the Eastbourne Downland Estate over the next 25 years is to:

- Conserve the iconic downland landscape and cultural heritage of the Estate, so that these special qualities can be enjoyed, understood and valued by the public, with access for all, contributing to Eastbourne's sense of community, wellbeing and belonging and instil a strong sense of public stewardship that encourages visitors and people from all backgrounds to actively care for the Estate and invest in it.
- Maintain and enhance the 'natural capital' of the Estate, so that high-quality, well-managed habitats are resilient and adaptable to climate change, pests or disease; support wildlife networks throughout the landscape; and continue to deliver the widest range of ecosystem services into the future.
- Ensure that these ecosystem services are enjoyed, valued and understood by the public, with all Eastbourne residents feeling they are beneficiaries of the Estate – not just those who are able to visit regularly.
- Ensure that our farmers are supported and valued as stewards of our land, its soils and its wildlife, with sustainable and profitable businesses that can continue to flourish and innovate.
- Protect the Estate for future generations, ensuring that it is self-sustaining and financially resilient, built on diversified income streams, promoting innovation, craftsmanship, rural creative industries, and high-quality visitor experiences”.

3 Outcome expected and performance management

- 3.1 The draft vision will set the foundations for the future stages of the WEP process and ensure that the Plan captures the priorities of the Council and stakeholders for the protection of the Downland Estate for future generations, whilst ensuring it is aligned with SDNPA and Government priorities.
- 3.2 Officers will monitor progress of development of the WEP and report back to Strategic Property Board at regular intervals. It is anticipated that the Plan will be brought back to Cabinet for adoption in Winter 2019.
- 3.3 Once the Council has agreed its WEP, SDNPA will need to formally endorse the Plan and it is likely that this would happen in early 2020. Endorsed WEPs will be a material consideration for SDNPA in determining planning applications.

- 3.4 If these timescales are maintained the Council could be the first local authority in the country to finalise a WEP.

4 Consultation

- 4.1 Visioning workshops have been held with Members (21st January) and public (29th January).
- 4.2 Meetings have been held with tenant farmers.
- 4.3 SDNPA have been, and will continue to be involved, in the development of the WEP as it progresses.
- 4.4 Further public consultation will be undertaken as the WEP develops prior to consideration by Cabinet later in the year.

5 Corporate plan and council policies

- 5.1 This proposal meets the following aims of the Corporate Plan 2016-2020; Prosperous Economy: a prosperous and thriving economy and an outstanding seaside destination for tourism, arts, heritage and culture; Quality Environment: a clean, attractive, low-carbon town with excellent parks and open spaces, a high quality natural environment and first class seafront and coastal links; Thriving Communities: 2026 Partnership vision for a premier seaside destination within an enhanced green setting. The report at Appendix 1 outlines these themes in more detail.
- 5.2 The WEP will support the Council's aims within the adopted Corporate Asset Management Plan to achieve a sustainable asset base by 2020 and reduce the Council's liabilities.
- 5.3 Development of the WEP is clearly aligned with:
- the Agriculture Bill which focuses on public money for public good and a move away from the current flat-rate area based subsidies; and
 - the Government's 25 Year Environment Plan which has priorities around using and managing land sustainably, recovering nature and enhancing the beauty of natural landscapes, and connecting people with the environment to improve health and wellbeing;
 - SDNPA priorities.

6 Business case and alternative option(s) considered

- 6.1 The importance of the Downland Estate both locally and nationally is clear. Producing a WEP is the best way in order to ensure that the Estate is protected, meets future environment priorities and is enhanced for future generations. Once completed, the Council will have a clear action plan setting out its future commitments to the Estate.

7 Financial appraisal

- 7.1 There are no financial implications arising directly from this report. Consultancy

costs on producing the plan will be met from existing budgets and any financial implications arising from the action plan will be considered when the plan is considered further by the Cabinet.

8 Legal implications

8.1 There are no legal implications arising directly out of this report.

2 May 2019 Ref: 008063-EBC-MR

9 Risk management implications

9.1 The WEP is the best approach to ensuring the Council takes a holistic view of the Estate. There is therefore a risk associated with not proceeding with a WEP as this could have a detrimental impact on the Estate and impact adversely on the Council's position to deliver against future environmental policy.

10 Equality analysis

An Equality Analysis has been completed and has not identified any equality impacts at this stage as a result of the recommendations of this report. A further analysis will be undertaken prior to final agreement of the Downland WEP by Cabinet.

11 Appendices

- Appendix 1 – Downland Whole Estate Plan: Draft Vision Statement and supplementary report

12 Background papers

- Guidance from SDNPA on producing a WEP:
<https://www.southdowns.gov.uk/national-park-authority/supporting-communities-business/whole-estate-plans/producing-a-whole-estate-plan/>
- Eastbourne Borough Council Corporate Plan 2016-2020:
https://www.lewes-eastbourne.gov.uk/_resources/assets/inline/full/0/257740.pdf

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Appendix 1

Eastbourne Downland Estate: Draft Vision Statement

And supplementary report

Eastbourne Borough Council

21 May 2019

Quality information

Prepared by	Checked by	Verified by	Approved by
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Charlie Russ Principal Environmental Consultant			

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Table of Contents

1.	Introduction	5
2.	Approach	5
3.	Themes / Priorities / Objectives	7
4.	Draft Vision Statement	14
5.	Conclusions	16

DRAFT VISION STATEMENT

1. Introduction

- 1.1 The Eastbourne Downland Estate extends to approximately 4,174 acres, of which 2,963 acres is farmed and 1,211 acres is open access land. It lies at the easternmost end of the South Downs National Park. The Estate was bought by the local authority with compulsory purchase powers under The Eastbourne Corporation Act of 1926. It is currently owned and managed, on behalf of the public, by Eastbourne Borough Council.
- 1.2 Council officers have had some discussion with South Downs National Park Authority (SDNPA) regarding the development of a Whole Estate Plan (WEP) to help guide the longer term management of the Estate. The Council's aim is to prioritise conservation and enhancement of the Downland Estate, its special qualities and the ecosystem services it provides, while providing an income strategy within an informed context.
- 1.3 The idea of the WEP is to enable “...collaboration between individual estates and the National Park Authority to achieve the ambitions of the organisation and the purposes of the National Park”. The SDNPA Local Plan is landscape-led, with the concept of Ecosystem Services and Natural Capital the core focus of the approach. It recognises the significant influence of the estates and farms across the National Park, and the impact the management activities of these estates has in the short, medium and long term. It also recognises the challenges faced by those who own and operate these estates to both manage the land profitably while maintaining some of the most significant cultural/heritage assets within the National Park. By providing a degree of flexibility when considering development proposals on estates which have prepared an endorsed Whole Estate Plan (Strategic Policy SD22: Development Strategy) it is hoped that balance can be achieved. However this can only be done within an informed context which clearly sets out the longer term role of a development proposal within the overall ambition of the organisation and its contribution to the conservation and enhancement of the National Park, its special qualities and the ecosystem services it provides.
- 1.4 The WEP itself should follow the format set out in the *Whole Estate Plans Preparation Guidelines*, issued by the SDNPA (Revision B, published 22.05.2017). The simple form of the content is: **Vision** (Section 2); **Asset Audit** (Section 3); **Ecosystem Services Analysis** (Section 4); and **Action Plan** (Section 5). In line with the SDNPA Local Plan, the concept of Ecosystem Services and Natural Capital should be the core focus of the approach. This report sets out our recommendations for a Vision statement, following consultation with key stakeholders.

2. Approach

- 2.1 The SDNPA Whole Estate Plans Preparation Guidelines state that the Vision should be “a simple statement (approximately 200 words maximum) that clearly sets out your priorities for the Estate. This should not be development focused, but rather should focus on the ethos of the organisation”.
- 2.2 The purpose of the Vision is to ensure that everyone, including all parts of your own organisation, the South Downs National Park Authority, and members of the local community, can clearly and easily see what your priorities are.
- 2.3 The Estate Vision needs to be agreed at the highest level – ultimately by the leader of the Council / Cabinet – with cumulative buy-in to what the Council wishes to achieve for the future of the Estate. WEPs are not formal planning policy documents, so formal public consultation is not strictly required. However, in order to get the WEP endorsed by SDNPA, the Council will need to demonstrate how it has engaged with the wider community, and the impact this has had on the content of the WEP. We set out below the approach that has been taken to date:
- 2.4 **Inception Meeting with the Asset Development Lead**

DRAFT VISION STATEMENT

- 2.4.1 At this point we discussed the methodology and agreed communication protocols, contact points and data requirements.

2.5 Visitor Data Analysis

- 2.5.1 We have undertaken a desktop analysis of visitor numbers using the Outdoor Recreation Valuation Tool (ORVal), which was developed by the University of Exeter for Defra. ORVal is an online tool that allows users to explore the recreational use and welfare value of accessible open spaces, trails, and beaches in England and Wales. It has recently been incorporated into the UK Treasury's Green Book – the government's guidance for project appraisal and evaluation (H.M. Treasury 2018) – and features in the government's 25-Year Environment Plan (H.M. Government 2018). The tool is based on the nationally representative Monitor of Engagement with the Natural Environment (MENE) survey which uses interviews with a weekly quota sample, conducted since 2009. This data is aggregated, using population weights, to estimate visits to open spaces across the whole of England and Wales. The tool takes into account substitutes when estimating the recreational values of a given site, (for example the existence of parks nearby). The model can also estimate what proportion of visits to a site will be new (additional) or displaced from elsewhere, when the quality/ accessibility of a site changes.

2.6 Presentation to the Strategic Property Board

- 2.6.1 The Strategic Property Board is the consultation forum with Members regarding strategic property matters. This provided an opportunity to explain the overall approach to developing the WEP and discuss key objectives with Council officers and Members.

2.7 Engagement with Tenant Farmers

- 2.7.1 We have been in contact with the agricultural tenants individually to canvass their opinions and invite their feedback, and have arranged face-to-face meetings. A short semi-structured questionnaire was used during these visits to gather data and information that could inform the Estate Vision. The tenant farmers are obviously key stakeholders – or, in legal parlance, parties – in the delivery and supply of many of the ecosystem services on the Estate. The experiences and insights of these farmers are therefore critically important, not just at a practical or operational level but as a source of conceptual thought, analysis and ideas about how the Estate should be managed over the longer term.

2.8 Engagement with the SDNPA

- 2.8.1 We held a meeting with SDNPA's Countryside Policy Manager, Lead Ranger and Planning Link Officer in November, to explain our proposed approach and invite their feedback. We also took this opportunity to establish what data may be useful to inform the Asset Audit and how we collate it.
- 2.8.2 We held a further meeting with the SDNPA's Major Planning Projects Officer, Countryside & Policy Manager (Eastern Area) and Strategic Planning Lead in late April 2019. We explained our process of stakeholder engagement and we reviewed a draft Vision statement. Further amendments were made to the Vision statement in light of this discussion, incorporating the following suggestions:
- Emphasise the linkages with the Council's Corporate Plan and the National Park's Purposes and Duties
 - 'Future-proof' the Vision by testing for longevity and ensuring that all aspects will remain relevant, ambitious and sustainable for the timeframe in mind
 - Emphasise the dynamic nature of the environment and the potential changes we may see over a 25 year timeframe – for example climate change, or diseases such as Ash Dieback.
 - Identify and make explicit the Special Qualities of the National Park that are most relevant to the Estate
 - Emphasise the public benefits that the Estate provides for everyone, including those who don't visit but who are still beneficiaries
 - Better access to the Estate should include those who may be excluded for social reasons, lack of knowledge, mental health, anxiety, or cultural barriers.

DRAFT VISION STATEMENT

2.9 Internal Stakeholder Workshop

- 2.9.1 We arranged an internal stakeholder workshop for Members and officers with an interest in the future management of the Downland Estate, which was held at Eastbourne Town Hall on 21st January 2019.

2.10 Public Stakeholder Workshop

- 2.10.1 We held an open forum for all public stakeholders to input to the Vision in Eastbourne Town Hall on 29th January 2019. This was an opportunity for members of the public to come and express their views and aspirations for how the Estate is managed, highlighting the importance of the Downland in their lives.

2.11 Review

- 2.11.1 We have collated all of the input from meetings with the tenant farmers, National Park officers, the visitor data, the internal workshop and the external workshop, and we set out at section 4 below a draft Vision statement that reflects this. The Vision itself is a simple statement setting out the priorities for the management of the Downland Estate.
- 2.11.2 We recognise that different stakeholders have different priorities for the Downland Estate, and these need to be balanced against the Council's main aims and objectives as set out within the Council Plan and Corporate Asset Management Plan in the draft Vision Statement. We set out at section 3 below the main themes and objectives and how they have been incorporated into the Vision statement.
- 2.11.3 For the time being we envisage this remaining a 'live' document: formulating the Vision should be iterative, and there will be scope for further amendments following the Asset Audit and further public consultation as we move through the process.

3. Themes / Priorities / Objectives

3.1 Council Corporate Plan

- 3.1.1 The Eastbourne Borough Council Corporate Plan 2016-2020 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, framed around a 2020 vision:
- **Prosperous Economy.** 2020 vision: *"we will have a prosperous and thriving economy which provides opportunities for businesses to grow and invest, supports employment and skills, invests in housing and regeneration along with the infrastructure to support economic growth. Eastbourne will continue to be an outstanding destination for tourism, arts, heritage and culture".* 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.** 2020 vision: *"we will have a clean and attractive low carbon town, producing less waste than before. It will have a high quality built environment, excellent parks, open spaces and be served by a number of good transport options".* 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.** 2020 vision: *"we will have vibrant communities where diversity is valued, where people feel safe and healthy, and are able to access activities and opportunities to help them thrive".* 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, and having communities that are active in developing and taking part in a full range of cultural, sport, leisure, creative activities and events.

DRAFT VISION STATEMENT

- **Housing and Development.** 2020 vision: *“we will have communities whose housing needs are met through decent, affordable and well managed homes and communities; responding to and addressing homelessness and housing needs and through providing affordable housing”*. Priority aims include: increasing the supply of housing and in particular affordable housing; delivering a well-managed housing service to Council tenants; and developing sites where there is a clear housing and/ or site development need. This is a general vision for Eastbourne as part of the Corporate Plan priorities and shown here for completeness only, the draft vision for the Downland itself is set out later in this document.

- 3.1.2 The Plan also sets out the 2026 ‘Pride of Place’ 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. Eastbourne is one of six local authorities and six Local Strategic Partnerships that have worked together to produce Pride of Place. 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.

3.2 Corporate Asset Management Plan

- 3.2.1 While the key corporate objectives and priorities for Eastbourne are outlined in the Corporate Plan, supported through the Medium Term Financial Strategy, the Asset Management Plan is the primary tool to deliver the property elements of the corporate objectives. It sets out how the Council intends to plan and manage its corporate property portfolio.

- 3.2.2 The objectives of the Asset Management Plan are to provide the strategy framework for the Council to manage and maximise the potential of its property portfolio; ensure that the respective property portfolios are managed and operated in accordance with the Council’s Corporate plan and priorities and Medium Term Financial Strategy; ensure that the Property and Facilities Shared Service efficiently delivers benefits to each Council from the respective property portfolios; unlock the potential of land and buildings, working with external partners where appropriate. These 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 the Council will achieve a sustainable asset base by 2021.*
- **Theme 2:** *Challenge the reasons for retaining assets and ensure that retained assets contribute towards a sustainable asset base.*
- **Theme 3:** *Identify the benefits and make best use of each asset to stimulate regeneration including the provision of affordable housing.*
- **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.*
- **Theme 5:** *Reduce on-going property maintenance and financial liabilities for the Council.*
- **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.*

- 3.2.3 One of the key over-arching corporate objectives that the Council has set for their property portfolio 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 Council’s resources or those of local tax-payers.

- 3.2.4 Rural property, notably let estates, farms and forestry, has been a comparable investment to alternative asset classes and financial instruments over the past 20 years (Savills Rural Research, 2019). It has delivered a healthy annualised total return of around 10 percent, only beaten by mainstream let residential portfolios with an annualised total return of 11.4 percent over the same

DRAFT VISION STATEMENT

period. The scenario is pretty similar over the past 10 years albeit at a slightly lower level of return (8-9%).

- 3.2.5 However, in the short term, the performance of rural assets, mainly because of pressure on capital values of farmland, has weakened. Total returns for rural property are driven primarily by long term capital appreciation: income yields are historically modest compared to other asset classes, and often less than one percent. The Council is stress-testing its property portfolio through the Asset Challenge process in order to identify under-performing assets. The Downland Farms are recognised as falling within this category, producing an income yield of less than 2% per annum.
- 3.2.6 Reducing on-going maintenance costs is therefore critically important if the Downland Estate is to provide a positive revenue return, as well as generating alternative income streams. Income opportunities extend beyond food production, and diversified income sources mitigate exposure to commodity price volatility and include:
- Energy
 - Forestry
 - Diversification and non-farming opportunities, including leisure and tourism enterprises
 - 'Natural capital' assets and the developing market for payments for ecosystem services from both public and private buyers
 - Property rental from residential and commercial assets
- 3.2.7 There may also be opportunities to crystallise capital returns through change-of-use or small scale development of redundant agricultural buildings, and the Whole Estate Plan, once complete, will help to provide an informed context which clearly sets out the longer term role of any development proposal within the overall ambition of the Council and its contribution to the conservation and enhancement of the National Park, its special qualities, and the ecosystem services it provides.

3.3 National Policy Context

- 3.3.1 The Corporate Asset Management Plan notes that, against a backdrop of the UK's decision to leave the European Union, the Council's property assets are going to need to work harder than ever before to sustain not only itself but support other services. Brexit presents both challenges and opportunities for rural property assets. The Agriculture Bill, which brings forward proposals for a new Environmental Land Management system, heralds a new era in the rural economy, challenging everything from tenancy arrangements to supply contracts. Alongside this the Government has published its 25 Year Environment Plan, a long-term management strategy for the environment in England, which recognises the enormous contribution that nature makes to our wellbeing and our economy. It is underpinned by the concept of natural capital, meaning it will take account of the full range of 'natural assets' that give benefits to humans, such as woodland and green spaces that provide clean air, absorb carbon, provide recreation, and other 'ecosystem services'. The Government's overriding ambition expressed in the 25 Year Environment Plan is to *"leave our environment in a better state than we found it"*.
- 3.3.2 The **Agriculture Bill** will move agricultural subsidies away from the current flat rate, area-based Basic Payment Scheme under the Common Agricultural Policy, towards a new system of paying farmers 'public money for public goods'. The principal public good the Government wants to invest in is environmental enhancement. This new environmental land management system is intended to incentivise and reward land managers to restore and improve natural capital and rural heritage. It will also provide support for farmers and land managers as the UK moves towards a more effective application of the 'polluter pays' principle (whereby for costs of pollution lie with those responsible for it). New and innovative funding and delivery mechanisms will be explored as part of the environmental land management system, which may include private payments for ecosystem services, reverse auctions and conservation covenants.
- 3.3.3 The **25 Year Environment Plan** sets out a number of priorities that will need to be reflected in the Whole Estate Plan. Those of most relevance to the Downland Estate are:
- **Using and managing land sustainably**

DRAFT VISION STATEMENT

- Embedding an ‘environmental net gain’ principle for development, including housing and infrastructure
- Improving how we manage and incentivise land management
 - i. Designing and delivering a new environmental land management system
 - ii. Introducing new farming rules for water
 - iii. Working with farmers to use fertilisers efficiently
 - iv. Protecting crops while reducing the environmental impact of pesticides
- Improving soil health
- Focusing on woodland to maximise its many benefits
 - i. Supporting larger scale woodland creation
- Reducing risks from flooding and coastal erosion
 - i. Expanding the use of natural flood management solutions
 - ii. Putting in place more sustainable drainage systems
 - iii. Making ‘at-risk’ properties more resilient to flooding
- **Recovering nature and enhancing the beauty of landscapes**
 - Protecting and recovering nature
 - i. Publishing a strategy for nature
 - ii. Developing a Nature Recovery Network
 - iii. Providing opportunities for the reintroduction of native species
 - iv. Exploring how to give individuals the chance to deliver lasting conservation
 - v. Improving biosecurity to protect and conserve nature
 - Conserving and enhancing natural beauty
 - i. Reviewing National Parks and Areas of Outstanding Natural Beauty
 - Respecting nature in how we use water
 - i. Reforming our approach to water abstraction
 - ii. Increasing water supply and incentivising greater water efficiency and less personal use
- **Connecting people with the environment to improve health and wellbeing**
 - Helping people improve their health and wellbeing by using green spaces
 - i. Considering how environmental therapies could be delivered through mental health services
 - ii. Promoting health and wellbeing through the natural environment
 - Encouraging children to be close to nature, in and out of school
 - i. Helping primary schools create nature-friendly grounds
 - ii. Supporting more pupil contact with local natural spaces
 - iii. Helping children and young people from all backgrounds to engage with nature and improve the environment.
 - Greening our towns and cities
 - i. Creating more green infrastructure
 - ii. Planting more trees in and around our towns and cities

3.4 South Downs National Park

DRAFT VISION STATEMENT

3.4.1 SDNPA have a Vision for the National Park as follows:

By 2050 in the South Downs National Park:

The iconic English lowland landscapes and heritage will have been conserved and greatly enhanced. These inspirational and distinctive places, where people live, work, farm and relax, are adapting well to the impacts of climate change and other pressures

People will understand, value, and look after the vital natural services that the National Park provides. Large areas of high-quality and well-managed habitat will form a network supporting wildlife throughout the landscape

Opportunities will exist for everyone to discover, enjoy, understand and value the National Park and its special qualities. The relationship between people and landscape will enhance their lives and inspire them to become actively involved in caring for it and using its resources more responsibly

Its special qualities will underpin the economic and social well-being of the communities in and around it, which will be more self-sustaining and empowered to shape their own future. Its villages and market towns will be thriving centres for residents, visitors and businesses and supporting the wider rural community

Successful farming, forestry, tourism and other business activities within the National Park will actively contribute to, and derive economic benefit from, its unique identity and special qualities

3.4.2 At our meeting with SDNPA officers, the following key priorities were identified for the Downland Estate:

- **Improving connections between Eastbourne residents and the Estate** – particularly those in the town who are least well off. The Estate should be seen as a place that everyone can enjoy, helping to build a sense of place and develop relationships with their community and the land. The contribution the Estate can make to residents' health and wellbeing should be emphasised, particularly given Beachy Head's notoriety as a suicide spot.
- **Promoting the Estate as an educational resource**, encouraging young people to enjoy it, care for it, value it, and understand how its special qualities and habitats should be managed.
- **Investing in natural capital** and ensuring that Ecosystem Services are embedded in decision-making and management principles.
- **Identify opportunities for strategic investment in habitat creation and restoration**, to help extend, buffer, and join up ecological networks across the South Downs.
- **Looking for added-value opportunities from the significant visitor footfall**. Eastbourne and the Downland Estate are an important gateway to the National Park, and there is also the potential to develop a heritage trail along the south coast.
- **Encouraging and incentivise good environmental land management**. The UK's departure from the Common Agricultural Policy, and the formulation of a new subsidy regime based on public payments for public goods, can help to deliver the step-change required to mainstream the environment into the way the Estate is managed and farmed.
- **Exploring 'payments for ecosystem services' schemes**. There are potentially opportunities to deliver revenue returns and reduce costs by crystallising the value of ecosystem services delivered by the Estate – from soil carbon sequestration and air pollution mitigation to water filtration and flood attenuation.
- **Better managing woodland on the Estate**, and restoring and re-creating priority habitat that has been lost to scrub encroachment.

3.5 Members

3.5.1 **Maximising the social value of the Estate.** Members made it clear that maximising the social and cultural value of the Estate should be a management priority. Specifically, Members recognise:

- The Estate's contribution to Eastbourne's sense of community and belonging;

DRAFT VISION STATEMENT

- The Estate's role in building connections among people that helps to ensure community cohesion and mental and physical wellbeing;
- The importance of instilling a sense of community ownership and involvement in decision-making;
- The Estate's role providing opportunities for communities to take part in a full range of cultural, sport, leisure, creative activities and events;
- Promoting health and wellbeing through the environment;
- The Estate's role in providing high quality recreational and open space;
- The Estate's role as an important educational resource.

3.5.2 **Enhancing the natural value of the Estate.** Members also recognise the importance of investing in the 'natural capital' of the Estate – its habitats and natural features – to maintain and enhance its special qualities, its iconic landscape, its wildlife, and the ecosystem services that flow from it.

3.5.3 **Improving the visitor experience and capturing the benefits of tourism.** Members recognise the potential the Estate offers as a 'gateway' to the South Downs National Park, its iconic downland landscape and historical significance, and the significant number of UK and foreign visitors – particularly from South Korea. Members want to promote and improve the visitor experience, with added-value tourism ventures, and capture more of the visitor spend on the Estate.

3.5.4 **Seeking opportunities to realise revenue returns.** Members are keen to explore income opportunities beyond agricultural rental income, and to work with the farm tenants to capitalise on other potential opportunities – including different farming systems (such as viticulture), renewables, leisure and tourism enterprises, 'habitat banking', and emerging 'payments for ecosystem services' schemes. Reducing ongoing costs associated with maintenance of the water infrastructure on the Estate was also seen as a priority.

3.5.5 A consensus emerged around a Vision for the Downland Estate that closely aligned with the Vision of the SDNPA.

3.6 Agricultural Tenants

3.6.1 **Opportunities for New Entrants.** Issues around business succession / routes into farming / opportunities for new entrants are particularly salient in the minds of farm tenants on the Estate. New entrants to the agricultural sector face significant hurdles. The price of land has increased so significantly over the last fifteen years that it is almost impossible for conventional new entrants to start out in farming by purchasing their own land. An alternative route to enter farming is by taking a tenancy; tenancies effectively separate the farming business from the land as an underlying asset, making it cheaper to become established as a farming business. Tenancies on council farms have historically provided many new entrants with a route into the industry, the legal framework for which is provided through the Agriculture Act 1970. These farms were often seen as "starter farms" that enable enthusiastic young people to obtain access to land and build a business. Across the UK, County Council farms have played a very important part in helping new entrants to the agricultural sector.

3.6.2 However, very little land comes onto the rental market, and there has been a trend towards greater aggregation of businesses, which leads to increased competition for land from existing farms and fewer opportunities for new entrants. Established farmers have an advantage over new entrants in securing whatever land does come onto the rental market, as they are more likely to be able to offer higher rents. New entrants can also often struggle to show sufficient track record, skills and financial security.

3.6.3 This is an issue that the Future of Farming Commission highlighted in their 2013 Future of Farming Review report. The report highlighted Staffordshire County Council as an example of a Local Authority that had changes to their tenancy framework designed to develop more opportunities for new entrants. The changes included shortening new tenancies on farms up to 90 acres (starter farms) and 90-150 acres (progression farms) and introducing break clauses to enable both parties to review the farm business. The report also noted that the National Trust is attempting to provide more

DRAFT VISION STATEMENT

opportunities for new entrants, keeping farmhouses with farms and introducing some environmental skills into the key attributes that they are looking for in new tenants.

- 3.6.4 **The conservation / stewardship ethic.** Farm tenants on the Eastbourne Estate are conscious of their role as stewards of this iconic landscape and its special qualities, and are motivated at least in part by a strong conservation and stewardship ethic.
- 3.6.5 **Importance of the farmed environment.** Eastbourne's farm tenants take pride in their role as food producers as well as good stewards of the land. One of concerns raised was the extent to which managing land primarily for environmental outputs might mean more than just a shift in the use of the land to favour certain ecosystem services over agriculture, and potentially an absolute move away from agriculture towards 're-wilding' of the land. Farm tenants feel there is no reason why the same farm and same farmer cannot produce both food and ecosystem services – indeed, they already do. Many of our most valued habitats are a function of historic farming practices, and farming is still integral to their maintenance in many cases. The environment and food production should not be seen as mutually exclusive. There is increasing consumer pressure to produce value-added, niche products that emphasise provenance and sustainability. Investing in natural capital and the provision of ecosystem services alongside food production is seen as a way of burnishing producer's 'green' credentials, and helps to differentiate their product.
- 3.6.6 Cattle grazing is generally considered to be more beneficial for the restoration and maintenance of downland habitats than sheep grazing. Sheep have a reputation for over-grazing, and are much more selective grazers than cattle, targeting flowering plants which can have a negative impact on species diversity; they also find it harder to graze longer, coarser vegetation. Over-stocking with sheep can replace the rich mosaic of downland plants with a uniform covering of tight swards with close-cropped, densely tillered grasses. Grazing by cattle in the early spring and late summer can reduce the cover of coarser, more unpalatable grasses or scrub encroachment, as cattle are less discriminating in their grazing than sheep. The farmers are keen to emphasise the role that livestock play in maintaining the ecology of the Estate.
- 3.6.7 **Encouraging visitors to act responsibly.** This was a theme that came up time and again. Irresponsible dog walkers often stray beyond the public rights of way or open access land. Dog fouling, sheep worrying, and gates being left open are all concerns. The public does not generally understand or properly appreciate the farmer's work, and they should be encouraged to actively care for the Estate and its farmed landscape.

3.7 Public Stakeholders

- 3.7.1 **Maintaining and enhancing the heritage assets on the Estate.** Public stakeholders emphasised that all of the downland should be treated as archaeologically sensitive, and that the Estate forms an integral part of the wider downland landscape. There was a strong consensus for conserving the Estate "as it is". Suggestions included:
- Using phone apps to educate visitors about the special characteristics of the Estate, such as historical field systems, to direct them away from the tourist 'honeypots', improve the historical interpretation of the land, and expand their knowledge and appreciation of the Estate.
 - Preserving dew ponds and historical buildings that tell the story of historical farm practices, and the potential to build a visitor experience around traditional farming skills and crafts.
 - Ensuring all vernacular buildings are maintained and preserved, not just those that are scheduled / registered / listed.
 - Emphasising the war-time heritage of the Estate, and the connection to famous authors such as Kipling and Orwell.
- 3.7.2 **Improving transport links and accessibility.** Many stakeholders felt that public transport links between Eastbourne and the Estate were not adequate, and this particularly penalises the young and the least well-off who do not have the use of a private vehicle. Car parking space was also deemed to be insufficient. Public rights of way and access land are seen as a priority for investment, with the aim of greater accessibility for all to the downland for walking and quiet enjoyment. We note that Eastbourne's Disability Champion has been in discussion with other stakeholders about what

DRAFT VISION STATEMENT

should be put in place to make the experience of visiting the downs achievable for the most profoundly disabled people and their carers.

- 3.7.3 **Nature conservation.** The biodiversity of the Estate was clearly understood and valued by those who attended the public workshop, and nature conservation was a clear priority. Many people referred to the various statutory and non-statutory designations on the Estate as a testament to its special qualities. Chalk grassland habitat was specifically identified as a priority for protection and enhancement, with some people noting the potential for arable reversion to increase the extent of chalk grassland on the Estate. Many attendees recognised the role that habitats play in the provision of ecosystem services, particularly public amenity and water filtration. The chalk aquifer underneath the Downland Estate was specifically referred to on numerous occasions, and many people were aware of the links between artificial chemicals applications, diffuse pollution, and water quality, and the role that natural systems play in filtering and protecting water sources.
- 3.7.4 **Educational resource.** The potential of the Estate as a learning resource was widely recognised, and improving the links with schools and colleges was seen as a priority.
- 3.7.5 **Encouraging visitors to act responsibly.** This was a recurring theme. There is concern that many dog owners do not keep their animals under close control, and do not pick up after them. Walkers often stray beyond the public rights of way or open access land, but do not observe the Countryside Code; this is linked to education. The very large number of day visitors, particularly from overseas, puts pressure on the ecology of the honeypot locations, and it is felt that many of these benefit from the public amenity of the downland without contributing anything towards its upkeep. Information boards or mobile phone apps were suggested as means of educating visitors and encouraging them to care for the Estate, potentially including the opportunity to make voluntary financial contributions.
- 3.7.6 **Rebuilding public trust.** Many of the public stakeholders who attended the workshop came with a degree of cynicism and scepticism about the Council's objectives for the Estate. The WEP should provide an opportunity to build a more collaborative approach between the Council and local stakeholders, so that the public feel they have a real stake in the management of the Estate, harness the considerable goodwill there is towards maintaining and enhancing the Estate, and instil a strong sense of public stewardship.

3.8 Visitors

- 3.8.1 ORVal estimates that 940,911 visits are made to the Eastbourne Downland Estate each year, and that these visits are associated with recreational values of £2.3 million per year. Analysis of visitors walking routes across the Estate suggest a very strong link with the National Trust owned Birling Gap and the Seven Sisters, via the South Downs Way. This testifies the place the Estate has as a gateway for recreational walkers in the South Downs National Park. Far fewer visitors explore the rest of the Estate, and those that do tend to be local Eastbourne residents.

4. Draft Vision Statement

- 4.1 The SDNPA Whole Estate Plans Preparation Guidelines provide the following brief example of a Vision statement:
- 4.1.1 *"It is our vision to create a visitor focused destination, which integrates heathland management with strong links to the South Downs Way whilst maintaining and enhancing the estates historic assets and continuing to support those who live and work on the Estate".*
- 4.2 We have also had regard to the Vision statements from WEPs that have already been endorsed and published. We reproduce these, by way of example, below:
- 4.2.1 **Highfield Estate Vision**, approved by the South Downs National Park Authority's Policy and Resource Committee on 29 March 2018:

DRAFT VISION STATEMENT

- *Continue to enhance the landscape, amenity and wildlife value of the Estate through the sustainable management of our arable land, grazing and woodlands and by implementing our Ecological & Woodland Management Plans.*
- *Create an environment and facilities that enable the Schools to meet their objectives and vision.*

4.2.2 **Iford Estate Vision**, approved by the South Downs National Park Authority's Policy and Resource Committee on 29 March 2018:

By 2033 the Iford Estate will be a place where:

- *a sustainable and resilient farming enterprise continues to flourish and innovate, having met and overcome the challenges faced by the sector, and which is well placed to continue for many years to come*
- *the special landscapes that make up the Estate are secured for future generations, with many opportunities having been taken to enhance the landscape setting of the Estate – both for its own sake and to continue to provide an inspirational backdrop to people's lives*
- *biodiversity is improved across the Estate, through continued innovations in environmentally-focused farming practices, the creation of new habitat features on previously farmed land, with every opportunity having been taken to improve existing areas*
- *the local rural economy thrives, with high quality holiday accommodation, land-based recreation and a rural creative industries hub having been provided. As well as supporting the estate financially, these businesses have provided rural employment and start-up opportunities to many local people*
- *the quality of life for our community of residents and workers is enhanced through maintaining community facilities, improved access and communications, and the protection and enhancement of our cultural heritage assets*
- *Ecosystem Services is embedded into our management principles so that all decision making takes place in the context of its influence on our Natural Capital*

4.2.3 **Newton Valence Estate Vision**, approved by the South Downs National Park Authority's Policy and Resource Committee on 19 September 2017.

- *The vision of Newton Valence Estate is to create a socially, financially and environmentally sustainable, robust and diversified farming business, with a core group of associated businesses contributing to and enhancing the primary farming activities.*
- *These 'associated businesses' will include a mix of sporting, leisure & tourism facilities, residential and commercial property lets which together provide a secure and viable future for the estate, its employees and the local economy.*
- *A vibrant and secure Estate business will seek to contribute to local employment, community needs and the conservation & enhancement of the natural environment.*

4.2.3.1 **Wiston Estate Vision**, approved by the South Downs National Park Authority's Policy and Resource Committee on 20 July 2017.

Our vision is that by 2030 Wiston will be:

- *A place for people: with housing and facilities that meet the needs of those of all ages and backgrounds, where all can enjoy and develop relationships with each other, their neighbours, their community and the land on which they live.*
- *A place for nature: where careful stewardship enables and enhances networks of habitat set within valued landscape and heritage.*
- *A place for productivity, craftsmanship and business: where people can come together to add value, create the products and services that people want and generate the income required to support a good quality of life for themselves and their families.*
- *A place without waste: where everything matters and the potential of people, the land and our built environment is optimised*

DRAFT VISION STATEMENT

- *A place for learning and exploration: where people benefit from time to think, to develop and exchange ideas and learn from each other, their shared experiences, history and the (built and natural) world around them.*
- 4.3 We suggest that the Government's 25 Year Environment Plan, which is based around an ambition to "leave our environment in a better state than we found it", provides a sensible timeframe for the Vision to materialise; 25 years is generally taken to be length of one generation.

4.3.1 **"Our vision for the Eastbourne Downland Estate over the next 25 years is to:**

- **Conserve the iconic downland landscape and cultural heritage of the Estate, so that these special qualities can be enjoyed, understood and valued by the public, with access for all, contributing to Eastbourne's sense of community, wellbeing and belonging and instil a strong sense of public stewardship that encourages visitors and people from all backgrounds to actively care for the Estate and invest in it.**
- **Maintain and enhance the 'natural capital' of the Estate, so that high-quality, well-managed habitats are resilient and adaptable to climate change, pests or disease; support wildlife networks throughout the landscape; and continue to deliver the widest range of ecosystem services into the future.**
- **Ensure that these ecosystem services are enjoyed, valued and understood by the public, with all Eastbourne residents feeling they are beneficiaries of the Estate – not just those who are able to visit regularly.**
- **Ensure that our farmers are supported and valued as stewards of our land, its soils and its wildlife, with sustainable and profitable businesses that can continue to flourish and innovate.**
- **Protect the Estate for future generations, ensuring that it is self-sustaining and financially resilient, built on diversified income streams, promoting innovation, craftsmanship, rural creative industries, and high-quality visitor experiences".**

5. Conclusions

- 5.1 We have dissected the Vision statement below to show where the various themes, priorities and objectives have been incorporated:

5.1.1 **"Our Vision for the Eastbourne Downland Estate over the next 25 years is to:..."**

- 25 years is generally taken to be the span of a generation, and this timeframe aligns with the Government's 25 Year Environment Plan.

5.1.2 **"Conserve the iconic downland landscape and cultural heritage of the Estate..."**

- Public consultation showed what a strong consensus there is for conserving the Estate "as it is". The reality is that natural systems are dynamic, and we cannot preserve the natural environment in aspic. Furthermore, there is a general recognition that business-as-usual in the way we manage land is not going to reverse the downwards trends we have seen in key indicators of biodiversity over the last 50 years, and the Vision statement should be aspirational. However, we think it is sensible to allay concerns that any future management might result in changes to the special characteristics and iconic landscape that the public cherish.
- Sheep-grazed downland is the iconic habitat of the chalk landscape, and this 'special quality' as recognised by the National Park was emphasised during public consultation. Well-conserved historical features and a rich cultural heritage is also seen as a special quality of the National Park as a whole, but particularly here on the Estate with its dew ponds, association with well-known writers, and landmarks of the two World Wars. The Estate is itself a legacy of the early 20th century conservation movements to protect the iconic cliffs and Downs, giving it a special place in history.

DRAFT VISION STATEMENT

5.1.3 **“...so that these special qualities can be enjoyed, understood and valued by the public, with access for all, contributing to Eastbourne’s sense of community, wellbeing and belonging;...”**

- Makes specific reference to those ‘special qualities’ of the National Park that are most relevant to the plan.
- ‘enjoyed, understood and valued by the public’ again reflects wording in the SDNPA’s Vision
- Helping the public to understand and value the Estate can make it an important educational resource, especially for local children. This reflects the Government’s aim of ‘encouraging children to be close to nature, in and out of school’.
- ‘Access for all’ is a priority for Eastbourne’s Disability Champion, who we understand has been advising the Downland Forum about what should be put in place to make the experience of visiting the downs achievable for the most profoundly disabled people (and their carers).
- ‘Contributing to Eastbourne’s sense of community, wellbeing and belonging’ reflects the Council’s Corporate Vision of ‘Thriving Communities’; it reflects the SDNPA’s priorities; it reflects Member’s wishes to maximise the social value of the Estate; and it reflects the Government’s commitment to connect people with the environment to improve health and wellbeing.

5.1.4 **“...and instil a strong sense of public stewardship, that encourages visitors and people from all backgrounds to actively care for the Estate and invest in it.”**

- Public consultation has shown that there is enormous interest in safeguarding the future of the Downland Estate, and the early proposals to sell the Estate mobilised significant opposition; the Council can harness this public interest and should try to encourage a sense of public stewardship.
- ‘A sense of public stewardship’ reflects the Government’s aim of improving connections between people and their environment, and the SDNPA’s vision that ‘the relationship between people and landscape will enhance their lives and inspire them to become actively involved in caring for it and using its resources more responsibly’.
- Caring for the Estate, and investing in it, reflects the Government’s commitment to help people ‘from all backgrounds to engage with nature and improve the environment’.
- This also reflects the reality of securing funding for the maintenance and conservation of the Estate, and one of the key over-arching corporate objectives that the Council has set for its property portfolio: ensuring assets are not a drain on the Council’s resources, and can be self-sustaining. This might include, for example, some form of visitor payback scheme or opportunities to make voluntary contributions.

5.1.5 **“Maintain and enhance the ‘natural capital’ of the Estate...”**

- This reflects the SDNPA’s guidance that recommends the concept of ecosystem services and natural capital should be the core focus of the approach.
- The natural capital approach is a central tenet of the Government’s 25 Year Environment Plan. It is extremely important in public policy terms, and it is a phrase that the public are becoming more familiar with.
- It is important that the Vision goes beyond ‘business-as-usual’ and is aspirational about *enhancing* natural capital, rather than just conserving or maintaining it.
- Enhancing natural capital and delivering ‘net gains’ for biodiversity is embedded in the National Planning Policy Framework and the 25 Year Environment Plan.
- ‘*Recovering nature and enhancing the beauty of landscapes*’ is one of the priorities in the 25 Year Environment Plan, and the Government advocated ‘natural capital investment plans’ as part of their strategy for nature. These plans will be aligned with the 25 Year Environment Plan (ensuring a clear line of sight to national government) but be particularly relevant to the local area or geographies within them.

5.1.6 **“...so that high-quality, well-managed habitats are resilient and adaptable to climate change, pests or disease”**

DRAFT VISION STATEMENT

- There is growing recognition that the quality or condition of habitat is critically important for biodiversity, rather than just the extent of that habitat.
- The SDNPA Vision refers to *'large areas of high-quality and well-managed habitat'*
- Resilience to climate change is important and is referred to in the 2026 'Pride of Place' partnership vision, the SDNPA vision, and is one of the conservation principles that informs where we should invest in strategic habitat restoration and creation.
- Adaptation to pests and diseases, such as Ash Dieback, and the fact that natural systems are dynamic, was emphasised in our consultation with the National Park.
- The stakeholder workshop and further discussions with the Downland Forum have shown that the chalk grassland in particular is a priority for conservation and enhancement. The Downland Forum suggest this is referred to explicitly in the Vision statement, but we suggest the wording around 'high-quality and well-managed habitats' provides for this.

5.1.7 **"...support wildlife networks throughout the landscape,"**

- Ecological networks are a major focus of conservation efforts. The scientific consensus is that 'fortress conservation' does not work effectively, and wildlife need to be able to move throughout the landscape in order to avoid genetic bottlenecks, mitigate the risk of local extinction, and adapt to a changing climate and other pressures.
- The importance of wildlife networks was laid down in Professor Sir John Lawton's 'Making Space for Nature' report – the 'Lawton Review' – which was launched in 2009 to look at England's collection of wildlife areas and whether they were capable of responding and adapting to challenges such as climate change. It concluded that a more coherent and resilient ecological network was needed to help wildlife cope with change: bigger, better, and more joined up.
- The SDNPA refers to *'a network supporting wildlife throughout the landscape'*.
- The 25 Year Environment Plan commits the Government to developing a 'Nature Recovery Network' to 'protect and restore wildlife, and provide opportunities to re-introduce species that we have lost from our countryside'. The aim is to provide 500,000 hectares of additional wildlife habitat, more effectively linking existing protected sites and landscapes, as well as urban green and blue infrastructure. Such a network will deliver on the recommendations from Professor Sir John Lawton: recovering wildlife will require more habitat; in better condition; in bigger patches that are more closely connected.

5.1.8 **"...and continue to deliver the widest range of ecosystem services into the future.**

- As well as helping wildlife thrive, the Government foresees the Nature Recovery Network delivering a wide range of additional benefits: greater public enjoyment; pollination; carbon capture; water quality improvements and flood management.
- This reflects the SDNPA's guidance that recommends the concept of ecosystem services and natural capital should be the core focus of the WEP approach.
- It also reflects the wording of the SDNPA's own Vision: *"People will understand, value, and look after the vital natural services that the National Park provides"*.
- Members of the Downland Forum suggest that the need to protect the town's aquifer and water supply from pollution should be a management priority; however, we suggest this does not need to be referred to specifically in the Vision, but will instead be a focus of the Ecosystem Services Analysis section in the WEP. Water filtration is exactly the sort of ecosystem service that the Downland habitats provide.
- The SDNPA encouraged us to 'stress test' the Vision statement for longevity and ensure that all aspects will remain relevant, ambitious and sustainable for the timeframe in mind. Pledging to deliver the 'widest range of ecosystem services into the future' is a critical aspect of future-proofing, and helps to contribute to inter-generational equity and fairness.

5.1.9 **"...Ensure that these ecosystem services are enjoyed, valued and understood by the public, with all Eastbourne residents feeling they are beneficiaries of the Estate – not just those who are able to visit regularly.**

DRAFT VISION STATEMENT

- This emphasises the public benefits that the Estate provides for everyone, including those who don't visit but who are still beneficiaries of (for example) its clean water, biodiversity or iconic landscape.
- 5.1.10 There may be Eastbourne residents who do not feel able to visit the Estate regularly, for reasons of poor mental health, anxiety, or cultural or social barriers, and who need extra encouragement or support enjoy, value and understand the ecosystem services it provides. **“...Ensure that our farmers are supported and valued as stewards of our land...”**
- This reflects the input of the Estate's agricultural tenants, who are motivated at least in part by a strong conservation and stewardship ethic, and who take pride in their responsibilities as stewards of the farmed environment.
 - 'Support and value' should come from both the Council, as landlord, and members of the public, who should be encouraged to understand how the Estate is managed and the role that farming plays in that.
 - This also reflects the Government's ambition in the 25 Year Environment Plan to improve how we manage and incentivise good land management.
 - The SDNPA sees farming as an integral part of the South Downs landscape, with successful farming businesses actively contributing to its unique identity and special qualities.
- 5.1.11 **“...Its soils and wildlife...”**
- 'Improving soil health' is one of the priorities set down in the 25 Year Environment Plan. The Government wants to ensure healthier soils by addressing factors in soil degradation such as erosion, compaction and the decline in organic matter, and it wants to work with farmers to achieve good soil management practices, including appropriate tillage choices, reintroducing grass leys into arable rotations and the use of cover crops.
 - Wildlife-friendly farming is a priority for the Government and the SDNPA, and it is something that the Estate's farm tenants take pride in.
- 5.1.12 **“...with sustainable and profitable businesses that can continue to flourish and innovate.”**
- This reflects the issues around business succession / routes into farming / opportunities for new entrants that were particularly salient in the minds of the Estate's tenants.
 - It reflects the SDNPA vision of successful farming business activities within the National Park actively contributing to, and deriving economic benefit from, its unique identity and special qualities.
 - It also reflects the Council's corporate objectives for the let agricultural portfolio, which should at least 'break-even' and pay for itself, ensuring assets are not a drain on the Council's resources or those of local tax-payers. Profitable farm businesses will sustain higher rental yields for the Council.
 - It recognises that farming will need to innovate to remain profitable, anticipating significant changes in the industry once the UK leaves the Common Agricultural Policy, with the Agriculture Bill likely to usher in a new era in the rural economy, challenging everything from tenancy arrangements to supply contracts.
- 5.1.13 **“Protect the Estate for future generations, ensuring that it is self-sustaining and financially resilient...”**
- Reflects the Government's overriding objective of “leaving our environment in a better state than we found it” over the course of a generation.
 - Reflects the Council's corporate objectives in the Asset Management Plan
 - Members of the Downland Forum have suggested the Estate should be protected 'in perpetuity' rather than simply for 'future generations'. They feel this better reflects the original intentions of the people who campaigned for its purchase between 1926 and 1929. However, 'perpetuity' is a very long time indeed, and places an encumbrance on the Council that extends far beyond the

DRAFT VISION STATEMENT

25 year time frame of the WEP. As a general rule, it is sensible to avoid making commitments in perpetuity. There are too many variables to make a truly permanent restriction on land use realistic. We should be cautious about binding future generations with 'dead hand' control in perpetuity. This caution is based on the principle that each subsequent generation should be free to decide how the land is used. We therefore suggest that 'future generations' is preferable to 'in perpetuity'.

5.1.14 **"...built on diversified income streams, promoting innovation, craftsmanship, rural creative industries, and high-quality visitor experiences"**

- Reflects Asset Management Strategy 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'*.
- Reflects Members' aspirations explore income opportunities beyond agricultural rental income, and to work with the farm tenants to capitalise on other potential opportunities – including different farming systems (such as viticulture), renewables, leisure, and tourism enterprises.
- It reflects the Council's Corporate Vision for a prosperous economy: "Eastbourne will continue to be an outstanding destination for tourism, arts, heritage and culture", a gateway to the South Downs National Park, a transformed and a place for improving skills, employment, learning, and participation for residents and tourists.
- It reflects the SDNPA's Vision of successful farming, forestry, tourism and other business activities within the National Park.

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Report to:	Cabinet
Date:	5 June 2019
Title:	Discretionary Housing Payments Amended Policy 2019/2020
Report of:	Tim Whelan, Director of Service Delivery
Cabinet member:	Councillor Alan Shuttleworth
Ward(s):	All
Purpose of report:	To review the revised Discretionary Housing Payment Policy for Eastbourne Borough Council
Decision type:	Key Decision
Officer recommendation(s):	To adopt the Revised Policy for Eastbourne Borough Council
Reasons for recommendations:	To ensure that the Discretionary Housing Payment scheme is administered consistently across the borough
Contact Officer(s):	Name: Angy Weaver Post title: Senior Specialist Advisor (Thriving Communities) E-mail: angy.weaver@lewes-eastbourne.gov.uk Telephone number: 01273 085096

1 Introduction

- 1.1 Discretionary Housing Payments (DHP) have been in place since 2001 and are designed to give additional financial help to someone who gets Housing Benefit or the Housing Element of Universal Credit but are still struggling to meet their rental obligations or are unable to get accommodation. They are intended to be short-term help and are not intended to continuously bridge the gap between a customer's rent and the benefit they receive.

DHPs are not available to help someone to pay their council tax.

- 1.2 Central Government allocate a contribution for Discretionary Housing Payments. Overall funding for 2019/2020 is £139.5 million. Funding from the government covers four separate areas

- Core funding
- Local Housing Allowance
- Removal of the Spare Room Subsidy
- Benefit Cap

For 2019/2020 Eastbourne Borough Council's allocation is £315,028. Local

Authorities can top up the DHP budget spend up to 2.5 times this amount from their own resources.

Customers have to apply for a DHP and supply an income and expenditure form. Consideration is given to their incomings and outgoings and a decision is made on whether or not to award a DHP.

There is an expectation that customers will reduce any unnecessary expenditure and apply for any welfare benefits they are likely to be entitled to.

2 Proposal – Main changes to the Policy

- 2.1 Non-dependant deductions will not be covered on an ongoing basis. If a customer has a deduction made from their Housing Benefit or Universal Credit Housing Costs because they have adults other than their partner living in their household then a deduction may be made from their help with housing costs. This is based on the income of the adult. It is expected that the non-dependant contributes the amount of the deduction to the customer in order to make up the shortfall.
- 2.2 When considering an award of a Discretionary Housing Payment whether there is a guarantor will be taken into account and if the landlord has insurance against rent arrears.

3 Consultation

- 3.1 Citizens Advice, Brighton Housing Trust, Food bank. Shaftesbury Centre. No major concerns raised.

4 Scrutiny Committee

- 4.1 To note and support adoption of the revised policy at meeting on 4 February 2019

5 Financial appraisal

- 5.1 The financial awards made under this policy are made from the contribution from Central Government. Any additional expenditure must be met by the Local Authority. In previous years the Council has spent the allocation in full as any residue must be returned to Central Government.

6 Legal

- 6.1 The administration of Discretionary Housing payments are governed by the Discretionary Financial Assistance Regulations 2001

7 Appendices

Appendix 1 - Discretionary Housing Payment Policy 2019/2020

Appendix 2 – Minute extract – Scrutiny Committee (4 February 2019)



Lewes District Council and Eastbourne Borough Council Discretionary Housing Payment (DHP) Policy 2019/2020

The Discretionary Housing Payment (DHP) Policy 2019/2020

Eastbourne Borough Council and Lewes District Council receive separate allocations from Central Government and may only make awards from their separate allocations. Any payments made above the allocation can only be made if Members of the Individual Councils agree to give additional funds. Records for payments made and Government returns must be kept separately for each Local Authority.

1 Background

- 1.1 This scheme began on 2 July 2001. The regulations covering DHPs are The Discretionary Financial Assistance Regulations 2001 referred to as 'the regulations'.
- 1.2 The DHP Policy will follow guidance provided by the Department for Work and Pensions.
- 1.3 The regulations give the Council a very broad discretion. However, decisions must be made in accordance with ordinary principles about good decision making, i.e. administrative law. In particular, The Council has a duty to act fairly, reasonably and consistently.
- 1.4 This updated policy reflects any new guidance issued by the Department for Works and Pensions in response to legislative changes.
- 1.5 The main legislative changes are:
 - Council Tax liability will not be recognised as a Housing cost because Council Tax Benefit will be replaced by a Council Tax Reduction Scheme. Therefore DHP cannot be employed as further financial assistance in relation to Council Tax liability.
 - DHP award is extended to include specific support for those applicants affected by welfare reform. Namely those affected by the benefit cap, the social sector size criteria and the Local Housing Allowance (LHA) reforms
- 1.6 All applications will continue to be considered in line with the policy but the decision to award (or not award) a DHP is discretionary.
- 1.7 Discretionary Housing Payments cannot cover ineligible service charges or deductions from Housing Benefit or Universal Credit Housing Costs to recover an overpayment.
- 1.8 Any reduction due to a Non-dependant deductions will not be eligible to be covered by Discretionary Housing Payment

2 What are Discretionary Housing Payments (DHPs)

- 2.1 Discretionary Housing Payments (DHPs) provide successful applicants with further financial assistance when the Council considers that help with housing costs is needed.
- 2.2 The following objectives are at the heart of the decision making process
 - Promoting and sustaining appropriate tenancies
 - Homelessness prevention
 - Supporting the vulnerable in the local community
 - Helping applicants through personal and difficult events
 - Promoting financial and social inclusion
 - Benefit cap cases will be considered a priority
- 2.3 The Council's specialist teams in Customer First and Homes First will work together and with third parties (landlords, appointees, advice and advocacy groups, etc) to promote DHP and to identify and support applicants whose needs meet the objectives of the scheme.

3 **Housing costs that can be considered**

- 3.1 Housing costs are not defined in the regulations and this gives the Council a broad discretion to interpret the term. The minimum qualifying criteria is that to award DHP in relation to rent the applicant must be in receipt of:
- Housing Benefit (HB); **or**
 - Universal Credit (UC) Housing Costs element; **and**
 - has a rental liability **and**
 - requires further financial assistance with housing costs.
- 3.2 In the narrowest sense, if an applicant has entitlement to Housing Benefit (HB), or Universal Credit (UC) Housing Costs element, then housing costs mean rent.
- 3.3 A wider interpretation can be applied to include rent in advance, deposits and other lump sum costs associated with a housing need such as removal costs.
- 3.4 The level of award may cover all or part of a shortfall or assist with the cost of taking up a tenancy. In effect this means there are three broad uses of the DHP fund
- to assist an applicant in receipt of HB/UC who has a shortfall between the level of their benefit and their ongoing rental liability (their housing costs)
 - to assist with the cost of taking up a tenancy
 - To help clear rent arrears to maintain a tenancy
- 3.5 An award of DHP is at the discretion of the Council and every application will be considered on its own merit.
- 3.6 Examples of housing circumstances that might be considered for an award of DHP are:
- Local Housing Allowance reforms
 - Social size criteria
 - The Housing Benefit cap.
 - Other cases whose circumstances merit an award

4 Factors we may take into account.

4.1 Some of the factors that may be taken into account when deciding on the eligibility for Discretionary Housing Payments are:

- The level of the shortfall between HB/UC and housing costs.
- Whether there is a genuine risk of eviction because of the shortfall.
- What steps the applicant has taken to alleviate the problem.
- Is there a guarantor for the rent
- Whether the Landlord has insurance to cover rent arrears
- Whether more affordable accommodation is available which the applicant could move to.
- Whether the applicant, or anyone in the household, suffers from a health condition, illness or disability, which means their choice of housing is restricted either temporarily or permanently
- If the applicant has other debts to pay, which make meeting the shortfall more difficult. Discretionary Housing Payments are not to be provided to pay off other debts.
- If the applicant has debts, have they taken advice on how to manage these effectively.
- If the applicant or anyone in their household, has any exceptional expenses which make it harder than normal for them to meet the shortfall (e.g. frequent travel to hospital).
- If there has been a recent change of circumstances, which makes it more difficult to meet the shortfall.
- Could the applicant reduce other expenditure so that they can meet the shortfall?
- The applicant's rent has been increased during a benefit period which cannot be allowed because of the eligible rent rules.
- Is the claimant or member of their household fleeing domestic violence

- The extent of the shortfall between rent and Housing Benefit/UC, including whether the claimant has any capital or disregarded income which can be used to meet it, or whether anyone else is able and willing to help to meet it

5. Making an application

- 5.1 Regulations require that an application has to be made for a DHP and that the Council must act consistently.
- 5.2 Applications will only be accepted in writing (email or letter on the prescribed form).
- 5.3 The person who applies for a DHP will be the person entitled to HB/UC or someone acting on behalf of the person concerned, such as an appointee or a landlord, if it is reasonable to do so. The application must be signed by the claimant or the appointee.
- 5.4 Only a Council can accept applications for DHPs. Our policy is that DHPs are administered by a Specialist Officer to ensure consistency of decision making and to facilitate payment alongside the existing HB/UC scheme.
- 5.5 An applicant can make a new application at the end of an award but there is no automatic extension of awards. The new award will be considered on its own merits

6 Assessing an application

- 6.1 Decisions may be made collaboratively between Customer First and Homes first staff. This ensures that due consideration is given to the impact of the decision on issues of homelessness and sustainable housing.
- 6.2 If the application is for a payment to cover rent arrears the Local Authority may take into account whether there is a guarantor or if the landlord has insurance that includes cover for unpaid rent.

7 Limits on the size of an award

- 7.1 Regulations place a limit on the DHP award so that it does not exceed the weekly eligible rent on the applicant's home. The limit only applies where the award is calculated as a weekly sum, for example, to meet a shortfall.

8 Duration of a DHP award

- 8.1 The length of time over which a DHP is awarded is discretionary. In most cases payments will not extend beyond the end of the financial year in which an application is made. The length of time is determined on a case by case basis.
- 8.2 A DHP award is not intended to be an ongoing payment. It is designed to assist on a short term basis to provide applicants with an opportunity to address their housing situation.
- 8.3 The Council can use DHPs for a rent deposit or rent in advance for a property that the applicant is yet to move into if they are already entitled to HB/UC Housing Element for their present home. If the applicant is moving in to the Local Authority area consideration will be given as to whether an application has been made to the previous authority for a Discretionary Housing Payment for rent in advance.
- 8.4 There are no rules on backdating other than the duty to act consistently.

9 Notification of decisions

- 9.1 Applicants will be notified of the outcome of the decision in writing. This includes the amount and duration of the award where applicable and how to dispute the decision.

10 Appeals

- 10.1 There is no recourse to appeal a DHP decision in law as DHPs are discretionary and do not form part of Social Security legislation.
- 10.2 The Council's policy is that any request to review a DHP decision will be considered by a different officer from the Decision Maker who will not normally be involved in the original decision making process.
- 10.3 Where appropriate the applicant's landlord will also be notified of the DHP decision, in accordance with data protection.

11 Paying an award of DHP

- 11.1 DHPs will normally be paid to the person or organisation in receipt of HB alongside the existing HB payment method. If UC is in payment the payment will be separate from the UC housing costs payment.

- 11.2 In the case of council tenants and council placements payment would usually be in the form of a rebate to the rent account.
- 11.3 DHP may be paid to someone other than the applicant if it is considered reasonable to do so. That could be an agent, an appointee or a landlord.
- 11.4 Where a DHP is used to meet the cost of moving to a new home (rent in advance or deposit) making the payment to the landlord will be considered in most cases.

12 Change of Circumstances

- 12.1 It is the applicant's responsibility to notify the Council of any change of circumstance which may affect the award of a DHP. For example, if a change in income resulted in an increase in HB/UC which meant the DHP was no longer required.
- 12.2 DHPs can be stopped where the award was made on the basis of the applicant's misrepresentation or failure to disclose a material fact.
- 12.3 DHPs can be stopped where they have been paid on the grounds of an error.
- 12.4 In all cases DHPs are recoverable from the applicant to the fund, at the discretion of the Council.

13 Recovery of overpaid DHP

- 13.1 The only method of recovery if a DHP is overpaid is to request repayment of the debt from the applicant. This is generally in the form of an invoice. Overpaid DHP cannot be recovered by reducing future Housing Benefit payments.

Working in partnership with **Eastbourne Homes**

Meeting: Cabinet

Date: 5 June 2019

Subject: Discretionary Housing Payment Amended Policy 2019/2020

Report of: Head of Service Delivery

The Cabinet is asked to consider the minute and resolution of the Scrutiny Committee held on 4 February 2019 as set out below.

Minute extract
Scrutiny Committee – 4 February 2019

49. Discretionary Housing Payment (DHP) Policy 2019/2020

The Committee considered the report of the Director of Service Delivery for the Scrutiny Committee to review the revised Discretionary Housing Payment Policy for Lewes District Council and Eastbourne Borough Council.

Members discussion included:

- A request for information on the 2018/19 Lewes District Council's funding allocation.
- A request for information on whether the DHP was replaced if income stops for a non-dependent person.

Officers responded that:

- The allocation for Lewes District Council was £224,072. It was a legal requirement for the funding allocations to be administered separately by Lewes and Eastbourne Councils.
- Notice must be given to the Authority regarding loss of income within a month. The claimant can apply for Universal Credit.

Resolved:

To note and support adoption of the revised policy across Eastbourne and Lewes Councils.

Reason:

To ensure that the Discretionary Housing Payment scheme is administered consistently across both authorities.

For a copy of the report please contact Democratic Services:

Tel. (01323) 410000.

E-mail: committees@lewes-eastbourne.gov.uk

A copy may be downloaded on the Council's website by following the link below:

<http://democracy.eastbourne.gov.uk/mgGeneric.aspx?MD=CommitteesLanding&bcr=1>

Report to:	Cabinet
Date:	5 June 2019
Title:	Eastbourne Town Centre Business Improvement District
Report of:	Director of Service Delivery
Cabinet member:	Councillor Alan Shuttleworth
Ward(s):	Devonshire, Upperton and Meads
Purpose of report:	To approve the Business Improvement District proposal, confirm conformity with relevant Council plans and policies and authorise the conduct of a ballot of business ratepayers and associated decisions
Decision type:	Key Decision
Officer recommendation(s):	<p>(1) That the Business Improvement District (BID) Plan set out in Appendix 1 be approved</p> <p>(2) To approve the BID ballot date and the Council's Returning Officer (as 'ballot holder') to proceed with the ballot and require the Functional Lead for Growth and Prosperity to supply up to date rating list information to the ballot contractor</p> <p>(3) That the Chief Finance Officer be given delegated authority to:-</p> <ul style="list-style-type: none">i. determine the statement of baseline services and baseline agreement annuallyii. operate a BID revenue account and pass over monies to the BID company <p>(4) To confirm that the expected costs of the ballot (c. £3,400) will be met by the Council</p> <p>(5) To agree that the initial 'one off' software costs required to collect the levy (c. £22,500) will be met by the Council</p> <p>(6) To agree that the Council will pay the estimated annual BID levy cost (c. £5,600) for Council owned properties within the BID boundary</p>

(7) That the Director of Service Delivery be given delegated authority to:-

- i. approve the operating agreement**
- ii. to vote in favour of the BID area in respect of the Council owned properties that fall within the BID area**
- iii. to administer, bill and collect the levies under the BID scheme**
- iv. review the costs associated with the Council's administration and collection of the BID levy at the end of year 1, should the ballot be successful**

(8) To note that the Council's reasonable costs of collecting the levy and the associated financial management costs will be recoverable from the BID levy monies, as specified in para 8.4 of the report

(9) To note that the Council's Returning Officer is permitted to delegate his responsibilities to others and that he has engaged the services of the Electoral Reform Services Ltd to undertake the ballot on his behalf

**Contact Officer(s): Name: Nick Ducatel
Post title: Functional Lead (Growth and Prosperity)
E-mail: nick.ducatel@lewes-eastbourne.gov.uk
Telephone number: 01323 415914**

1 Introduction

- 1.1** Business Improvement Districts (BIDs) are business led partnerships which are created through a ballot process to deliver additional services to local businesses. They can be a powerful tool for directly involving local businesses in local activities and allow the business community and local authorities to work together to improve the local trading environment. There are more than 240 successful BIDs currently operating in different towns and cities around the UK.
- 1.2** A BID is a defined area in which a levy is charged on all business rate payers in addition to the business rates bill. This levy is used to develop projects which will benefit businesses in the local area. There is no limit on what projects or services can be provided through a BID. The only requirement is that it should be something that is in addition to services provided by local authorities. Improvements may include, but are not limited to, extra safety/security, cleansing and environmental measures.
- 1.3** The BID proposer is required to develop a proposal and submit this to the local authority, along with a business plan (Appendix 1). The proposal should set out the services to be provided and the size and scope of the BID. It will also set out who is liable for the levy, the amount of levy to be collected and how it is calculated.

- 1.4 It is a requirement of the BID regulations that the BID proposals include a statement of the existing baseline services provided by the local authority or any other public authority in the proposed BID area. The statement will form part of the BID proposals which demonstrate to businesses voting for the BID that the proposed BID services are additional to the baseline services provided by the public authorities.
- 1.5 It is best practice for a baseline agreement to be approved at the start of a BID's term which sets out baseline services the local authority is going to provide (that reflects the statement of existing baseline services) and services to be provided by the BID. It is unrealistic for local authorities to commit to specific service levels for the full five year term of the BID. The BID proposer and local authority need to agree a process for reviewing the baseline agreement and best practice suggests the baseline agreement includes an annual commitment for review and if necessary update service levels, to reflect the services each will provide the following year.
- 1.6 Businesses that are subject to the levy, as set out in the proposals, vote in a ballot. This determines whether the scheme goes ahead. A successful vote is one that has a simple majority both in votes cast and in rateable value of votes cast. Each business entitled to vote in a BID ballot is allowed one vote in respect of each property occupied or (if unoccupied) owned by them in the geographical area of the BID. Once the BID is in operation the levy is charged on all businesses within the BID area (regardless of whether or how that business voted in the ballot).
- 1.7 The local authority will manage the ballot process. However, if the local authority is of the opinion that the BID arrangements are likely to conflict to a significant extent with an existing policy, place a financial burden on rate payers or the burden from the levy is unjust, it can decide to veto the proposals.
- 1.8 The BID proposal must set out who is liable for the levy, the amount of levy to be collected and how it is calculated. The proposal should also provide details of any relief from the BID levy that may apply and who is eligible. The amount and type of relief is dependent on local circumstances but could typically include charity relief. Usually BIDs charge a levy rate of between 1% and 4% of rateable value. The levy charged will be a percentage of this rateable value.
- 1.9 The maximum period that a BID levy can be charged is for 5 years. Once the term is completed the BID will automatically cease. If the BID company wants to continue its activities it must hold a new ballot.
- 1.10 A BID is managed by a BID body. This is often a private company but can be a partnership with the local authority. Most BID bodies are not-for-profit companies. The BID body is responsible for developing and implementing the proposal which sets out how the BID will operate. They will provide the local authority with this proposal along with the business plan (including the estimated cash flow, and predicted revenue to be generated by the BID) along with the financial management arrangements for the BID body. The local authority will manage billing and the collection of the levy and will hold the levy in a ring-fenced revenue account on behalf of the BID body.

2 Proposal

- 2.1 The 'Your Eastbourne' BID Steering Group has been established with representation from a wide range of businesses in the town centre. Since 2015 they have been developing a BID proposal (business plan) with a view to a ballot being held this coming July and for the BID levy to apply for 2019/20 and future years. Assistance was provided by the Department for Communities and Local Government from their loan scheme to help with start-up costs.
- 2.2 The proposal is for a levy of 1.5% on each business in the defined area with an annual rateable value of £6,000 or more. This is expected to raise £300,000 a year.
- 2.3 The BID company has negotiated a 15% discount on the BID levy for serviced tenancies that pay a separate charge (unrelated to the BID levy) to the Beacon for security and marketing. There are approximately 74 units that the discount will apply to. Instead of paying a BID levy of 1.5%, the levy for such businesses would be 1.275%.
- 2.4 A copy of the BID proposal is attached in Appendix 1. The plan describes the proposals, forecasted income and expenditure and spending plans.
- 2.5 The stated priorities, goals and benefits of the proposed BID are:
1. Bringing more customers, increased footfall and consumer spend into Eastbourne
 2. Attracting more businesses and jobs to Eastbourne
 3. Creating a lively and attractive alternative to on-line shopping
 4. Promoting Eastbourne as a place that residents and visitors will want to come back to time and again
 5. Ring-fenced dedicated monies for use only in BID area
 6. Five year investment programme
 7. Ownership by BID community
 8. The National BID Survey 2018 found 43% of BIDs reported new investment income as a direct result of their BID activity
 9. Delivering all of these ambitions, whilst at the same time reducing business costs
- 2.6 The BID promoters have promised that in the next 5 years they will deliver various initiatives around four themes. The themes are:
1. Dressing our town – for example, invest in winter and Christmas lighting to brighten up the town between October and March
 2. Footfall, Marketing and Promotion – for example, employ street ambassadors to meet and greet visitors to the town during peak periods
 3. Safe and Secure – for example, establish a business led night time economy working group to take advantage of this great opportunity
 4. Stronger Together – for example, lobby for better parking controls and restrictions.

3 BID ballot

- 3.1 The BID co-ordinator has submitted the necessary '84 day' notice required under the regulations. The regulations require that the BID proposer serves notice on both the billing authority (i.e. the Council) and the Secretary of State, giving notice of intention to seek a ballot.
- 3.2 The ballot will be held in the period 04 July 2019 to 31 July 2019. The 'ballot holder' is the Council's Returning Officer. The conduct of BID ballots is relatively complex. For these reasons, and also to ensure independent scrutiny and secrecy of the ballot process, Electoral Reform Services (ERS) will be engaged to undertake all aspects of the ballot process.
- 3.3 The Council is required to ensure a voter list has been created in readiness for a ballot, and this must originate from the rating list to define the eligible hereditaments. The regulations set out that the voter must be an eligible ratepayer who will be liable to pay the BID levy and that the address to which the ballot paper must be sent can be the address of the hereditament within the BID area or their principal place of business.
- 3.4 To ensure that the final voter list is as accurate as possible, the ballot holder should ensure it corresponds with the rating list update from the Valuation Office Agency closest to the date of notice of ballot. Once the notice of ballot has been issued to the voters, this list is then fixed and no changes to the rating list can be taken into account during the ballot period. The regulations allow for proxy applications and the replacement of lost papers.
- 3.5 The ballot is run as a secret ballot meaning that the BID proposer will not be notified of which way votes have been cast at any stage of the ballot, or after the ballot has ended. However the ballot holder may report to the BID proposer during the ballot which ballot papers have been received and may use the list to identify businesses that haven't voted in order to encourage them to vote. The ballot must be won on two counts – both a majority by number of votes; and a majority by rateable value of those that turnout to vote with no turnout threshold required. The count of the ballot papers is the responsibility of the ballot holder and is required to be carried out as soon as practicable after the ballot has ended. In practice, it is usually undertaken the morning after the ballot has ended with the announcement straight after the count on the same day.

4 BID outcome

- 4.1 If the ballot is successful, the Eastbourne BID Limited will be formed which will be a subsidiary of the not for profit EDEAL enterprise agency. It will have separate management accounts and bank accounts which will be independently audited annually.
- 4.2 The levy will be ring-fenced for the purposes of the operation and delivery of the BID.
- 4.3 EDEAL will be responsible for the governance of the BID, whilst operational

matters will be overseen by 'Your Eastbourne BID Advisory Panel'. The Advisory Panel and its members have already been appointed for year 1 and will be responsible for formulating strategy, projects and priorities for the BID whilst ensuring accountability. Anyone from the BID area eligible to pay the BID levy can stand to join the Advisory Panel at the AGM each year

- 4.4 Should the BID ballot be successful it is envisaged that the purchase, configuration and implementation of the BID software together with the necessary processes and procedures will take approximately 8 weeks. Billing and collection of the levy will therefore commence in October 2019.

5 Timetable

- 5.1 A summary of the key dates is given below:

Notice to Secretary of State	25 March 2019
Appoint ERS as ballot operator	March 2019
Publication of notice of ballot	18 June 2019
Ballot papers issued	01 July 2019
Ballot closes	31 July 2019
BID company is established	August to October 2019
BID revenue account established	August to October 2019
BID levy billed and collection starts	October 2019

6 Consultation

- 6.1 The Eastbourne BID has been in development for a number of years and has run a series of consultations and survey to businesses in the area.
- 6.2 The first survey was undertaken in 2017 and received 90 responses, 77% of whom supported the BID.
- 6.3 In October 2018 the BID proposer conducted a survey of consumers which had 285 respondents. 48% stated that they would not travel thirty minutes to shop in Eastbourne Town Centre.
- 6.4 Over the past two years the BID proposers invited 634 businesses from the proposed BID area to take part in an online survey in March 2019, designed to assess support and determine priorities for town centre initiatives.
- Of those who have responded so far, 31% were wholeheartedly in favour, 60% stated they were not sure and 4% were not in favour.
- 6.5 The BID team have followed this up with numerous meetings and 1-2-1 sessions with ratepayers. Each of the BID steering group members are meeting with businesses personally to consult and gain support through regular meetings
- 6.6 From the 1-2-1's conducted so far, 191 businesses stated they will support the BID, 22 are not in favour and 28 are undecided.
- 6.7 Those businesses that are supportive of the BID wish to proceed with the ballot

without further delays.

- 6.8 Concerns have been raised about the creation of a two-tier town centre with the improvements made and wish to see the BID focus on attracting footfall and investment to areas surrounding the existing improvements. Some concerns have been raised with regards to Brexit and the growth in online shopping and the changing face of the high street impacting on the retail sector and resulting in large retail chains such as BHS and Debenhams closing. It is the position of the BID steering group that the BID cannot be delayed any further as it is a critical time in the town's development.
- 6.9 The BID team continue to consult with businesses on a 1-2-1 basis and will continue these sessions both with existing contacts and new.
- 6.10 Consultation has also included talks and presentations with interested local organisations and businesses such as the Chamber of Commerce, the Beacon Centre and The Federation of Small Business. Businesses will be invited to a launch event in June 2019 to gain support for the BID before the ballot.
- 6.11 Consultations will continue with the business community and Council officers are being updated as the plans develop with regular monthly meetings.
- 6.12 The Council's Regeneration team is happy with the principles of the BID and are in agreement that it is a good opportunity for the town centre, as well as fitting with the Council's recent application to the Future High Streets Fund.

7 Relevant Council Policies

- 7.1 The Employment Land Local Plan (ELLP) contains several objectives relevant to businesses. ELLP2 : Encourage small and start-up businesses – to deliver a variety of new employment opportunities by providing a range of flexible employment spaces that can be used by existing businesses and new start-up businesses. In addition, ELLP4: Support existing businesses – To support existing businesses in staying in the town by allowing them to relocate to premises in the town that better meet their needs and help them to flourish.
- 7.2 There is also the Town Centre Local Plan (TCLP) that makes references to small and independent retailers, identifying areas such as Little Chelsea as a particular location where these are prevalent. TC5 identifies that within secondary shopping areas, comprehensive redevelopment or the amalgamation of individual shops within the secondary retail frontages will be resisted unless it can be demonstrated that this contributes to the overall vitality and viability of the Town Centre. In justification, the TCLP states that secondary retail areas support a diverse range of independent and specialist retailers which make a significant contribution to the overall variety of the Town Centre. It is important to protect these smaller retailers and the contribution they make in enlivening the retail mix and character of the Town Centre, particularly the areas around South Street and Grove Road (Little Chelsea) and the area around Cornfield Road and Cornfield Terrace.
- 7.3 The Government announced in the October 2018 budget, a business rates

Retail Discount scheme for retail properties that have a rateable value of below £51,000 which runs from 2019-20 to 2020-21. Under the scheme, eligible ratepayers will receive a one third discount off their annual Business rate bill. In February 2019 the Council approved a new Business Rate Retail Discount policy in order that the Council can provide support to retail businesses, many of which are within the Town Centre BID boundary.

- 7.4 It is considered that the BID proposals fit with published Council policies, particularly those contained within the ELLP and TCLP, which focus on supporting economic growth and prosperity within the town centre.

8 Financial appraisal

- 8.1 The local authority is required to manage the administration, collection and enforcement of BID levy charges. In practice the BID body and the local authority establish a levy collection agreement known as an 'operating agreement'. The principle of this agreement is to define the principles and processes for collecting the levy; enforcing the payment of the levy; reporting on collection and bad debt; monitoring provisions between the BID and the local authority; and providing regular detailed and summary information on the service to the BID as the client. Best practice suggests that a draft arrangement between the authority and BID should be available for scrutiny by businesses during the ballot period. The terms of the operating agreement are being drafted in liaison with the BID promoter and it is recommended that formal approval is delegated to the director of service delivery.
- 8.2 Under the BID regulations the Council is permitted to charge a reasonable fee for this service and the recommended industry standard is no more than 3%. It is proposed that the Council recover its reasonable costs of administering and collecting the levy. It is recommended a sum of no more than 3% of the levy income based on an estimated annual income of £300,000 would amount to approximately £9000 per annum. Any costs incurred over and above this sum would have to be met by the Council
- 8.3 There are one-off software acquisition costs relating to the calculations required for billing the additional levy and the mechanisms relating to collecting the funds. The estimated cost is in the region of £22,500. In addition the Council is obliged to meet the costs of the ballot (c.£3,400), other than in the unlikely event that the proportion of 'yes' votes is less than 20%, in which case the ballot promoter could be requested to pay. Provision has been made in the Council's 2019/20 revenue budget.
- 8.4 The Council will be required to pay the annual BID levy fee for 7 properties situated within the BID boundary. The combined Rateable Value of the properties is £370,500 and the estimated annual BID levy cost is c. £5,600.

9 Legal implications

- 9.1 The statutory framework for establishing and operating a BID is Part 4 of the Local Government Act 2003 and the Business Improvement Districts (England) Regulations 2004. The Council should apply the Regulations with due regard to

DCLG's Technical Guide for Local Authorities, which focuses on the core roles and responsibilities the Council is required to undertake in relation to a ratepayer-based BID development, management and termination.

- 9.2 Under s.51(2) of the 2003 Act, the Council may, in the circumstances prescribed by regulation 12 of the 2004 Regulations, veto the BID proposals within 14 days of the ballot where those proposals were approved by a majority of the non-domestic ratepayers entitled to vote.
- 9.3 The Council may veto the BID where it is of the opinion that the BID plan is likely:-
- a. to conflict to a material extent with any existing formally adopted Council policy
 - b. to be a significantly disproportionate financial burden on any business or class of businesses (as compared to other non-domestic ratepayers in the BID area) and:
 - i. that burden is caused by the manipulation of the geographical area of the BID or by the structure of the BID levy; and
 - ii. that burden is inequitable

Lawyer consulted 23.04.19

Legal ref: 008246-EBC-OD

10 Risk management implications

- 10.1 There is a risk that the additional levy costs in addition to annual business rates charges in a challenging national retail environment could mean that there is insufficient support for the establishment of the Eastbourne BID.
- 10.2 There will be initial implications on service delivery teams within the Council as a result of the implementation and ongoing administration and collection of the BID levy which won't have been scoped into the Joint Transformation Programme (phase 2) in 2017. Should the ballot be successful, it is recommended that the annual fee payable to the Council is used to support the cost of annual software licence fees and additional officer time. It is recommended that at the end of year 1 of the BID scheme, a financial and resource appraisal is undertaken.

11 Equality analysis

- 11.1 The Council has satisfied itself that the BID Business Plan does not conflict with any existing local authority policy nor propose a disproportionate burden on particular businesses by way of an unfair levy charge on a certain 'class' of levy payers, for example by an inappropriate manipulation of the BID boundary.
- 11.2 A review of the amended BID Business Plan indicates there is no reason to believe that the levy proposals and charges are unreasonable or would impose disproportionate charges on any ratepayers.

12 Appendices

- Appendix 1 – Your Eastbourne BID business plan
- Appendix 2 – Consultation letter

13

Background papers

The background papers used in compiling this report were as follows:

Business Improvement Districts: Information and Guidance (Ministry of Housing, Communities and Local Government).

<https://www.gov.uk/guidance/business-improvement-districts#overview>

Business Improvement Districts: Guidance and Best Practice to deliver a successful BID (Ministry of Housing, Communities and Local Government).

<https://www.gov.uk/government/publications/business-improvement-districts-guidance-and-best-practice>



Your
Eastbourne

BUSINESS
IMPROVEMENT
DISTRICT

It's your
Eastbourne
**Let's make
it shine**



Business Plan
2019-2024

Contents

Welcome	3
Your Eastbourne Your Goals	5
Your Eastbourne Your Choice	6
Your Eastbourne BID Steering Group	7
Our Success So Far	9
Consultation	11
Your Eastbourne BID Area	12
Dressing Our Town	13
Footfall, Marketing & Promotion.....	14
Safe & Secure	15
Stronger Together	16
Investing Your Levy	17
Example Levy Calculations.....	19
Key Performance Indicators	21
We Could Do Nothing.....	23
Frequently Asked Questions	25
The Next Step.....	27
The Legals.....	29



Harley Davidson nights: with over 200 bikers and live entertainment throughout the evening. We close the top of Terminus Road once a month to create a pedestrianised precinct.

Paws for Pudsey: Eastbourne's world record attempt. The event was devised by the Healthy High Street initiative which aims to increase footfall in the town.



The Coca-Cola Christmas truck: which features in the company's television advertising, is always a sure sign that the festive season has arrived.



Neon Noel: heralded as one of the lightshows to visit in the UK by the national press, this 3D explosion of colour and sound illuminated our Town Hall to captivate an estimated 25,000.

Eastbourne has a **once** **in a lifetime** opportunity

With more than £220m inward investment, these are exciting times in our beautiful seaside town. Over the coming year, Eastbourne will be transformed with a fabulous new shopping centre – bringing with it new retailers, restaurants, a cinema – and the promise of an expanded night-time economy.

All this alongside the redevelopment of conference and theatre facilities at Devonshire Park, ambitious plans for the seafront and its leisure facilities and much-needed spending on our town centre infrastructure.

There are challenges, though. The past five years have seen our high street change dramatically with some major names disappearing from the shopping scene altogether. We know that for our town centre to thrive and prosper – and to compete against online shopping – we need to create a visitor experience that brings people back, time and again.

So, what can we do to make the most of this investment and make Eastbourne more prosperous for us all?

During the past three years we've talked to you, we've listened to you, we've heard your concerns and we've shared your ambitions. And we've agreed: Eastbourne is a great town but if we all work together, it can be something even more special.

We want Eastbourne to be a place where businesses come, stay and prosper. Where people from a wider area choose to spend their shopping and leisure time. Where every business – large and small – can make the most of the changes happening in and around our town.

We believe the best way we can achieve this is by creating a Business Improvement District (a BID); a business-led organisation to promote and enhance our town centre.

Our BID proposal will profit from the investment already made whilst putting us – the business community – in charge of an additional £1.5m. Our money to be spent as we choose.

To write our own success story we've created this plan reflecting what you've told us so we hope you will support us by voting "Yes!" in our ballot in July. Together, we can make Your Eastbourne a better place to do business.

Christina Ewbank

Chief Executive

Edeal Enterprise Agency and Eastbourne unLtd
Chamber of Commerce

On behalf of Your Eastbourne BID Steering Group



It's your
Eastbourne
Let's make
it shine



"The BID can be a catalyst in bringing all of our various, exciting projects to life. Large or small, if we can bring all of that energy from our businesses together, we really can change the face of Eastbourne. Please get behind us and the BID – and vote yes!"

Denise Greaves, Commercial Director, Etc Magazine

"The BID is a great initiative for Eastbourne going forward as it will bring additional funds through the BID levy to spend on additional services – shaped by local business – which will help with the sustainability of our town."

André Brincat, Manager, Marks & Spencer



Your Eastbourne Your Goals

There are already over 300 BIDs working for their communities throughout the UK. Cumulatively, they are investing more than £200 million in projects decided on by their local business communities. They have a record of success, and recently neighbouring towns and cities (such as Hastings and Brighton) have either established or successfully renewed their BID.

During our recent consultation meetings in Eastbourne we have listened carefully to what you said is important to your business and we have carried out a business survey to make sure we understand your ambitions.

As a result we have set out the goals of our BID:

- 1 Bringing more customers to Eastbourne
- 2 Attracting more businesses and jobs to Eastbourne
- 3 Creating a lively and attractive alternative to on-line shopping
- 4 Promoting Eastbourne as a place that residents and visitors will want to come back to time and again
- 5 Making Eastbourne town centre safe and secure



Your Eastbourne Your Choice

Your Opportunity

To raise over £1.5 million to invest in Your Eastbourne over the next five years.

Your Funding

The BID will be funded by a 1.5% levy on each business in the defined area with an annual rateable value of £6,000 or more and will raise over £300,000 per year to be spent on the town centre BID area. We also aim to raise £70,000 additional sponsorship over the five year period.

Your Control

The BID will be managed entirely by the business people from within the BID area and will oversee the delivery of projects detailed in this business plan. Any levy-payer can apply to join the steering group at the AGM each year from 2020.

Your Decision

You have told us what you would like to see in the BID area. So this is your chance to vote "Yes" and make it happen.

Your Vote

We are asking you to nominate the person in your organisation who will be eligible to vote. Ballot papers will be sent to all eligible voters by post in July 2019, and voting will be possible between July 4th and July 31st 2019.

Remember, this initiative is business funded and business run.
It's Your BID, Your Eastbourne



Your Eastbourne BID Steering Group

The BID is comprised of business leaders in our town and includes a range of sectors. From hospitality to retail and the professional services, our BID team also stretches across the town, with each area represented.

Carl Bird
André Brincat
Adam Chugg
Christina Ewbank
Denise Greaves
Denise Harwood
Stephen Holt
Matt Huddart

Luke Johnson
Lawrence Neil
Tom Meggison
Dave Padmore
Ashley Pugh
Keith Ridley
Jackie Seagar
Martin Searle
*** Shoes**
Jeremy Sogno

* Chair of Eastbourne BID

Coffee Republic
Marks & Spencer
3VA
Eastbourne unLtd Chamber of Commerce
Etc Magazine
The Enterprise Centre
Edeal Enterprise Agency
The View Hotel on behalf of the
Eastbourne Hospitality Association
Town Centre Manager
Tristore
Metro Bank
McDonalds
W Bruford, Pandora and Inspired
BID Co-ordinator
Shakeaway
The Federation of Small Business
Dew Drop Inn & The Eagle
Lawson Lewis Blakers

Fish & Tips
Agency taken by
Aless Photography





"Our town centre has a bright future and real opportunity with the investment being made in the extension to the Arndale and we now have a real chance to capitalise on this. The BID process in my opinion will give us the ability and the finance to make both physical and strategic changes to bring the town centre into the 21st century."

Ashley Pugh, Managing Director, W Bruford



"I would like to offer my full support for the BID, after being involved in the successful Hastings BID where I was part of the Board. It is an exciting opportunity for the business people in the town to help shape their own future, whether you are part of a large multi-national chain or a small independent business, everyone has a voice."

David Padmore, McDonalds, Eastbourne

Our Success So Far...

Your BID team has already held a number of successful events as a result of grant funding and sponsorship.

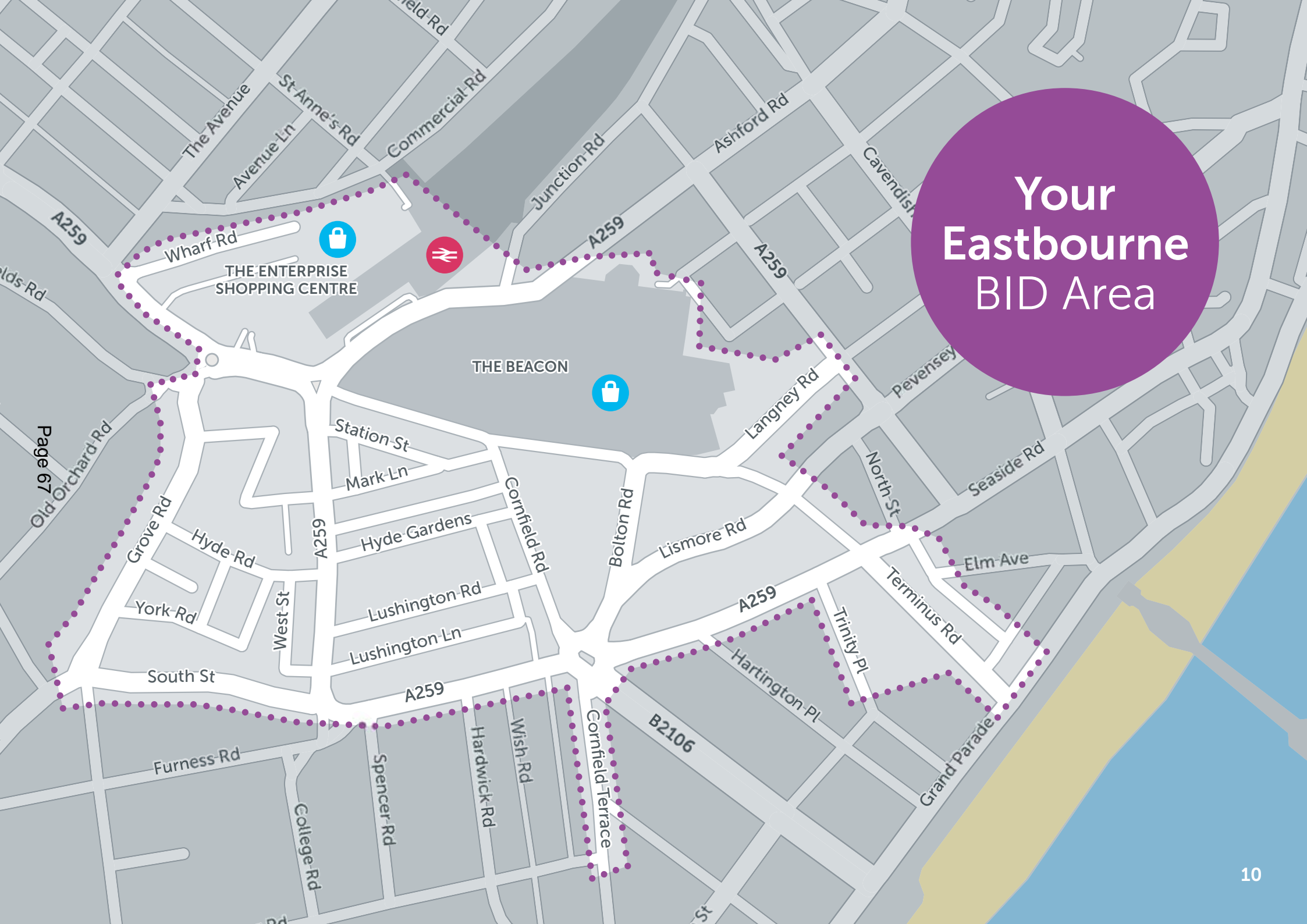
- Over 70,000 attracted to the town over Christmas
- Neon Noel, our Town Hall lightshow gathered widespread national media coverage including TV and newspapers and attracted over 25,000 spectators per year. Neon Noel will not happen again without the BID
- Hosted the Coca Cola truck tour for two successive years attracting 10,000 spectators per annum
- We welcome over 200 Harley Davidson bikers every month during the summer when we pedestrianise the road and attract live entertainment
- 100 zombies and their families attended the first Day of the Undead in Eastbourne
- 250 bears and their owners attended a world record "Paws for Pudsey" attempt
- We successfully lobbied Eastbourne Borough Council to purchase and upgrade Victoria Mansions



We want to **build on these successes** and do so much more to **create a buzz around the town centre**. Failure to invest in our town could lead to our falling behind competitors, like Hastings and Brighton



Your Eastbourne BID Area



Consultation What We've Done

An initial feasibility study was launched online to all businesses in the town centre in August 2015 to assess support and determine priorities for any future BID.

With the overwhelming majority of respondents giving their support, the decision was taken to launch a steering group, comprising of leaders from the different sectors and parts of our proposed BID area.

Over 250 one-to-one consultation meetings have been held to help form this business plan and further individual consultations will continue in the weeks leading up to the ballot.

Consultation has also included talks and presentations with interested local businesses and organisations such as the Chamber of Commerce, the Federation of Small Business and the local town centre crime reduction partnership.

From October to February we held a series of group consultations with businesses across the town drilling down into your priorities. Each meeting was attended by between 25 and 34 individual businesses. In total we have contacted all of the hereditaments, and spoken to over 60%.

In January 2017, an online survey was conducted to ask for input on our BID priorities. Since then, we have been working with you to address your priorities. If you would like further members of your staff to receive this survey or any other information about the BID, please do pass on their contact details and we will happily add them to the distribution list.

Our BID has also attracted strong media support both locally and regionally, including a number of articles in the Eastbourne Herald, Platinum Business Magazine and ACESussex. We have also been featured on Eastbourne Buzz and BBC Radio Sussex.



Consultation What You Want

From the consultations held,
the BID will:

- 1 Enhance the environment with striking winter lighting, signage, and impactful planted areas whilst creating an identity to promote Eastbourne's independent shopping areas; like Little Chelsea, Terminus Road, Cornfield, Langney and Bolton Roads
- 2 Support and run events that will help increase footfall to our town
- 3 Introduce family friendly street ambassadors and work with partners to make our town safer
- 4 Lobby all levels of Government to ensure the needs of our town centre are heard

Dressing Our Town

What you told us:

"It's difficult to find your way around the town"

"Parts of our town are looking very tired"

"We need to inject some colour"

"Eastbourne doesn't have a focal point"

The challenges:

- Eastbourne is a beautiful town, but parts are starting to look a little dated.
- This will only get worse as the new development spotlights the areas that need enhancement.
- This was the number one concern that was raised during our consultation meetings.
- Your BID will invest heavily in improving the street scene, and helping people find their way around the town. Whether it's the perfect coffee shop, the tastiest treats or the essential gift, we will make it easy to find where to go.



What we'll do:

- 1 Invest in winter and Christmas lighting, to brighten up the town between October and March
- 2 Install wayfinder signage between the station and the seafront to help people find their way to the places they want to visit!
- 3 Create an attractive visual identity for wider areas of our town
- 4 Create 50 new installations of planters in the street – bringing colour to the town!
- 5 Ensure a high level of street cleaning

ALLOCATED
£578,000
OVER 5 YEARS

Footfall, Marketing and Promotion

What you told us:

"We need more events in our town centre"

"Events make the centre exciting"

"Any events that entice families and locals to the town rather than internet shopping is a good thing"

"We don't always see the benefit of the seafront events as they are located away from the centre"

The challenges:

- Eastbourne has a busy Summer events schedule, but often these are located on the seafront and have little direct impact on the town centre.
- Few events are held within the town centre itself. This will change with funding from the BID.
- Eastbourne's event schedule during the Spring, Autumn and Winter also needs investment – to drive footfall throughout the year.
- Footfall is vital to a town centre – but the offering has to be right. With a co-ordinated campaign, our events and marketing will push our town to the next level.



What we'll do:

- 1 Employ street ambassadors to meet and greet visitors to the town during peak periods. They will know what's going on in the town, and direct footfall and guide them to places less visited
- 2 Provide funding and support for seasonal events across the town centre, for example in Little Chelsea and the seafront end of Terminus Road
- 3 We will shout about what's going on in Eastbourne, working with media partners to promote our events to families and visitors
- 4 Fund Eastbourne's Christmas activities – making sure we are a destination town for Christmas
- 5 Develop and promote an Eastbourne app for visitors and residents

ALLOCATED
£232,500
OVER 5 YEARS

Safe and Secure

What you told us:

"There is no night-time economy"
"We are worried about street drinkers and homeless people"

The challenges:

- Improvements to our Town Centre are superficial if our visitors do not feel safe and secure.
- Whilst the crime statistics for our town are low, there is a perception of increasing anti-social behaviour within our town.
- Tackling street drinkers, homelessness and crime are all areas that require partnership working and the BID makes us stronger together.



What we'll do:

- 1 We will employ a business crime warden for the sole use of the town centre BID area – tasked with tackling anti-social behaviour
- 2 We will co-fund an outreach worker to engage with the local homeless community
- 3 We will tackle the areas of anti-social behaviour
- 4 We will establish a business led night time economy working group to take advantage of this great opportunity
- 5 We will work with partners to help tackle street drinkers, property damage and anti-social behaviour
- 6 We will work with the Joint Action Group on street drinkers, beggars and homelessness to implement a plan and make sure the business community is appropriately heard

ALLOCATED
£287,500
OVER 5 YEARS

Stronger Together

What you told us:

- "We want to see improvements to our town's infrastructure"
- "We need a powerful lobbying voice"
- "We want more shared space and pedestrianisation"
- "We want better parking controls and easier access"
- "We want help to grow our business"

The challenges:

- We need to take charge of our own future. We need to make sure the voice of the business community is heard loud and unified.
- We need to communicate about our town and the issues that affect us more clearly.
- We've heard complaints about poor parking, poor paving, increased costs, a lack of night time economy and poor access.
- We also know that the Southern Rail strikes have had a devastating effect on our local economy.
- Working together, with 600+ businesses in the town centre – our voice cannot be ignored!



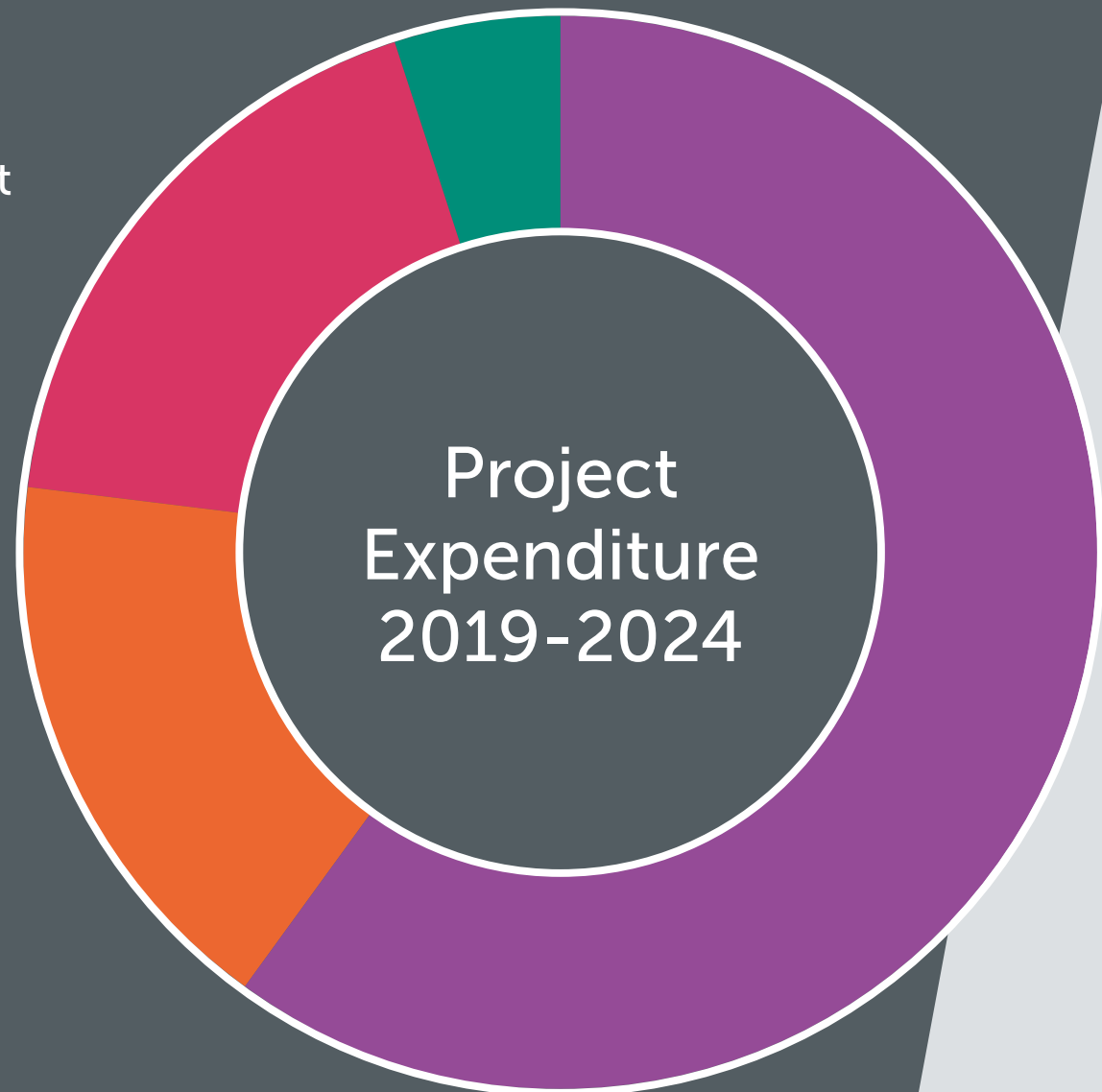
What we'll do:

- 1 We will campaign for increased pedestrianisation and public spaces
- 2 We will campaign for free parking after 4pm
- 3 We will campaign for better pavements, bus and cycle routes
- 4 We will work with partners to find mentors to help grow your business
- 5 We will organise regular website briefings and networking events
- 6 We will be an inclusive BID – bringing all sectors and areas of the town together

ALLOCATED
£25,000
OVER 5 YEARS

Investing Your Levy

A "Yes" Vote will allow us to invest approximately £1.5 million in our town between 2019 and 2024.



INCOME	2019/20	2020/21	2021/22	2022/23	2023/24	TOTAL
Levy Income	£300,000	£300,000	£300,000	£300,000	£300,000	£1,500,000
Sponsorship + Grant Funding *	£10,000	£15,000	£15,000	£15,000	£15,000	£70,000
TOTAL INCOME	£310,000	£315,000	£315,000	£315,000	£315,000	£1,570,000
PROJECT EXPENDITURE	2019/20	2020/21	2021/22	2022/23	2023/24	TOTAL
Dressing our town Signage, winter lighting, identity & planters	£102,000	£133,000	£123,500	£112,000	£107,500	£578,000
Footfall, Marketing & Promotion Bringing in new customers and promoting your business	£34,000	£39,000	£51,500	£54,000	£54,000	£232,500
Safe and secure Street ambassadors and security	£44,000	£54,000	£54,000	£66,500	£69,000	£287,500
Stronger together Working to get what we want	£5,000	£5,000	£5,000	£5,000	£5,000	£25,000
TOTAL SPENT ON BID PROJECTS	£185,000	£231,000	£234,000	£237,500	£235,500	£1,123,000
MANAGEMENT / ADMIN COSTS	2019/20	2020/21	2021/22	2022/23	2023/24	TOTAL
Bad debt provision (3% of levy income)	£9,000	£9,000	£9,000	£9,000	£9,000	£45,000
Levy collection **	£9,000	£9,000	£9,000	£9,000	£9,000	£45,000
Office costs ***	£47,000	£47,000	£47,000	£47,000	£47,000	£235,000
BID loan repayment ****	£42,000	-	-	-	-	£42,000
BID development costs	£10,000	£10,000	£10,000	£10,000	£10,000	£50,000
TOTAL SPENT ON RUNNING BID	£117,000	£75,000	£75,000	£75,000	£75,000	£417,000
TOTAL EXPENDITURE	£302,000	£306,000	£309,000	£312,500	£310,500	£1,540,000
BALANCE	£8,000	£9,000	£6,000	£2,500	£4,500	£30,000

* Figure based on previous sponsorship and grant funding raised by Edeal.

** Fee charged by Eastbourne Borough Council to collect the BID levy.

*** Office costs include office rental, insurance, website, bookkeeping and accounting, postage, IT, telephony, staffing, stationary & printing.

**** A one off payment to the Department of Housing, Communities and Local Government following our BID loan application.

Any reduction in spending towards the administration and management of the BID will be re-invested on the projects as defined by the steering group or BID Board. There is a small contingency within the BID calculations. This will be re-invested on the projects as defined by the steering group or BID Board.

Example Levy Calculations

Rateable Value	Annual Levy	Monthly Equivalent	Weekly Equivalent
Up to £5,999	Donations welcome	£0	£0
£6,000	£90	£7.50	£1.73
£8,000	£120	£10.00	£2.30
£10,000	£150	£12.50	£2.88
£50,000	£750	£62.50	£14.42
£100,000	£1,500	£125.00	£28.85

- The median BID levy is £195 per year.
- Please note that there is a discount of 15% for serviced tenants of the Beacon. Charities without a retail unit (e.g. the Foodbank) will not be charged the levy. NHS only properties will not be charged the levy
- Suggested donations for those with a rateable value of under £5,999 of 1.5%





"Imagine an organisation that supports, really supports business in our town. Imagine people who listen to our views and get things done here, in Eastbourne. Imagine someone representing us before the council, arguing actively – vociferously – against an increase in parking charges, arguing for better, cleaner pavements, for sunny hanging baskets in the summer."

Diana Hing, Manager, C&H Fabrics



"We have a unique opportunity to follow on from the recent large investments in the town to help improve the independent retail offering in Eastbourne. For a small addition to our outgoings each year, we could attract a tremendous return in funding available to help us ride on the back of the improvements elsewhere in the area."

Lawrence Neil, Proprietor, TriStore

Key Performance Indicators

- 1 Footfall in the town centre**
 - Measured manually by the BID team in controlled locations according to need
 - A footfall camera near the main entrance to the Beacon (position to be finalised with Highways Department)
- 2 Shop vacancy rates**
 - Reduce the current rate of 5.38% (NB National Average is 10.1%)
 - To be recorded and updated monthly by a member of the BID team on the BID website
- 3 Business confidence and crime perception**
 - Via annual business surveys of all hereditaments
- 4 Reduce anti-social behaviour and crime incidents**
 - Measured via reported crime statistics including the monthly Community Safety Partnership statistics
- 5 Event impact**
 - Via online competitions and exit interviews to monitor our geographical catchment area
 - Via tactical footfall comparisons
- 6 Dressing our town over the 5 years of the BID**
 - 50 new planters throughout the town centre including annual maintenance
 - New winter lighting in 8 small trees, 6 medium trees and 8 large trees stretching from the seafront to the train station
 - New up lighters for 6 trees in the main pedestrian precinct between Bolton Road and Cornfield Road. (These trees keep their leaves until February so need a different lighting solution.)
 - Creating visual and unique identities for various areas around the town centre
 - Identity signage to signal the entrance to Little Chelsea, Cornfield and Victoria Place
 - Colour co-ordinated lamp post banners, bunting and umbrellas in independent areas including Little Chelsea, Cornfield and Victoria Place



7 Footfall and promotion

- Events to keep Eastbourne town centre active from October to March, outside the tourist season:
 - Easter-Bourne (Mar - Apr)
 - Eastbourne Day of the Undead Zombie Walk (Oct)
 - Town Centre Christmas event (Dec)
 - Chinese New Year (Jan - Feb)

8 Seeder funding for areas around the town centre to run events

- Harley Davidson Nights in Victoria Place (May-Sept)
- Little Christmas (Dec)
- Cornfield Winter Fayre (Nov)

9 A co-funded outreach worker to work with the street community

10 A business crime warden for the BID area

We Could Do Nothing...

We could save the median BID levy of £195 per year and fail to attract shoppers to our town. We could leave the town centre to become shabby and fail to manage the street community, rough sleepers and anti-social behaviour.

We could leave the independent shops around the town to survive the uncertain economy and, fingers crossed, hope that shop vacancies don't increase.

With over 300 successful BIDs established across the UK, including Hastings, Worthing, Brighton and Bournemouth, we could risk that other towns attract visitors and shoppers while Eastbourne loses out.

Without a BID, the general appearance of our town centre will decline. The perception of crime will increase and businesses will struggle to compete with increasing online sales. Who wants to visit a town full of rough sleepers and

street drinkers? It's less threatening to shop online or go to one of the attractive towns with an active BID.

Local Authorities are under increasing pressure to fund their statutory duties. They have no duty to fund a business crime warden or improvements to the town centre such as planters, winter lighting or Christmas lighting. Neither is there a 'minimum' requirement for the number of police or housing officers tackling homelessness.

It's up to us!





Let's take control of our town centre...

59% of your customers told us that they want to see increased security. Customers want to shop in a vibrant, attractive and safe environment. They want to feel secure in our town centre.

Your Eastbourne BID will employ a business crime warden, tasked with patrolling the BID area. They will be available to tackle shop lifting or anti-social behaviour for your business.

The BID will also invest in creating a warm and welcoming atmosphere in town with street ambassadors and stylish decoration throughout; not just in front of The Beacon Centre.

We welcome the investment already made but we need to make sure that the whole town centre benefits.

Prevent a two-tier town centre

The biggest fear we have heard from businesses during our consultations is that the new investment in the town could create a "two-tier" town centre.

The risk is very real. Without the BID it is too easy for customers to visit The Beacon Centre and not venture elsewhere. Whilst welcoming the town

centre redevelopment, we must be careful to make sure that everyone benefits from this investment.

The BID is the best opportunity to prevent a two-tier town centre. It focuses activity on independent and small retailers and strengthens our ability to draw down government funding for our town.

The BID will represent 100% of businesses in the town centre, that's almost 600 premises, which means that local authorities must take note of what we want.

A unified voice empowers us all.

Your Eastbourne BID puts you in control

A BID is a recognised body which influences development across a whole town, extends pedestrian areas, introduces public squares and leverages funding for what we want.

A BID is a recognised body that local authorities have to listen to.

Your Eastbourne BID represents you and can achieve what you want for your business.

Frequently Asked Questions

There are more than 300 successful BIDs currently operating in different towns and cities around the UK. Here are some of the FAQs asked about BIDs.



1 What is a Business Improvement District?

A BID is a business led organisation working to implement projects that benefit an area and its businesses. Your Eastbourne BID can only start operating after a successful ballot of businesses in the BID area which will be conducted by the local Council on our behalf.

2 How long would our BID last?

Your Eastbourne BID would last five years after which it has to submit to a new ballot. (N.B. The vast majority of BIDs vote "yes" in larger numbers when their second ballot is held.)

3 How would Eastbourne BID be run?

The day to day operation of the BID is managed by a steering group which any levy payer can apply to join. The group includes town centre retailers, pubs, clubs, restaurants and offices. In effect, every business whose rateable value is £6,000 or more.

Following the first AGM in 2020, an Advisory Panel will be established comprising volunteer members who will formulate strategy, projects and priorities and oversee the delivery of the BID.

4 Are any businesses excluded?

Some charities are excluded - including those who do not make money selling goods in a retail shop. For example, the Food Bank would be excluded while charity shops are included.

NHS premises are excluded but any premises practicing health services privately are included.

Businesses with annual rateable value of £5,999 or less are excluded but will be encouraged to make a donation each year.

5 How is a BID funded?

It is funded by a small levy on all businesses within the BID area. In Eastbourne this would be calculated at 1.5% of your rateable value and would be collected annually.

Serviced tenancies who pay a charge to The Beacon Centre for security and marketing will receive a 15% discount on the total levy payable.

If you decide Your Eastbourne BID would help make Eastbourne a better place to do business, please vote "Yes" in the ballot.

6 When will the ballot be held in Eastbourne?

The ballot lasts for 28 days and will start on the 4th July 2019. For a BID to be set up, there needs to be a ballot of eligible businesses. The ballot will ask a simple question: "Are you in favour of the proposals for the Eastbourne Business Improvement District?"

7 How is the vote calculated?

In order for the BID to come into existence, a simple majority of those voting must vote in favour. However, their votes must also represent a majority of the aggregate rateable value of the properties that vote.

8 Who actually votes?

The owner of the business normally votes. National chains may delegate the responsibility to a local manager or appoint someone to vote from head office. They may consult the local manager before voting.

If you wish to nominate a local manager or individual to vote in the BID ballot on your behalf, please get in touch with the Eastbourne BID team (contact details are on the back page).

If your business falls within the proposed BID area and has a rateable value above £5,999, you are eligible to vote in the BID ballot.

9 How will the levy be collected?

The BID levy will be collected through the current business rates system, but will be the subject of a separate bill. The levy may be amended on an annual basis in line with inflation, at a rate to be agreed by Your Eastbourne BID Advisory Panel to a maximum of 2%.

The Eastbourne BID will be clear and transparent about how it is spending the money. Regularly updated information about income and expenditure will be available to all members of the BID.

10 Why do my business rates not cover this?

The BID will provide services and benefits over and above those offered by the local authority and other statutory agencies. The BID will sign what is known as a Baseline Agreement with both Eastbourne Borough Council and East Sussex County Council, which will legally establish what the local authorities already

deliver, and the steering group will monitor these agreements.

11 How long will the BID last?

The BID will last for five years, meaning guaranteed investment in Eastbourne until 2024. If you want the BID to continue beyond 2024, you will make this decision in 2024 through a further ballot process.

During the five year term, there will be KPIs reported to the BID advisory board, measuring the success of the BID in achieving its goals, including footfall and awareness of the town.

12 How will I be represented?

If the ballot in 2019 is successful, the Eastbourne BID Limited will be a subsidiary of the not-for-profit Edeal enterprise agency, in operation for over 30 years. It will have separate management accounts and bank accounts which will be independently audited annually. The levy will be ringfenced for the purposes of the operation and delivery of the BID.

EDEAL will be responsible for the governance of the BID, whilst operational matters overseen by the Your Eastbourne BID Advisory Panel. The Advisory Panel will formulate strategy, projects and priorities for the BID whilst ensuring accountability.

The first AGM will take place within the first 12 months after the BID starts its work.

The Advisory Panel has already been appointed for the first year to represent every part of the BID Area.

Any business owner who is eligible to vote and pay the levy may become a voluntary member of the BID Advisory Panel, alongside representatives of our business partners – including Healthy High Streets, the Chamber of Commerce, EDEAL, The Beacon Centre, The Enterprise Centre and Eastbourne Hospitality Association.

Any levy payer (or staff member appointed by the levy payer) can stand for election to the Board at the AGM each year from 2020.

13 How will we hear about the progress of the BID?

We will hold regular Board meetings and will log performance against agreed KPIs. We will also send out regular emails, networking events and an annual report will be sent to all levy payers. Board reports will be published on the website.

14 What if I am new hereditament or my rateable value changes?

If a new hereditament joins during the year, then they will be added to the BID at their first annual billing. Should a hereditament have their rateable value re-assessed, this will be updated at their next annual billing. Amendments will not be issued.

The Next Step "Vote Yes!"

The Business Improvement District ballot is YOUR chance to have YOUR say in the future of your Eastbourne – a town centre that you will be investing in.

This is your chance to help Eastbourne to move ahead of its competitors and to make us an attractive "destination town".

This is your chance to make Eastbourne shine.
Please don't miss it.

July 2019

You will receive your voting pack from Electoral Reform Services and you will then be able to vote.

4th July to 31st July 2019

The 28 day ballot will open and close on these dates.

1st August 2019

We will announce the result of the ballot.

4th September 2019

Commencement date.

2019 – 2024

Five years of exciting investment and improvements to our town centre.

2025

You decide on a five-year renewal, based on the performance of Your Eastbourne BID.





"The BID will allow us all to be able to add the finishing touches to our town, such as helpful way finder signage and the possibility of friendly and helpful town centre street ambassadors at peak times."

Denise Harwood, Commercial Director, Enterprise Centre

"The Devonshire Park development as well as a transformed Beacon Centre, along with all that Little Chelsea and the independent sector has to offer, will allow us to establish ourselves as a destination town in the South East. The BID gives us a terrific chance to get shops, restaurants and hotels working together, to create a better business environment for us all"

Matt Huddart, General Manager, View Hotel



BID Legislation

The small print

1 GOVERNANCE

- 1.1 Your Eastbourne BID will be a subsidiary of the not-for-profit Edeal Enterprise Agency and will have separate management accounts and bank accounts which will be independently audited annually.
- 1.2 The governance of Eastbourne BID will be the responsibility of EDEAL Enterprise Agency with operational matters overseen by the Your Eastbourne BID Advisory Panel. The steering group will be the Advisory Panel until the first AGM.
- 1.3 The Advisory Panel will consist of business and other stakeholders within the BID area. Any business within the BID area is entitled to be elected to the Advisory Group. The Advisory Panel will be made up of voluntary representatives of levy paying businesses and property owners who will be elected annually (starting in 2020) with the process advertised to all levy payers. Additional members may be co-opted on as required.
- 1.4 The Advisory Panel will have responsibility for financial arrangements, contractual obligations, human resources, standards and compliance, and strategic direction. The Panel will be made up primarily of appointed representatives of levy payers with additional expertise as required.
- 1.5 During the first year of the term, appropriate rotation policies for all Panel members, including the chair, will be approved by the Board. When the period of office of the current chair expires, the position will be advertised among all the hereditaments.
- 1.6 Provided the BID is meeting its overall objectives, the Panel shall have the ability to vary service delivery and expenditure allocation, according to the changing demands of the levy payers. However, any changes to the BID boundaries or to the levy rate proposals would require an alteration ballot.
- 1.7 BID levy contributions will be spent entirely to service the area within the identified boundary and ringfenced for BID projects and its operational costs. The Panel will be responsible for controlling and managing the finances of the BID. The EDEAL Board will monitor the monthly management accounts and annually audited accounts.
- 1.8 The BID accounts will be audited annually by independent accountants.
- 1.9 An Operating Agreement, which includes the two councils' baseline service statements, has been agreed and will be in place from the commencement of the BID term. (The two councils are East Sussex County Council and Eastbourne Borough Council.)
- 1.10 Notice of the intention to hold a ballot was provided to the Secretary of State on 25th January 2019.
- 1.11 Representatives of the BID Advisory Panel will provide copies of statutory accounts and financial statements to the local billing authority annually and to local levy payers on request. An electronic financial summary and chair's statement will be sent to all levy payers annually, including a website link to the statutory accounts.
- 1.12 Representatives of the BID Advisory Panel will meet with the billing authority on a quarterly basis to discuss service delivery, levy collection and financial management issues.
- 1.13 An annual presentation to levy payers and stakeholders will be held which will help determine priorities for the following year.
- 1.14 The BID will ensure that all businesses within the BID area are engaged with its work and that BID communications assist inclusivity.

2 BID RULES

In developing the rules that will apply, consideration has been given to The Industry Criteria and Guidance Notes for BIDs (2019), published jointly by the British Retail Consortium, the Inter Bank Rating Forum, the Federation of Small Businesses, the British Council of Shopping Centres and the British Property Federation.

The ballot:

- 2.1 In July 2019, Electoral Reform Services will send a ballot paper to those responsible for properties or hereditaments subject to the BID.
- 2.2 Each property or hereditament within the BID liable to pay the levy will be entitled to one vote in respect of the proposal in a 28-day postal ballot period which will commence on 4th July and close at 5pm on July 31st 2019. Ballot papers received after 5pm on July 31st 2019 will not be counted.
- 2.3 In order for the vote to be successful at ballot, the result will need to meet as a minimum, two independent criteria which are (a) of those ballot papers returned by the close, those voting in favour must exceed those voting against it, and (b) of those ballot papers by the close, the total rateable value of those properties or hereditaments which vote in favour, must exceed the total of those voting against.
- 2.4 The result of the ballot will be announced on Thursday 1st August 2019.
- 2.5 If successful at ballot, the BID company will commence delivery of its proposed services on 4th September 2019 and will continue for a period of five calendar years until 3rd September 2024.

3 FINANCES

- 3.1 The proposed BID levy is 1.5% of rateable value, with an exemption up to and including £5,999. The levy will be collected via Eastbourne Borough Council through an adaptation of its billing software, after which the funds will be deposited within a BID company bank account.
- 3.2 Performance elsewhere would suggest that 97% of the BID levy will be successfully collected.
- 3.3 The average annual levy available to be spent by the BID for the term is £300,000.
- 3.4 A DCLG government loan of £42,000 (secured to help establish the project) will be repaid in the first year of the term, and this is reflected in the budget.

4 BID LEVY

- 4.1 From the beginning of the five-year BID term, the levy rate to be paid by each property or hereditament will be 1.5% of its rateable value.
- 4.2 All non-domestic properties or hereditaments with a rateable value of £6,000 or more will be required to pay the levy with the exception of charities who do not make money selling goods in a retail shop (such as People Matter) and NHS premises which do not practice private health services.
- 4.3 Serviced tenancies who pay a charge to The Beacon for security and marketing will receive a 15% discount on the total levy payable .
- 4.4 The number of properties or hereditaments liable for the levy is approximately 660.
- 4.5 The levy will be charged annually in advance for each chargeable period, starting in 2019. No refunds will be made.
- 4.6 The owners of untenanted properties or hereditaments will be liable for payment of the levy.
- 4.7 Eastbourne Borough Council, as the rating authority, will be responsible for the collection of the levy.

Voting YES will
ensure the success
of Eastbourne

Voting YES will see
£1.5 million invested
in our town



Contact: Stephen Holt
Phone: 01323 641 144
Email: info@youreastbournebid.com
Visit: www.youreastbournebid.com



Delivered by hand

View our business plan at www.youeastbournebid.com

Making Eastbourne a Business Improvement District would unlock £1.5M to spend improving our town centre over the course of five years. It is supported by businesses across the town including the Chamber of Commerce, the Enterprise Centre, the Dew Drop and Tri Store.

We have drawn up a draft business plan, detailing our ideas for this vibrant coastal town.

But we still need your help. Over the next six weeks we will be visiting local businesses to spread the news about the BID and to collect any ideas you may have on how the funding could be spent to better our town. There will also be drop in sessions held at Metro Bank over the coming months, to provide more information on the BID to the local business holders who will be affected.

You are welcome to come along, armed with any feedback and questions to be answered by the BID team, please see drop in dates overleaf. Tell us your thoughts on how you would improve Eastbourne town centre.

Our Investment

£516,000 into dressing our town with planters, winter lighting, clearer signage, and more!

£237,500 into addressing your concerns over security, with street ambassadors acting as your eyes and ears on the street

£197,500 into footfall marketing and promotion with a calendar of events designed to bring people to our town. We'll also invest in a footfall camera to make sure we are measuring our achievements

£45,000 on lobbying our public servants on the issues that matter to us so that your concerns are addressed

The Cost to You

A levy of 1.5% of your rateable value will be collected by Eastbourne Borough Council and ringfenced for Eastbourne BID

This is exclusive of any business rates you pay

This will amount to £300,000 per year, every year for five years

There is a discount for serviced tenants at the Beacon

The BID steering group, comprised of local and national businesses from all sectors and areas of the town centre will determine how that money is spent

It is your money – under your control

Kind regards

Stephen Holt
BID Co-Ordinator

Come and visit our BID team from 4.30pm to 6pm at Metro Bank on Terminus Road on the following dates:

28/02/2019
14/03/2019
28/03/2019
11/04/2019
25/04/2019
09/05/2019
23/05/2019
06/06/2019
20/06/2019
04/07/2019
18/07/2019
01/08/2019

We'd love to hear from you – so simply provide us with your name, email address and telephone number and return this letter to the BID office at 7 Hyde Gardens, BN21 4PN or email us at stephen@eastbournechamber.co.uk

Name	
Business Name	
Contact telephone number	
Contact email address	

Report to:	Cabinet	
Date:	5 June 2019	
Title:	Local Employment and Training Grants Programme	
Report of:	Ian Fitzpatrick, Director of Regeneration and Planning	
Cabinet member:	Cllr David Tutt	
Ward(s):	All	
Purpose of report:	To consider Local Employment and Training Grants Programme	
Decision type:	Key decision	
Officer recommendation(s):	To approve a Local Employment and Training Grants Programme utilising S106 monitoring contributions	
Reasons for recommendations:	To support the aims and objectives of Local Employment and Training Supplementary Planning Document	
Contact Officer(s):	Name:	Sara Taylor
	Post title:	Regeneration Officer
	E-mail:	sara.taylor@lewes-eastbourne.gov.uk
	Telephone number:	01323 215609
	Name:	Peter Sharp
	Post title:	Head of Regeneration
	E-mail:	peter.sharp@lewes-eastbourne.gov.uk
	Telephone number:	01273 085044

1 Introduction

- 1.1 Eastbourne Borough Council's Local Employment and Training Supplementary Planning Document (SPD) secures local labour agreements on qualifying sites as part of development proposals. The local labour agreement process attracts monitoring monies from Developers to support monitoring and local labour initiatives as part of the legal Section 106 agreement. The monies are secured to assist the recruitment of local residents in the Borough of Eastbourne in the construction and operation of developments and to encourage the sustainability and economic growth of small, medium enterprises (SMEs) in East Sussex.
- 1.2 In line with their collection the monies should be used for the benefit of Eastbourne residents and to support SMEs in East Sussex. The Council intends to enhance local labour initiatives using such funding which will enhance the existing SPD.

2 Proposal

- 2.1 To seek approval to use a percentage (to be determined by the Cabinet Member or delegated to the Head of Regeneration) of the local labour contributions to support a Local Employment and Training Grants Programme.

3 Outcome expected and performance management

- 3.1 To deliver employment, education and training initiatives not currently funded/delivered in the Borough and to encourage the sustainability and development of local SMEs.
- 3.2 A Grants Panel consisting of representation from a Councillor/Head of Planning Committee, Head of Regeneration, Regeneration Lawyer, Strategy and Partnership Lead (Growth and Prosperity) and a Regeneration team member will be established to review applications and score against the objectives of the grants programme. Performance management and monitoring will be as outlined in the guidance documentation.

4 Consultation

- 4.1 Informal consultation and observation within the Council (Strategy and Partnership Lead (Thriving Communities), Head of Planning Committee, Head of Planning, Corporate Management Team, Regeneration Project Manager and with local partners has attracted positive feedback. Comments and observations have been incorporated within the design of the proposed programme.

5 Corporate plan and council policies

- 5.1 The Local Employment and Training Grants Programme has been developed to support the Local Employment and Training SPD, adopted 16 November 2016 which links to Policy EL1 (Economy & Employment Land) of the Eastbourne Employment Land Local Plan (ELLP). The ELLP guides job growth and economic development in Eastbourne up to 2027 as well as identifying an appropriate supply of land for future employment development, in order to achieve a sustainable economy and make Eastbourne a town where people want to live and work. The ELLP forms part of the development plan for Eastbourne together with other planning policy documents such as the Eastbourne Core Strategy Local Plan. The Core Strategy's key spatial objectives 2 and 4 focus on sustainable growth and the local economy both identified as essential to the town's economic prosperity and sustainable economy.

6 Business case and alternative option(s) considered

- 6.1 It is important to note that the use of monitoring contributions to support wider employment and training initiatives is in keeping with the existing SPD.

It would not be possible to explore alternative activities that would not directly benefit local people or East Sussex SMEs. The use of monies for activities not in accordance with their collection as defined in the Section 106 agreement was considered inappropriate.

7 Financial appraisal

- 7.1 Funds are available to support the Local Employment and Training Grants Programme. The balance of Employment Monitoring s.106 monies at 31st March 2019 is estimated to be £100,000 after the deduction of Project Officer costs. This sum could enable the provision of up to 20 grants.

8 Legal implications

- 8.1 The relevant s.106 agreements do not contain repayment clauses. It is unlikely that such a term would be implied and it is therefore appropriate to apply these monies to closely related initiatives.
- 8.2 The legal power to take this action is S.111 Local Government Act 1972 – This is a general power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions.
- 8.3 The Local Employment and Training Grants Programme policy, application and guidance documentation has been developed with guidance from the Council's Regeneration lawyer.

Legal Implications on the Planning Law Aspects and General Powers provided by JCS 22.01.19 07961-EBC-CEC and updated 21.05.19

9 Risk management implications

- 9.1 The following risks may arise:

Risk	Likelihood	Impact	Mitigation
Developer could try to re-claim unspent monies	Low	High	Proposal for grants programme will maximise outcomes from local labour initiatives.
Confusion over application process for grants programme	Low	High	Clear guidance and processes have been produced and are contained within an Appendix to this report.
Funded initiatives duplicate existing provision	Medium	High	Clear guidance has been produced to advise bidders and for assessment process.

- 10.1 The Local Employment and Training Grants Programme policy, guidance and application was circulated to the Council's Equality and Fairness Planning Group and no comments were made, therefore no further action taken/considerations needed.

11 Appendices

- Appendix 1 - Local Employment and Training Grants Programme Policy
- Appendix 2 – Local Employment and Training Grants Programme Guidance
- Appendix 3 – Local Employment and Training Grants Programme Application Form

12 Background papers

The background papers used in compiling this report were as follows:

- Eastbourne Borough Council Local Employment and Training Supplementary Planning Document
<https://www.lewes-eastbourne.gov.uk/planning-policy/supplementary-planning-guidance-and-supplementary-planning-documents/?assetdet8f28ea61-4754-47ba-9d0d-c22b829ea8f9=257574>

Eastbourne Borough Council**Local Employment and Training Grants Policy****Introduction**

The Council recognises and values the significant contribution private, public and third sector education, training and employment support partners play in maintaining and developing the economic viability of the town. The Council also acknowledges that local businesses are vital and are a major contributor to the town's economic success.

The Council's Local Employment and Training Supplementary Planning Document, adopted November 2016 (LET SPD) aims to ensure local people have access to employment and training opportunities and that local businesses have an opportunity to tender for contracts on developments within the Borough of Eastbourne. To enable the ongoing development of the local economy, monitoring monies generated from qualifying developments via the LET SPD will be used to fund a Local Employment and Training Grants programme for the benefit of local people and businesses.

South East Local Enterprise Partnership (SELEP)

The SELEP Skills Strategy 2018 – 2023 documents a vision for skills in the South East to help deliver a flourishing and inclusive economy equipping employers, adults and young people with the skills, conditions and aptitudes to deliver significant growth. The LET Grants Programme will contribute to the education, skills and development of local residents. The SELEP Skills Strategy is available from:
<https://www.southeastlep.com/our-strategy/skills/>

East Sussex County Council (ESCC)

Skills East Sussex (SES) is the County's strategic body for employment and skills. The Construction Task Force is one of a number of sector task groups established to address employment, education and training. The LET Grants Programme will address a number of priorities, particularly those associated with the construction sector. Further details on SES is available at: <https://www.eastsussex.gov.uk/business/eastsussex/selep/ses/ses/>

Legislation

Section 1(4)(c) of the Localism Act 2011 permits a local authority to do anything that individuals generally may do, in any way whatever, including power to do it for, or otherwise than for, *'the benefit of the authority, its area or persons resident or present in its area.'*

Policy

- 1) The Council's policy is to offer grant funding to a small number of organisations which provide employment support, education and training services to Borough of Eastbourne residents, particularly those experiencing hardship or disadvantage, or which play a key role in developing the future local workforce.

- 2) The Council only offers grants to organisations which are established and embedded in the Borough of Eastbourne to deliver services which will contribute to and build the economic viability of the town.
- 3) Organisations funded must be fully inclusive, and in a position to deliver services to all residents within the Borough.
- 4) Grants will only be given to organisations which
 - a) have a need for grant funding;
 - b) have sound governance arrangements and financial management;
 - c) can demonstrate good value for money and
 - d) where appropriate, have clear policies on safeguarding, equality and inclusion covering service users, volunteers and staff and encompassing, as a minimum, all those groups protected under the Equality Act 2010.
- 5) Given current constraints on all Council budgets, the Council will not make any allowance for inflation.

State Aid

1) Legislation:

- a) Article 107(1) of the Treaty on the Functioning of the European Union provides that:

"Save as otherwise provided in this Treaty, any aid granted by a Member State or through State resources in any form whatsoever which distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods shall, in so far as it affects trade between Member States, be incompatible with the common market"

2) Council's Approach:

- a) The Council does not consider that grants made under this policy constitute state aid because the money originates from a closed fund which can only be spent on specified items. Therefore, such spending does not deplete state resources.
- b) Also, the maximum grant available under this policy is £5000, an amount which the Council does not consider will distort competition or affect trade between member states.
- c) Prior to making any grant payment council officers will, in consultation with Legal Services **where appropriate**, complete the State Aid Checklist (based on the 4 characteristics of State aid) below and will require recipients to sign the De Minimis Declaration (also below) confirming that the grant will not breach the relevant de minimis threshold.

Data Protection

- 1) The making of Local Employment and Training grants may involve the transfer, receipt or sharing of personal data to, from or between the Council and the grantee. Where this occurs, the parties will consider entering into a data sharing agreement setting out the nature and scope of any personal data processing, and how both parties will ensure that processing is carried out in accordance with data protection legislation, primarily the General Data Protection Regulation (EU 2016/679) and the Data Protection Act 2018.
- 2) Any such data sharing agreement may be incorporated within the grant funding agreement or prepared as a discrete document, as appropriate.
- 3) Data sharing agreements must be prepared in consultation with the Council's Information Governance Manager or Data Protection Officer.

Policy agreed at XXX

State Aid Checklist

The four characteristics of State aid:

- 1) State aid is granted through state resources.
- 2) State aid favours certain undertakings, or the production of certain goods.
- 3) State aid distorts competition (or threatens to do so).
- 4) State aid affects trade between member states

State Aid – De Minimis Declaration

Please refer to the State Aid Guidance issued with your application pack (available on-line at [State aid - GOV.UK](http://Stateaid-GOV.UK)).

I declare that the grant offered by the Council will not increase the amount of State Aid which (*name of organisation*) has received or will receive over any three year period and which includes some or all of the Council grant period will not exceed 200,000 euros.

SignedDate
(*to be signed by an authorised officer*)

Position in organisation.....

Company/Organisation (*full Legal Name*).....

LOCAL EMPLOYMENT AND TRAINING GRANTS PROGRAMME

Guidance for Applicants completing an Application Form

Grants of up to a maximum of £5,000 are available during the financial year commencing April 20XX to March 20XX

Eastbourne Borough Council has a Local Employment and Training Supplementary Planning (SPD) Document which aims to secure local employment and training opportunities at both the construction and operational stage of development. Employment and training opportunities are achieved via formal local labour agreements which obligate contractors and operators. The local labour agreements have criteria namely:

- To support local people whose main residence is within the Borough of Eastbourne.
- To support Small, Medium Enterprise (SME) whose principal place of business is in East Sussex (eg based in East Sussex).

The aim of the Local Employment and Training Grants Programme is to assist local people who are seeking employment in construction/new development operations and encourage the economic viability of SME businesses within East Sussex. This in turn assists in the maintenance and development of the local economy.

Applications to the local employment and training grants programme must either support the construction sector, new operators on developments offering 25+ jobs and/or SMEs. Applications must:

- not duplicate existing provision within the Borough of Eastbourne
- demonstrate how the project/training/activity is different/new from existing provision
- demonstrate/evidence why it is needed
- give a cost per person or per intervention/activity
- support residents and/or small, medium businesses from the Borough of Eastbourne only
- be delivered in the Borough of Eastbourne.

Monitoring of the grant funding monies will be via a written report, no later than three months¹ after completion of the grant funded project, training, activity detailing:

- anonymised details of the local people supported
- outcomes and achievements
- lessons learnt/areas for development
- anonymised case studies/success stories.

¹ In some instances it may be necessary to monitor, review or visit on a monthly or quarterly basis. This will be confirmed when the grant funding is awarded.

Further Qualifying Eligibility Considerations

In addition to the essential grant funding criteria outlined above, the applicants must ensure they meet the minimum criteria detailed below.

Priority may be given to organisations who are not currently in receipt of any grant monies under the Council's Community Grants Programme

Applications may be received from private, public and third sector organisations.

Grants cannot be made to individuals but may be given to an organisation to support an employee in their training and development.

Third sector organisations (eg registered charities, social enterprise and not for profit, etc) must have sound governance arrangements evidenced by a Constitution or Set of Rules which has been signed or adopted by their governing committee. The Constitution must be supported by evidence of meetings and membership arrangements. For private companies, including commercial interest companies (CICs), evidence of company registration will be required.

Applications for grant funding must be supported by the organisation's equality and inclusion policies (Please refer to the Equality Act 2010).

Access to the activity/training/intervention funded by the grant must be inclusive.

Organisations that are successful in their application must have sound financial management and plans and be able to demonstrate good value for money and must provide:

- A **Bank Account Statement** in the group/association/company's name with at least two joint signatories who are not related to each other for all cheques or withdrawals before applying for a grant. On-line banking is discouraged unless there is a system whereby all transactions have to be validated by a secondary 'signatory'. If paper statements are not normally generated, please contact the bank for these.
- A copy of the most recent **Annual Accounts covering the last two years** or a summary of all income and expenditure over a 24-month period. **Registered Charities** must provide independently Audited Accounts.

Grants will not be awarded to organisations where there is **no clear financial need** for a grant, for example:

- Organisations with large financial reserves which are not being deployed for the activities for which a grant is being requested
- Where a significant surplus/profit is made each year which would remove the need for a grant
- Where funds are used to issue grants to other organisations.

All money must be spent within twelve months from award of the grant.

The grants programme will not fund retrospective activities – eg grants will not be awarded to cover monies already spent.

Grant monies will not fund activities/training and education which is the responsibility of a statutory body.

Eastbourne Borough Council reserves the right to reclaim grant monies in the event of it not being used as intended on the application.

Organisations that receive grant funding are required to acknowledge the contribution from the Local Employment and Training Grant Fund on all publicity material.

Application Timeline for Local Employment and Training Grant Funding

1. Application to be submitted by TIME and DATE to EMAIL ADDRESS.
2. Notification of outcome of Local Employment and Training Grant Funding will be by email after DAY and DATE.

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LOCAL EMPLOYMENT AND TRAINING GRANTS COMMENCING IN 20XX/XX

APPLICATION FORM

Please make sure you refer to the guidance notes provided.

Section 1: Tell us about yourselves	
Name of applicant organisation, including any trading name(s):	
Main contact: (to whom correspondence will be sent)	
Name:	
Position held:	
Address for correspondence, including full postcode:	
Telephone:	
Email:	
Website:	
Registered Address: (if different from above)	

<p>If you are a branch of a larger organisation, or a member of an umbrella body (eg a national charity) please tell us which one(s):</p>	
<p>What type of organisation are you? lease tick and give relevant Registration numbers</p> <ul style="list-style-type: none"> • Public limited company (PLC) • Private company limited by shares (LTD) • Company limited by guarantee • Unlimited company (Unltd) • Limited liability partnership (LLP) • Community Interest Company (CIC) – please give Registration number • Registered charity in England – please give Registration number • Charitable Incorporated Organisation – please give Registration number • Exempt or excepted charity registered with the Inland Revenue in England – please give Registration number • Community or voluntary group (not registered): <ul style="list-style-type: none"> - With membership - Without membership • Other (please provide details) 	

Section 2: Tell us what you need funding for	
Which of these headings are you applying for a grant under? Please tick the heading/s which your application addresses directly. We will only fund areas as detailed below.	
Activity requiring grant funding	Tick
Operational employment support <i>(Support, guidance, assistance, preparation for work on a local construction development or new development operator offering 25+ jobs not currently provided in format you are proposing)</i>	
Education and training delivery <i>(Construction or new development operator offering 25+ jobs – not currently provided in the format you are proposing)</i>	
Extra curricula activity <i>(Dedicated curriculum activity encouraging entry or progression in the construction sector or with new development operator offering 25+ jobs)</i>	
Other <i>(New project, activity, service designed to attract new employees to the construction sector or new development operator offering 25+ jobs)</i>	
Please tell us how you have identified the need for this funding (maximum 300 words)	
Please describe what your funding (if granted) will do and how it will meet the needs you have identified (maximum 300 words)	
Who will benefit from the funding and how many? Is there a particular group of local people or area that the funding is targeted at and, if so, how will you ensure the project will reach them? (maximum 300 words)	

<p>Please list any organisations you will work with to deliver the funded activity and explain their role in helping you deliver it</p> <p>(maximum 150 words)</p>	
<p>Please tell us what you expect to achieve with the grant you are applying for.</p> <p>Please give SMART (Specific, Measurable, Achievable, Realistic, Timed) targets which we can use to monitor the impact of any funding and tell us what outcomes you intend to achieve (maximum 200 words)</p>	
<p>How will you ensure equal access to your project/training/activity by everyone it is designed to benefit? How will you ensure groups protected under equalities legislation will be encouraged to use your project/training/activity?</p> <p>(maximum 300 words)</p>	
<p>How will your project/training/activity support local people in construction and operators on new developments?</p> <p>(maximum 200 words)</p>	

<p>Have you sourced any other funds/grants to support this project/training/activity? (maximum 200 words)</p> <p>Please note: it is a requirement of the Local Employment and Training Grants Programme that applicants list all funds they have received or applied in respect of the activity they are applying for. Please list the amounts requested, sources and date by which you expect to hear about the outcome of your bid. Please also identify any funding bids you are currently working on and give the date by which you will apply.</p>	
<p>Equality and Fairness Policy</p> <p>Please include a copy of your organisation's Equality and Fairness Policy.</p> <p>In accordance with the Council's Equality and Fairness Policy - <i>'We will seek information on the equality and diversity practices of potential contractors and partner organisations, and take this into account when deciding to award contractors and grants.'</i></p>	

Section 3: Financial information

Please outline how the grant funding will be spent eg: Tutor costs, materials, course and/or test/examination fees. Please also detail an overall cost per person.

Please indicate in the table → the amounts and times when you envisage spending the grant monies.

Quarter 1

Quarter 2

Quarter 3

Quarter 4

Please add any additional information you believe is relevant to your application here. (maximum 300 words) Please continue onto a new page, but do not exceed the word limit.

Section 4: Banking details

Your organisation's account name:

Bank/Building Society name and address, including full postcode:

Sort code:

Account number:

Building Society Roll Number (if applicable):

How many people have to sign each cheque or withdrawal from this account?

Please list **all** the people who are authorised to sign

<p>cheques or make withdrawals on this account and give their position in your organisation</p> <p><i>Please note: we will only pay grants into an account which requires at least two signatories to make withdrawals; these signatories must not be related.</i></p>	
<p>Please enclose a copy of your most recent Annual Accounts with this application.</p>	
<p>Please enclose a recent (within 3 months) original bank statement for each account you hold. THIS WILL BE RETURNED.</p>	

Section 5: Your Signature

This must be the signature of the main contact whose name you have given on the first page.

Signed:	
Print Name:	
Date:	

Section 6: Agreement

Your Director, Chairperson, Vice Chair, Secretary or Treasurer must now sign the agreement on the next two pages.

Details of person signing the contract:

Title

First Name:

Surname:

Occupation:

Contact address, including full postcode:

Telephone:

This person should now read and sign the contract on the next pages

Please return the completed and signed form to xxx@lewes-eastbourne.gov.uk with all your supporting documentation by TIME AND DATE at the latest.

AGREEMENT

I confirm on behalf of the applicant organisation named in Q1 that I am authorised to sign this agreement, and that, to the best of my knowledge and belief, all answers are true and accurate. I further confirm that this application is made on the basis that if successful, in full or part, the applicant will comply with the terms and conditions that follow. I understand that this is an agreement between the applicant and Eastbourne Borough Council.

We understand and agree that:

Any grant award made must be used exclusively by us for the purposes set out in this application. If the Council wishes to alter any aspect of this application, this will be explained in the offer letter.

No major change will be made to what we use the award for or how we spend it without the Council's prior written consent.

We will not sell any equipment or other assets purchased with an award without the Council's prior written agreement. If we are given permission to dispose of equipment or assets, we may be required by the Council to pay them a share of the proceeds of sale in direct proportion to the share of the project cost originally met by the Council.

The award from the Council cannot be used to pay for expenditure incurred or committed prior to the date of the offer letter.

We will abide by all Health and Safety, Safeguarding, Equality and other legislation governing our work and make ourselves aware of our responsibilities under this legislation.

We will acknowledge the Council's award in our published accounts, reports or other relevant material and will supply copies of these documents to the Council on request.

We will monitor the project and keep the Council informed of progress including problems or delays. We acknowledge that monitoring will be via a written report, no later than three months after completion of the grant funded project, training, activity and note that in some instances it may be necessary to provide monitoring data etc on a monthly or quarterly basis.

We will provide a summary report covering the outcomes and achievements of the grant funded project. We will keep supporting data and make this available to the Council on request.

The Council may use our name and the name of our project in its own publicity materials and we will inform the Council of situations where confidentiality is a particular issue.

If we do not spend the entire award we will promptly return the unspent amount to the Council.

The award will not be increased in the event of any overspend.

We will keep all financial records and accounts, including receipts for items purchased with the award, for at least two years from payment of the award. We will make these available to the Council on request. We understand that this does not release us from our statutory obligations to keep our records for longer periods.

Any grant awarded will be shown as Restricted Funds in our accounts and not included in our General Funding.

The Council has the right to withhold or request repayment of an award or any part of it at its discretion in the following circumstances:

- If there is any breach of this contract
- If the application form and supporting documentation was completed dishonestly or with incorrect or misleading information
- If any member of your governing body, staff or volunteers have acted dishonestly or negligently in respect of their work for us at any time during the award
- If we cease to operate, are dissolved or insolvent, or are put into administration, receivership or liquidation (sequestration), or an arrangement is made with our creditors.

If our organisation is dissolved we will propose a solution relating to the disposal of equipment or assets to the Council subject to their consent.

We understand that a grant made under the Local Employment and Training Grants Programme may be state aid and, where the grant is to be used to support 'economic activity', is subject to rules under EU Commission Regulation (EU) No.1998/2006 governing de minimis aid and that there is a limit of €200,000 under that Regulation for all such de minimis aid provided over any 3 financial years. Prior to receiving any such grant, we will familiarise ourselves with the rules governing de minimis aid and will sign a de minimis declaration provided by the Council for that purpose.

These terms and conditions will prevail and remain in force so long as award funds remain unspent.

Signed.....

Print Name..... Date.....

Part or all of the information you provide us with will be held on computer. Your signature on the Application Form is treated as confirmation that all people whose personal information is included in the application have given their consent that this information may be used for the purposes of assessment, decision making and grant management.

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Report to:	Cabinet
Date:	5th June 2019
Title:	Enabling Community Assets – Royal Hippodrome Theatre & Langney Playing Fields
Report of:	Ian Fitzpatrick, Director of Regeneration & Planning
Cabinet member:	Councillor Alan Shuttleworth
Ward(s):	All
Purpose of report:	The report seeks a decision about the future of two community assets in Eastbourne namely The Royal Hippodrome Theatre and Langney Playing Fields. It also sets out the rationale for developing a Community Assets Policy for the Council.
Decision type:	Key Decision
Officer recommendation(s):	<p>(1) For Cabinet to agree in principle to disposal of the freehold of the Royal Hippodrome Theatre to The Royal Hippodrome Theatre Eastbourne CIC (company number 09353373) and in principle to the disposal of Langney Playing Fields to Acorns Charitable Trust.</p> <p>(2) To delegate authority to the Director of Regeneration and Planning in Consultation with the Chief Finance Officer in consultation with the Portfolio Holder for Community to agree the final disposal terms subject to:</p> <ul style="list-style-type: none">(i) a red book valuation undertaken by a RICS qualified Person for both assets and(ii) further legal due diligence and exploration of the potential for including restrictive covenants controlling the future use of the properties and overage clauses enabling the Council to share in any future increase in value in the properties realised after the properties have been sold. <p>The scope of the delegation to the Director to include the potential for disposal at an under value in accordance with circular 06 of 2003 where it is considered that this will help to secure the promotion or improvement of the economic, social or environmental well-being of the Council's area.</p> <p>(3) To authorise the Director of Regeneration and Planning in Consultation with the Portfolio Holder and Chief Finance Officer to undertake all actions required to complete the</p>

disposal of the properties above including authorising completion of legal documentation.

(4) To note that a further report will be submitted to Cabinet in the Autumn of 2019 setting out the Council's approach and policy towards community assets.

Reasons for recommendations: To provide community organisations the ability to manage their own estate therefore enhancing the opportunity for them to achieve inward investment and development whilst relieving pressure on the Council's limited resource.

Contact Officer(s): Jess Haines
Head of Commercial Business
Jessica.haines@lewes-eastbourne.gov.uk

1 Introduction

- 1.1 The Council set out its approach to community assets as part of its Corporate Asset Management Plan which was adopted by Cabinet in 2017. The plan sets out the Council's approach to all assets and estate in the Council's ownership such as the process of 'asset challenge' and the remit and scope of the Strategic Property Board (SPB). This report outlines the first phase of how the 'asset challenge' process will approach community assets whilst meeting the ambitions of two community groups in Eastbourne.
- 1.2 Whilst the Council wishes to ensure that it is protecting the heritage of the town, it is also highly supportive of enabling others embedded within the community to have control and the ability to develop their own business plans and attract inward investment.
- 1.3 In a challenging financial context community groups have to be flexible and fast to react and engage with funding opportunities. This is often far simpler for them when ownership of the assets sits within their own governance. The Council would like to ensure they are taking all reasonable steps to achieve this, and to this end, the disposal is recommended of The Royal Hippodrome Theatre and Langney Playing Fields to two well regarded, long running and well established community groups.
- 1.4 In addition, the financial background to this proposal is that the Royal Hippodrome Theatre in particular needs significant investment which represents an unbudgeted liability for the Council. In a scenario where others can invest when the Council does not have the funds, enabling them to do so is a positive approach.

2 Proposal Royal Hippodrome Theatre

- 2.1 The Royal Hippodrome Theatre (RHT) opened in 1883 as the New Theatre Royal and Opera House and was bought by the Council in the late 1950s/early 1960s. The building is Grade II and Locally Listed.
- 2.2 At its meeting on 18 October 2017, Cabinet were made aware of the poor condition of the property and discussed future operational arrangements. Cabinet was informed that a local community group had expressed a desire to take over the running of the property and agreed at that time Officers should pursue the granting of a long lease on the property to the group on a fully repairing lease. This decision was made on the basis that the Council would remove its existing and future liabilities for the property and secure the future of RHT for the community. In February 2018 members of the group became directors of The Royal Hippodrome Theatre CIC (RHTECIC). The CIC are in occupation of the property on the basis of an existing licence under which it receives a grant of £35,000 per annum.
- 2.3 Further investigative work has been undertaken on the condition of the property since the Cabinet decision and it is estimated works to the exterior and interior of the property are likely to be significant life cycle asset costs. Officers have been unable to further lease discussions due to new approach to community assets considered. However, it has been established that under a lease scenario, the CIC would not be prepared to accept a fully repairing lease in the current circumstances and would require continuation of the existing grant made by the Council to continue for at least five years. As such the Council would wish to formulate a mechanism to facilitate the continued use of the site as a theatre and at the same time agree a one off contribution towards the repairs required. The CIC remain committed to investments in the region of £500,000 in the property alongside any capital contribution from the Council.
- 2.4 Whilst discussions have ensued, RHTECIC has continued to invest in the theatre and has recently undertaken improvement works to the foyer – around £250,000 has already been invested. The CIC has proved its commitment to the property and has exciting plans for its future as a community theatre, however, a way forward needs to be found in order to allow the CIC to continue with its plans. To this end, officers have opened discussions with the CIC regarding a possible ‘as seen’ freehold disposal. RHTECIC have said that they would be prepared to accept this on the basis of the Council paying a one off contribution to future capital works.
- 2.5 An independent freehold valuation of the property will be taken on behalf of the Council, and a process of further due diligence will also be undertaken before the disposal is finalised, including seeking specialist advice about protecting the future use of the building. This would include ensuring covenants are in place to protect the asset for community value.

3 Proposal Langney Playing Fields

- 3.1 Langney Sports Club is in occupation of Langney Playing Fields. The Club is wholly owned by Eastbourne Borough Football Club CIC and includes Eastbourne Borough Football Club, Langney Sports Indoor Bowls Club, Eastbourne Archers, Owlets Nursery and two bars. Occupation is under the terms of a 99 year lease dated 4th November 1992 to the Acorns Charitable Trust (ACT) incorporating and formerly known as Langney Playing Fields Committee). The Charity owns 52.5% of EBFC CIC.
- 3.2 Rental for the site is currently £12,000 p.a, however, the charity receives Rent Support Grant of £7,000 meaning the Council receives a net rental of £5000.
- 3.3 ACT have approached the Council wishing to purchase Langney Playing Fields "...to provide stability and reassurance for those that use the facilities on the land into the future". ACT has stated that it wishes to continue to provide diverse and accessible facilities for the community of Langney and beyond. If successful in their purchase, ACT would register the site with Fields In Trust.
- 3.4 A valuation will be undertaken on the basis of current and continuing use. ACT have made an offer on the site which can only be agreed once the valuation and due diligence of progressing the disposal has been completed.

4 Future Policy of Community Asset Disposal Consultation

- 4.1 Both options to dispose above are on the basis of two key drivers;
- The Council has limited capital available to ensure the future stability of the community assets whereas in both areas there are organisations willing and capable of providing additional investment.
 - The community organisations and entities wanting to take on these community assets will be in a better position to attract external funding.
- 4.2 It is proposed that a paper come back to Cabinet in the Summer of 2019 which will outline the policy and Councils approach to all further decisions about community assets as it progresses the Asset Challenge process set out in its Asset Management Plan adopted in 2017.

5 Corporate plan and council policies

- 5.1 As stated above the recommendations of this report are aligned to the Asset Management Plan adopted by the Council in 2016. The principles of that plan are also documented in the Council Plan.

6 Business case and alternative option(s) considered

- 6.1 It is thought that enabling the community to manage assets directly is the best option to ensure the future sustainability of the Royal Hippodrome Theatre and Langney Playing Fields. The Council has made direct investment into sustaining theatres in the town such as the Congress at Devonshire Park which has now

been completed.

7 Financial appraisal

- 7.1 The disposal of both of these properties has the potential to generate capital receipts to the Council, which can be retained or utilised to finance the Council's Capital Programme. The RHT requires significant investment which represents an unbudgeted liability for the Council, and disposal should assist in enabling external funding to be secured to meet these liabilities. However, it should be noted that, as referred to in paragraph 2.4, a contribution to future capital works may need to be considered as part of the negotiation of the freehold disposal of the RHT. As outlined in the report, both disposals will be subject to valuation and further due diligence.

8 Legal implications

8.1 Best consideration and advertising disposal – section 123 Local Government Act 1972

S123 provides a power to dispose of land (except housing land and land held under the Planning acts) subject to restrictions. These are as follows:

- Consideration for the disposal must not be less than the best that can reasonably be obtained in the market, except with the express consent of the Secretary of State. A general consent has been issued by the Secretary of State (circular 06 of 2003), which permits disposals to be made at an under value where a council considers that will help to secure the promotion or improvement of the economic, social or environmental well-being of its area and the aggregate undervalue does not exceed £2 million.
- There are further procedural requirements to be complied with on a disposal of open space land. A local authority is required to advertise its "intention" in a local newspaper for two consecutive weeks and to consider objections. The advertising process should be should be done before any final decision is taken on the disposal, so that proper consideration is given to the responses that are received.

State aid

In disposing of any land or interest in land the Council must ensure that it does so in accordance with State aid rules. There is an automatic assumption that no State aid is present in a sale for "market value" through (i) an open and unconditional bidding process or (ii) an expert valuation. If the automatic assumption does not apply it will be necessary to look at other aspects of the proposal, including whether the disposal falls outside of the State aid regime because it does not fulfil all of the State aid tests.

Contract Procedure Rules – disposal of land

Subject to certain exceptions, the Council's CPRs say that no freehold sale of land where the value exceeds £50,000 shall be made except after auction or the invitation of tenders or expressions of interest following appropriate public advertisement, unless authorised by Cabinet.

Restrictive covenants and overage

Consideration should be given to the following:

- Imposing restrictive covenants in the freehold transfers limiting the future use of the properties.
- Including overage clauses in the freehold transfers enabling the Council to share in any future increase in value in the properties realised after the properties have been sold. This will enable the Council to share in any uplift in value if planning permission is granted to develop the properties for something much more valuable, e.g. residential use. A restrictive covenant does not provide adequate protection and also leaves open the amount payable by way of damages in the event of a breach. The precise terms of the overage, including the percentage share and duration of the overage rights, would have to be settled after taking professional advice.

24 May 2019 Ref: 008292-EBC-MR

9 Risk management implications

- 9.1 Any decisions to proceed with the disposal of Council assets is subject to the further due diligence as set out in the recommendations of this report.

10 Equality analysis

- 10.1 No relevance.

11 Appendices

None.

12 Background papers

None

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

Document is Restricted

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