

Full Council

19 February 2020



Working in partnership with **Eastbourne Homes**

Quorum: 7

Published: Tuesday, 11 February 2020

To the Members of the Borough Council

You are summoned to attend an ordinary meeting of Eastbourne Borough Council to be held at the Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 19 February 2020 at 6.00 pm to transact the following business.

Agenda

- 1 **Minutes of the meeting held on 10 July 2019.** (Pages 5 - 10)
- 2 **Declarations of disclosable pecuniary interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct (please see note at end of agenda).**
- 3 **Mayor's announcements.** (Pages 11 - 16)
A list of the Mayor's announcements in respect of his activities since the last meeting is attached for information.
- 4 **Notification of apologies for absence.**
- 5 **Public right of address.**
The Mayor to report any requests received from a member of the public under Council Procedure Rule 11 in respect of any referred item or motion listed below.
- 6 **Order of Business.**
The Council may vary the order of business if, in the opinion of the Mayor, a matter should be given precedence by reason of special urgency.
- 7 **General Fund Budget, Capital Programme and Housing Review Account 2020/21.** (Pages 17 - 34)
Report of Councillor Holt on behalf of the Cabinet. Referred from Cabinet on 5 February 2020.

Please note that the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 require named votes to be taken and recorded when setting the annual budget and council tax, this to include substantive motions and any amendment.

8 Matters referred from Cabinet or other Council Bodies.

The following matters are submitted to the Council for decision (Council Procedure Rule 12 refers):-

(a) Treasury Management and Prudential Indicators 2020/21, Capital Strategy & Investment Strategy. (Pages 35 - 36)

Report of Councillor Holt on behalf of Cabinet. Referred from Cabinet on 5 February 2020.

(b) Corporate Plan 2020-24 (Pages 37 - 56)

Report of Councillor Tutt on behalf of Cabinet. Referred from Cabinet on 5 February 2020.

(c) Local Council Tax Reduction Scheme (Pages 57 - 58)

Report of Councillor Shuttleworth on behalf of the Cabinet. Referred from Cabinet on 23 October 2019.

(d) Financial Procedure Rules (Pages 59 - 106)

Report of the Chief Finance Officer. Referred from Cabinet on 9 July 2019 and Audit and Governance Committee on 24 July 2019.

(e) Amended Code of Conduct for Members (Pages 107 - 132)

Report of the Monitoring Officer. Referred from Audit and Governance Committee on 24 July 2019.

9 Calendar of Meetings 2020/21 (Pages 133 - 134)

To agree the proposed draft calendar of meetings for 2020/21, including an amendment to the date of Annual Council to be 13 May 2020.

Please note: The calendar will be subject to final approval at the annual meeting of the Council.

10 Urgent decisions taken by the Cabinet or Cabinet members

In accordance with Scrutiny Procedure Rule 20, to receive details of any urgent decisions taken by the Cabinet or Cabinet members since the previous meeting.

(a) IT Provisions Decision Notice - Executive decision taken by Leader (16 December 2019) (Pages 135 - 136)

11 Motions.

No motions have been submitted by Members under Council Procedure Rule 13.

12 Discussion on minutes of Council Bodies.

Members of the Council who wish to raise items for discussion (council procedure rule 14) on any of the minutes of the meetings of formal council bodies listed below must submit their request to the Head of Democratic Services no later than 10.00 am on the day of the meeting. A list of such items (if any) will be circulated prior to the start of the meeting.

The following are appended to this agenda:-

- (a) **Minutes of Conservation Area Advisory Group - 2 July 2019 (Pages 137 - 140)**
- (b) **Minutes of Cabinet - 9 July 2019 (Pages 141 - 146)**
- (c) **Minutes of Planning Committee - 23 July 2019 (Pages 147 - 152)**
- (d) **Minutes of Audit and Governance Committee - 24 July 2019 (Pages 153 - 158)**
- (e) **Minutes of Conservation Area Advisory Group - 20 August 2019 (Pages 159 - 162)**
- (f) **Minutes of Planning Committee - 27 August 2019 (Pages 163 - 166)**
- (g) **Minutes of Licensing Committee - 29 August 2019 (Pages 167 - 170)**
- (h) **Minutes of Scrutiny Committee - 2 September 2019 (Pages 171 - 180)**
- (i) **Minutes of Planning Committee - 24 September 2019 (Pages 181 - 184)**
- (j) **Minutes of Licensing Committee - 30 September 2019 (Pages 185 - 190)**
- (k) **Minutes of Conservation Area Advisory Group - 1 October 2019 (Pages 191 - 194)**
- (l) **Minutes of Planning Committee - 22 October 2019 (Pages 195 - 198)**
- (m) **Minutes of Conservation Area Advisory Group - 26 November 2019 (Pages 199 - 200)**
- (n) **Minutes of Planning Committee - 10 December 2019 (Pages 201 - 208)**
- (o) **Minutes of Planning Committee - 21 January 2020 (Pages 209 - 212)**



Robert Cottrill
Chief Executive

Information for the public

Accessibility: Please note that the venue for this meeting is wheelchair accessible and has an induction loop to help people who are hearing impaired. This agenda and accompanying reports are published on the Council's website in PDF format which means you can use the "read out loud" facility of Adobe Acrobat Reader.

Filming/Recording: This meeting may be filmed, recorded or broadcast by any person or organisation. Anyone wishing to film or record must notify the Chair prior to the start of the meeting. Members of the public attending the meeting are deemed to have consented to be filmed or recorded, as liability for this is not within the Council's control.

Public participation: Please contact Democratic Services (see end of agenda) for the relevant deadlines for registering to speak on a matter which is listed on the agenda if applicable.

Information for Councillors

Items for discussion: Members of the Council who wish to raise items for discussion on any of the minutes of council bodies attached to the meeting agenda, are required to notify Democratic Services by 10am on the day of the meeting.

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).

Democratic Services

For any further queries regarding this agenda or notification of apologies please contact Democratic Services.

Email: committees@lewes-eastbourne.gov.uk

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Working in partnership with **Eastbourne Homes**

Full Council

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 10 July 2019 at 6.00 pm

Present:

Councillor Steve Wallis (Mayor)

Councillors Sammy Choudhury (Deputy Mayor), Caroline Ansell, Margaret Bannister, Colin Belsey, Helen Burton, Penny di Cara, Peter Diplock, Jonathan Dow, Tony Freebody, Stephen Holt, Jane Lamb, Robin Maxted, Paul Metcalfe, Colin Murdoch, Jim Murray, Amanda Morris, Pat Rodohan, Dean Sabri, Robert Smart, Colin Swansborough, Barry Taylor, David Tutt, Candy Vaughan and Rebecca Whippy.

Officers in attendance:

Robert Cottrill (Chief Executive), Peter Finnis (Assistant Director for Corporate Governance), Sarah Lawrence (Senior Committee Officer) and Ian Fitzpatrick (Deputy Chief Executive and Director of Regeneration and Planning)

14 Minutes Silence

The Mayor invited the Council to join him in holding a minute's silence in tribute to former Councillor Norman Marsh who had died in February, and sending condolences to his friends and family.

The Mayor advised that Norman Marsh was first elected on 4 May 2000 for the Langney Ward as a Liberal Democrat. Following boundary changes in 2003 he was elected to represent the St. Anthony's Ward and continued to serve the ward until the election in May 2007. In addition, he served the Council as Deputy Mayor from 2003 to 2004.

The Council then held a minute's silence.

15 Minutes of the meeting held on 21 May 2019

The minutes of the Annual Council meeting held on 21 May 2019 were presented and the Mayor was authorised to sign them as a correct record.

16 Declarations of disclosable pecuniary interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct (please see note at end of agenda).

There were none.

17 Mayor's announcements.

The Mayor drew the Council's attention to the tabled list of the thirty events that he or the Deputy Mayor had attended since their election at the Annual Council meeting, and thanked the Deputy Mayor for his support.

18 Notification of apologies for absence.

Apologies had been received from Councillors Miah and Shuttleworth.

19 Public right of address.

The Mayor advised that Rose Norris and Anya Sier (Youth for Action Network), Miles Berkley (Eastbourne Eco Action Network) and Alex Hough had registered to address the meeting in relation to item 9 (a), motion on Carbon Neutral in accordance with Council procedure rule 11.

20 Order of business.

Business proceeded in accordance with the Summons.

21 Standards - Appointment of Independent Persons

Council considered the report of the Monitoring Officer which sought Council's approval for the appointment of two Standards Independent Persons for a four year term. This would also be recommended to Lewes District Council Full Council on 15 July 2019.

It was proposed by Councillor Maxted, seconded by Councillor Tutt and accordingly:

RESOLVED: (unanimously):

- 1) That the Council approves the appointment of Neal Robinson and Graham Branton as Independent Persons for Eastbourne Borough Council and Lewes District Council for a term of four years, commencing on 1 August 2019, subject to re-confirmation at Annual Council in 2020, 2021 and 2022; and
- 2) That the Council record its thanks to Vic Kempner for his service as outgoing Independent Person.

22 Matters referred from Cabinet or other council bodies.**(a) Treasury Management Annual Report**

Council considered the minute and resolution of the Cabinet meeting held on 9 July 2019, tabled at the meeting recommending approval of the Treasury Management report and prudential and treasury

indicators.

It was proposed by Councillor Holt, seconded by Councillor Tutt and accordingly:

RESOLVED: (unanimously):

- (1) To agree the annual Treasury Management report for 2018/19; and
- (2) To approve the 2018/19 prudential and treasury indicators detailed in the report.

(b) Eastbourne Borough Council Draft Statement of Licensing Policy 2019-2024

Members considered the minute and resolution of the Licensing Committee held on 27 June 2019, recommending approval of the Eastbourne Borough Council Statement of Licensing Policy 2019/2024.

It was proposed by Councillor Rodohan, seconded by Councillor Bannister and accordingly:

RESOLVED: (unanimously):

- (1) To agree the final Statement of Licensing Policy, attached at Appendix A to the report; and
- (2) To agree that further minor amendments during the period of the recommended Policy be made by the Functional Lead Quality Environment with the agreement of the Chair of the Licensing Committee.

23 Motions.

(a) Carbon Neutral

The following motion was proposed by Councillor Dow and seconded by Councillor Murray:

“Eastbourne Borough Council recognises there is a Climate Change Emergency and fully supports the Government and the Council’s initiatives in fighting Climate Change.

Eastbourne Borough Council acknowledges the work achieved by this administration since 2007 to offset the negative effects of climate change.

In keeping with our ambitious programme to date, Eastbourne Borough Council commits to working in close partnership with local groups and stakeholders to deliver a carbon neutral town by 2030.”

Councillor Ansell proposed and Councillor Freebody seconded an amendment to the motion, so that the amended motion would read as follows:

“Eastbourne Borough Council recognises there is a Climate Change Emergency and an imperative for all levels of government to show leadership to protect the future for the next generation.

As Eastbourne is a low-lying coastal community on the edge of a large flood plan, we have a particular responsibility to be a leader on environmental issues in East Sussex and the UK.

To aspire to be a carbon neutral town by 2030, Eastbourne Borough Council will:

- Lead by example, becoming a carbon neutral organisation before 2030;
- Pledge to bring together expert voices with our residents, partners and key stakeholders, to develop a clear strategy and a shared vision that takes into account both our ambition for growth and challenge of decarbonisation;
- Work with the County Council and Central Government to make low carbon living easier and the new norm; and
- Commit to reporting back at the next meeting of the Full Council in November on initial steps taken and in February 2020, to bring forward a collaborative roadmap towards achieving a Carbon Neutral Eastbourne by 2030.”

Rose Norris and Anya Sier (Youth for Action Network), Miles Berkley (Eastbourne Eco Action Network) and Alex Hough addressed the Council on the motion.

The Council then thanked the speakers, and debated the motion and the amendment.

The amendment was put to the vote and declared lost by 14 votes to 9.

The original motion was then put to the vote and declared carried unanimously.

RESOLVED: (Unanimously) that the original motion be approved.

(b) Mental Health Challenge

The following motion was proposed by Councillor Holt and seconded by Councillor Freebody:

“1 in 4 people will experience a mental health problem in any given year. The World Health Organisation predicts that depression will be the second most common health condition worldwide by 2020. Mental ill health costs some £105 billion each year in England alone. People with a severe mental illness die up to 20 years younger than their peers in the UK.

This Council believes:

As a local authority we have a crucial role to play in improving the mental health of everyone in our community and tackling some of the widest and most entrenched inequalities in health.

Mental health should be a priority across all the local authority's areas of responsibility, including housing, community safety and planning. All councillors, whether members of the Executive or Scrutiny and in our community and casework roles, can play a positive role in championing mental health on an individual and strategic basis.

This Council resolves:

To sign the Local Authorities' Mental Health Challenge run by Centre for Mental Health, Mental Health Foundation, AMHP, Mind, Rethink Mental Illness, Royal College of Psychiatrists and YoungMinds.

We commit to appoint an elected member as 'mental health champion' across the council.

We will seek to identify a member of staff within the council to act as 'lead officer' for mental health.

The Council will also:

Support positive mental health in our community, including in local schools, neighbourhoods and workplaces.

Work to reduce inequalities in mental health in our community.

Work with local partners to offer effective support for people with mental health needs.

Tackle discrimination on the grounds of mental health in our community.

Proactively listen to people of all ages and backgrounds about what they need for better mental health.”

The Council then discussed the motion and it was put to the vote, and accordingly:

RESOLVED: (Unanimously) That the motion be approved.

24 Discussion on minutes of council bodies.

The minutes of the following Council bodies were submitted to this meeting:

Committee	Date
Conservation Area Advisory Group	19 February 2019, 2 April 2019
Planning Committee	26 February 2019, 26 March 2019, 23 April 2019, 28 May 2019, 25 June 2019
Audit and Governance Committee	6 March 2019
General Licensing Committee	11 March 2019, 4 April 2019
Licensing Act Committee	11 March 2019
Licensing Committee	27 June 2019
Cabinet	20 March 2019, 5 June 2019
Scrutiny Committee	10 June 2019,

In accordance with Council procedure rule 14, the following items were raised for discussion:

Minute 99 of the Planning Committee on 26 February 2019 (Kempston, 3 Granville Road, Application ID: 190103) was raised by Councillor Murray, who provided an update on the site and advised that the decision of the planning inspector was due shortly.

Minute 1 of the Scrutiny Committee on 10 June 2019 (Minutes of the meeting held on 4 February 2019) was raised by Councillor Smart, who drew attention to the delay in the publication of the budget book and to the section that advised on staffing costs.

RESOLVED: That the minutes of the above Council bodies be noted.

The meeting ended at 7.50 pm

Councillor Steve Wallis (Mayor)

Agenda Item 3

Eastbourne Borough Council

Mayor
Councillor STEVE WALLIS

Deputy Mayor
Councillor SAMMY CHOUDHURY



MAYOR'S ANNOUNCEMENTS

Mayor's ENGAGEMENTS July 2019 – February 2020

11/07/19	Mayor	Launch of the Bear workshop antenatal and postnatal education for dads to be. Followed by Ratton school awards evening at Kings Church
13/07/19	Deputy Mayor	Opened the friends of Tugwell park Summer Fayre
14/07/19	Deputy Mayor	Opened the Eastbourne open Bowls tournament
17/07/19	Deputy Mayor	Attended the opening of Eastbourne Heritage centre
19/07/19	Deputy Mayor	Attended the finals of the Eastbourne open bowls tournament. Then went to the East Sussex Women in Business Awards
20/07/19	Deputy Mayor	Went to Sovereign Lodge summer Fete
22/07/19	Deputy Mayor	Started Ratton School Sponsored walk
24/07/19	Deputy Mayor	Presented prizes at the a Charity golf day at Willingdon Golf club
26/07/19	Deputy Mayor	Attended the opening of the Dickens Fellowship Worldwide Conference at the View Hotel
27/07/19	Deputy Mayor	Visited the World Croquet championship at the Saffrons
28//07/19	Deputy Mayor	Watched the finish of the Cycling event and presented Prizes
30/07/19	Mayor	Attended the Civic night of 39 steps at the Devonshire Park
31/07/19	Mayor	Attended the Rattonians production of Top Hat
02/08/19	Mayor	Went to The Italian Gardens for the Eods production of Romeo and Juliet
04/08/19	Mayor	Opened the Friends of Seaside Rec fun day followed by Chalk Farm 25 th Anniversary Garden Party
06/08/19	Mayor	Went to the Chair of East Sussex CC Civic Reception in Lewes
11/08/19	Mayor	Went to the Dieppe Raid Commemorations in Newhaven
16/08/19	Mayor	Attended the Eastbourne Chamber of Commerce Airbourne Lunch at the View Hotel

18/08/19	Mayor	Held an Hospitality Event at Airbourne on the Western lawns
19/08/19	Mayor	Was invited to an 100 th Birthday at the Palm Court Nursing Home
24/08/19	Mayor	Went to Prideaux House Nursing Home for their Summer Garden Party
25/08/19	Mayor	Attended a Charity Golf day at Willingdon golf club
31/08/19	Mayor	Went to Camelot residential home 1950's BBQ open day
05/09/19	Deputy Mayor	Opened the International Brotherhood of Magicians Convention
06/09/19	Deputy Mayor	Attended the start of Annual JPK Golf Day
07/09/19	Deputy Mayor	Started the Chestnut Tree House Pier to Pier sponsor walk. Then attended the International Brotherhood of Magicians Convention show
08/09/19	Deputy Mayor	Attended the Eastbourne Chinese Assc Mooncake festival
12/09/19	Mayor	Attended the Community Awards at the Cavendish Hotel
13/09/19	Mayor	Held a Charity Quiz night won by Any Objections
15/09/19	Deputy Mayor	Went to the Annual Battle of Britain Service at Greenfield Methodist Church
20/09/19	Mayor	Started the Walking festival at Gildredge House School. Then went to the Launch of Eastbourne and Lewes Walking Festival at the Welcome Centre followed by Crossing the Screen film festival at the Leaf Hall
21/09/19	Mayor	Attended the Walking festival at Shinewater Park followed by the Lions Zumbathon at the Cumberland Hotel
22/09/19	Deputy Mayor	Went to the Opening of Creams in Terminus Road
23/09/19	Mayor	Hosted the Queens award to East Sussex Foster Carers at the Town Hall. Then attended the Plastic free Eastbourne art exhibition at the South Downs College
26/09/19	Deputy Mayor	Attended the Eastbourne seniors forum the Good Life Event
26/09/19	Mayor	Gave an after dinner speech to the Eastbourne Sovereign Rotary Club at the Langham Hotel
27/09/19	Mayor	Attended Rotary Am Coffee/ breakfast Morning at Brewers in aid of McMillan
28/09/19	Deputy Mayor	Attended Sheik Gulzar Birthday on the Pier
29/09/19	Mayor	Attended the ordination of Memora Shahbaz at St Barnabas Church. Followed by a production of If I catch Alphonso, Tonight at Folkington Manor
02/10/19	Mayor	Assisted a Town Hall tour With some students from Italy
04/10/19	Mayor	Assisted a Town Hall tour With some students from Italy
05/10/19	Mayor	Went to Morrisons to help Eastbourne foodbank

06/10/19	Mayor	Attended a Silver Sunday event at Eastbourne College
07/10/19	Deputy Mayor	Attended the Junior Enterprise Challenge at the Town Hall
09/10/19	Deputy Mayor	Opened Mortain Place Care Home on Pevensey Bay Road
11/10/19	Mayor	Attended the Hall and Woodhouse Community Awards Evening in Arundel
12/10/19	Deputy Mayor	Went to the wish Tower to assist in the Autumn Beach
13/10/19	Mayor	Went to the Redoubt for the Autumn Beach clean with Plastic free Eastbourne
18/10/19	Mayor	Attended the Launch of Eastbourne poverty Commission and the Foodbank update
20/10/19	Mayor	Went to the Mayor of Lewes Civic Church Service, then attended the ESO Autumn Concert in the evening
22/10/19	Deputy Mayor	Opened the Clearwell mobility shop
22/10/19	Mayor	Went to the SERFCA Lord Lieutenants awards evening
24/10/19	Deputy Mayor	Attended the Computers for Charity Open day
24/10/19	Mayor	Attended the Closs and Hamblin event
25/10/19	Mayor	Attended the High Sheriffs Judges Service in Lewes. Then went to the FoDGH Art Exhibition
26/10/19	Mayor	Started the Beachy Head Marathon Races and presented the Winners of both races with their medals. Followed by a space to dance performance at the Birley Centre
31/10/19	Mayor	Went to the Bourne out drop in centre
01/11/19	Mayor	Attended the launch of the View Hotel Wish Tree event. Then attended the Rotary Club Charity Dinner.
03/11/19	Mayor	Attended the Eastbourne Silver Band Remembrance Concert at Our Lady of Ransom, Church
08/11/19	Mayor	Went to the Eastbourne Business awards at the grand Hotel
09/11/19	Mayor	Attended the Hailsham choral Society Concert
10/11/19	Mayor	Lead the Civic Parade for the Remembrance Sunday service at the war memorial. Then went to Butts Brow for the Ruthless Memorial.
11/11/19	Deputy Mayor	Attended The war Memorial Houses Remembrance Service.
11/11/19	Mayor	Unveiled the 2 new Memorial Boards at the Town Hall
12/11/19	Deputy Mayor	Went to the ESFRS Safe drive stay alive awareness event
12/11/19	Mayor	Attended the Ian Gow Speaking Competition
14/11/19	Mayor	Went to the Launch of EYR at East Sussex College. Followed by the opening of Pierre Bistrot
15/11/19	Mayor	Attended the Rotary AM Interact Breakfast. Then in the evening went to the EoDS production of West Side Story
16/11/19	Mayor	Opened the SEA Exhibition at the Town Hall
20/11/19	Mayor	Went to the YMCA 175 event

21/11/19	Deputy Mayor	Attended the FoDGH Agm at the Hospital
21/11/19	Mayor	Went to Quantuma LLP Pre Christmas event
22/11/19	Mayor	Went to The Girlguiding review in Herstmonceux
23/11/19	Mayor	Attended the East Sussex Prayer Breakfast at the East Sussex national Golf Centre
24/11/19	Mayor	Went to the Beacon Centre to support His Charity Win a car. Followed by the Scouts district awards at the Town hall then onto the Lifeboat service with the Salvation Army.
27/11/19	Mayor	Attended the MCPT Awards
28/11/19	Mayor	Went to the Band of Brothers Homecoming
28/11/19	Deputy Mayor	Attended Bourne School Return of the Legends Show at the Congress
29/11/19	Deputy Mayor	Went to the Pantomime Challenge event at the Locker Room
30/11/19	Mayor	Opened the Hampden Park Community Centre Christmas Fayre
01/12/19	Mayor	Attended a Christmas Fair at Mortain place Care Home followed by a quick visit to the RMHC disco at the Town Hall then onto Arundel for an Advent Vesper service
03/12/19	Mayor	Went to the E.C.O winter Concert
06/12/19	Mayor	Went to the opening of the Grove Theatre
07/12/19	Mayor	Attended the Kingfisher Scout Band Inspection and 40 th Anniversary
06/12/19	Deputy Mayor	Went to the Tollgate School/EBC Environment First Art Project
08/12/19	Mayor	Went to Bourne chorus Concert of A Little Christmas Music
14/12/19	Mayor	Attended the Conventus Christmas Concert
15/12/19	Mayor	Went to the Salvation Army Town Carol Concert. Followed by Polyphony Christmas Concert
17/12/19	Mayor	Announced the winners of the Bees Homes Pride of Eastbourne award breakfast
21/12/19	Mayor	Went to All Saints Chapel for a Charity Variety show
23/12/19	Mayor	Gave a talk at Rotary of Eastbourne Luncheon
25/12/19	Mayor	Help at the Rotary Alone at Christmas Lunch
05/01/2020	Mayor	Went to the Civic Pantomime At the Devonshire Park Theatre and meet the cast afterwards
10/01/2020	Mayor	Visit the fire station to thank Red Watch for the hard work
17/01/2020	Mayor	Held a charity quiz night at the Town Hall
18/01/2020	Mayor	Was presented with a cheque for his Charity win a car event. then went to the Eastbourne Lions Charter Dinner
21/01/2020	Mayor	Attended your town Presentation at the Birley centre
23/01/2020	Mayor	Went to the Holocaust Memorial event at the Welcome building
24/01/2020	Deputy Mayor	Attended the Young engineers challenge at Bedes Prep School

25/01/2020	Mayor	Went to the rededication of Hampden Park War Memorial. Followed by the reopening of Eastbourne Bowls Club Clubhouse
26/01/2020	Mayor	Attended the ESO Young soloist competition final
31/01/2020	Deputy Mayor	Opened the newly refurbished Wickes Store
01/02/2020	Mayor	Listened to the Phoenix choir concert
04/02/2020	Deputy Mayor	Went to Raipur restaurant for a charity Night for Friends of the Hospital
07/02/2020	Mayor	Attended Charity Race Night at the RAFA Club
14/02/2020	Mayor	Meeting with MP and Warming Up The Homeless

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Meeting: COUNCIL

Date: Wednesday 19 February 2020

Subject: COUNCIL BUDGET AND SETTING OF THE COUNCIL TAX FOR 2020/21

Report of: Councillor Stephen Holt, Cabinet Member for Finance

The Council is asked to consider the reports to Cabinet and also the Cabinet minutes and resolutions from the meeting held on 05 February 2020 (attached at Appendices 3 and 4).

The budget book 2020/21 will be circulated to all Members of the Council in March once the budget has been formally adopted. A copy will be deposited at the Town Hall Reception for public inspection purposes and on the Council's website.

The reports may also be viewed on the Council's website at:

<https://democracy.lewes-eastbourne.gov.uk/ieListDocuments.aspx?CId=125&MId=2918&Ver=4>
(This is the listing for the Cabinet meeting held on 05 February 2020)

Please contact Democratic Services (see below for contact details) in the first instance if you require a printed copy of any of the reports.

In order to comply with Section 25 of the Local Government Act 2003, the Authority's Chief Finance Officer is required to report on the robustness of the estimates made for the purposes of the budget calculations and the adequacy of the proposed reserves. A statement covering this requirement is attached at Appendix 1.

The resolutions in this report, which must include the requirements of all precepting authorities, are based on the recommendations being made to those Authorities and the budget approved by the Police and Crime Commissioner for Sussex. At the time of writing this report the precepts for East Sussex County Council and East Sussex Fire Authority are still subject to approval. Should they subsequently change then this report will be updated prior to the Council meeting.

A summary of the demand on the Collection Fund is as follows:

Authority	Precept/Demand		2020/21 Band D Council Tax	Change over 2019/20	
	£	%	£	£	%
Eastbourne Borough Council	8,771,741	12.3	251.71	4.94	2.00
East Sussex County Council	51,994,808	73.2	1,492.02	57.24	3.99
The Police and Crime Commissioner for Sussex	6,966,584	9.8	199.91	10.00	5.27
East Sussex Fire Authority	3,329,087	4.7	95.53	1.86	1.99
Total	71,062,220	100.0	2,039.17	74.04	3.77

After consideration of the foregoing, the Council is asked to approve the following:

Recommendations:

1. The recommendations as detailed in the reports from the Chief Finance Officer and the Director of Service Delivery to Cabinet on 05 February 2020:
 - (i) The General Fund budget for 2019/20 (Revised) and 2020/21 (original) Appendix 1 including growth and savings proposals for 2020/21.
 - (ii) The charge for Council Tax for Eastbourne Borough Council Band D change to £251.71; an increase of 2%.
 - (iii) The revised General Fund capital programme 2020/21.
 - (iv) Approve the Treasury Management Strategy and Annual Investment Strategy for 2020/21.
 - (v) Approve the Minimum Revenue Provision Policy Statement 2020/21.
 - (vi) Approve the Prudential and Treasury Indicators 2020/21 to 2022/23.
 - (vii) Approve the Capital Strategy.
 - (vii) Housing Revenue Account (HRA) income and expenditure proposals, including revised HRA budget for 2019/20 and the budget for 20/20/21, rents and service charges and the arrangements for finalising Eastbourne Homes' management fee.
2. That delegated authority is given to the Chief Finance Officer to amend the budget for any presentational changes ensuring the Council Tax Requirement at 6 below remains unchanged.
3. That it be noted, that since the Cabinet meeting on 05 February the Business Rates return to the Government (NNDR1) has been finalised with no changes to the previous net budget assumptions.
4. That consequent upon a General Fund budget of £13,522,133 and other matters, the basic amount (Band D) of Council Tax for the Borough Council's functions will be £251.71 calculated as follows:

	£'000	£'000
Gross Expenditure:		
General Fund		100,670
HRA		19,104
Business Rates payable to Government		11,104
Collection Fund Deficit (Council Tax)		60
		<u>130,938</u>
Less Income:		
Service Income	(101,235)	
Contribution from Reserves	(3,581)	
Other Government Grants	(2,220)	
Business Rates income	(15,130)	
		<u>(122,166)</u>
COUNCIL TAX REQUIREMENT		<u><u>8,772</u></u>
Band 'D' Council Tax		£251.71

The statutory resolutions relating to this matter are given at paragraphs 5 and 6 below.

5. That it be noted that at its meeting on 05 February 2020 the Cabinet agreed the Council Tax Base of 34,848.6 for Band 'D' equivalent properties for the year 2020/21 (Item T in the formula in section 31B of the Local Government Finance Act 1992, as amended).
6. Calculate that the Council Tax requirement for the Council's own purposes for 2020/21 as £8,771,741.
7. That the following amounts be now calculated by the Council for the year 2020/21 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended:

(a)	£130,937,574	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
(b)	£122,165,833	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
(c)	£8,771,741	being the amount by which the aggregate at 5(a) above exceeds the aggregate at 5(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
(d)	£251.71	being the amount at 5(c) above (Item R), all divided by Item T (4 above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.

8. To note that the Police and Crime Commissioner for Sussex has issued a precept to the Council in accordance with Section 40 of the Local Government Finance Act 1992, as amended, for each category of dwellings in the Council's area as indicated in the table below. The East Sussex County Council and East Sussex Fire and Rescue Authority figures are based on current recommendations to be considered by their respective budget setting meetings.
9. That the Council, in accordance with Sections 30 to 36 of the Local Government Finance Act 1992, as amended, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2020/21 for each of the categories of dwellings.

Council Tax Valuation Bands								
	A	B	C	D	E	F	G	H
	6/9	7/9	8/9	1	11/9	13/9	15/9	2
	£	£	£	£	£	£	£	£
Precepting Authorities								
Eastbourne Borough Council	167.81	195.77	223.74	251.71	307.65	363.58	419.52	503.42
East Sussex County Council	994.68	1,160.46	1,326.24	1,492.02	1,823.58	2,155.14	2,486.70	2,984.04
Sussex Police Authority	133.27	155.49	177.70	199.91	244.33	288.76	333.18	399.82
East Sussex Fire Authority	63.69	74.30	84.92	95.53	116.76	137.99	159.22	191.06
Aggregate of Council Tax Requirements	1,359.45	1,586.02	1,812.60	2,039.17	2,492.32	2,945.47	3,398.62	4,078.34

10. Determine that the Council's basic amount of Council Tax for 2020/21 is not excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992, as amended.

As the billing authority, the Council has **not** been notified by a major precepting authority that its relevant basic amount of Council Tax for 2020/21 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992, as amended.

For a copy of the report please contact Democratic Services at 1 Grove Road, Eastbourne, BN21 4TW. Tel. (01323) 415021.

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

For further information please contact Homira Javadi, Chief Finance Officer Tel. (01323) 415149

Appendices:

Appendix 1 - Section 25 Statement of the Section 151 Officer

Appendix 2 - General Fund Revenue Budget Summary

Appendix 3 – Draft Cabinet Minute Extract, 5 February 2020, General fund budget 2020/21 and capital programme

Appendix 4 - Draft Cabinet Minute Extract, 5 February 2020, Housing revenue account (HRA) revenue budget and rent setting 2020/21 and HRA capital programme 2019-23

Section 25 Statement of the Section 151 Officer

STATEMENT ON THE GENERAL FUND BUDGET PROPOSALS BY THE CHIEF FINANCIAL OFFICER

1. Statutory Requirements

- 1.1. Section 25 of the Local Government Act 2003 requires Chief Financial Officers to report to their authorities about the robustness of estimates and the adequacy of reserves in the budget.
- 1.2. The Council is required to have regard to this report in approving the budget and council tax.

2. Summary Opinion

- 2.1. The budget proposals have been drafted amidst a set of challenging circumstances, which sees the Council continue to face ongoing economic and demand-led pressures.
- 2.2. Having taken into account the issues detailed in the report, I am able to give a positive opinion on the robustness of the estimates and the adequacy of financial reserves for 2020/21. I base my opinion on the budget presented to Cabinet on 5th February 2020.
- 2.2. The inclusion of further service transformation and efficiency savings and additional income targets in the budget is challenging and as such there is a risk that, should these targets not be achieved, the Council will need to draw on its reserves during 2020/21. The Council has sufficient reserves to mitigate this risk in 2020/21 but use of reserves would not be sustainable in the medium term. Should any of the assumptions change which require the identification of significant additional savings then I will review this opinion.

Robustness of the Estimates

3. Estimates Procedures and Processes

- 3.1. In giving a positive opinion on the robustness of the estimates, I have relied on the established processes and procedures, which underpin the detailed review of all budgets. This process is undertaken and led by Finance in conjunction with Senior Managers, Heads of Service and budget holders.
- 3.2. Budget estimates are exactly that – estimates of spending and income made at a point in time and which will change as circumstances change. This statement about the robustness of estimates cannot give a 100% guarantee about the budget but gives Members reasonable assurance that the budget has been based on the best available information and assumptions at the time.

3.3. The key budget assumptions considered by officers in terms of assessing the robustness of budgets are shown below:

- The treatment of pay and price inflation and interest rates.
- The treatment of demand led pressures.
- The treatment of efficiency savings/income generation.
- The financial risk inherent in any significant new service/operational changes or major capital developments.
- The availability of other funds to deal with major contingencies.

3.4. A detailed list of the key financial assumptions included within the MTFS is set out in Appendix 4 to the Budget report.

4. Determination of the level of resources available.

4.1. The 2020/21 Financial Settlement, announced on 20th December 2019, was in line with expectation. Provisional settlement figures for 2020/21 have been provided, and have been used in the preparation of the current budget projections.

4.2. Whilst there is new money from Central Government, this has been prioritised for adult and children's social care.

4.3. The settlement provides no update on the progress of either the move to further business rates retention or the Review of Relative Needs and Resources (commonly called the Fair Funding Review). However, the settlement confirmed that the next business rates revaluation is planned for 2021 and from then on the Government intends to move to a three-yearly revaluation cycle.

5. Advice on the level and use of reserves

5.1. There is no statutory definition of a minimum level of reserves and it is for this reason that the matter falls to the judgement of Section 151 Officer. The level of reserves is a balance between the risk facing the Authority and the opportunity costs of holding those balances. Reserves can only be spent once and should ideally only be used to support one off expenditure or to allow time for management actions to be implemented.

5.2. Currently, the minimum level of General Fund Balance is set at £2m or approximately 15% of the net expenditure budget and is considered to be within the range that is deemed appropriate. The estimated level of the General Fund Balance at 31 March 2020 is £2.4m.

5.3. The General Fund Balance is set aside to mitigate against the impact of unexpected events and emergencies. In order to assess the adequacy key financial risks have been identified and are set out in section 7 below. It should however be noted that this is not a precise science and that local

circumstances, the strength of financial reporting arrangements and the Council's track record in financial management will also be a key influence on the actual potential of any individual risk materialising.

- 5.4. An analysis of earmarked reserves held by the Council has revealed that the level of individual reserves is appropriate. The reserves are estimated to be £4M at 31st March 2020 and are adequate to meet the commitments and forecast expenditure facing the Council.

	01 April 2019 £	Transfers Out £	31 March 2020 £
General Fund Balance	(3,642,351)	1,277,000	(2,365,351)
Earmarked Reserves			
General Earmarked Reserve	(506,078)		(506,078)
ICE Investment Reserve	(2,000,000)		(2,000,000)
Strategic Change Reserve	(198,827)		(198,827)
Capital Programme Reserve	(344,966)		(344,966)
Revenue Grants Reserve	(951,954)		(951,954)
Total Earmarked Reserves	(4,001,825)		(4,001,825)
Total Reserves	(7,644,176)	1,277,000	(6,367,176)

- 5.5. In conclusion, having considered the need for balances and the budget risks, the level of reserves held are considered sufficiently adequate but only on the basis that any potential adverse budget variations are tightly controlled and wherever possible contained within service budgets.

6. Key Budget Risks

- 6.1. The 2020/21 budget contains £6.5m of savings and income targets, of which some £3m is considered low risk or already certain. The remaining £3.5m will be challenging, but in my opinion achievable. However, should senior management not meet these targets the Council may need to draw on its reserves to balance the budget as it closes the 2020/21 year. Thus, it will be important for a rigorous ongoing programme of management, monitoring and, where necessary, intervention to be in place to ensure delivery of the more challenging targets.
- 6.2. In the medium term the authority's plans for self-sufficiency contains risk from a potential inability of the Corporate Management Team (CMT) to identify and deliver new income and cost savings targets. However, CMT have given a commitment to meeting these targets and ensuring they are delivered in the timescales required.
- 6.3. The Council has done a significant amount of work in recent years to move towards financial self-sufficiency, especially through its Joint Transformation Plan. The Council will continue on this path of transformation of core services

but ultimately the organisation cannot produce enough savings by this process alone so it will also need to find new ways to generate income. As a result, the Council will need to take on a more commercial approach to generating income in the Borough, including property and housing development opportunities.

- 6.4. The 2018/19 Statement of Accounts have still not been finalised. Whilst an unqualified opinion is expected, until the audit process has been completed this cannot be guaranteed. As a result, there is still a risk that the outturn position could change, which in turn would impact on the reserves position outlined in section 5 above. Should the position change, I will review the outcome and impact and report back to Members in due course if necessary.
- 6.5. There are continuing risks associated with the Government Finance Settlement. The provisional settlement announced in December 2019 was for one year only, and as mentioned in section 4, provided no update on the progress of either the move to further business rates retention or the Fair Funding Review.
- 6.6. The Fair Funding Review, Business Rates Review and business rates reset has been deferred by 12 months to 2021/22. In addition, New Homes Bonus grant funding will be phased out after 2022/23.
- 6.7. These factors make forecasting resources in the medium terms extremely difficult. However, to help mitigate against this the projections included in the MTFS have been based on the most pessimistic outcome for the Council.
- 6.8. The economy ended 2018 growing a little less strongly than expected in October. Survey indicators of current activity have weakened materially, in part reflecting heightened uncertainty prior to the General Election related to Brexit. As a result, the OBR has revised their forecast for Gross Domestic Product (GDP) growth this year down to 1.2% – more than reversing the upward revision they made in October in response to the Government's discretionary fiscal loosening in the Budget. They have not altered their assessment of the outlook for potential output, so the medium-term forecast is little changed: GDP growth still settles down to around 1.5% a year.

7. Conclusion

- 7.1. Based on the assessment included in this report I have concluded that the 2020/21 budgets as proposed and the associated systems and processes are sound, although I have acknowledged the challenging income and savings targets being proposed. The level of the General Fund Balance and other reserves are adequate to meet the Council's medium term financial commitments as I see them today. However, as the risks in section 6 explain I have concerns about the continuing risks to borough council finances in the medium term that are, at present, impossible to calculate. I may wish to revisit the level of General Fund Balance during the year as these matters become

clearer. My conclusion is subject to no amendments being made to the budget proposals that would impact on this assessment.

Homira Javadi (CPFA, FCCA, ACCA)
Chief Finance Officer and Section 151 Officer
Eastbourne Borough Council

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Eastbourne Borough Council

General Fund Revenue Budget

	2019/20 Original Budget	2019/20 Revised Budget	2020/21 Budget
SUMMARY	£'000	£'000	£'000
Corporate Services	5,365	3,516	3,233
Service Delivery	4,947	5,284	5,567
Regeneration, Planning & Assets	(298)	1,074	211
Tourism & Enterprise Services	3,496	3,685	2,074
Total Service Expenditure	13,510	13,559	11,085
Budget Reallocation	(601)	0	0
Corporate Contingencies	151	151	151
Capital Financing and Interest	1,763	1,763	2,286
Net Service Expenditure	14,823	15,473	13,522
Contributions to/(from) Reserves	(1,277)	(1,927)	0
Budget Requirement	13,546	13,546	13,522

Financed by:			
Retained Business Rates	(4,594)	(4,594)	(4,346)
Council Tax	(8,637)	(8,637)	(8,712)
New Homes Bonus	(183)	(183)	(332)
Other Government Grants	(132)	(132)	(132)
Total Financing	(13,546)	(13,546)	(13,522)

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Meeting: Council

Date: 19 February 2020

Subject: General fund budget 2020/21 and capital programme

Report of: Councillor Stephen Holt on behalf of the Cabinet

The Council is asked to consider the minute and resolution of the Cabinet meeting held on 5 February 2020 as set out below.

The Council is recommended to:-

- (1) Agree the General Fund budget for 2019/20 (Revised) and 2020/21 (original) at Appendix 1 to the report, including growth and savings proposals for 2020/21 as set out at Appendix 2 to the report.
 - (2) Agree an increase in the Council Tax for Eastbourne Borough Council of 2% resulting in a Band D charge for general expenses of £251.71 for 2020/21.
 - (3) Agree the revised General Fund capital programme 2020/21 revised as set out at Appendix 3 to the report.
-

Draft minute extract

Cabinet – 5 February 2020.

The Cabinet considered the report of the Chief Finance Officer regarding the updated General Fund budget and medium term financial strategy, together with the updated capital programme position.

Recommended to Full Council (Budget and policy framework)

- (1) To agree the General Fund budget for 2019/20 (Revised) and 2020/21 (original) at Appendix 1 to the report, including growth and savings proposals for 2020/21 as set out at Appendix 2 to the report.
- (2) To agree an increase in the Council Tax for Eastbourne Borough Council of 2% resulting in a Band D charge for general expenses of £251.71 for 2020/21.
- (3) To agree the revised General Fund capital programme 2020/21 revised as set out at Appendix 3 to the report.

Reason for decisions:

The Cabinet has to recommend to Full Council the setting of a revenue budget and associated council tax for the forthcoming financial year by law.

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:

<https://democracy.lewes-eastbourne.gov.uk/mgListCommittees.aspx?CT=13215>



Meeting: Council

Date: 19 February 2020

Subject: Housing revenue account (HRA) revenue budget and rent setting 2020/21 and HRA capital programme 2019-23

Report of: Councillor Stephen Holt on behalf of the Cabinet

The Council is asked to consider the minute and resolution of the Cabinet meeting held on 5 February 2020 as set out below.

The Council is recommended to:-

- (1) Agree the HRA budget for 2020/21 and revised 2019/20 budget as set out at Appendix 1 to the Cabinet report.
 - (2) Agree that social and affordable rents (including Shared Ownership) are increased by 2.7% in line with government policy.
 - (3) Agree that service charges for general needs properties are increased by 2.7% (CPI +1%).
 - (4) Agree that the service charge for the Older Persons' Sheltered Accommodations increases by an average of 0.5%.
 - (5) Agree that the Support charges for Sheltered Housing Residents are set at £7.70 per unit, per week, an increase of 20p.
 - (6) Agree that heating costs are increased by 2.7% (CPI+1%) in line with estimated costs set at a level designed to recover the actual cost.
 - (7) Agree that water charges are increased by 2.7% (CPI+1%) designed to recover the estimated cost of metered consumption.
 - (8) Agree that Garage rents are increased by 3.4% (September RPI+1).
 - (9) Give delegated authority to the Chief Executive, in consultation with the Cabinet Portfolio holders for Financial Services and Direct Assistance Service and the Chief Finance Officer to finalise Eastbourne Homes' Management Fee and Delivery Plan.
 - (10) Agree the HRA Capital Programme as set out at Appendix 2 to the Cabinet report.
-

Draft minute extract

Cabinet – 5 February 2020.

The Cabinet considered the report of the Chief Finance Office, regarding the detailed Housing Revenue Account (HRA) budget proposals, rent levels, service charges and heating costs for 2020/21, and the HRA Capital Programme 2019/23.

Cabinet unanimously agreed to an additional resolution and this was detailed at point 11 below.

Recommended to Full Council (Budget and policy framework):

(1) To agree the HRA budget for 2020/21 and revised 2019/20 budget as set out at Appendix 1 to the report.

(2) To agree that social and affordable rents (including Shared Ownership) are increased by 2.7% in line with government policy.

(3) To agree that service charges for general needs properties are increased by 2.7% (CPI +1%).

(4) To agree that the service charge for the Older Persons' Sheltered Accommodations increases by an average of 0.5%.

(5) To agree that the Support charges for Sheltered Housing Residents are set at £7.70 per unit, per week, an increase of 20p.

(6) To agree that heating costs are increased by 2.7% (CPI+1%) in line with estimated costs set at a level designed to recover the actual cost.

(7) To agree that water charges are increased by 2.7% (CPI+1%) designed to recover the estimated cost of metered consumption.

(8) To agree that Garage rents are increased by 3.4% (September RPI+1).

(9) To give delegated authority to the Chief Executive, in consultation with the Cabinet Portfolio holders for Financial Services and Direct Assistance Service and the Chief Finance Officer to finalise Eastbourne Homes' Management Fee and Delivery Plan.

(10) To agree the HRA Capital Programme as set out at Appendix 2 to the report.

Resolved (Key decision):

(11) That delegated authority be given to the Director of Regeneration and Planning, following consultation with the Cabinet member for Direct Assistance Services to acquire properties as per the approved capital programme under terms that best protect the council's interest.

Reason for decisions:

The Cabinet has to recommend to Full Council the setting of the HRA revenue and capital budget and the level of social and affordable housing rents for the forthcoming year.

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:

<https://democracy.lewes-eastbourne.gov.uk/mgListCommittees.aspx?CT=13215>

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Working in partnership with **Eastbourne Homes**

Meeting: Council

Date: 19 February 2020

Subject: Treasury Management and Prudential Indicators 2020/21,
Capital Strategy & Investment Strategy

Report of: Councillor Stephen Holt on behalf of the Cabinet

The Council is asked to consider the minute and resolution of the Cabinet meeting held on 5 February 2020 as set out below.

The Council is recommended to:-

- (1) Approve the Treasury Management Strategy and Annual Investment Strategy for 2020/21 as set out at Appendix A to the Cabinet report;
 - (2) Approve the Minimum Revenue Provision Policy Statement 2020/21 as set out at paragraph 8 of the Cabinet report;
 - (3) Approve the Prudential and Treasury Indicators 2020/21 to 2022/23, as set out at paragraph 6 of the Cabinet report;
 - (4) Approve the Capital Strategy set out at Appendix E to the Cabinet report.
-

Draft minute extract

Cabinet – 5 February 2020.

The Cabinet considered the report of the Chief Finance Office regarding the Council's annual treasury management strategy, capital strategy and investment strategy together with the treasury and prudential indicators for the next financial year.

Recommended to Full Council (Budget and policy framework):

- (1) To approve the Treasury Management Strategy and Annual Investment Strategy for 2020/21 as set out at Appendix A to the report;
- (2) To approve the Minimum Revenue Provision Policy Statement 2020/21 as set out at paragraph 8 of the report;
- (3) To approve the Prudential and Treasury Indicators 2020/21 to 2022/23, as set out at paragraph 6 of the report;

(4) To approve the Capital Strategy set out at Appendix E to the report.

Reason for decisions:

It is a requirement of the budget setting process for the Council to review and approve the Prudential and Treasury indicators, Treasury Strategy, Capital Strategy and Investment Strategy.

A copy of the Cabinet report and appendices may be viewed and downloaded on the Council's website by following the link below:

<https://democracy.lewes-eastbourne.gov.uk/ieListDocuments.aspx?CId=125&MId=2918&Ver=4>

Alternatively you can request a copy from Democratic Services:

Tel. (01323) 410000.

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



Working in partnership with **Eastbourne Homes**

Meeting: Council

Date: 19 February 2020

Subject: Corporate Plan 2020-24

Report of: Councillor David Tutt on behalf of the Cabinet

The Council is asked to consider the minute and resolution of the Cabinet meeting held on 5 February 2020 as set out below.

The Council is recommended to:-

Adopt the new Corporate Plan for 2020-2024 (attached at Appendix 1).

Draft minute extract

Cabinet – 5 February 2020.

The Cabinet considered the report of the Director of Regeneration and Planning regarding the draft Eastbourne Borough Council Corporate Plan 2020-24.

Visiting member and Chair of Scrutiny Committee, Councillor Tony Freebody addressed the Cabinet on this item.

The draft Plan was currently out for consultation with key partners in advance of its submission to Full Council in February 2020.

Subject to a reference to high speed broadband, the Cabinet unanimously agreed the report recommendations.

Resolved (Non-key decision)

That the draft Corporate Plan for 2020-2024 be considered.

Recommended to Full Council (Budget and policy framework):

That the new Corporate Plan for 2020-2024 be adopted.

Reason for decision:

To enable the Council to set out its strategic vision, objectives and priority projects for the next four years and provide a firm basis for forward planning and performance management.

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:

<https://democracy.lewes-eastbourne.gov.uk/mgListCommittees.aspx?CT=13215>



CORPORATE PLAN

2020-2024

INTRODUCTION

From the LEADER

Cllr David Tutt



Welcome to Eastbourne Borough Council's corporate plan. This sets out our ambitions and vision for how we will provide outstanding customer service and provide Eastbourne's communities and visitors with a great place to live, work and enjoy. Underlying all our work, is the climate emergency which we declared in 2019 and we will be working closely with partners to achieve a zero carbon town by 2030.

The council plays a key role in community leadership and enabling the long-term sustainability and resilience of our communities. This is particularly important as we continue to redevelop and regenerate Eastbourne as well as provide new homes.

How we will work over the next 4 years is shown through our priority themes. These reflect our vision to deliver a clean and attractive zero carbon town, producing less waste than before, with a high quality built environment, excellent parks and open spaces, served by a number of good transport options.

To deliver this, we will work closely with partners such as East Sussex County Council, the East Sussex College Partnership, the Community Safety partnership, local charities and social enterprises as well as the local community.

“ *A sustainable thread runs throughout all areas of our work* ”



EASTBOURNE – FACTS and FIGURES

Population 103,251

Population increased by 7.9%. Below average for South East England (8.7%)

Population predicted to grow by 2030 to 114,870



Economy

In 2018

74.7% in employment
57.6% employed by an organisation/ company and 16.4% self-employed
62% = full-time
38% = part-time
29% of Eastbourne areas in the 3 most deprived national deciles



Tourism

In 2017, £357.4m spent by tourists to Eastbourne. 80% of overnight visitors stay in paid accommodation (hotels, b&bs etc)

25% of employment is tourism related.



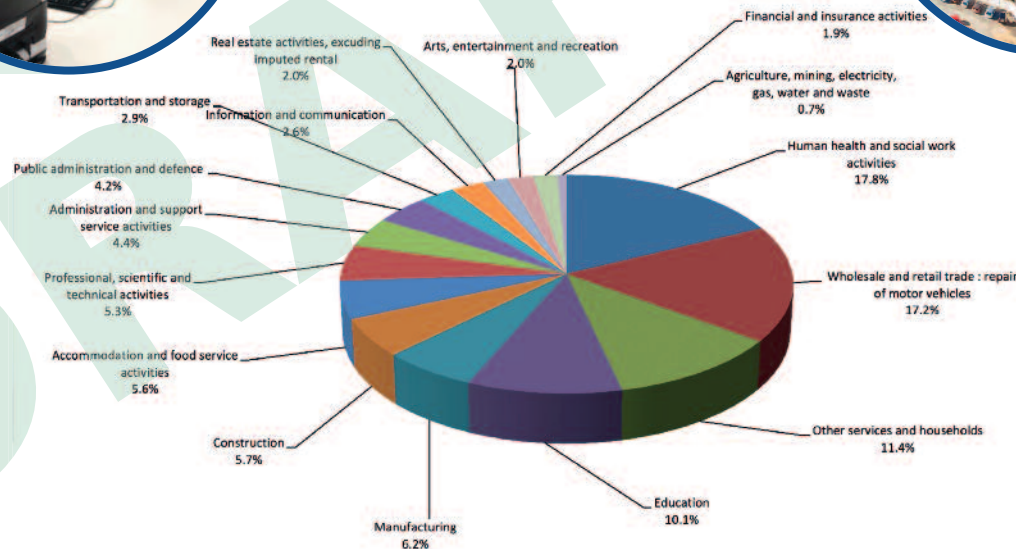
Households

Projected households to 2031: 58,500

Average house price (2018): £262,099 vs £225,086 (2015)



% Breakdown of Industries



CUSTOMER CHARTER

OUR PROMISE to you

We aspire to provide outstanding customer service and provide Eastbourne's communities with a great place to live, work and enjoy. Our commitment to you is enshrined in our new customer charter and you will see us delivering your services through our visible teams of Customer First, Neighbourhood First, Homes First and Environment First.

As a valued customer you can expect us to:

Be fair

- treat you as an individual
- deliver a professional service
- be honest about what we can and can't do
- provide services that do not unfairly discriminate against or disadvantage anyone in the community

Be respectful

- listen to you
- be courteous, polite and helpful at all times
- maintain your privacy and confidentiality
- do what we say we will do

Be accessible

- provide modern, efficient online services 24 hours a day, seven days a week
- communicate clearly
- publish clear, concise and up to date information on our website

- respond to customer enquiries sent through all channels including social media profiles
- offer reasonable adjustments to those needing help accessing our information or services

Be accountable

- give our name so you know who you are dealing with
- focus on delivering our core responsibilities
- clearly signpost how you can provide feedback on our services

Be efficient

- be knowledgeable, giving accurate information
- provide online channels that enable you to access our services at your convenience
- communicate with you electronically, wherever appropriate, but offering other methods if needed

- make the best use of council resources to ensure we are providing value for money

Learn

- aim to get things right first time and learn from experience
- take complaints seriously and seek to resolve any issues at the earliest opportunity

In return, we ask that you:

- treat our staff with respect
- give us the correct information at the right time
- tell us when something changes
- share your views with us on council matters that are important to you
- tell us about anything we can do to overcome barriers to accessing our services.

GROWTH & PROSPERITY

EASTBOURNE in 2024

We will have a prosperous, thriving and sustainable 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, leisure, heritage and culture.

Our success measures are:

- Tourism figures
- Retail vacancy rates
- Maintaining high numbers of bandstand patrons
- Business rates and rent collection figures



*RIGHT Congress Theatre
and Welcome Building*

GROWTH & PROSPERITY

EASTBOURNE in 2024 will be:

Outstanding in tourism & leisure

Achieved through

- New Sovereign Leisure Centre
- A Hotel of Excellence: which will provide students and apprentices 'real time' hotel training opportunities, by working in and experiencing the day to day operations and service departments of an operational hotel
- An exciting arts and events programme, including world-class musical performances, theatre productions and a wide variety of bandstand performances

Attractive & thriving

Achieved through

- Protecting and enhancing the heritage environment
- Continuing to improve the public realm in the town centre and provide a continuous pedestrian link between the railway station and the seafront
- Continuing to deliver a pipeline of projects through partnerships
- Exploring the development of a micro-brewery

Supporting and attracting business

Achieved through

- Delivery of Fishermen's Quay at Sovereign Harbour
- Revitalising Sovereign Harbour Innovation Park
- Working with YourBID business improvement district partnership
- A local industrial strategy which will define how areas will maximise their productivity whilst minimising environmental impact



GROWTH & PROSPERITY

EASTBOURNE in 2024 will have:

Improved infrastructure

Achieved through

- Continuing to lobby government for a new A27 dual carriageway between Lewes and Polegate
- New integrated cycling and walking routes
- Implementing the Transport for South East strategy
- Support for high speed rail services to the town and support for reduced train journey time between Eastbourne and London
- Supporting improved high speed broadband

Exciting cultural events

Achieved through

- A vibrant and broad ranging events programme
- Successfully hosting the International Lawn Tennis Tournament annually
- Delivering increased conference and exhibition trade at Devonshire Quarter



RIGHT Winter Garden

HOUSING & DEVELOPMENT

EASTBOURNE in 2024:

We will work alongside residents to deliver decent, safe and well managed housing, meeting the needs of residents by: investing in our homes, creating communities that work, helping our tenants with their energy bills as we take steps to make council homes more environmentally sustainable, and responding to homelessness and housing needs through maximizing the provision of new affordable housing.

Our success measures are:

- the number of new homes built or purchased
- reducing the number of families housed in emergency accommodation
- increasing the levels of satisfaction across housing services
- increasing the numbers of residents helped to remain independent and in their homes
- efficient processing of planning applications



HOUSING & DEVELOPMENT

EASTBOURNE in 2024 will be:

Addressing homelessness

Achieved through

- Focussing on prevention, to support households at risk of homelessness
- Working in partnerships to address the number of rough sleepers in the town and support them in finding suitable accommodation
- Bringing empty homes back into use

Promoting homes that sustain health & wellbeing

Achieved through

- Exploring how technology can be used to maintain home independence and implementing relevant initiatives
- Further use of grant funding to extend independent living
- Developing integrated health, housing and care strategies



HOUSING & DEVELOPMENT

EASTBOURNE in 2024 will have:

Good access to housing that meets modern standards

Achieved through

- Effective development pipeline within the council's housing companies
- Promoting accessible low cost rental and home ownership initiatives
- Reducing the environmental impact that privately owned homes have on the environment.

Safe, well managed and decent homes

Achieved through

- Giving residents a voice in how their homes & communities are managed
- Reducing the environmental impact that council owned homes have on the environment

Locations regenerated and more housing

Achieved through

- Agreeing a new Local Plan that sets delivery targets that meet local housing needs
- Working with public sector partners to utilise shared assets
- Working with public / private sector partners to deliver new affordable housing
- Identifying sustainable locations for development
- Transitioning to the delivery of new carbon-neutral & environmentally friendly homes
- 'Living above the shop': encouraging and repurposing premises above shops and commercial units to be used as residential accommodation

LANDLORD REWARDS

Guaranteed income for landlords

We are looking for landlords with properties to let in Lewes district and Eastbourne

In exchange we can offer:

- Guaranteed rent payment or an up-front cash incentive
- A choice of tenants ● A chance to swap tenants if things don't work out
- No admin or finders fees ● Minimum void periods
- A dedicated officer to assist you and your tenant

To find out more call 01323 415370 or visit lewes-eastbourne.gov.uk/landlords



HOMES FIRST

QUALITY ENVIRONMENT

EASTBOURNE in 2024:

We will have a clean and attractive zero carbon town, producing less waste with better air quality than before. The town will have a high quality built environment, excellent parks, open spaces and be served by a number of good transport options.

Our success measures are:

- Percentage of household waste recycled
- Addressing the number of fly tips
- Annual figure for food inspections
- Reducing the incidents of graffiti



QUALITY ENVIRONMENT

EASTBOURNE in 2024 will be:

Effectively tackling waste

Achieved through

- Waste reduction education campaigns
- An effective local authority controlled waste company (South East Environmental Services)
- Waste crime addressed

Protecting the environment

Achieved through

- Following a contaminated land strategy
- Additional land burial sites
- Enhancing biodiversity of public and open spaces

A low carbon place

Achieved through

- Implementing an air quality strategy which is ambitious but achievable
- Electric vehicle charging points throughout the borough
- Residents cycling and using public transport more through improved infrastructure

Helping Eastbourne
**waste less and
recycle more**



QUALITY ENVIRONMENT

EASTBOURNE in 2024 will have:

Sustainable open spaces

Achieved through

- A comprehensive Downland strategy
- Improved parks and open spaces



THRIVING COMMUNITIES

EASTBOURNE in 2020-24

Our vision is for strong communities where individual residents and their different organisations and support networks have the resources they need to be healthy, feel safe, and thrive. Key to this is our work with partners through the Eastbourne Youth Partnership and the Community Safety Partnership, and with partners in the police, health services and East Sussex County Council. We will also promote equality and foster positive relationships.

Our success measures are:

- Reducing levels of crime per 1000 population compared with similar areas
- Benefits processing times
- Surveys demonstrate residents feel safer



THRIVING COMMUNITIES

EASTBOURNE in 2020-24 will:

Promote inclusion and address deprivation

Achieved through:

- Fostering positive relations between communities
- A more accessible town (using our disability access audit as a starting point)
- Working with local residents to help understand inequality and putting in place measures to reduce isolation
- Promoting financial independence by improving access to education, training and employment

Promote physical health and mental well-being

Achieved through:

- Working with Wave Leisure, other activity providers and the East Sussex Public Health team to promote physical activity
- Improving the facilities provided at the Sovereign Leisure Centre
- Promoting walking and cycling as both leisure and commuting activities



THRIVING COMMUNITIES

EASTBOURNE in 2020-24 will have:

Actively engaged communities

Achieved through

- Supporting the activities of local voluntary and community groups
- Working with partners to represent the interests of identified groups
- Supporting staff across the council to take part in voluntary activities

Safe communities

Achieved through

- Identifying and addressing risks and emerging threats such as 'cuckooing' and county lines
- Ensuring that new developments and regeneration schemes adhere to 'secure by design' principles
- Working with the police and other local agencies to tackle local crime and disorder, by identifying emerging threats and targeting measures to address these

Safe residents

Achieved through

- Working with partners to uncover and tackle domestic abuse and hate crime
- Safeguarding children and vulnerable adults through clear procedures to identify them and secure required interventions
- Working closely with partners to tackle modern slavery and human trafficking
- Running campaigns that promote safety in the home



*LEFT **Nominated Neighbour Scheme** is a partnership between Eastbourne and Lewes District Council – with Sussex Police – to promote Safer Communities*

BEST USE OF RESOURCES

Eastbourne Borough Council will ensure the best possible use of its limited resources to deliver high quality customer services. Whilst doing so, we will embed sustainability into our procurement practices and make considered purchasing decisions such as finding alternatives to single-use plastics. We will also become more efficient in our use of energy at our sites, making targeted improvements where cost effective to do so.

Commercialisation and increasing revenue

Achieved through

- Reinvigorating Hampden Retail Park and Victoria Mansions
- New commercial ventures through partnerships
- Maximising value of property portfolio

Delivering high quality customer services

Achieved through

- Improving online engagement and digital services
- Responding to customer feedback to improve our services



Delivering value for money services and responsibly managing risk

Achieved through

- Automation
- Council tax and business rates which help deliver residents' services efficiently
- Preparing for and responding to local and national challenges

Generating social value

Achieved through

- Responsible procurement practices including through working with partners on efficient procurement routes to market
- Ensuring staff wellbeing through following work practices that protect and look after the physical and mental health of staff
- Having a workforce and culture that reflects the diversity of the local community and providing diversity training in recruitment and selection practice

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Working in partnership with **Eastbourne Homes**

Meeting: Council

Date: 19 February 2020

Subject: Local Council Tax Reduction Scheme

Report of: Councillor Shuttleworth on behalf of the Cabinet

The Council is asked to consider the minute and resolution of the Cabinet meeting held on 23 October 2019 as set out below.

The Council is recommended to:-

- (1) To adopt the 2019/20 Local Council Tax Reduction Scheme as the 2020/21 scheme.
 - (2) That the Exceptional Hardship Scheme be continued in 2020/21.
-

Minute extract

Cabinet – 23 October 2019.

The Cabinet considered the report of the Director of Service Delivery seeking Cabinet's recommendation to Full Council that the 2019/20 Local Council Tax Reduction Scheme be adopted as the 2020/21 scheme.

Recommended to Full Council (Budget and policy framework):

- (1) That Cabinet recommend to Full Council that the 2019/20 Local Council Tax Reduction Scheme be adopted as the 2020/21 scheme.
- (2) That the Exceptional Hardship Scheme be continued in 2020/21.

Reason for decisions:

The 2019/20 scheme meets the principles of supporting the most vulnerable, with the Exceptional Hardship scheme providing an extra level of support for those most affected.

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](https://democracy.lewes-eastbourne.gov.uk/ieListDocuments.aspx?CId=125&MId=2916&Ver=4):
<https://democracy.lewes-eastbourne.gov.uk/ieListDocuments.aspx?CId=125&MId=2916&Ver=4>

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Report To:	Full Council
Date:	19 February 2020
Report Title:	Financial Procedure Rules
Report of:	Homira Javadi, Chief Finance Officer
Cabinet member	Councillor Stephen Holt (Cabinet Member for Financial Services)
Ward(s) Affected:	All
Purpose of report:	To recommend updated Financial Procedure Rules to the Council for approval as part of the Council's Constitution.
Officer recommendation(s):	That Council approve the Financial Procedure Rules attached as Appendix 1 for inclusion as Part 4 of the Council's Constitution.
Reasons for recommendations:	It is a duty of the Chief Finance Officer (CFO) to maintain an up to date set of Financial Procedure Rules to ensure the Council has effective governance of finances in place.
Contact Officer(s)	Name: Homira Javadi Post title: Chief Finance Officer E mail: Homira.Javadi@lewes-eastbourne.gov.uk Telephone number: 01273 085512

1 Introduction

- 1.1** Eastbourne Borough Council exercises its powers and duties in accordance with the law and its Constitution. Part 4 of the Constitution of the Council sets out the Financial Procedure Rules of the Council. These Rules have been the subject of a number of incremental updates over recent years. Now that Eastbourne Borough Council and Lewes District Council are working very closely together it is timely that these rules are harmonized between the two councils and updated to reflect best practice.
- 1.2** The remit of the Audit and Governance Committee sets out that it is responsible for exercising the powers to maintain an overview of the Council's constitution in terms of contract procedure rules, financial regulations, and codes of conduct and behaviour. Audit and Governance Committee considered a report on the draft Financial Procedure Rules at its meeting on 24 July, and a report was also presented to Cabinet at its 9 July meeting.

2 Structure of the draft updated Financial Procedure Rules

- 2.1** Good practice and legislation have informed the draft update, including The Role of The Chief Finance Officer (CFO) in Local Government (CIPFA February 2016) and Section 114 of the Local Government Finance Act 1988. The Key elements of the structure of the draft updated Financial Procedure Rules is set out as follows.

- Introduction (Role of the CFO, a summary of Financial Procedure Rules and responsibilities to the Council, responsibilities of Personal, the CFO, Directors/ Assistant Directors and Heads of Service)
- Financial Planning (This sets out the procedures and responsibilities for budgeting and maintenance of reserves)
- Financial Management (This sets out the procedures and responsibilities for managing income and expenditure)
- Financial Accounting (This sets out the procedures and responsibilities for accounting policies, accounting records and returns and the statement of accounts).
- Control of Resources (This sets out the procedures and responsibilities for internal controls, audit requirements (both internal and external audit), preventing fraud and corruption, assets and treasury management, banking and petty cash.
- Financial Systems and Procedures (This sets out the procedures and responsibilities for systems, security of income and expenditure, taxation and trading accounts and business units (including Local Authority Trading Companies).
- External Arrangements (This sets out the procedures and responsibilities for partnerships, external funding and working for third parties)).

3 Financial Appraisal

- 3.1** There are no financial implications arising from the recommendations in this report other than those already contained within existing budgets.

4 Legal Implications

- 4.1** There are no direct legal implications arising from this report.

5 Risk Management Implications

- 5.1** If the Council does not have up to date Financial Procedure Rules reviewed and approved by Full Council, it will not be able to demonstrate that it has in place adequate means to safeguard Council assets and services, and could be subject to criticism from the Council's external auditor or the public.

6 Equality analysis

- 6.1** An equalities impact assessment is not considered necessary because the report is for information only and involves no key decisions.

7 Background Papers

The Constitution of Eastbourne Borough Council.

<https://www.lewes-eastbourne.gov.uk/about-the-councils/constitutions/>

8 Appendices

Appendix 1 – Eastbourne Borough Council Draft Financial Procedure Rules

Appendix 2 – Minute Extracts from Cabinet on 9 July 2019 and Audit and Governance Committee on 24 July 2019.

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EASTBOURNE BOROUGH COUNCIL

FINANCIAL PROCEDURE RULES

JULY 2019

Part 4 of the Council's Constitution - Section G

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1. INTRODUCTION

1.1 Role of the Chief Finance Officer (CFO)

- 1.1.1. Financial Procedure Rules are designed to maintain an acceptable standard of financial administration. They must be available to, and followed by, all Officers, Members and agents acting for the council. Together with Standing Orders they regulate the conduct of the council's business.
- 1.1.2. Section 151 of the Local Government Act 1972 requires every local authority "to make arrangement for the proper administration of their financial affairs and ensure that one of their officers has responsibility for the administration of those affairs". The officer designated by the council as having the statutory responsibility set out in Section 151 is the Chief Finance Officer and the Deputy Chief Finance Officer is the designated deputy.
- 1.1.3. The Chartered Institute of Public Finance and Accounting (CIPFA) "Statement on the Role of the Chief Financial Officer (CFO) in Local Government 2016" defines the role of a CFO as:
 - a key member of the Leadership Team, helping it to develop and implement strategy and to resource and deliver the organisation's strategic objectives sustainably and in the public interest;
 - must be actively involved in, and able to bring influence to bear on, all material business decisions to ensure immediate and longer term implications, opportunities and risks are fully considered, and alignment with the organisation's financial strategy; and
 - must lead the promotion and delivery by the whole organisation of good financial management so that public money is safeguarded at all times and used appropriately, economically, efficiently and effectively.
- 1.1.4. To deliver these responsibilities the CFO:
 - must lead and direct a finance function that is resourced to be fit for purpose;and
 - must be professionally qualified and suitably experienced.

1.2 Financial Procedure Rules

- 1.2.1 The Financial Procedure Rules provide the framework for the financial administration of the council with a view to ensuring that financial matters are conducted in a sound and proper manner, constitute value for money and

minimise the risk of legal challenge. Financial Procedure Rules are not intended to constitute a set of detailed rules to respond to every contingency.

- 1.2.2. All financial decisions and decisions with financial implications must have regard to proper financial control. Any doubt as to the appropriateness of a financial proposal or correctness of a financial action must be clarified in advance of the decision or action with the CFO.
- 1.2.3. Detailed procedure notes and other financial instructions may be issued from time to time by the CFO, where assistance is needed with the interpretation of Financial Procedure Rules.
- 1.2.4. Failure to observe Financial Procedure Rules (including any supplementary procedure notes and financial instructions), may result in action under the council's disciplinary procedures.
- 1.2.5. These Financial Procedure Rules should be read in conjunction with the Contract Procedure Rules and the Scheme of Delegation.
- 1.2.6. The CFO is responsible for maintaining a continuous review of the Financial Procedure Rules and submitting any additions or changes necessary to the Council for approval. An annual review shall be undertaken.
- 1.2.7. The CFO is also responsible for reporting, where appropriate, breaches of the Financial Procedure Rules to the Council and/or to the Cabinet. The CFO is authorised to temporarily suspend Financial Procedure Rules in exceptional circumstances and, where such a suspension is authorised, a written record shall be kept of the reasons for this.
- 1.2.8. Directors, Assistant Directors and Heads of Service are responsible for ensuring that all staff in their Directorates/Services are aware of the existence and content of the Financial Procedure Rules and that they comply with them.

1.3. Responsibilities

To the Council

- 1.3.1 Councillors and employees of the council are responsible for ensuring that they use the resources and assets entrusted to them in a responsible and lawful manner. They should strive to achieve value for money and avoid legal challenge to the council.
- 1.3.2. These responsibilities apply equally to councillors and employees when representing the council on outside bodies.

Personal

- 1.3.3. Any person charged with the use or care of council resources and assets should make themselves aware of the council's requirements under the Financial Procedure Rules. If anyone is in any doubt as to their obligations,

then they should seek advice. Unresolved questions of interpretation should be referred to the CFO.

- 1.3.4. All employees must report immediately to their manager, supervisor or other responsible senior officer any illegality, impropriety, serious breach of procedure or serious deficiency in the provision of services that they become aware of or suspect. Employees are able to do this without fear of recrimination providing they act in good faith via the council's Whistle Blowing Policy. Compliance with the council's Anti-Fraud and Anti-Corruption Strategy and the Code of Conduct for Officers is mandatory for all officers.

Chief Finance Officer

- 1.3.5. Section 114 of the Local Government Finance Act 1988 requires the CFO to report to Council, Cabinet, and the External Auditor if the council, any of its committees, or any person holding any office or employment with the council:

- Has made, or is about to make, a decision which involves, or would involve, the authority incurring unlawful expenditure;
- Has taken, or is about to take, unlawful action which has resulted, or would result, in a loss or deficiency to the council; or
- Is about to make an unlawful entry in the council's accounts.

- 1.3.6. Section 114 of the 1988 Act also requires:

- The CFO to nominate a properly qualified member of staff to deputise should they be unable to perform the duties under section 114 personally; and
- The council to provide the CFO with sufficient staff, accommodation and other resources, as are in his/her opinion sufficient to carry out his/her duties under Section 114.

- 1.3.7. The CFO has a range of general responsibilities, which underpin an overriding responsibility to ensure the proper administration of the financial affairs of the council. These include:

- Setting financial management standards and to monitor compliance with them;
- Ensuring proper professional practices are adhered to, and to act as head of profession in relation to the standards, performance and development of finance staff throughout the council;
- Advising on the key strategic controls necessary to secure sound financial management; and

- Ensuring that financial information is available to enable accurate and timely monitoring and reporting of financial and non-financial performance indicators.

Directors/ Assistant Directors and Heads of Service

1.3.8. Directors/ Assistant Directors and Heads of Service are responsible for ensuring that the Financial Procedure Rules are observed throughout all areas under their control and shall:

- Provide the CFO with such information and explanations as the CFO feels is necessary to meet their obligations under the Financial Procedure Rules;
- Consult with the CFO and seek approval on any matter liable to affect the council's finances materially, before any commitments are incurred;
- Ensure that Cabinet Councillors are advised of the financial implications of all significant proposals and that the financial implications have been agreed by the CFO;
- Inform the CFO of failures of financial control resulting in additional expenditure or liability, or loss of income or assets;
- Wherever any matter arises which may involve irregularities in financial transactions consult with the CFO and, if a serious irregularity is confirmed, the matter shall be reported to the Chief Executive, appropriate Cabinet Member and Assistant Director HR and Transformation; and
- Ensure the legality of their Directorate/Service's actions.

1.3.9. Directors/ Assistant Directors and Heads of Service are also responsible for:

- Promoting the financial management standards set by the CFO in their departments and to monitor adherence to the standards and practices, liaising as necessary with the CFO; and
- Promoting sound financial practices in relation to the standards, performance and development of staff in their service areas.

2. FINANCIAL PLANNING

2.1. Budgeting

a) Budget Format

The budget format determines the level of detail to which financial control and management will be exercised. The format shapes how the rules around virement operate, the operation of cash limits and sets limits at which funds may be reallocated.

CFO Responsibilities

- 2.1.1. Advise Cabinet on the format and content of the budget to be approved by Council.

Directors/Assistant Directors and Heads of Service

- 2.1.2. Comply with budgetary guidance provided by CFO.

b) Budget and Medium Term Planning

The council is a complex organisation responsible for delivering a wide variety of services. It needs to plan effectively and to develop systems to enable scarce resources to be allocated in accordance with carefully weighted priorities. The budget is the financial expression of the council's plans and policies. The revenue budget must be constructed so as to ensure that resource allocation properly reflects the service plans and priorities of Council. Budgets (spending plans) are needed so that the council can plan, authorise, monitor and control the way money is allocated and spent. It is illegal for a council to budget for a deficit. Medium-term planning involves a cycle in which managers develop their own plans in conjunction with the CFO. As each year passes, another future year will be added to the Medium-Term Financial Strategy (MTFS). This ensures that the council is always preparing for events in advance.

CFO Responsibilities

- 2.1.3. Prepare and submit reports on revenue budget forecasts to Cabinet, including resource constraints set by Government. Reports should take account of medium-term forecasts, where appropriate.
- 2.1.4. Determine detailed form of revenue budgets and the methods for preparation, consistent with the budget approved by Council, and after consultation with Cabinet, Directors/Assistant Directors and Heads of Service.
- 2.1.5. Prepare and submit reports to Cabinet on aggregate spending plans of service areas and on the resources available to fund them, identifying, where appropriate, implications for the level of taxation to be levied.
- 2.1.6. Advise on the medium-term implications of spending decisions and alternative options.
- 2.1.7. Work with Directors/Assistant Directors and Heads of Service, and all council officers, to identify opportunities to improve economy, efficiency and effectiveness, encouraging good practice financial appraisals of development or savings options, and in developing the financial aspects of service planning.

- 2.1.8. Advise Council on Cabinet proposals in accordance with responsibilities under Section 151 of the Local Government Act 1972.

Directors/ Assistant Directors and Heads of Service Responsibilities

- 2.1.9. Prepare detailed draft revenue budgets in consultation with the CFO, for submission to Cabinet and approval by Council.
- 2.1.10. Integrate financial and budget plans into service planning, so that budget plans can be supported by financial and non-financial performance measures.
- 2.1.11. When drawing up draft revenue budgets, have regard to spending/income patterns and pressures, volatility to external influences, legal requirements, policy requirements, initiatives already underway and external grants and contributions.

c) Capital Programme

Capital expenditure involves acquiring or enhancing fixed assets with long-term value to the council, such as land, buildings, and major items of plant, equipment or vehicles. Capital assets shape the way services are delivered in the long term and create financial commitments for the future in the form of financing costs and revenue running costs.

CFO Responsibilities

- 2.1.12. Prepare capital budgets jointly with Directors/ Assistant Directors and Heads of Service and report them to Cabinet for approval. The Cabinet will make recommendations on the capital budgets and on any associated financing requirements to Council. Cabinet Member approval is required where a Director/Assistant Director and Head of Service proposes to bid for or exercise additional borrowing, not anticipated in the Capital Programme (extra borrowing will create future commitments to financing costs).
- 2.1.13. Prepare and submit reports to Cabinet on projected income, expenditure and resources compared with approved budgets.
- 2.1.14. Issue guidance on capital schemes and controls e.g. revenue costs, project appraisal techniques. The definition of capital will be determined by the CFO, having regard to government regulations and accounting requirements.
- 2.1.15. Obtain Cabinet authorisation for individual schemes where estimated expenditure exceeds Capital Programme provision by more than 10% or £50,000 whichever is the lower (subject to minimum overspend of £5,000)

Directors/ Assistant Directors and Heads of Service Responsibilities

- 2.1.16. Comply with guidance on capital projects and controls issued by CFO.

- 2.1.17. Develop and implement asset management plans in conjunction with CFO.
- 2.1.18. Ensure that all capital projects have undergone a robust appraisal which has been approved by Financial and Legal Services, before being presented and discussed by the appropriate management group.
- 2.1.19. Prepare regular reports reviewing Capital Programme provisions for their services, and prepare a quarterly return of estimated final costs of schemes in the approved Capital Programme for submission to CFO.
- 2.1.20. Ensure adequate records are maintained for all capital contracts.
- 2.1.21. In consultation with the CFO, accelerate the progress of a scheme by deferring the start of another scheme in that year's programme or, if delays are occurring generally, may bring forward a scheme programmed to start in a later year.
- 2.1.22. Proceed with projects only when there is adequate provision in the Capital Programme, following Cabinet or Council approval, and with the agreement of the CFO where required. Cabinet can approve projects up to a cumulative value of £500,000 (General Fund) and £500,000 (Housing Revenue Account) in any one financial year. Projects that breach the £500,000 limits – either alone or cumulatively – require Council approval.
- 2.1.23. Prepare and submit reports, jointly with the CFO, to Cabinet, of any variation in contract costs greater than approved limits. The Cabinet may meet cost increases of up to 5% of the project by virement from identified savings arising from other projects within the capital programme.
- 2.1.24. Prepare and submit reports, jointly with the CFO, to Cabinet on completion of schemes where the final expenditure varies from the approved budget by more or less than 10% or £50,000 whichever is the lower (subject to minimum overspend/underspend of £5,000).
- 2.1.25. Ensure credit arrangements, such as leasing agreements, are not entered into without prior CFO approval, who will need to undertake an assessment of the type of lease arrangement being entered into and, if applicable, approval of the scheme through the Capital Programme.
- 2.1.26. Consult with the CFO and seek Cabinet approval where Director/ Assistant Director and Head of Service proposes to bid for Government approvals to support expenditure that has not been included in current year's Capital Programme.

2.2. Maintenance of Reserves

The council must decide the minimum level of General Reserves it wishes to maintain before it can decide the level of Council Tax. Reserves are maintained as a matter of prudence. They enable the council to provide for unexpected events and thereby protect it from overspending, should such events occur. There are also reserves earmarked for specific purposes.

CFO Responsibilities

- 2.2.1. To advise Cabinet and/or Council on prudent levels of reserves for the council, and to take account of the advice of CIPFA in this matter.

Directors/ Assistant Directors and Heads of Service Responsibilities

- 2.2.2. To ensure that reserves are used only for the purposes for which they were intended.

3. FINANCIAL MANAGEMENT

3.1. Managing Income and Expenditure

a) Budget Monitoring and Control

Proper budget management ensures that, once the budget has been approved by Council, allocated resources are used for their intended purposes and are properly accounted for. Budgetary control is a continuous process, enabling the council to review and adjust its budget targets during the financial year. It also provides the mechanism that calls to account, managers responsible for defined elements of the budget.

By continuously identifying and explaining variances against budget targets, the council can identify changes in trends and resource requirements at the earliest opportunity. The council itself operates within an annual revenue limit, approved when setting the annual budget. To ensure that the council does not overspend in total, each service is required to manage its own income and expenditure within the budget allocated to it. For the purposes of budgetary control by managers, a budget will usually be the planned income and expenditure excluding support and capital charges, for a Department.

CFO Responsibilities

- 3.1.1. Submit reports to Cabinet and Council, in consultation with the relevant Director/ Assistant Director and Head of Service, where a Director/ Assistant Director and Head of Service's expenditure and resources are significantly outside the approved budgets under their control.

- 3.1.2. Prepare and submit quarterly reports on the council's projected income and expenditure compared with the budget to the Cabinet.
- 3.1.3. Establish an appropriate framework of budgetary management and control that ensures that:
- Budget management is exercised within the approved budget unless Cabinet approves a supplementary estimate;
 - Each Director/Assistant and Head of Service has timely information on income and expenditure on each budget which is sufficiently detailed to enable managers to monitor their budgetary responsibilities;
 - As a minimum, quarterly updates are held between a Head of Service, budget holder and their Finance representative;
 - Expenditure is committed only against the approved budget cost centre;
 - All Officers responsible for income and expenditure, comply with the relevant guidance and the Financial Procedure Rules;
 - Each cost centre has a single named manager, designated by the relevant Director/Assistant Director and Head of Service. As a general principle, budgetary responsibility should be aligned as closely as possible to the decision-making processes that commit expenditure; and
 - Significant variances from approved budget are investigated and reported by budget holders monthly and advised to the Corporate Management Team and Cabinet.

- 3.1.4. Administer the council's Scheme of Virement (refer to subsection b) below).

Directors/ Assistant Directors and Heads of Service Responsibilities

- 3.1.5. Consult with CFO on any matter which is liable materially to affect the finances of the council before any provision or other commitment is incurred and before reporting to Members.
- 3.1.6. Maintain budgetary control within their services, in adherence to the principles above, and to ensure that all income and expenditure is properly recorded and accounted for.
- 3.1.7. Ensure that an accountable budget holder is identified for each item of income and expenditure under the control of the Director/ Assistant Director and Head of Service (grouped together in a series of department codes). Budget responsibility should be aligned as closely as possible to the decision-making that commits the expenditure.
- 3.1.8. Ensure that spending remains within the service's overall budget limit, and that individual budget heads are not overspent, by monitoring and taking

appropriate corrective action where significant variations from the approved budget are forecast and to report these to the CFO. This regulation shall also apply to any action or decision, which will give rise to a reduction in income.

3.1.9. Ensure that a monitoring process is in place to review performance levels in conjunction with the budget and is operating effectively within the guidelines set down by the CFO.

3.1.10 Obtain prior approval from the relevant Cabinet portfolio holder, Cabinet or Council, as appropriate, for new proposals (Supplementary Estimates) outside of the budget and policy framework in accordance with the following rules:

Capital programme:

- If a supplementary estimate is less than 10% of the original budget estimate or £250,000 (whichever is the higher), obtain written approval of the Cabinet portfolio holder in consultation with the CFO and relevant Director/Assistant Director (if any). Make a record for audit purposes.
- If a supplementary estimate is greater than £250,000, obtain Cabinet approval
- If the cumulative Cabinet approvals in any single financial year will exceed £500,000 individually for the General Fund and/or the HRA, obtain Council approval.

Revenue Budget:

- If a supplementary estimate is £50,000 or less, obtain written approval of the Cabinet portfolio holder in consultation with the CFO and relevant Director/Assistant Director (if any). Make a record for audit purposes.
- If a supplementary estimate exceeds £50,000, obtain Cabinet approval
- If the cumulative Cabinet approvals in any single financial year will exceed £500,000 individually for the General Fund and/or the HRA, obtain Council approval.

3.1.11 Ensure compliance with Scheme of Virement (refer to subsection b. below).

3.1.12 Consult with the relevant Director/ Assistant Director and Head of Service, where it appears that a budget proposal, including a virement proposal, may impact on another service area or another Director/ Assistant Director or Head of Service's service activity, prior to any action being taken.

b) Virement

A virement is the transfer between budgets that enables Cabinet, Directors, Assistant Directors and Heads of Service and their staff, to manage budgets with a degree of flexibility within the overall budget and policy framework determined by the council, and therefore to optimise the use of resources.

3.1.13 The Scheme of Virement is administered by the CFO within guidelines set by Council and any variation from the Scheme requires Council approval.

3.1.14 Virement does not create additional overall budget liability and should not be used to create additional budget demand in future years.

3.1.15 Virement is not allowed:

- From capital financing charges, interest credits, council tax and housing benefit payments and projects financed by external grants and contributions, corporate finance costs (e.g. bank charges), precepts etc. or internal recharges (e.g. departmental support service recharges); or
- For a transfer of resources between funds or Capital projects.

3.1.16 Virement is only allowed from employee costs with the approval of the CFO and after consideration of the overall budget position on employees, since the budget anticipates savings on employee budgets from natural staff turnover.

CFO Responsibilities

3.1.17 Prepare, jointly, with the relevant Director/Assistant Director and Head of Service a report to Cabinet on proposed virements, where required under the Scheme.

Directors/ Assistant Directors and Heads of Service Responsibilities

3.1.18 Directors/Assistant Directors and Heads of Service may exercise virement on budgets under their control for gross amounts up to £30,000 in total (cumulative within a single financial year), within Departmental budgets or between Departmental budgets within the same Service budget (any combination thereof), following the approval of the CFO and subject to the conditions in paragraphs 3.1.19 to 3.1.22 below.

3.1.19 Amounts greater than £30,000 require Portfolio Holder approval, following a joint report by the CFO and the Director/Assistant Director and Head of Service, which must specify the proposed expenditure and the source of funding, and must explain the implications in the current and future financial year. Each Cabinet Member has a cumulative limit of £250,000 per financial year.

- 3.1.20 Amounts greater than £250,000 require Cabinet approval. The Cabinet has a cumulative limit of £500,000 per financial year. Amounts greater than £500,000 require Council approval.
- 3.1.21 Prior Cabinet approval is required for any virement where it is proposed to:
- vire between budgets of different accountable Cabinet Members; and
 - vire between budgets managed by different Directors/ Assistant Directors and Heads of Service.
- 3.1.22 Virements relating to a specific financial year should not be made after 31st March in that year.
- 3.1.23 Where an approved budget is a lump-sum budget or contingency intended for allocation during the year, its allocation will not be treated as a virement, provided that:
- The amount is used in accordance with the purposes for which it has been established; and
 - Cabinet has approved the basis and the terms, including financial limits, on which it will be allocated. Individual allocations in excess of the financial limits should be reported to the Cabinet.

c) Year-End Balances

The treatment of year-end balances is administered by the CFO within guidelines set by the council. The rules below cover arrangements for the transfer of resources between accounting years, i.e. a carry-forward.

Year – End Balances (carry forwards)

- 3.1.24 The Scheme of Carry-Forwards is administered by the CFO within guidelines set by Council and any variation from the Scheme requires Council approval.
- 3.1.25 The rules cover arrangements for transferring resources between accounting years (i.e. carry-forwards).

CFO Responsibilities

- 3.1.26 Administer the Scheme of Carry-Forwards within guidelines approved by Council:
- Underspent Capital budgets at year-end will be carried forward in the Capital Programme automatically unless no longer required
 - Underspent Revenue budgets up to £30,000 on individual budgets may be carried forward with CFO approval

- Underspent Revenue budgets in excess of £30,000 on individual budgets may be carried forward with Cabinet approval
- All underspent Revenue budgets approved to be carried forward will be retained in an earmarked reserve.

3.1.27 Report jointly with relevant Director/Assistant Director and Head of Service on all material overspends and underspends on service budgets carried forward to the Cabinet and to Council.

Directors/ Assistant Directors and Heads of Service Responsibilities

3.1.28 Underspends on service budgets up to £30,000 under the control of the Director/Assistant Director and Head of Service may be carried forward with prior CFO approval. Underspends over £30,000 require Cabinet approval.

3.1.29 Take account of Capital underspends carried forward into the following years Capital Programme.

d) Emergency Expenditure

The council needs a procedure in place for meeting immediate needs if an emergency situation arises in the borough.

3.1.30 The Chief Executive and CFO shall have authority to approve expenditure on items essential to meet immediate needs created by an emergency or which is referable to Section 138 of the Local Government Act 1972, subject to a subsequent report to Cabinet and/or Council depending on whether or not the expenditure can be met within the current budget framework.

3.1.31 The Leader or Deputy Leader (having received report from Chief Executive and CFO), shall have power to incur expenditure essential to meet immediate needs created by an emergency, or which is referable to Section 138 of the Local Government Act 1972 (or subsequent legislation) which is not otherwise authorised, or where it is necessary in the council interest to settle legal proceedings. A subsequent report shall be submitted to Cabinet and/or Council, depending on whether or not the expenditure can be met within the current budget framework.

3.1.32 The CFO will ensure, retrospectively, the submission of a claim for reimbursement under the "Bellwin Scheme" for any eligible emergency costs incurred i.e. costs incurred on, or in connection with, immediate actions to safeguard life and property or to prevent suffering or severe inconvenience as a result of a disaster or emergency in the borough. Grant is limited by Section 155 of the Local Government and Housing Act 1989 and local authorities are expected to have budgeted for a certain amount of emergency expenditure (the 'threshold').

4 FINANCIAL ACCOUNTING

4.1 Accounting Policies

The CFO is responsible for preparing the council's Statement of Accounts, in accordance with proper practices as set out in the format required by the Code of Practice on Local Authority Accounting in the United Kingdom (the Code) issued by (CIPFA/LASAAC), for each financial year.

CFO Responsibilities

- 4.1.1 Select suitable accounting policies and ensure they are applied consistently. Accounting policies are set out in the annual Statement of Accounts.

Directors/ Assistant Directors and Heads of Service Responsibilities

- 4.1.2 Adhere to accounting policies, timetables and guidelines approved by the CFO.

4.2 Accounting Records

Maintaining proper accounting records is one of the ways in which the council discharges its responsibility for the stewardship of public resources. The council has a statutory responsibility to prepare an annual Statement of Accounts that give a "true and fair view" of the financial position and transactions of the council. The accounting records are subject to external audit. The audit provides assurance that the Statement of Accounts have been prepared properly, that proper accounting practices have been followed and that robust arrangements have been made for securing economy, efficiency and effectiveness in the use of council resources.

CFO Responsibilities

- 4.2.1 Determine the accounting procedures and records for the council. Where these are maintained outside of Financial Services, the CFO should consult the Director/Assistant Director and Head of Service concerned.
- 4.2.2 Arrange for the compilation of all accounts and accounting records under his or her direction.
- 4.2.3 Comply with the following principles when allocating accounting duties:
- Separating the duties of providing information about sums due to or from the council and calculating, checking and recording these sums from the duty of collecting or disbursing them; and
 - Employees with the duty of examining or checking the accounts of cash transactions must not themselves be engaged in these transactions.

- 4.2.4 Ensure that claims for funds, including grants, are made by the due date.
- 4.2.5 Make proper arrangements for the audit of the council's Statement of Accounts in accordance with the latest Accounts and Audit (England) Regulations.
- 4.2.6 Prepare and publish the Statement of Accounts for each financial year in accordance with the statutory timetable, and present audited Statements for approval by the Audit and Governance Committee before 31st July each year. Submit provisional outturn results for financial year to Cabinet as soon as practicable.
- 4.2.7 Ensure the retention of financial documents in accordance with the council's Document Retention Policy.
- 4.2.8 Undertake or receive monthly reconciliations for all fundamental IT financial systems and sign off as evidence of CFO's review.

Directors/ Assistant Directors and Heads of Service Responsibilities

- 4.2.9 Consult and obtain the approval of the CFO before making changes to accounting arrangements, records and procedures.
- 4.2.10 Comply with segregation of duties principles outlined in Paragraph 4.2.3 when allocating accounting duties.
- 4.2.11 Maintain records that provide a management trail, leading from income/expenditure source through to the accounting statements, and carry out regular monthly reconciliations of fundamental IT financial systems to the council's corporate financial management information system.
- 4.2.12 Supply information required to enable the Statement of Accounts to be completed by the statutory deadline of 31st May each year and in accordance with guidelines issued by the CFO.

4.3 Statement of Accounts

The council has a statutory responsibility to prepare its own Statement of Accounts, which give a "true and fair view" of the financial position and transactions of the council.

The Audit & Governance Committee is responsible for approving the statutory annual Statement of Accounts.

CFO Responsibilities

- 4.3.1 Select suitable accounting policies and to apply them consistently.
- 4.3.2 Make judgements and estimates that are reasonable and prudent.
- 4.3.3 Ensure compliance the CIPFA/LASAAC Accounting Code of Practice.

- 4.3.4 Sign and date the Statement of Responsibilities with the Statement of Accounts, stating it gives a true and fair view of the financial position and transactions of the Council (including group financial statements where applicable) at the year ended 31st March.
- 4.3.5 Draw up the timetable for final accounts preparation and to advise Officers and external auditors accordingly.

Directors/ Assistant Directors and Heads of Service Responsibilities

- 4.3.6 Comply with accounting guidance provided by the CFO and supply the CFO with information when required.

5 RISK MANAGEMENT AND CONTROL OF RESOURCES

5.1 Risk Management

All organisations, whether in the private or public sector, face risks to people, property and continued operations. Risk is the chance or possibility of loss, damage, injury or failure to achieve objectives caused by an unwanted or uncertain action or event. Risk Management is the planned and systematic approach to the identification, evaluation and control of risk. Its objectives are to secure the assets of the organisation and to ensure its continued financial and organisational wellbeing. In essence it is an integral part of good business practice. Risk Management is concerned with evaluating the measures an organisation already has in place to manage perceived risks and then recommend the actions the organisation needs to take to control these risks effectively. The Audit and Governance Committee monitors the effective development and operation of Risk Management, and it is the overall responsibility of Cabinet to approve the Risk Management Strategy, and to promote a culture of risk management awareness throughout the council.

CFO Responsibilities

- 5.1.1 Develop and maintain a Risk Management Strategy.
- 5.1.2 Develop and maintain a Risk Register.
- 5.1.3 Develop and promote a proactive and positive corporate Risk Management culture, including awareness and the implementation and maintenance of Risk Management controls.
- 5.1.4 Include all appropriate employees in suitable Fidelity Guarantee insurance cover.
- 5.1.5 Arrange suitable corporate insurance cover, through external insurance and internal funding, and negotiate claims for losses in consultation with other Officers, and partner organisations, where necessary.

Directors/Assistant Directors and Heads of Service Responsibilities

- 5.1.6 Promote a proactive and positive Risk Management culture within service area, including raising awareness and the implementation and maintenance of Risk Management controls.
- 5.1.7 Show due regard to advice from specialist Officers (e.g. health and safety) and review risks through the Service Planning process at least quarterly.
- 5.1.8 Promptly notify CFO of all significant new risks, properties, vehicles or other assets that require insurance and of any alterations affecting existing insurances and to provide information when requested.
- 5.1.9 Immediately notify CFO of any loss, liability or damage that may lead to a claim against the council, together with any information or explanation required by the CFO or the council's insurers.
- 5.1.10 Consult with the CFO and the Assistant Director Legal and Democratic Services on the terms of any indemnity that the council is requested (or has offered) to give.
- 5.1.11 Ensure that employees, or anyone covered by council insurance, do not admit liability or make any offer to pay compensation that may prejudice the assessment of liability in respect of any insurance claim.

5.2 Internal Controls

The council is complex and beyond the direct control of individuals. It therefore requires internal controls to manage and monitor progress towards strategic objectives and to monitor compliance with statutory obligations.

The council faces a wide range of financial, legal, administrative and commercial risks, both from internal and external factors, which threaten the achievement of its objectives. Internal controls are necessary to manage these risks and to protect the council from the impact of uncertainties.

CFO Responsibilities

- 5.2.1 Assist the council to put in place an appropriate control environment and effective internal controls which provide reasonable assurance of effective and efficient operations, financial stewardship, probity and compliance with laws and regulations.
- 5.2.2 Ensure an effective internal audit function is resourced and maintained.
- 5.2.3 Ensure that the council has put in place effective arrangements for internal audit of the control environment and systems of internal control as required by professional standards and in line with CIPFA's Code of Practice.

- 5.2.4 Ensure an effective audit committee is developed and maintained.

Directors/ Assistant Directors and Heads of Service Responsibilities

- 5.2.5 Ensure that external auditors are given access at all reasonable times to premises, human resources, documents and assets which the external auditors consider necessary for the purposes of their work.
- 5.2.6 Ensure that all records and systems are up to date and available for inspection.
- 5.2.7 Review existing controls in the light of changes affecting the council and to establish and implement new ones in line with guidance from the CFO. Directors/ Assistant Directors and Heads of Service should also be responsible for removing controls that are unnecessary or not cost or risk effective – for example, because of duplication.
- 5.2.8 Ensure Officers have a clear understanding of the consequences of lack of control.

5.3 Audit Requirements

a) Internal Audit

The requirement for an internal audit function for local authorities is implied by Section 151 of the Local Government Act 1972, which requires that authorities “make arrangements for the proper administration of their financial affairs”. More specific requirements are set out in the Accounts and Audit Regulations 2015, which require the council to “undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance.”

Chief Executive

- 5.3.1 Ensure that the Chief Internal Auditor has direct access to and freedom to report in his or her own name and without fear or favour to the Chief Executive and the CFO, the Cabinet and the Audit & Governance Committee, all levels of management, Officers and elected Councillors. This should include the ability to meet the Chair of the Audit & Governance Committee alone (outside of the Committee meeting) and External Auditors to discuss significant concerns that they may have over the adequacy and effectiveness of internal controls and risk management activities.

CFO Responsibilities

- 5.3.2 Implement appropriate measures to prevent and detect fraud and corruption and ensure that effective procedures are in place to investigate promptly any identified fraud or irregularity.

- 5.3.3 Report to Cabinet requesting additional funding where insufficient internal audit resources have been identified.

Chief Internal Auditor Responsibilities

- 5.3.4 Ensure that Internal Audit has unrestricted access to all information (including records, computer files, property and personnel) and activities undertaken by the council, and those of partner organisations and third party service providers where contract terms include Internal Audit access rights.
- 5.3.5 Assisting the CFO in discharging their responsibilities under Section 151 of the Local Government Act 1972 in relation to internal controls.
- 5.3.6 Providing and maintaining an Internal Audit function which meets the requirements of the Public Sector Internal Audit Standards (PSIAS).
- 5.3.7 Developing and delivering an Annual Audit Plan for the council using a risk based methodology. Following consultation with the Chief Executive Officer, CFO and CMT, the Chief Internal Auditor will submit such plan to the Audit & Governance Committee for review and approval prior to the commencement of each financial year.
- 5.3.8 Providing an annual Internal Audit opinion, compliant with PSIAS requirements, which informs the Annual Governance Statement on how the council's control environment, including risk management processes, accounting records, governance and value for money arrangements, established by management, are operating within the council.
- 5.3.9 Issuing other reports which provide assurance to the Chief Executive, CFO, Monitoring Officer and the Corporate Management Team, and making recommendations for improvement.
- 5.3.10 Comply with any requests from the External Auditor or access to any information, files or working papers obtained or prepared during audit work that is required to discharge their responsibilities.
- 5.3.11 Reporting to the Chief Executive, CFO and the Audit and Governance Committee, if the Chief Internal Auditor concludes that resources are insufficient.

Directors/ Assistant Directors and Heads of Service Responsibilities

- 5.3.12 Ensure that Internal Audit are given access at all reasonable times to premises, human resources, documents and assets that the auditors consider necessary for the purposes of their work.
- 5.3.13 Ensure that auditors are provided with any information and explanations that they seek in the course of their work.
- 5.3.14 Consider and respond promptly to recommendations/actions in Internal Audit reports.

- 5.3.15 Ensure that agreed actions arising from audit recommendations are carried out in a timely and efficient fashion.
- 5.3.16 Notify the Chief Internal Auditor immediately of any suspected fraud, theft, irregularity, improper use or misappropriation of council property, assets or resources. Pending investigation and reporting, the Director/ Assistant Director or Head of Service should take all necessary steps to prevent further loss and to secure records and documentation against removal or alteration.
- 5.3.17 Ensure that new systems for maintaining financial records, or records of assets, or changes to such systems, are discussed with and agreed by the Chief Internal Auditor prior to implementation.

b) External Audit

The Local Audit and Accountability Act 2014 (“the Act”) sets out the framework for audit of local authorities. It replaces the provisions of the Audit Commission Act 1998 following the closure of the Audit Commission. The duties and responsibilities of external auditors are primarily set out in Part 5 of the Act and reflected in a Code of Audit Practice issued by the National Audit Office.

The Statement of Accounts is scrutinised by the external auditors, who must be satisfied that they give a “true and fair view” of the financial position and transactions of the council (including any group financial statements where applicable) during the year and complies with all legal requirements.

CFO Responsibilities

- 5.3.18 Ensure that external auditors are given access at all reasonable times to premises, human resources, documents and assets that the external auditors consider necessary for the purposes of their work.
- 5.3.19 Ensure there is effective liaison between external and internal audit.
- 5.3.20 Work with the external auditor and advise Council, Cabinet and Directors/Assistant Directors and Heads of Service on their responsibilities in relation to external audit.

Directors/ Assistant Directors and Heads of Service Responsibilities

- 5.3.21 Ensure that external auditors are given access at all reasonable times to premises, human resources, documents and assets which the external auditors consider necessary for the purposes of their work.
- 5.3.22 Ensure that all records and systems are up to date and available for inspection.

5.4 Preventing Fraud and Corruption

The council will not tolerate fraud and corruption in the administration of its responsibilities, whether from inside or outside the council.

The council's expectation of propriety and accountability is that Members and Officers at all levels will lead by example in ensuring adherence to legal requirements, rules, procedures and practices.

The council also expects that individuals and organisations, including partner organisations, suppliers, contractors and service providers with whom it comes into contact will act towards the council with integrity and without thought or actions involving fraud and corruption.

Chief Executive Responsibilities

- 5.4.1 Maintain adequate and effective internal control arrangements.

CFO Responsibilities

- 5.4.2 Implement appropriate measures to prevent and detect fraud and corruption.

Chief Internal Auditor Responsibilities

- 5.4.3 Develop and maintain a comprehensive Anti-Money Laundering Strategy.
- 5.4.4 Develop and maintain a comprehensive Anti-Fraud and Anti-Corruption Strategy.
- 5.4.5 Report all suspected irregularities (as appropriate) to the Chief Executive, the CFO, and the Audit & Governance Committee.

Directors/ Assistant Directors and Heads of Service Responsibilities

- 5.4.6 Ensure that all suspected irregularities are reported to the Chief Internal Auditor without delay.
- 5.4.7 Instigate the council's disciplinary procedures where the outcome of an audit investigation indicates improper behaviour.
- 5.4.8 Ensure that where financial impropriety is discovered, the CFO and Chief Internal Auditor are informed as soon as possible, and where sufficient evidence exists to believe that a criminal offence may have been committed, this will be investigated by Counter Fraud Officers of the councils.
- 5.4.9 Maintain a Register of Interests' for both Councillors and Officers.

5.5 Assets

a) Security of Property

The council holds assets in the form of property, vehicles, plant, software, equipment other items worth many millions of pounds. It is important that assets are safeguarded and used efficiently in service delivery, and that there are arrangements for the security of both assets and information required for service operations. An up-to-date asset register is a prerequisite for proper fixed asset accounting and sound asset management.

CFO Responsibilities

- 5.5.1 Maintain an Asset Register in accordance with good practice for all fixed assets with a value in excess of £10,000. The function of the Asset Register is to provide the council with information about fixed assets so that they are safeguarded, used efficiently and effectively and adequately maintained.
- 5.5.2 Receive and process information required for accounting, costing and financial records from each Director/ Assistant Director and Head of Service.
- 5.5.3 Ensure that assets are valued in accordance with the Code issued by (CIPFA/LASAAC).
- 5.5.4 Issue guidelines on best practice ("Local Authority Assets: Disposal Guidance - DCLG March 2016") for asset disposals.
- 5.5.5 Ensure appropriate accounting entries are made to remove the value of asset disposals from the council's records, including the proceeds of sale where appropriate.
- 5.5.6 (Independently) review and authorise proposed stock write-offs (including obsolete and surplus stock) submitted by Directors/ Assistant Directors Heads of Service, within predetermined limits. Values in excess of predetermined limits should be forwarded for approval by the Portfolio Holder for Finance and/or Cabinet as appropriate.

Directors/ Assistant Directors and Heads of Service Responsibilities

- 5.5.7 Notify the CFO immediately of any additions/disposals/variations to the Asset Register. Any use of property by a service area or establishment, other than for direct service delivery, should be supported by documentation identifying terms, responsibilities and duration of use.
- 5.5.8 Arrange for the valuation of assets for accounting purposes to meet requirements specified by the CFO.
- 5.5.9 Recommend surplus land and buildings for sale to the Asset Management Group (AMG), followed by a joint report prepared by the relevant Director/ Assistant Director and Head of Service and the CFO to Cabinet.

- 5.5.10 Follow best practice guidelines for asset disposals, issued by the CFO.
- 5.5.11 Ensure prospective occupiers of council land are not allowed to take possession or enter until a lease or agreement (in a form approved by the Director/ Assistant Director and Head of Service in consultation with the Assistant Director – Legal and Democratic Services) has been established as appropriate.
- 5.5.12 Ensure security of buildings and other assets, including vehicles, plant, equipment, furniture, stock, stores and other property, within service area. Consult CFO where security is thought to be defective or where it is considered that special security arrangements may be needed.
- 5.5.13 Pass title deeds to Assistant Director - Legal and Democratic Services, for safe custody. The Head of Property, Delivery and Compliance must keep a record of all properties owned by the council, recording Portfolio, the purpose for which it is held, the location, the plan reference, purchase details, particulars of interest and rent payable, and particulars of tenancies granted.
- 5.5.14 Ensure that cash holdings on premises are kept within insurance limits (determined by CFO) and keys to safes and similar receptacles are carried on the person of those responsible at all times. Loss of any such keys must be reported to the CFO immediately.
- 5.5.15 Ensure all employees are aware of their personal responsibility to protect and retain the confidentiality of information, whether held in manual or computerised records. Information may be sensitive or privileged, or may possess some intrinsic value, and its disclosure or loss could result in a cost to the council.

Inventories

- 5.5.16 Maintain an Inventory List within service area, recording descriptions of any furniture, fittings, equipment, plant and machinery, with individual values of £75 or more. The CFO must be notified if the value of a single item exceeds £10,000.
- 5.5.17 Carry out annual check of all significant inventory items to verify location, condition and take action in relation to surpluses or deficiencies, annotating the inventory accordingly. Portable items such as computers, cameras and video recorders should be identified with council security markings.
- 5.5.18 Make sure that property is only used in the course of council business, unless the Director/ Assistant Director and Head of Service concerned has given permission otherwise.

Stocks and Stores

- 5.5.19 Make appropriate arrangements for the care and custody of stocks and stores within service area.
- 5.5.20 Maintain stocks at reasonable levels and ensure regular (minimum quarterly) independent physical stock checks. Stock discrepancies should be immediately investigated and pursued to a satisfactory conclusion.
- 5.5.21 Recommend stock write-offs (including obsolete and surplus stock) by submitting proposal in writing to CFO (seeking advice from purchasing advisors where appropriate).

5.6 Treasury Management, Banking and Petty Cash

Millions of pounds pass through councils' accounts each year. This has led to the establishment of CIPFA's "Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes" (the Code).

The Code aims to provide assurance that council money is properly managed in a way that balances risk with return, with overriding consideration given to the security of capital sums.

Banking arrangements and petty cash should also be managed appropriately with key responsibilities confined to the CFO and a limited number of authorised individuals.

CFO Responsibilities

- 5.6.1 Undertaking borrowing and investment activities in full compliance with CIPFA's "Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes". Any other lending or borrowing cannot be undertaken without the approval of Council, following consultation with the CFO.
- 5.6.2 Ensuring that all borrowing and investing activities are undertaken in the name of the council (or nominee approved by council) and detailed records/registers maintained and appropriate arrangements are made for the safe custody of all securities and title deeds.
- 5.6.3 Arranging and administering banking arrangements, including negotiate banking arrangements, opening accounts, signing Direct Debit mandates, ordering cheque books and arranging BACS payments.
- 5.6.4 Along with the Chief Executive, signing bank mandates authenticating the signatures of Officers designated as cheque signatories, and signatories for other instruments for the payment, collection or transfers of monies. All cheques must bear the signature of two authorised Officers of the council and dispatched directly from the CFO (or his or her staff) to payees.

- 5.6.5 Making arrangements with the bank for the issue of corporate Purchasing Cards.
- 5.6.6 Developing, maintaining and disseminating a detailed Purchasing Card Policy, ensuring that all card holders sign their acceptance of its terms and conditions.
- 5.6.7 Developing and operating a Petty Cash Imprest system (including a set of CFO prescribed rules), which balances operational need with efficiency and appropriate cash control measures.

Directors/ Assistant Directors and Heads of Service Responsibilities

- 5.6.8 Following instructions on banking and purchase cards issued by the CFO.
- 5.6.9 Utilising Purchasing Cards in accordance with the corporate Purchasing Card Policy. Cardholders must formally sign to indicate their acceptance of the Policy, prior to usage.
- 5.6.10 Ensure Trust Funds are held in the council's name wherever possible. Officers acting as Trustees, due to their official position, must deposit securities etc. relating to the Trust with the CFO, unless the deed otherwise provides.
- 5.6.11 Ensure Trust Funds are operated within relevant legislation and the specific requirements for each Trust. Secure administration arrangements must be approved by the CFO.
- 5.6.12 Ensure employees within service area operate Petty Cash Imprest system in compliance with CFO prescribed rules.

6 FINANCIAL SYSTEMS AND PROCEDURES

6.1 General

Service areas have many systems and procedures relating to the control of the Council's assets, including purchasing, costing and management systems. Service areas are increasingly reliant on ICT for their financial management information. The information must therefore be accurate and the systems and procedures sound and well administered. They should contain controls to ensure that transactions are properly processed, errors detected promptly and system reconciliations completed and evidenced monthly.

The CFO has a professional responsibility to ensure that council financial systems are sound and should therefore be consulted at an early stage in the process prior to the implementation of any new developments or changes/upgrades to existing systems.

CFO Responsibilities

- 6.1.1 Make arrangements for the proper administration of the council's financial affairs, including:
- Issuing advice, guidance and procedures for Officers and others acting on the council's behalf
 - Determining the accounting systems, form of accounts and supporting financial records
 - Establishing arrangements for audit of the council's financial affairs
 - Approving any new financial systems to be introduced; and
 - Approving any changes to be made to existing financial systems.

Directors/ Assistant Directors and Heads of Service Responsibilities

- 6.1.2 Comply with procedures and guidance issued by the CFO.
- 6.1.3 Ensure that accounting records are properly maintained and held securely.
- 6.1.4 Ensure that vouchers and documents with financial implications are not destroyed, except in accordance with arrangements set out in the approved Document Retention Policy.
- 6.1.5 Ensure that a complete management trail, allowing financial transactions to be traced from the accounting records to the original document, and vice versa, is maintained.
- 6.1.6 Incorporate appropriate controls to ensure that, where relevant:
- All input is genuine, complete, accurate, timely and not previously processed
 - All processing is carried out in an accurate, complete and timely manner
 - Output from the system is complete, accurate and timely; and
 - Output is reconciled, at least monthly, to the council's general ledger and signed off by the preparer and reviewer of the reconciliation.
- 6.1.7 Ensure that the organisational structure provides an appropriate segregation of duties to provide adequate internal controls and to minimise the risk of fraud or other malpractice.
- 6.1.8 Ensure there is a documented and tested disaster recovery plan to allow information system processing to resume quickly in the event of an interruption.
- 6.1.9 Ensure systems are documented and Officers trained in operations.

- 6.1.10 Consult with CFO before changing existing financial systems or introducing new financial systems.
- 6.1.11 Establish a scheme of delegation identifying Officers authorised to act upon the Director/Assistant Director and Head of Service's behalf in respect of payments, income collection and placing orders, including variations, and showing the limits of their authority.
- 6.1.12 Supply lists of authorised Officers, with specimen signatures and delegated limits, to the CFO, together with any subsequent variations.
- 6.1.13 Ensure that effective contingency arrangements, including back-up procedures, exist for computer systems. Where possible, back-up information should be retained in a secure location, preferably off site or at an alternative location within the building.
- 6.1.14 Ensure that, where appropriate, computer systems are registered in accordance with data protection legislation and that staff are aware of their responsibilities under the legislation.
- 6.1.15 Ensure relevant standards and guidelines for computer systems issued by Directors/Assistant Directors and Heads of Service are observed.
- 6.1.16 Ensure computer equipment and software is protected from loss and damage through theft, vandalism etc.
- 6.1.17 Comply with the copyright, designs and patents legislation. In particular, ensure that only software legally acquired and installed by the council is used on its computers.

6.2 Income and Expenditure

a) Income

Income can be a vulnerable resource and effective income collection systems are necessary to ensure that all income due is identified, collected, receipted and properly banked. It is preferable to obtain income in advance of supplying goods or services as this improves cash flow and avoids the time and cost of administering debts.

CFO Responsibilities

- 6.2.1 Agree arrangements for the collection of income due to the council and approve the procedures, systems and documentation for its collection.
- 6.2.2 Periodically issuing guidance on charging policy, including key principles on fees and charges (e.g. full cost recovery and benchmarking), taxation and inflationary assumptions.
- 6.2.3 Order and supply to service areas receipt forms, books or tickets and similar items and satisfy themselves regarding control arrangements.

6.2.4 Agree the write-off of bad debts (in consultation with the relevant Director/ Assistant Director or Head of Service) up to £15,000 in value in each case and refer sums in excess of this limit, but up to £100,000, to the Cabinet Member for Finance for approval. Individual sums to be written off that exceed £100,000 require Cabinet approval.

6.2.5 Keep records of all sums written off and ensure appropriate accounting adjustments are made.

6.2.6 Ensure that refunds are not made for sums under £5.00, unless specifically requested by the individual.

Directors/ Assistant Directors and Heads of Service Responsibilities

6.2.7 Establish charging policy for the supply of goods or services in accordance with guidance issued by the CFO, reviewing it regularly, in line with corporate policies.

6.2.8 Separate responsibility for identifying amounts due and responsibility for collection, as far as is practicable.

6.2.9 In consultation with the CFO, establish and initiate appropriate recovery procedures, including legal action where necessary, for debts that are not paid promptly.

6.2.10 Issue official receipts for all cash transactions (except where a legal document is the receipt for money received) and maintain other documentation for income collection where receipts are not required.

6.2.11 Ensure wherever practical that at least two employees are present when post is opened at a site where income is regularly received.

6.2.12 Securely hold receipts, tickets and other records of income in accordance with Document Retention Policy.

6.2.13 Lock away all cash to safeguard against loss or theft, and to ensure security of cash handling.

6.2.14 Ensure income is paid promptly and fully into council bank account in the form in which it is received. Appropriate details should be recorded to provide a full audit trail. Money collected and deposited must be reconciled to bank account on a monthly basis (minimum).

6.2.15 Ensure income received is not used to cash personal cheques or make any other payments.

6.2.16 Supply CFO with details relating to work done, goods supplied, services rendered or other amounts due, to enable the CFO to record correctly the sums due to the council and to ensure accounts are sent out promptly. To do this, Directors/Assistant Directors and Heads of Service should use established debt recovery systems to monitor the recovery of income and

flag up areas of concern to the CFO. Heads of Service have a responsibility to assist the CFO in collecting debts that they have originated, by providing any further information requested by the debtor, and in pursuing the matter on the council's behalf.

- 6.2.17 Keep a record of every transfer of money between employees of the council. The receiving Officer must sign for the transfer and the transferor must retain a copy.
- 6.2.18 Recommend debts for write-off to the CFO and keep a record of all sums written off. Once raised, bona fide debts must not be cancelled, except by full payment or by formal write off. A credit note to replace a debt can only be issued to correct a factual inaccuracy or administrative error in the calculation and/or billing of the original debt, a waiver or reduction in charges.
- 6.2.19 Where delegated authority has been granted by the CFO, individuals can write-off bad debts up to their specified limit in each case (Note – delegated authority must be exercised in strict observance of 'separation of duties' principles; referred to above in Paragraph 6.2.8). Sums in excess of their limit must be referred to the CFO for approval, who in turn will seek Cabinet Member approval for write-off of bad debt exceeding £15,000 in line with Paragraph 6.2.4 above.
- 6.2.20 Notify CFO of outstanding income relating to the previous financial year as soon as possible after 31st March in line with timetable determined by the CFO, and not later than 10th April or nearest working day thereafter.

b) Ordering and paying for work, goods and services

Public money should be spent with demonstrable probity and in accordance with council policies. Councils have a statutory duty to achieve best value, in part through economy and efficiency. Council procedures should help to ensure that services obtain value for money from their procurement arrangements. These procedures should be read in conjunction with the council's Contract Procedure Rules.

- 6.2.21 Officers and Members engaged in contractual or procurement decisions on behalf of the council have a responsibility to declare links or personal interests that they may have with purchasers, suppliers and/or contractors, in accordance with appropriate codes of conduct.
- 6.2.22 Official orders must be issued for all work, goods or services to be supplied to the council, except for supplies of utilities, periodic payments such as rent or rates, corporate purchasing card purchases, petty cash purchases or other exceptions specified by the CFO. Purchase orders must be raised at the time the goods or services are ordered or within 5 working days at the most.

- 6.2.23 Purchase orders must conform to guidelines approved by council for the procurement of goods, services and suppliers. Standard terms and conditions must not be varied without the prior CFO approval.
- 6.2.24 The normal payment method will be by BACS payment direct to the customer, drawn on the council bank account, approved by the CFO. Direct debits will require prior CFO agreement, or a designated bank signatory, before any agreement is signed. Purchasing card payments may be made by Officers preauthorised by the CFO and identified on the Authorised Signatory List. VAT receipts for all goods must accompany monthly statements submitted to the CFO. Spending limits will be set/approved the CFO.
- 6.2.25 Official orders must not be raised for personal or private purchases, nor must personal or private use be made of council contracts.

CFO Responsibilities

- 6.2.26. Ensure council financial systems and procedures are sound and properly administered, approving changes to existing systems (whether new systems or upgrades) before implementation.
- 6.2.27. Approve the form of official orders and associated terms and conditions.
- 6.2.28. Make payment from council funds on Directors/Assistant Directors and Heads of Service authorisations that expenditure has been duly incurred in accordance with Financial Procedure Rules.
- 6.2.29. Make payment (irrespective of budget provision) where it is required by statute or court order.
- 6.2.30. Arrange for the keeping of a Contract Register where contracts provide for payment by instalments.
- 6.2.31. Make payments to contractors upon receipt of properly completed certificates from Directors/Assistant Directors and Heads of Service. Such payments must be entered and appropriately cross referenced in the Contract Register.
- 6.2.32. Provide advice and encouragement on making payments by the most economical means.

Directors/ Assistant Directors and Heads of Service Responsibilities

- 6.2.33. The Assistant Director - Legal and Democratic Services will determine the form of contract to be used for building, constructional or engineering work.
- 6.2.34. Ensure that all contract variations are in writing and agreed before work on the variation commences.
- 6.2.35. Refer claims from contractors on matters not clearly within existing contract terms to Assistant Director - Legal and Democratic for consideration of

council liability and to the CFO for financial consideration, before settlement is reached.

- 6.2.36. Take appropriate action, in consultation with Assistant Director - Legal and Democratic Services, in respect of any claim for liquidated and ascertained damages where contract completion is delayed. This provision will not apply if there are reasons qualifying for an extension.
- 6.2.37. Ensure that unique Cafi generated official orders are used for all goods and services, other than the exceptions specified in Paragraph 6.2.22.
- 6.2.38. Ensure orders are only used for goods and services provided to the relevant service area. Members and Officers must not use official orders to obtain goods or services for private use. Neither may Officers place orders for goods or services for personal use using the council's e-procurement system.
- 6.2.39. Ensure that only staff authorised by Directors/Assistant Directors and Heads of Service authorise orders and maintain an up-to-date list of such authorised staff, including specimen signatures, identifying the limits of their authority. The authoriser of the order should be satisfied that works, goods, supplies and services ordered are appropriate and needed, that there is adequate budgetary provision and that Contract Procedure Rules have been followed.
- 6.2.40. Ensure that works, goods, supplies and services are checked on receipt to verify that they are in accordance with the order. This check should, where possible, be carried out by a different Officer from the authoriser of the order. Entries should then be made in inventories or stores records where appropriate.
- 6.2.41. Ensure payment is not made unless a proper VAT invoice has been received, checked, coded and certified for payment.
- 6.2.42. Ensure a minimum of two authorised members of staff are involved in the ordering, receiving and payment process. If possible, a different Officer from the person who signed the order, and in every case, a different Officer from the person checking a written invoice, should authorise invoices.
- 6.2.43. Periodically review a list of their staff approved to authorise invoices. New authorising Officers, together with specimen signatures, and details of their authority limits, must be forwarded to the CFO.
- 6.2.44. Ensure that payments are not made on photocopied or faxed invoices, statements or other documents. Any instances of these being rendered should be reported to the Chief Internal Auditor. In exceptional circumstances, where payment is made against such a document and where properly authenticated, the transaction must be processed in accordance with CFO guidance.

- 6.2.45. Encourage suppliers to accept payment by the most economical means for the council. Payments made by Direct Debit must have the prior approval of the CFO or an authorised bank signatory.
- 6.2.46. Ensure service area achieves value for money by taking appropriate steps to obtain competitive prices for works, goods, supplies and services of appropriate quality, in line with best practice guidelines issued by the CFO, consistent with best value principles and contained within the Contract Procedure Rules.
- 6.2.47. Utilise the Procurement Team in putting purchases, where appropriate, out to competitive quotation or tender. These will comply with Contract Procedure Rules.
- 6.2.48. Ensure that employees are aware of the Code of Conduct (Part 5 of the Constitution).
- 6.2.49. Ensure that loans, leases or rental arrangements are not entered into without prior CFO agreement. This is to protect the council against entering into unapproved credit arrangements that might adversely affect financial standing and to ensure that value for money is being obtained.
- 6.2.50. Notify CFO of outstanding committed expenditure relating to previous financial year as soon as possible after 31st March in line with timetable determined by CFO and, in any case, not later than 10th April.
- 6.2.51. With regard to construction contracts and alterations to buildings and for civil engineering works, to document and agree with CFO the systems and procedures to be adopted in relation to all financial aspects, including certification of interim and final payments, checking, recording and authorising payments, the system for monitoring and controlling capital schemes and the procedure for validation of subcontractors' tax status.
- 6.2.52. Notify the CFO immediately of any expenditure to be incurred as a result of statute/court order where there is no budgetary provision.
- 6.2.53. Ensure that all appropriate payment records are retained and stored for the defined period, in accordance with the Document Retention Policy.

c) Payments to employees and Members

Staff costs are the largest item of expenditure for most council services. It is therefore important that payments are accurate, timely, made only where they are due for services to the council and that payments accord with individuals' Contract of Employment. It is also important that all payments are accurately and completely recorded and accounted for and that Member allowances are authorised in accordance with the scheme adopted by Council.

CFO Responsibilities

- 6.2.54. Ensure appropriate arrangements are in place to control secure and reliable payment of salaries, wages, compensation or other emoluments to existing and former employees, in accordance with procedures prescribed by them, on the due date.
- 6.2.55. Record and make arrangements for the accurate and timely payment of tax, pension contributions and other deductions and to complete all relevant HMRC returns.
- 6.2.56. Make arrangements for payment of all travel and subsistence claims or financial loss allowance.
- 6.2.57. Make arrangements for paying Members travel or other allowances upon receiving the prescribed documentation, duly completed and authorised.
- 6.2.58. Provide advice and encouragement to secure payment of salaries by the most economical means.
- 6.2.59. Ensure that there are adequate arrangements for administering pension matters on a day-to-day basis.
- 6.2.60. Act as an advisor on areas such as taxation and monitoring of the East Sussex County Council Pension Fund, as appropriate.

Directors/Assistant Directors and Heads of Service Responsibilities

- 6.2.61. Ensure that appointments are made in accordance with the regulations of the council and the approved Establishment List, grades and scale of pay and that adequate budget provision is available.
- 6.2.62. Notify the Head of Human Resources of all appointments, terminations or variations which may affect the pay or pension of an employee or former employee, in the form and to the timescale required by the Head of Human Resources.
- 6.2.63. Ensure that adequate and effective systems and procedures are operated, so that:
 - Payments are only authorised to bona fide employees
 - Payments are only made where there is a valid entitlement
 - Conditions and contracts of employment are correctly applied; and
 - Employees' names listed on the payroll are checked at regular intervals to verify accuracy and completeness.
- 6.2.64. Provide and maintain an up-to-date list of the names of Officers authorised to complete and return records to the Head of Human Resources, together with specimen signatures, where appropriate. The CHRIS HR system should contain update lists of Human Resources Officers and Officers authorised to approve timesheets and claims.

- 6.2.65. Ensure that payroll transactions are processed only through the payroll system. Directors/Assistant Directors and Heads of Service should give careful consideration to the employment status of individuals employed on a self-employed consultant or subcontract basis and take advice from the Head of Human Resources.
- 6.2.66. Approve travel and subsistence claims and other allowances, but only when they have been made on an approved travel expenses form and within three months of the travel or subsistence being incurred. Approval is taken to mean that journeys were authorised and expenses properly and necessarily incurred, and that allowances are properly payable by the council, ensuring that cost-effective use of travel arrangements is achieved. Due consideration should be given to tax implications and that the Head of Human Resources is informed where appropriate.
- 6.2.67. Ensure that the Head of Human Resources is notified of the details of any employee benefits in kind, to enable full and complete reporting within the income tax self-assessment system.
- 6.2.68. Ensure that all appropriate payroll documents are retained and stored for the defined period in accordance with the Document Retention Policy.
- 6.2.69. The Head of Human Resources to act as an advisor to Directors/Assistant Directors and Heads of Service on areas such as employment status, National Insurance and Pension Contributions, as appropriate.
- 6.2.70. Ensure that the staffing budget is an accurate forecast of staffing levels in accordance with the approved Establishment List and is equated to an appropriate revenue budget provision (including on-costs and overheads).
- 6.2.71. Ensure the Chief Executive (or the Officer delegated by them) has approved any changes in employment conditions where the full year cost of such changes would exceed £1,000.
- 6.2.72. Monitor staff activity to ensure adequate control over costs such as sickness, overtime, training and temporary staff.
- 6.2.73. Ensure that the staffing budget is not exceeded without prior authority from the CFO / Head of Human Resources and that it is managed to enable the agreed level of service to be provided.
- 6.2.74. Ensure that the Head of Human Resources and the CFO are immediately informed if the staffing budget is likely to be significantly overspent or underspent.

Member Responsibilities

- 6.2.75. Submit claims for Member travel and subsistence allowances on a monthly basis (or within three months of incurring the travel or subsistence) and, in any event, within one month of year end.

6.3 Taxation

The council is responsible for ensuring its tax affairs are in order. Tax issues are often very complex and the penalties for incorrectly accounting for tax are severe. It is therefore very important for all Officers to be aware of their role. The creation and use of Local Authority Trading Companies (LATC's), has resulted in added Tax considerations, including Corporation Tax and 'different VAT rules'.

CFO Responsibilities

- 6.3.1. Complete council VAT returns and annual Partial Exemption calculations in accordance with HMRC timescales.
- 6.3.2. Discharge Tax related responsibilities for council-owned trading companies (LATCs), including all Corporation Tax and VAT duties and returns.
- 6.3.3. Provide details to the HMRC regarding the Construction Industry Scheme (CIS).
- 6.3.4. Maintain up-to-date guidance for council employees on taxation issues.

Directors/ Assistant Directors and Heads of Service Responsibilities

- 6.3.5. Ensure that the correct VAT liability is attached to all income due and that all VAT recoverable on purchases complies with HMRC regulations.
- 6.3.6. Ensure that, where construction and maintenance works are undertaken, the contractor fulfils the necessary CIS requirements.
- 6.3.7. Ensure that all persons employed by the council are added to the council's payroll and tax deducted from any payments, except where the individuals are bona fide self-employed or are employed by a recognised staff agency.
- 6.3.8. Follow the guidance on taxation issued by the CFO.

6.4. Trading Accounts and Business Units (including Local Authority Trading Companies)

Trading accounts and business units have been growing in importance for many years as local councils have progressively developed a more commercial culture. Under proper accounting practices, councils are required to keep trading accounts for services provided on a basis other than a straightforward recharge of cost in accordance with the Accounting Code of Practice.

Ongoing reductions in Government support is further increasing the rate of 'council commercialisation'. Councils are seeking ever more innovative ways to achieve financial self-sufficiency, with legislative changes (notably the introduction of a "general power of competence" under Section 1 of the Localism Act 2011) aiding the proliferation of local authority trading companies.

CFO Responsibilities

- 6.4.1. Advise on the establishment and operation of trading accounts and business units.
- 6.4.2. Advise on the establishment and operation of local authority trading companies, including the professional financial appraisal of proposed commercial investments, projects and trading opportunities.
- 6.4.3. Prepare financial statements for local authority trading companies in accordance with relevant proper accounting practice.
- 6.4.4. Ensure compliance with all relevant extant companies and tax legislation in respect of local authority trading companies, including the preparation of taxation and other financial returns.
- 6.4.5. Arrange and maintain adequate insurance cover for local authority trading companies, where appropriate.

Directors/ Assistant Directors and Heads of Service Responsibilities

- 6.4.6. Follow CFO advice on the establishment and operation of trading accounts and business units.
- 6.4.7. Follow CFO advice on the establishment and operation of local authority trading companies. In particular, it is essential that the robustness of all commercial proposals is established through CFO input at the concept and development stage(s).
- 6.4.8. Consult with the CFO where a business unit wishes to enter into a third party contract where the contract expiry date exceeds the remaining life of their main contract with the council. In general, such contracts should not be entered into unless they can be terminated within the main contract period without penalty.

- 6.4.9. Ensure that appropriate accounting principles (as guided by the CFO) are applied in relation to council trading accounts, and statutory accounts required for trading companies, including any tax implications, where applicable.
- 6.4.10. Ensure that each business unit and trading company prepares an annual business plan.

7. EXTERNAL ARRANGEMENTS

7.1 Partnerships

Partnerships can exist in many forms and play a key role in delivering community strategies and in helping to promote and improve the well-being of the area. Councils are working in partnership with others – public agencies, private companies, community groups and voluntary organisations. Councils still deliver some services, but their distinctive leadership role is to bring together the contributions of the various stakeholders. They therefore need to deliver a shared vision of services based on user and community wishes.

Councils will mobilise investment, bid for funds, champion the needs of their areas and harness the energies of local people and community organisations. Councils will be measured by what they achieve in partnership with others.

Jointly Controlled Operations (JCO's) are activities undertaken by the council in conjunction with partners that involve the use of assets and resources of the partners, rather than the establishment of a separate entity.

7.1.1. A partner is defined as either:

- (a) An organisation (private or public) undertaking, part funding or participating as a beneficiary in a project; or
- (b) A body whose nature or status gives it a right or obligation to support the project

CFO Responsibilities

7.1.2. Advise on effective controls and the key elements of entering into any partnership, including JCO's, to ensure that resources are not wasted. Examples include, but are not limited to:

- (a) A scheme appraisal for financial viability in both the current and future years, together with capital/revenue cash flow forecasts for at least three years
- (b) Risk appraisal and management

- (c) Resourcing, including taxation / VAT issues
 - (d) Audit, security and control requirements
 - (e) Carry-forward arrangements; and
 - (f) Ensure that an annual business plan is prepared.
- 7.1.3. Ensure that the partnership accounting and governance arrangements comply with all relevant regulations and codes of practice.

Directors/ Assistant Directors and Heads of Service Responsibilities

- 7.1.4. Ensure that, before entering into any agreement with external bodies, including the terms of operation, the CFO is consulted and the Cabinet approval is obtained.
- 7.1.5. Maintain a register of all contracts entered into with external bodies in accordance with procedures specified by the CFO.
- 7.1.6. Ensure that, before entering into agreements with external bodies, a risk management appraisal has been prepared for the CFO.
- 7.1.7. Ensure that arrangements are in place for cessation of a partnership, including an exit strategy.
- 7.1.8. Ensure that such agreements and arrangements do not impact adversely upon existing council services.
- 7.1.9. Ensure that all agreements and arrangements are properly documented.
- 7.1.10. Provide appropriate information to the CFO to determine if any requirement for a note to be entered into the council's Statement of Accounts in accordance with relevant accounting Codes of Practice is required.

7.2 External Funding

External funding is an important source of income, but funding conditions need to be carefully considered to ensure that they are compatible with the aims and objectives of the council. Councils are increasingly encouraged to provide seamless service delivery through working closely with communities, other agencies and private service providers.

In some instances, although the scope for external funding has increased, such funding is linked to tight specifications and may not be flexible enough to link to the council's overall corporate/spending plans.

CFO Responsibilities

- 7.2.1. Ensure that arrangements are approved in advance by Cabinet.
- 7.2.3. Ensure that funding notified by external bodies is received and properly recorded in the Council's accounts.
- 7.2.4. Ensure that match-funding requirements are considered prior to entering into agreements and that future revenue budgets reflect these requirements.
- 7.2.5. Ensure that internal and external audit requirements are met.
- Directors/ Assistant Directors and Heads of Service Responsibilities**
- 7.2.6. Ensure that the CFO is consulted prior to the completion of all applications for external funding and is provided with a written copy of all grant approvals, together with grant and auditing conditions, and that all claims for funds are made in conjunction with Finance staff and submitted by the due date.
- 7.2.7. Ensure that the project progresses in accordance with the agreed project and that all expenditure is properly incurred and recorded.
- 7.2.8. Records of achievements against key targets to be met must be maintained for both financial and Non-Financial indicators.
- 7.2.9. Documentation must be made available for access by either internal and/or external audit where required.
- 7.2.10. To ensure that the retention and archiving of records complies with the conditions and requirements of the funding body.

7.3 Working with Third Parties

Legislation has enabled the council to provide a range of services to other bodies for some time. Such work may enable a unit to maintain economies of scale and existing expertise. Such services may increasingly be delivered through local authority trading companies.

Whatever service-delivery arrangements are used (either 'in house' or through a company), robust procedures should be in place to ensure that any risks associated with such work are minimised, and that such work is legal.

CFO Responsibilities

- 7.3.1. Advise on appropriate service delivery arrangements for third party working proposals.
- 7.3.2. Where work is to be delivered through a trading company, ensure compliance with the Rules in respect of that.
- 7.3.3. Issue guidance with regard to the financial aspects of third party contracts.

7.3.4. Provide financial information in order for the relevant Director/Assistant Director and Head of Service to monitor the contract.

7.3.5. Arrange and maintain adequate insurance cover for third party contracts through corporate policy, where appropriate.

Directors/ Assistant Directors and Heads of Service Responsibilities

7.3.6. Follow CFO advice on appropriate service delivery arrangements for third party working proposals.

7.3.7. Where work is to be delivered through a trading company, ensure compliance with the Rules in respect of that.

7.3.8. Ensure that potential proposals are properly costed in advance in accordance with CFO guidance. It is essential that no contract is subsidised by the council.

7.3.9. Ensure Cabinet approval is obtained before negotiations are concluded to work for third parties.

7.3.10. Maintain third party contracts register in accordance with procedures specified by CFO and ensure all contracts are properly documented.

7.3.11. Ensure that, wherever possible, payment is received in advance of service delivery, but in any event, payments must be promptly paid in accordance with the contract.

7.3.12. Ensure service area has the appropriate expertise to undertake the contract.

7.3.13. Ensure contracts do not adversely impact on services provided for the council.

7.3.14. Provide appropriate information to CFO to determine any Accounting Code of Practice requirements.

Working in partnership with **Eastbourne Homes**

Meeting: Council

Date: 19 February 2020

Subject: Financial Procedure Rules

Report of: Councillor Stephen Holt on behalf of the Cabinet
Councillor Dean Sabri on behalf of Audit and Governance Committee.

The Council is asked to consider the minute and resolution of the Cabinet meeting held on 9 July 2019 and Audit and Governance Committee held on 24 July 2019 as set out below.

The Council is recommended to:-

Approve the updated Financial Procedure Rules.

Minute extracts

Cabinet – 9 July 2019

The Cabinet considered the report of the Chief Finance Officer presenting them with updated Financial Procedure Rules.

Ahead of its submission to Full Council, the updated rules would be considered by the Audit and Governance Committee on 24 July 2019.

Recommended to Council (Budget and Policy Framework):

To review the draft Financial Procedure Rules in advance of them being submitted to Full Council for approval.

Reason for decision:

It is a duty of the Chief Finance Officer (CFO) to maintain an up to date set of Financial Procedure Rules to ensure the Council has effective governance of finances in place.

Audit and Governance Committee – 24 July 2019

The Committee reviewed the draft Financial Procedural Rules report in advance of their submission to Full Council for approval.

It was noted that maintaining an up to date set of Financial Procedural Rules helped the Council to ensure it had effective governance of finances in place.

Jackie Humphrey presented the report, and confirmed that the review and update is in line with regulatory and best practice standards.

Resolved (unanimous) that the report be noted and the Financial Procedure Rules be recommended to Full Council for approval.

For copies of the reports please contact Democratic Services:

Tel. (01323) 410000.

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

Copies may be downloaded on the Council's website by following the links below:

<https://democracy.lewes-eastbourne.gov.uk/ieListDocuments.aspx?CId=125&MId=2914&Ver=4> (Cabinet)

<https://democracy.lewes-eastbourne.gov.uk/ieListDocuments.aspx?CId=124&MId=2956&Ver=4> (Audit and Governance Committee)

Report to:	Full Council
Date:	19 February 2020
Title:	Amended Code of Conduct for Members
Report of:	Monitoring Officer
Ward(s):	All
Purpose of report:	To recommend adoption of amendments to the Council's Code of Conduct for Members.
Officer recommendation:	That Council adopts the amended Code of Conduct for Members, set out at Appendix 3.
Reasons for recommendations:	To ensure the Council's Code of Conduct for Members reflects national best practice.
Contact Officer(s):	Name: Oliver Dixon Post title: Deputy Monitoring Officer E-mail: oliver.dixon@lewes-eastbourne.gov.uk Telephone number: (01323) 415881

1 Introduction

- 1.1 On 24 July 2019, the Council's Audit and Governance Committee considered a report by the Monitoring Officer on proposed amendments to the Code of Conduct for Members.
- 1.2 Lewes District Council's Audit and Standards Committee had considered an equivalent report on 16 July 2019, in respect of the Code of Conduct for that Council.
- 1.2 The proposed amendments reflect best practice issued by the Committee on Standards in Public Life (CSPL). This is an advisory body sponsored by the Cabinet Office and examines concerns about standards of conduct by holders of public office, and makes recommendations as to changes in present arrangements which might be required to ensure the highest standards of propriety in public life.

2 Proposed Amendments to Code of Conduct

- 2.1 CSPL's best practice recommendations and the Council's response to each one are set out in Appendix 1.

- 2.2 The principal amendments to the Code of Conduct are to add:
- (i) an obligation not to harass any person;
 - (ii) definitions of 'bullying' and 'harassment'; and
 - (iii) examples of behaviour amounting to bullying or harassment.
- 2.3 The minutes and recommendations of the Audit and Governance Committee are set out in Appendix 2.
- 2.4 Collectively, EBC's Audit and Governance Committee and LDC's Audit and Standards Committee recommended a small number of additional amendments, as follows:
- (i) that paragraph 1(6) of the Code read "Councillors must comply with any *reasonable request by the Monitoring Officer, the Deputy Monitoring Officer or an investigating officer appointed by them*, regarding the provision of information in relation to a complaint that alleges a breach of the Code of Conduct, and must comply with any formal standards investigation." [additional amendments shown in italics];
 - (ii) that the following line be added to the examples of bullying and to the examples of harassment given in the appendix to the Code: "any of the behaviours listed above, occurring on a single, repeated or habitual basis."
- 2.5 The Code of Conduct incorporating all the above amendments is set out in Appendix 3, with the amendments shown as tracked changes.
- 2.6 As the amendments are broadly in line with those already adopted by East Sussex County Council, twin-hatted members serving at both district/borough and county level will operate within a consistent set of standards.
- 2.7 Lewes District Council formally adopted the amended Code of Conduct at its full Council meeting on 25 September 2019.
- 2.8 By adopting the amended Code of Conduct, Eastbourne Borough Council will be aligning its code with that for Lewes District Council and East Sussex County Council.

3 Financial appraisal

- 3.1 Adopting the amendments set out in Appendix 3 will have no financial implications of any significance.

4 Legal implications

- 4.1 The officer recommendation on the front page is consistent with the Council's obligations under the statutory framework for local government ethical standards: part 1, chapter 7, of the Localism Act 2011. Under section 28(13) of the Act, the function of revising the Council's Code of Conduct is reserved to the

full Council.

Lawyer consulted 10.10.19

Legal ref: 008160-JOINT-OD

5 Risk management implications

- 5.1 Whilst it is not obligatory for a local authority to adopt CSPL's best practice, failure to do so would leave the Council (a) in a less than optimal position as regards its ethical standards governance, and (b) out of kilter with Lewes District Council, East Sussex County Council and most other local authorities.

6 Appendices

- Appendix 1 – CSPL's best practice recommendations and the Council's response to each one
- Appendix 2 – Minutes and recommendations of the Audit and Governance Committee of 24 July 2019
- Appendix 3 – Code of Conduct incorporating proposed amendments

7 Background papers

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

- [Local Government Ethical Standards – A Review by the Committee on Standards in Public Life](#)

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Committee on Standards in Public Life – Best Practice Recommendations and Council Response

	Best Practice Recommendation	Council Response
1	Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.	Paragraph 3(2)(b) of the Code should be amended, and a new appendix inserted with examples of the behaviour specified. See Appendix 2 of this report for proposed changes.
2	Councils should include provision in their code of conduct requiring councillors to comply with any formal standards investigation, and prohibiting trivial or malicious allegations by councillors.	New paragraphs 1(6) and (7) should be inserted in the Code – see Appendix 2
3	Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.	An annual review will be programmed into the Audit and Standards Committee work plan. The Monitoring Officer (MO) will seek to ensure that the Code continues to be aligned to that of neighbouring authorities, for local consistency.
4	An authority's code should be readily accessible to both councillors and the public, in a prominent position on the council's website and available in council premises.	The Council already meets this recommendation.
5	Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format.	This register is already updated immediately a councillor declares a gift or hospitality. In addition, Democratic Services remind councillors every December about the need to keep the register current. Each councillor's declarations are published in an accessible format on the Council's website.

6	Councils should publish a clear and straightforward public interest test against which allegations are filtered	The Council already publishes a document explaining how it deals with code of conduct complaints, and the key factors used to decide whether the complaint will be investigated. The MO will amplify those factors to ensure they reflect the public interest.
7	Local authorities should have access to at least two Independent Persons	The Council already meets this recommendation.
8	An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the Monitoring Officer is minded to dismiss as being without merit, vexatious or trivial.	The Council's process for dealing with complaints about councillor conduct already includes this provision.
9	Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision maker and any sanction applied.	The Council already follows this recommendation, except that the view of the Independent Person has not been reported as a separate item in the decision notice. This will be included in future.
10	A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.	The Council already meets this recommendation
11	Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council as a whole, rather than the clerk, in all but exceptional circumstances.	Should the MO receive a complaint of this nature, he/she will refer it back to the town or parish council if it is not submitted by the appropriate person or body.
12	Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They	Up until now, the MO has provided this advice and support to parish or town councils when requested. She has also spoken collectively to parish councils via

	should be provided with adequate training, corporate support and resources to undertake this work.	the Surrey & Sussex Associations of Local Councils. The MO will consult SSALC over the most appropriate form of further advice and support she could offer.
13	A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the MO from a different authority to undertake the investigation.	Under the Council's arrangements for dealing with councillor misconduct, the MO already has discretion to appoint a different person (if suitably qualified), from within or outside the Council, to conduct the investigation.
14	Councils should report on separate bodies they have set up or which they own, as part of their annual governance statement, and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principles of openness, and publish their board agendas and minutes and annual reports in an accessible place.	With effect from 2020, the annual governance statement will report on this relationship. The annual reports of the companies set up by the Councils (e.g. EHL, EHICL, LHICL) are accessible via the Councils' website.
15	Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.	The MO does, where appropriate, meet the relevant group leader to discuss a standards matter affecting one or more their members. Given the relatively low number of complaints, this is when required rather than on a regular basis.

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Working in partnership with **Eastbourne Homes**

Meeting: Council

Date: 19 February 2020

Subject: Amended Code of Conduct for Members

Report of: Councillor Dean Sabri on behalf of the Audit and Governance Committee

The Council is asked to consider the minute and resolution of the Audit and Governance Committee meeting held on 24 July 2019 as set out below.

The Council is recommended to:-

Adopt the Amended Code of Conduct for Members.

Minute extract

Audit and Governance – 24 July 2019.

Peter Finnis (Monitoring Officer) welcomed the new Independent Persons (IPs): Neal Robinson and, in his absence, Graham Branton. The IPs would work in close partnership with the MO, providing expert advice and active involvement in any code of conduct cases, or scrutiny of cases.

Oliver Dixon, (Deputy Monitoring Officer), presented the report.

It was noted that the role of the Audit and Governance Committee was to provide strategic oversight on this issue; any changes to the Code of Conduct had to be ratified by Full Council. Any recommendations from the Committee would go before the next Full Council in November.

The last comprehensive review of the Code was made in 2012.

The purpose of the review was to align the Code of Conduct with neighbouring local authorities, notably East Sussex County Council, to help ensure consistency and clarity for Councillors and with the recent review by the Committee on Standards of Public Life (CSPL).

The CSPL review concluded that it was appropriate that the conduct of Councillors continued to be managed at a local level. It had also made a number of recommendations, which fell into two groups:

- Those that would require changes to primary and secondary legislation, and so would need to be tabled through Parliament (at a date to be confirmed).
-

-
- Those that were points of best practice (and not requiring legislative change).

The Committee considered the 'best practice' points relevant for review of the Eastbourne Borough Council Code of Conduct for members (listed in Appendix 1 to the report) and the proposed edits to align with CSPL best practice recommendations.

In regard to paragraph 1.6, the Committee requested that the word 'reasonable' be inserted before the words 'request for information'; and that the words 'from the Monitoring Officer or Investigating Officer' be inserted to clarify from whom those requests would come.

The Committee requested that an investigation was made to see if there was any specific advice already available on the use of social media that would be suitable to add to the general communications guidance.

In relation to definitions, the Chair noted the value of the proposed changes, the usefulness of including definitions, and was pleased to hear that much of the best practice was already in place.

The MO noted that the definitions provided very useful guidance, that every instance would always be treated on a case by case basis, and that there were processes of informal action and mediation that could be called upon to resolve an issue, which could mitigate against the need to use the formal Code of Conduct processes.

It was confirmed that the definition for 'Harassment' uses the statutory definition supplied in the Equality Act 2010, and for 'Bullying', uses the definition provided by ACAS (in the absence of a statutory definition).

The Committee requested that an additional, non-exhaustive example for 'bullying', that included the phrase 'habitual' or 'repeated', be provided. Cllr Burton stated that even a single instance of bullying or harassment may be enough to meet the definitions proposed, depending on the perception of the person targeted. The MO said that bullying or harassment could comprise a single but serious case, or a pattern of behaviour; the definitions and non-exhaustive examples would be used as points of reference and guidance when assessing a complaint.

In addition, the Committee requested that a potential inconsistency of thresholds for beneficial interests, one for £25, another for £50, be checked and appropriate amendments be made if necessary.

RESOLVED: (Unanimous)

1. That the report be noted and recommended to Full Council, subject to:

Additional amendments to para 1.6 in the Code of Conduct

- Addition of the non-exhaustive example set out above
- The Deputy Monitoring Officer confirming the monetary threshold limits and amending the document accordingly.

2. That the Deputy Monitoring Officer considers what existing guidance on social media might be included for members.

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:

<https://democracy.lewes-eastbourne.gov.uk/mgAi.aspx?ID=6249>

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Section B

Code of Conduct for Members

By 28 July 2012 or on their election or co-option (whichever is the later date) to Eastbourne Borough Council, members are required to sign an undertaking to comply with the authority's Code of Conduct.

This Code of Conduct, adopted by the authority on 18 July 2012, is set out below. It is made under Chapter 7 of the Localism Act 2011 and includes, as standing orders made under Chapter 7 of that Act and Schedule 12 of the Local Government Act 1972, provisions which require members to leave meetings in appropriate circumstances, while matters in which they have a personal interest are being considered.

Part 1 -General provisions

1. Introduction and interpretation

- (1) This Code applies to **you** as a member of an authority, when acting in that capacity.
- (2) This Code is based upon seven principles fundamental to public service which are set out in Part 5, Section A of the constitution. You should have regard to these principles as they will help you to comply with the Code.
- (3) If you need guidance on any matter under this Code you should seek it from the authority's monitoring officer or your own legal adviser – but it is entirely your responsibility to comply with the provisions of this Code.
- (4) It is a criminal offence to fail to notify the authority's monitoring officer of a disclosable pecuniary interest, to take part in discussions or votes at meetings, or to take a decision where you have disclosable pecuniary interest, without reasonable excuse. It is also an offence to knowingly or recklessly to provide false or misleading information to the authority's monitoring officer.
- (5) Any written allegation received by the authority that you have failed to comply with this Code will be dealt with by the authority under the arrangements which it has adopted for such purposes. If it is found that you have failed to comply with the Code, the authority has the right to have regard to this failure in deciding -
 - (a) whether to take action in relation to you and

(b) what action to take.

(6) Councillors must comply with any reasonable request by the Monitoring Officer, the Deputy Monitoring Officer or an investigating officer appointed by them, regarding the provision of information in relation to a complaint that alleges a breach of the Code of Conduct, and must comply with any formal standards investigation.

(7) Councillors must not misuse the standards process by, for example, making trivial or malicious allegations against another councillor.

(68) In this Code—

“authority” means Eastbourne Borough Council

“Code” means this Code of Conduct

“co-opted member” means a person who is not a member of the authority but who—

(a) is a member of any committee or sub-committee of the authority, or

(b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority,

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee.

"meeting" means any meeting of—

(a) the authority;

(b) the executive of the authority;

(c) any of the authority's or its executive's committees, sub-committees, joint committees, joint sub-committees, or area committees;

"member" includes a co-opted member.

“register of members’ interests” means the authority's register of members' pecuniary and other interests established and maintained by the authority's monitoring officer under section 29 of the Localism Act 2011.

Scope

2. —(1) Subject to sub-paragraphs (2) and (3), you must comply with this Code whenever you—

(a) conduct the business of your authority (which, in this Code, includes the business of the office to which you are elected or appointed); or

(b) act, claim to act or give the impression you are acting as a representative of your authority,

and references to your official capacity are construed accordingly.

(2) This Code does not have effect in relation to your conduct other than where it is in your official capacity.

(3) Where you act as a representative of your authority—

(a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or

(b) on any other body, you must, when acting for that other body, comply with your authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

General obligations

3. —(1) You must treat others with respect.

(2) You must not—

(a) do anything which may cause your authority to breach any of its the equality duties (in particular as set out in the Equality Act 2010);

(b) bully or harass any person;

(Bullying means offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

Harassment means unwanted conduct which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for an individual.

For examples of conduct that constitute bullying or harassment, see Appendix 1.)

(c) intimidate or improperly influence or attempt to intimidate or improperly influence any person who is or is likely to be—

(i) a complainant,

(ii) a witness, or

(iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or

(d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.

4. You must not—

(a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—

- (i) you have the consent of a person authorised to give it;
- (ii) you are required by law to do so;
- (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
- (iv) the disclosure is—
 - (a) reasonable and in the public interest; and
 - (b) made in good faith and in compliance with the reasonable requirements of the authority;

(b) prevent another person from gaining access to information to which that person is entitled by law.

5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

6. You—

(a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage;

(b) must, when using or authorising the use by others of the resources of your authority—

- (i) act in accordance with your authority's reasonable requirements;
- (ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and

(c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

7. —(1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by—

- (a) your authority's chief finance officer; or

(b) your authority's monitoring officer,

where that officer is acting pursuant to his or her statutory duties.

(2) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

Part 2 – Interests

Personal interests

8. – (1) The interests described in paragraphs 8(3) and 8(5) are your personal interests and the interests in paragraph 8(5) are your pecuniary interests which are disclosable pecuniary interests as defined by section 30 of the Localism Act 2011.

(2) If you fail to observe Parts 2 and 3 of the Code in relation to your personal interests-

(a) the authority may deal with the matter as mentioned in paragraph 1(5) and

(b) if the failure relates to a disclosable pecuniary interest, you may also become subject to criminal proceedings as mentioned in paragraph 1(4).

(3) You have a personal interest in any business of your authority where either—

(a) it relates to or is likely to affect—

(i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;

(ii) any body—

(a) exercising functions of a public nature;

(b) directed to charitable purposes; or

(c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

(iii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £50

(b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of (in the case of authorities with electoral divisions or wards) other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision;

(4) In sub-paragraph (3)(b), a relevant person is—

(a) a member of your family or a close associate; or

(b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;

(c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or

(d) any body of a type described in sub-paragraph (3)(a)(i) or (ii).

(5) Subject to sub-paragraphs (6) and (7), you have a personal interest which is also a disclosable pecuniary interest as defined by section 30 of the Localism Act 2011 in any business of your authority where (i) you or (ii) your partner has any interest as described in the following schedule:

SCHEDULE

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992(1).</p>
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—

(a) under which goods or services are to be provided or works are to be executed; and

(b) which has not been fully discharged.

Land Any beneficial interest in land which is within the area of the relevant authority.

Licences Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.

Corporate
tenancies Any tenancy where (to M's knowledge)—
(a) the landlord is the relevant authority; and
(b) the tenant is a body in which the relevant person has a beneficial interest.

Securities Any beneficial interest in securities of a body where—
(a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and
(b) either—
(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class

(6) In sub-paragraph (5), your partner means—

(a) your spouse or civil partner,

(b) a person with whom you are living as husband and wife, or

(c) a person with whom you are living as if you were civil partners,

(7) In sub-paragraph (5), any interest which your partner may have is only treated as your interest if you are aware that your partner has the interest.

Disclosure of personal interests (See also Part 3)

9. —(1) Subject to sub-paragraphs (2) to (5), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which any matter relating to the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

(2) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

(3) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest and, if also applicable, that it is a disclosable pecuniary interest, but need not disclose the sensitive information to the meeting.

(4) Subject to paragraph 12(1)(b), where you have a personal interest in any business of your authority and you have made an executive decision on any matter in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

(5) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000.

Prejudicial interest generally

10. —(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where either—

(a) the interest is a disclosable pecuniary interest as described in paragraph 8(5), or

(b) the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

(2) For the purposes of sub-paragraph (1)(b), you do not have a prejudicial interest in any business of the authority where that business—

(a) does not affect your financial position or the financial position of a person or body described in paragraph 8;

(b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or

(c) relates to the functions of your authority in respect of—

- (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
- (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
- (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
- (iv) an allowance, payment or indemnity given to members;
- (v) any ceremonial honour given to members; and
- (vi) setting council tax or a precept under the Local Government Finance Act 1992.

Prejudicial interests arising in relation to overview and scrutiny committees

11. You also have a personal interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken

Effect of prejudicial interests on participation

12. —(1) Subject to sub-paragraph (2) and (3), where you have a prejudicial interest in any matter in relation to the business of your authority—

(a) you must not participate, or participate further, in any discussion of the matter at any meeting, or participate in any vote, or further vote, taken on the matter at the meeting and must withdraw from the room or chamber where the meeting considering the matter is being held—

- (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;

- (ii) in any other case, whenever it becomes apparent that the matter is being considered at that meeting;

unless you have obtained a dispensation from your authority's monitoring officer or Standards Panel ;

- (b) you must not exercise executive functions in relation to that matter; and
- (c) you must not seek improperly to influence a decision about that matter.

(2) Where you have a prejudicial interest in any business of your authority which is not a disclosable pecuniary interest as described in paragraph 8(5), you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

(3) Where you have a prejudicial interest which is not a disclosable pecuniary interest as described in paragraph 8(5), arising solely from membership of any body described 8(3)(a)(i) or 8(3)(a)(ii)(a) then you do not have to withdraw from the room or chamber and may make representations to the committee but may not participate in the vote.

Part 3 -Registration of Interests

Registration of members' interests

13. —(1) Subject to paragraph 14, you must, within 28 days of—

(a) this Code being adopted by the authority; or

(b) your election or appointment to office (where that is later),
register in the register of members' interests details of-

- (i) your personal interests where they fall within a category mentioned in paragraph 8(3)(a) and
- (ii) your personal interests which are also disclosable pecuniary interests where they fall within a category mentioned in paragraph 8(5)

by providing written notification to your authority's monitoring officer.

(2) Subject to paragraph 14, you must, within 28 days of becoming aware of any new personal interest falling within sub-paragraphs (1)(b)(i) or (1)(b)(ii) or any change to any personal interest registered under sub-paragraphs (1)(b)(i) or (1)(b)(ii), register details of that new personal interest or change by providing written notification to your authority's monitoring officer.

Sensitive information

14. —(1) Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's monitoring officer agrees, the monitoring officer shall not include details of the interest on any copies of the register of members' interests which are made available for inspection or any published version of the register, but may include a statement that you have an interest, the details of which are withheld under this paragraph.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph (1) is no longer sensitive information, notify your authority's monitoring officer asking that the information be included in the register of members' interests.

(3) In this Code, "sensitive information" means information, the details of which, if disclosed, could lead to you or a person connected with you being subject to violence or intimidation.

Dispensations

15 - (1) The Standards Panel or the monitoring officer may, on a written request made to the monitoring officer of the authority by a member, grant a dispensation relieving the member from either or both of the restrictions in paragraph 12(1)(a) (restrictions on participating in discussions and in voting), in cases described in the dispensation.

(2) A dispensation may be granted only if, after having had regard to all relevant circumstances, the Standards Panel or the monitoring officer—

(a) considers that without the dispensation the number of persons prohibited by paragraph 12 from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business,

(b) considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business,

(c) considers that granting the dispensation is in the interests of persons living in the authority's area,

(d) if it is an authority to which Part 1A of the Local Government Act 2000 applies and is operating executive arrangements, considers that without the dispensation each member of the authority's executive would be prohibited by paragraph 12 from participating in any particular business to be transacted by the authority's executive; or

(e) considers that it is otherwise appropriate to grant a dispensation.

(2) A dispensation must specify the period for which it has effect, and the period specified may not exceed four years.

(3) Paragraph 12 does not apply in relation to anything done for the purpose of deciding whether to grant a dispensation under this paragraph.

Appendix 1**Non-exhaustive Examples of Bullying and Harassment**

With reference to paragraph 3(2)(b) of this Code –

(1) Examples of bullying behaviour include, without limitation:

- spreading malicious rumours, or insulting someone by word or behaviour
- copying memos that are critical about someone to others who do not need to know
- ridiculing or demeaning someone – picking on them or setting them up to fail
- exclusion or victimisation
- unfair treatment
- overbearing supervision or other misuse of power or position
- unwelcome sexual advances – touching, standing too close, display of offensive materials, asking for sexual favours, making decision on the basis of sexual advances being accepted or rejected.
- making threats or comments about job security without foundation
- deliberately undermining a competent worker by overloading or constant criticism
- preventing individuals progressing by intentionally blocking promotion or training opportunities
- invading someone's personal space
- speaking to someone in an overbearing manner
- using aggressive body language
- undermining or belittling someone
- any of the behaviours listed above, occurring on a single, repeated or habitual basis

(2) Examples of harassment include, without limitation:

- making abusive, derogatory, patronising, suggestive or sexualised comments or sounds
- making jokes or insulting gestures or facial expressions
- ridicule
- offensive e-mails, tweets or comments on social networking sites
- trolling via social networking sites
- threats of aggression or intimidation
- making false and malicious assertions
- intrusive questioning about private matters
- display of offensive material
- unwanted comments on dress or appearance
- any of the behaviours listed above, occurring on a single, repeated or habitual basis

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Calendar of Meetings

May 2020 - June 2021



MEETING:	Day	Time	2020								2021				
			May	Jun	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
Bank Holidays			8(F), 25			31				25, 28	1			2, 5	3, 31
Elections+			7(PCC)												6(ESCC)
Annual Council	W	6pm	13												19
Council	W	6pm	13		22				18			24			19
Cabinet	W	6pm		3	15		16		4	2		10	17		
Scrutiny Committee	M	6pm			13		14		2			8			
Planning Committee	Tu	6pm	26	23	21	25	22	20	24	15	26	23	23	20	25
Conservation Area Advisory Group	Tu	6pm		9	7	11		6	10		12	9	9		
Licensing Committees	M	6pm			6		21				18		8		
Audit and Governance Committee	W	6pm			8		9		25				3		
Joint Staff Advisory Committee (replaces Joint Staff)*	M(L)/ W(E)	2.30pm		15(M)			9(W)			7(M)			3(W)		
Other				LGA Ann Conf 30	LGA Ann Conf 1-2										

Notes:

*Meetings of Joint Staff Advisory Committee will alternate venues and days between Lewes (L) and Eastbourne (E).

+ Scheduled Elections during 2020/21 – Police and Crime Commissioner (PCC) May 2020, East Sussex County Council (ESCC) May 2021.

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Executive decision taken by Leader



Working in partnership with **Eastbourne Homes**

Pro-forma for completion in respect of executive decisions taken by Leader of the Council.

**** If matter includes exempt information, complete addendum section of pro-forma (found separately on the Hub).***

Decision taken by:

Councillor David Tutt, Leader of the Council

Date of decision:

16 December 2019

Subject of report:

Provision of IT Services to the Council

Exempt matter (if any as given under Schedule 12A of the Local Government Act 1972):

This report contains exempt information as defined in Schedule 12A of the Local Government Act 1972.

Paragraph 4 – (Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relating matters arising between the authority or a Minister of the Crown and employees of, or office-holders under the authority.

The public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Key decision?:

Yes

Open summary of decision made:

To agree to an early and mutually agreed termination of the current contract for the 31st December for both parties. This will result in no penalties for either party.

In accordance with section 20 of the Council's Scrutiny Procedure Rules, the call-in procedure shall not apply to this decision given its urgency. A decision is urgent if, in the view of the decision maker, any delay likely to be caused by the call-in process would, for example, seriously prejudice the Council's or the public's interests.

In accordance with this section, it is the opinion of the decision maker that this decision is an urgent one and therefore exempt from call-in

Reason(s) for decision:

Early termination for the mutually beneficial convenience of both parties with a termination date of 31st December 2019.

Alternative options considered:

Maintaining the status quo with the current contractor was considered as an alternative option, however this would have a considerable impact on the council's budget as we would need to engage the contractor for future project work that would have substantial costs associated due to their current contract terms.

Was an executive councillor(s) consulted before decision was taken?

Councillor Swansborough was consulted.

If councillor(s) consulted, did they declare any personal interest relating to the decision, had they been given a dispensation in respect of the matter?

No

Signed:

**Councillor David Tutt
Leader of the Council**



Working in partnership with **Eastbourne Homes**

Conservation Area Advisory Group

**Minutes of the meeting held in the Court Room at Eastbourne Town Hall,
Grove Road, BN21 4UG, on 2 July 2019 at 6.00pm**

Present:

Councillor Pat Rodohan (Chair)

Councillors Dean Sabri (Deputy-Chair), Colin Belsey and Robert Smart

Officers in attendance:

Chris Connelley (Specialist Advisor, Conservation), Jenny Martin (Specialist Advisor, Conservation) and Jennifer Norman (Committee Officer, Democratic Services)

10 Minutes of the meeting held on 4 June 2019

The minutes of the meeting held on 4 June 2019 were submitted and approved, and the Chair was authorised to sign them as an accurate record.

11 Apologies for absence

There were none.

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

There were none.

13 Questions by members of the public

There were none.

14 Urgent items of business

There were none.

15 Right to address the meeting/order of business

The Chair proposed and the Group agreed to a change in the order of the agenda, which brought forward planning application 190437, (PP), 8 Chiswick Place, Eastbourne, BN21 4NH for consideration prior to that of planning application 190202, (LBC), Langney Priory, Etchingham Road, Eastbourne, BN23 7DT.

The Chair welcomed and invited two registered speakers, Mr Simon Barker, (Architect) to speak on planning application 190437, (PP), 8 Chiswick Place, Eastbourne, BN21 4NH and Mr Charles Turner (Applicant) to speak on planning application 190202, (LBC), Langney Priory, Etchingham Road, Eastbourne, BN23 7DT.

16 Planning applications for consideration

1) 190202, (LBC), Langney Priory, Etchingham Road, Eastbourne, BN23 7DT

Cons Area: n/a.

Listing: Grade 2

Proposal: Change of use to training hotel (Use Class C1)

Mr Charles Tuner addressed the Group and responded to questions.

CAAG comments: The Group noted the application and agreed that the proposal preserved the character and appearance of the listed building.

2) 190437, (PP), 8 Chiswick Place, Eastbourne, BN21 4NH

Cons Area: Town Centre and Seafront.

Proposal: Demolition of existing single storey garage and construction of a two-storey house

Mr Simon Barker addressed the Group and responded to questions.

CAAG comments: The Group expressed a range of opinions and did not come to a shared view on the application.

3) 190468, (LBC), 17 Cornfield Terrace, Eastbourne, BN21 4NS

Cons Area: Town Centre and Seafront.

Listing: Grade 2

Proposal: Installation of new shop front and internal alterations to A1 retail unit (change of use from A3 to A1 under permitted development)

This application was withdrawn from the agenda prior to the start of the meeting.

17 New listings

There were none.

18 Date of next meeting

Resolved:

That the next meeting of the Conservation Area Advisory Group that is scheduled to be held on Tuesday, 20 August 2019 in the Court Room, Eastbourne Town Hall, Grove Road, Eastbourne, BN21 4UG, commencing at 6:00pm, be noted.

The meeting ended at 6.53pm.

Councillor Pat Rodohan (Chair)

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Cabinet

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 9 July 2019 at 6.00 pm

Present:

Councillor David Tutt (Chair)

Councillors Margaret Bannister, Jonathan Dow, Stephen Holt, Colin Swansborough and Rebecca Whippy

Officers in attendance:

Ian Fitzpatrick (Deputy Chief Executive and Director of Regeneration and Planning), Homira Javadi (Chief Finance Officer), Philip Evans (Director of Tourism & Enterprise), Peter Finnis (Assistant Director for Corporate Governance), Oliver Dixon (Senior Lawyer and Data Protection Officer), Jo Harper (Head of Business Planning and Performance), Brian Mew (Interim Deputy Chief Finance Officer) and Simon Russell (Committee and Civic Services Manager)

12 Minutes of the meeting held on 5 June 2019

The minutes of the meeting held on 5 June 2019 were submitted and approved and the Chair was authorised to sign them as a correct record.

13 Apologies for absence

An apology for absence was reported from Councillor Shuttleworth.

14 Declaration of members' interests

Councillors Tutt and Holt declared a prejudicial interest in agenda item 12 (Enabling the supply of homes for homeless families) as Non-Executive Directors on Eastbourne Housing Investment Company Limited. They both withdrew from the room whilst the item was considered. Councillor Bannister chaired the meeting for the duration of the item.

15 Medium term financial strategy

The Cabinet considered the report of the Chief Finance Officer providing an update on the process and approach to the Council's Medium Term Financial Strategy for the period of 2019/20 to 2024/25.

The strategy set out the strategic direction for the Council and was regularly updated as it evolved and developed throughout the year to form the framework for the Council's financial planning.

Several external factors were analysed in undertaking the mid-year review of the strategy including the national and local economic outlook, including the impact on Brexit, inflation, interest rates, public sector pay and factors affecting demand-led services.

Resolved (Key decision):

To note the background to the Medium Term Financial Strategy for 2019/20 and to approve the approach outlined in the report.

Reason for decision:

To progress the Medium Term Financial Strategy process and update Cabinet on the background to this.

16 Corporate performance - quarter 4 - 2018/19

The Cabinet considered the report of the Chief Finance Officer and Director of Regeneration and Planning updating them on the Council's performance against Corporate Plan priority actions, performance indicators and targets for 2018/19.

Visiting members, Councillor Ansell and Councillor Freebody addressed the Cabinet on this item.

The report detailed good news for the year including the official opening of the Beacon, Congress Theatre and significant improvements for the Town Centre including delivery of new bus shelters.

Missed targets included planning, emergency accommodation and call handling. It was acknowledged that significant external pressures such as the national housing crisis and Universal credit continued to affect the authority.

The Scrutiny Committee at its meeting on the 10 June 2019 requested the Cabinet to consider making some changes to the Council's performance indicators for 2019/20. The Cabinet unanimously agreed to support the recommendations of Scrutiny Committee.

The Assistant Director for Corporate Governance reported on the impact of the devolved budget scheme that was designed to spend on quick fix one-off works or initiative to improve the lives of residents. Since its introduction in 2008, over 700 schemes had been delivered to the community, totalling over £750,000.

Part B of the report detailed the Council's financial performance for the same quarter and included the end of year outturn.

Section 1.3 of the report detailed the main variances between the revised budget and actual net expenditure. Section 3.5 of the report detailed commentary on the council's larger capital expenditure schemes.

The Cabinet thanked officers for their work in ensuring that the Council's finances were on target and significant reserves had been secured.

Resolved (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 changes to the Council's performance indicators for 2019/20, as recommended by the Scrutiny Committee at its meeting on 10 June 2019.
- (3) To agree the General Fund, HRA and Collection Fund financial performance for 2018/19, as set out in part B of the report.
- (4) To approve the transfer from/to reserves as set out at appendix 4 to the report.
- (5) To approve the amended capital programme as set out at appendix 5 to the report.

Reason for decisions:

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

17 Treasury management annual report 2018/19

The Cabinet considered the report of the Chief Finance Officer regarding the activities and performance of the Treasury Management services during 2018/19.

Recommended to Council (Budget and policy framework):

- (1) To agree the annual Treasury Management report for 2018/19.
- (2) To approve the 2018/19 prudential and treasury indicators detailed in the report.

Reason for decisions:

It is a duty of the Chief Finance Officer (CFO) to maintain and up to date set of Financial Procedure Rules to ensure the Council has effective governance of finances in place.

18 Financial procedure rules

The Cabinet considered the report of the Chief Finance Officer presenting them with updated Financial Procedure Rules.

Ahead of its submission to Full Council, the updated rules would be considered by the Audit and Governance Committee on 24 July 2019.

Recommended to Council (Budget and Policy Framework):

To review the draft Financial Procedure Rules in advance of them being submitted to Full Council for approval.

Reason for decision:

It is a duty of the Chief Finance Officer (CFO) to maintain an up to date set of Financial Procedure Rules to ensure the Council has effective governance of finances in place.

19 Access audit

The Cabinet considered the report of the Director of Regeneration and Planning seeking their agreement for an audit to be undertaken to determine the current levels of accessibility of public buildings and services for disabled people.

Visiting member, Councillor Freebody addressed the Cabinet on this item.

Further work was needed to fully scope the audit and to determine the resource requirements. Once this was undertaken, a report would be considered by Cabinet at a future meeting.

Councillor Whippy outlined the ambition of the project that would see Eastbourne Borough Council as a leading expert on the topic and eventually advise other Councils.

The Cabinet congratulated Councillor Whippy for completing 12 hours of professional development at the Access Audit course.

Resolved (Non-key decision):

That Cabinet agree in principle to an access audit being undertaken, subject to a detailed scope being developed including resourcing requirements.

Reason for decision:

An access audit would enable the council to determine the current levels of accessibility for disabled people of public buildings and services in the Borough. As well as raising the profile of access issues the audit could also act as a catalyst for driving improvements in accessibility. It would also help

ensure that the council is fulfilling its duties under the Public Sector Equality Duty.

20 Enabling the supply of homes for homeless families

The Cabinet considered the report of the Director of Regeneration and Planning presenting an outline of the plans to put in place a new cost-effective supply of temporary accommodation. This would provide homes for families to whom the council has accepted a duty under homelessness legislation.

The Cabinet commended the proposal as another example of improving people's lives whilst saving money for the authority.

Councillors Tutt and Holt declared a prejudicial interest in this item as Directors on Eastbourne Housing Investment Company. They both withdrew from the room whilst the item was considered. Councillor Bannister chaired the meeting for the duration of the item.

Resolved (Key decision):

(1) To note the plan set out in the report, as to how the Council proposes to reduce the increased cost of temporary accommodation.

(2) To agree delegated authority for the Director of Regeneration and Planning, in consultation with the Cabinet member for housing, to enter into Head & Underleases with Eastbourne Homes Investment Company Limited.

Reason for decisions:

To provide Cabinet with assurance that the project meets the Council's strategic objectives, by reducing the high costs of using emergency accommodation.

The meeting ended at 7.29 pm

Councillor David Tutt (Chair)

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Working in partnership with **Eastbourne Homes**

Planning Committee

Minutes of meeting held in Court Room - Town Hall, Eastbourne on 23 July 2019 at 6.00 pm

Present:

Councillor Jim Murray (Chair)

Councillors Peter Diplock (Deputy-Chair), Jane Lamb, Robin Maxted, Paul Metcalfe, Barry Taylor, Candy Vaughan and Sammy Choudhury (Reserve) (as substitute for Md. Harun Miah)

Officers in attendance:

Helen Monaghan (Lawyer, Planning), Leigh Palmer (Interim Head of Planning), James Smith (Specialist Advisor for Planning) and Emily Horne (Committee Officer).

21 Minutes of the meeting held on 25 June 2019

The minutes of the meeting held on 25 June 2019 were submitted and approved as a correct record, and the Chair was authorised to sign them, subject to the amendment of Councillors present. Members agreed that Amanda Morris was the substitute for Jim Murray. Councillor Md. Harun Miah was added to list of apologies in minute 13.

22 Apologies for absence.

An apology was reported from Councillor Md. Huran Miah. Councillor Sammy Choudhury was the appointed substitute for Councillor Md Huran Miah.

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

Councillor Taylor declared a Prejudicial Interest in minute 26, 61-63 Summerdown Road and minute 28, 13 Upper Avenue, as he was the owner of a care home. He withdrew from the room while the items were considered and did not vote.

24 Urgent items of business.

There were none.

25 Right to address the meeting/order of business.

The business of the meeting was reordered from the agenda. Item 9, 13 Upper Avenue was considered prior to item 8, Eastbourne House, 22-24 Gildredge Road.

26 61-63 Summerdown Road. Application ID: 190019

Outline application for new 64 bed nursing home (Amended description following removal of new building housing residential flats from proposal) - **OLD TOWN**

Having declared a Prejudicial Interest, Councillor Taylor was absent from the room during discussion and voting on this item.

The Committee was advised by way of an addendum report, that should the recommendation to approve be agreed by members, a requirement for a local labour agreement, including monetary contributions towards monitoring, would be attached as a planning condition.

The Committee was further advised in the addendum report, that in response to comments from objectors regarding the assessment of the visual impact of the proposed parking at 59 Summerdown Road, that the proposed parking area would involve the demolition of single-storey extensions that have been made to the original building. It was not considered that any parts of the building to be removed possess any architectural merit and the visual integrity of the original building would be maintained. The proposed parking bays would also not result in the removal of any significant street or site landscaping. It is not considered that the visual impact of parked cars would detract from the character of the area given that they would be directly adjacent to the highway. It was therefore considered that the provision of this parking area would not have any unacceptable visual impact and would comply with saved policies UHT1, UHT4 and UHT7 of the Eastbourne Borough Plan and Policy D10a of the Eastbourne Core Strategy.

In the addendum report, it was noted that Paragraph 8.3.4. of the officers report, should have stated that 2 ½ storey buildings are prevalent within the street scene, not 3-storey buildings.

The addendum report referred to additional correspondence that had been received from the Planning Consultant acting on behalf of the neighbours objecting to the scheme, stating that the provision of parking at 59 Summerdown Road had not been properly assessed. Plans should be marked as illustrative only as, if not, the Local Planning Authority cannot reserve matters shown on them by condition. An Appeal Inspector would also consider these plans as part of the application unless annotated otherwise. A suite of suggested conditions had been provided. Officer response: Further clarification regarding the provision of parking is provided within the addendum. It is noted that these works could be carried out without the need for planning permission, subject to agreement with ESCC Highways. The

plans showing indicative layout and scale would not be listed as approved plans on the decision notice, as informative can also be added to make clear that these plans have been assessed as indicative only. It is agreed that a condition relating to the southern wing of the building would be reasonable and appropriate in order to safeguard the amenities of the occupants of 65 Summerdown Road. The Committee were advised of an additional condition to the resolution, should the application be approved.

Helen Greenhalgh, local resident, addressed the Committee in objection, raising concern regarding the lack of detail in the application, the number of rooms and that the scheme would be too dominant in the area.

Rebecca Maddell, Heritage Champion, addressed the Committee in objection to the application. She stated the scheme would set a precedent and was out of keeping with the area.

Councillor Ungar, spoke as an East Sussex County Councillor and as a relative of a neighbour in objection to the application. He raised concern regarding amenity, parking and wildlife.

Mr Simon Franks, applicant, spoke in response to the concerns raised, stating that the building was already a functioning nursing home and would not set a precedent or result in overdevelopment by increasing by 10%. He said increasing demands and changes in requirements had been addressed in the application and that the outline application was submitted to address concerns.

In discussing the application, the Committee felt there was a lack of detail and raised concern regarding the number of rooms and the height and scale of development, stating that a 3½ storey building would be overbearing and out of keeping in the area.

Members were advised that further details would be covered in a detailed application and that the number of beds could be accommodated on site without harm to the street scene. Also, if the building was lost to residential use, there would be a loss of employer.

Councillor Diplock proposed a motion to refuse the application. This was seconded by Councillor Maxted.

Resolved (Unanimous): That outline permission be refused as set out in the resolution below:-

The Local Planning Authority is not satisfied that a development of the scale specified in the application description can be accommodated within the site without resulting in a detrimental impact upon visual and residential amenities. The proposed development therefore conflicts with saved policies UHT1, UHT4, NE28 and HO20 of the Eastbourne Borough Plan and policy D10a of the Eastbourne Core Strategy.

27 South Cliff Court, 11 South Cliff. Application ID: 190116

Planning permission for the replacement and alterations to balconies (resubmission) - **MEADS**

Mr Daniel Huff, local resident, said there were ongoing concerns regarding the potential for overlooking and asked the committee to consider raising the rear privacy screen height from 1.2m to 1.4m or 1.5m to further prevent overlooking from residents.

The Committee discussed the application and felt that the scheme had been sufficiently modified.

Councillor Murray proposed a motion to approve the application. This was seconded by Councillor Vaughan.

Resolved (Unanimous): That permission be approved as set out in the report.

28 13 Upper Avenue. Application ID: 190127

Planning permission for the change of use from Class C2 Residential Care Home to a Sui-Generis HMO for no more than 26 persons with associated parking and cycle and bin storage – **UPPERTON**

Having declared a Prejudicial Interest, Councillor Taylor was absent from the room during discussion and voting on this item.

Mr Green, local resident, addressed the Committee in objection, raising concern regarding noise and disturbance, loss of privacy, and the number of occupants. He stated that there should be a management plan in place along with a fully trained manager.

Mr Naveed Ali, applicant, addressed the Committee in support, stating that the HMO would accommodate young working people and students. There would be strict vetting procedure, 24 hour CCTV, a resident manager and electronic entry system.

Members welcomed the reduction of occupants from 34 to 26.

Councillor Vaughan proposed a motion to approve the application. This was seconded by Councillor Metcalfe.

Resolved (Unanimous): That permission be approved as set out in the report.

29 Eastbourne House, 22-24 Gildredge Road. Application ID: 181104

Planning permission for extensions to existing building including enlarged floorplate and additional floor to allow Change of Use from B1 (offices) to C3 (residential) with the provision of 22 x individual residential units - **MEADS**

The Committee discussed the application and arrived at differing views. Concern was raised regarding loss of office space; parking, density, design and lack of affordable housing. Members also welcomed the scheme and the approach to encourage cycling and use of public transport.

A motion to refuse the application, proposed by Councillor Taylor and seconded by Councillor Lamb, was lost by two votes to six.

Councillor Murray proposed a motion to approve the application as set out in the report. This was seconded by Councillor Vaughan.

Resolved (by 6 votes for (Councillors Diplock, Maxted, Metcalfe, Choudhury, Murray and Vaughan) **and 2 against** (Councillors Lamb and Taylor)): That permission be approved as set out in the report.

30 South Down National Park Authority Planning Applications (Verbal update)

There were none.

31 Appeal Summary

Members noted the summary report of appeal decisions between 27 June 2019 and 8 July 2019.

- Land between the garage (facing Kinfauns Avenue) of 70 Churchdale Road and rear of 68 Churchdale Road – Appeal Dismissed 03.07.19.
- Land adjacent to 84 St Philips Avenue and 21 Roselands – Appeal Dismissed 03.07.19.
- Savoy Court Hotel, 11-15 Cavendish Place – Appeal Allowed 08.07.19.
- Langley Shopping Centre, 64 Kingfisher Drive – Appeal Allowed 27.06.19.

The meeting ended at 7.38 pm

Councillor Jim Murray (Chair)

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Audit and Governance Committee

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 24 July 2019 at 6.00 pm

Present:

Councillor Dean Sabri (Chairman)

Councillors Robin Maxted (Deputy-Chair), Helen Burton, Paul Metcalfe, Md. Harun Miah, Jane Lamb (Reserve) (as substitute for Barry Taylor) and Candy Vaughan (Reserve) (as substitute for Sammy Choudhury)

Officers in attendance:

Jackie Humphrey (Chief Internal Auditor), Oliver Dixon (Senior Lawyer and Data Protection Officer), Janet Martin (Principal Accountant), Nick Peeters (Committee Officer), Elaine Roberts (Committee Officer) and Peter Finnis (Assistant Director for Corporate Governance)

Also in attendance: Neal Robinson, Independent Person

1 Minutes

The minutes of the meeting held on 6 March 2019 were submitted and approved and the Chair was authorised to sign them as an accurate record.

2 Apologies for absence.

Apologies were received from Councillor Barry Taylor, Councillor Sammy Choudhury and Graham Burton (Independent Person).

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

None

4 Questions by members of the public.

None received.

5 Urgent items of business.

Following approval from the Chair that the matter was urgent, the Committee reviewed a letter received that day (24 July 2019) from Deloitte, external auditor.

At the Chair's request, Peter Finnis, Monitoring Officer (MO) and Assistant Director of Corporate Governance, provided a brief review of the letter, which gave notice that final Accounts Reporting would now be expected in the Autumn.

The letter was circulated ahead of the meeting via email and tabled for Members.

The Chair noted that the update from Deloitte was helpful.

In addition, the Chair introduced the two newly appointed independent persons: Neal Robinson and Graham Branton and welcomed them to the meeting. Their appointments had been approved by Full Council on 10 July.

6 Right to address the meeting/order of business.

No requests were received.

7 BDO grant claims and returns certification report 2017/18

The Committee received a report from the Council's outgoing external auditors BDO, which detailed key findings in respect of the certification of grant claims and returns for the financial year 2017/2018.

The report was originally presented to the Committee at its previous meeting, 6 March.

Due to extenuating circumstances, which reduced the amount of time available for the Committee to review the report, it was agreed that the report would be noted, but that it be brought back to this meeting for Councillors to ask any additional questions.

Janet Martin, Principal Accountant presented the report to the Committee, highlighting points of note and provided further explanation as required:

- Analysis of the final total value showed the amount of adjustment was minimal.
- The subsidy paid out to residents which was then claimed back from Central Government
- Errors from previous years had had a knock on effect as they were then requested for testing the following year, even if those errors were no longer recurring.
- Analysis of 'loss' figures in the table on page 11 were due to account reporting between years rather than actual/absolute loss.
- It was noted that BDO considered the change seen in housing requests as "reasonable".

It was noted that findings and conclusions made after the Department of Work and Pensions deadline were due to certification delays.

A project had been launched to improve quality checking, which would address and improve issues of errors and subsequent need for error testing, for example, as seen with Housing Benefit issues.

The Chair was pleased to note that improvements regarding manual adjustments meant that BDO was able to close the accounts on that issue.

The Chair expressed his thanks to the officer for the review of the report and noted that the Chief Finance Officer was unable to attend the meeting due to illness.

RESOLVED: (Unanimous) that the report be noted.

8 Proposed amendments to Eastbourne Borough Council's Code of Conduct for members

Peter Finnis (Monitoring Officer) welcomed the new Independent Persons (IPs): Neal Robinson and, in his absence, Graham Branton. The IPs would work in close partnership with the MO, providing expert advice and active involvement in any code of conduct cases, or scrutiny of cases.

Oliver Dixon, (Deputy Monitoring Officer), presented the report.

It was noted that the role of the Audit and Governance Committee was to provide strategic oversight on this issue; any changes to the Code of Conduct had to be ratified by Full Council. Any recommendations from the Committee would go before the next Full Council in November.

The last comprehensive review of the Code was made in 2012.

The purpose of the review was to align the Code of Conduct with neighbouring local authorities, notably East Sussex County Council, to help ensure consistency and clarity for Councillors and with the recent review by the Committee on Standards of Public Life (CSPL).

The CSPL review concluded that it was appropriate that the conduct of Councillors continued to be managed at a local level. It had also made a number of recommendations, which fell into two groups:

- Those that would require changes to primary and secondary legislation, and so would need to be tabled through Parliament (at a date to be confirmed).
- Those that were points of best practice (and not requiring legislative change).

The Committee considered the 'best practice' points relevant for review of the Eastbourne Borough Council Code of Conduct for members (listed in Appendix 1 to the report) and the proposed edits to align with CSPL best practice recommendations.

In regard to paragraph 1.6, the Committee requested that the word 'reasonable' be inserted before the words 'request for information'; and that the words 'from the Monitoring Officer or Investigating Officer' be inserted to clarify from whom those requests would come.

The Committee requested that an investigation was made to see if there was any specific advice already available on the use of social media that would be suitable to add to the general communications guidance.

In relation to definitions, the Chair noted the value of the proposed changes, the usefulness of including definitions, and was pleased to hear that much of the best practice was already in place.

The MO noted that the definitions provided very useful guidance, that every instance would always be treated on a case by case basis, and that there were processes of informal action and mediation that could be called upon to resolve an issue, which could mitigate against the need to use the formal Code of Conduct processes.

It was confirmed that the definition for 'Harassment' uses the statutory definition supplied in the Equality Act 2010, and for 'Bullying', uses the definition provided by ACAS (in the absence of a statutory definition).

The Committee requested that an additional, non-exhaustive example for 'bullying', that included the phrase 'habitual' or 'repeated', be provided. Cllr Burton stated that even a single instance of bullying or harassment may be enough to meet the definitions proposed, depending on the perception of the person targeted. The MO said that bullying or harassment could comprise a single but serious case, or a pattern of behaviour; the definitions and non-exhaustive examples would be used as points of reference and guidance when assessing a complaint.

In addition, the Committee requested that a potential inconsistency of thresholds for beneficial interests, one for £25, another for £50, be checked and appropriate amendments be made if necessary.

RESOLVED: (Unanimous)

1. That the report be noted and recommended to Full Council, subject to:
 - Additional amendments to para 1.6 in the Code of Conduct
 - Addition of the non-exhaustive example set out above
 - The Deputy Monitoring Officer confirming the monetary threshold limits and amending the document accordingly.
2. That the Deputy Monitoring Officer considers what existing guidance on social media might be included for members.

9 Financial Procedure Rules

The Committee reviewed the draft Financial Procedural Rules report in advance of their submission to Full Council for approval.

It was noted that maintaining an up to date set of Financial Procedural Rules helped the Council to ensure it had effective governance of finances in place.

Jackie Humphrey presented the report, and confirmed that the review and update is in line with regulatory and best practice standards.

Resolved (unanimous) that the report be noted and the Financial Procedure Rules be recommended to Full Council for approval.

10 Treasury Management Annual Report 2018/19

The Committee considered the report on the activities and performance of the Treasury Management Service during 2018/19 as per the requirement of CIPFA Treasury Management in the Public Sector Code of Practice.

It was confirmed that the apparent disparity in the table in part 2 was due to the difficult nature of precise forecasting of capital investment expenditure.

Officers advised that interest rates were monitored continuously, to help optimise the best time to borrow (or not). Janet Martin advised on the different considerations, efficiency choices and examples of analysis activity which explained the Council's approach to financial planning. In regards to borrowing for cash flow purposes, it was advised that this was sometimes the most efficient way to help meet a large request for resources or need, but on other occasions reserve funds were used.

The Chair thanked the officers for the detailed report.

RESOLVED (Unanimous): that the report be noted.

11 Strategic Risk Register Quarterly Review

The Committee considered the outcomes of the quarterly review by the Council's Corporate Management Team (CMT) of the Strategic Risk Register.

The report recommended two notable amendments to the Risk Strategy Register, including having named owners of the risk and increasing the risk score values.

Officers advised that there was a plan for a review of the Risk Management Strategy, including input of expertise from Zurich. This would be brought before the Audit and Governance Committee.

The Committee sought reassurance that the increasing of the employment risk had been noted and was being addressed. Officers reported that an audit

and review of human resources and recruitment was due to start shortly and would cover this issue.

RESOLVED: (Unanimous) that the report be noted.

12 Annual Governance Statement

The Committee considered the report from the Chief Internal Auditor, with a view to approving the draft Annual Governance Statement.

Points discussed included:

- Explanation of some issues resulting from the joint transformation process.
- Actions had been taken to mitigate the under-performance of the new Housing software.
- A new working group had been set up to address document retention and data management, as highlighted by GDPR – and consequently had not been listed as a governance issue.
- The cycle of production of the annual Governance Statement would commence at the end of the year, following results of the audits.

The Chair recognised the level of work that had gone into preparing the statement and invited questions from the Councillors:

RESOLVED: (Unanimous) that the Annual Governance Statement be approved.

13 Internal Audit Report for the financial year 2018-2019

The Committee considered a summary report, presented by the Chief Internal Auditor, of the activities of Internal Audit and Counter Fraud, in line with its duty to review the effectiveness of the Council's internal controls and arrangements for identifying and managing risk.

Officers advised that the one issue listed as 'inadequate' had been resolved.

It was noted that the auditors were working on unfamiliar areas, following the joint transformation. The Committee was reassured that plans for more alignment and sharing of best practices were being put in place.

The positive impact of keeping the Counter Fraud Team in-house was illustrated with a number of examples of prevention of potentially lost monies.

RESOLVED: (unanimous) that the report be noted.

The meeting ended at 7.40 pm

Councillor Dean Sabri (Chairman)



Working in partnership with **Eastbourne Homes**

Conservation Area Advisory Group

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

Present:

Councillor Pat Rodohan (Chair)

Councillors Dean Sabri (Deputy-Chair), Colin Belsey and Robert Smart

Advisors: Richard Crook (Royal Institute of British Architects), Nicholas Howell (Eastbourne Society) and Rebecca Madell (Heritage Champion)

Officers in attendance:

Chris Connelley (Specialist Advisor, Conservation), Jenny Martin (Specialist Advisor, Conservation), Emily Horne (Committee Officer) and Elaine Roberts (Committee Officer)

19 Minutes of the meeting held on 2 July 2019

The minutes of the meeting held on 2 July 2019 were submitted and approved and the Chair was authorised to sign them as an accurate record.

20 Apologies for absence/declaration of substitute members

None received.

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

Advisor Mr Richard Crook declared a prejudicial interest and left the meeting during discussion of Planning Application items 2,3 and 4 (66, 68 and 70 Seaside, Eastbourne), as the plans had been drawn up by his firm.

22 Questions by members of the public.

None received.

23 Urgent items of business.

There were none.

24 Right to address the meeting/order of business.

There were no public speakers and the order of business was unchanged.

25 Planning Applications for Consideration

1) 190494, (PP), The Colonnades, Colonnade Gardens, Eastbourne.

Cons Area: Town Centre and Seafront.

Proposal: Proposed rendering and replacement windows to first, second and third floors of the Colonnades and Braemar Court.

This item was withdrawn from the meeting as the applicant had that afternoon requested a deferral.

2) 190599/ 190318, (PP/LBC), 66 Seaside, Eastbourne, BN22 7QL.

Cons Area: Town Centre and Seafront.

Listing: Grade 2

Proposal: 2 flats at ground and first floor, and creation of 5-bed HMO (House in Multiple Occupation), replacement roof over rear extension, replacement of uPVC windows with timber, cast iron railings to front first floor balcony (Part Retrospective).

CAAG comments: Following reports from Specialist Advisor Officers Chris Connerlley and Jenny Martin, the Group agreed it would be appropriate to consider all three applications - items 2, 3 and 4 - together.

3) 190608/190609, (PP/LBC), 68 Seaside, Eastbourne, BN22 7QL.

Cons Area: Town Centre and Seafront.

Listing: Grade 2

Proposal: conversion from HMO to 3 flats, involving replacement of uPVC windows with timber, and installation of first floor balcony (Listed building consent under 190609).

4) 190619/190620, (PP/LBC), 70 Seaside, Eastbourne, BN22 7QL.

Cons Area: Town Centre and Seafront.

Listing: Grade 2

Proposal: removal of external staircase on the rear elevation and re-forming of cast iron railings to the first floor balcony on the front elevation (Listed building consent under 190620).

Specialist advisor Chris Connerlley provided a verbal update: that all the rear windows would now be timber.

CAAG comments:

Members of the Group queried the removal of the outside staircase.

Specialist Advisors Chris Connerlley and Jenny Martin reported that this decision had been taken because the staircase no longer functioned as an access/fire escape, but posed potential issues around safety, theft and social nuisance.

The Group requested that the placement of bins be considered going forward, for example, exploring the potential of space being found to the rear of the property. Chris Connerlley agreed to raise this with the Planning Department.

The Group unanimously agreed that all three proposals both preserved and enhanced the environment.

26 New Listings

There were none.

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

That the next meeting of the Conservation Area Advisory Group was scheduled to be held on Tuesday 1st October 2019 in the Court Room, Eastbourne Town Hall, Grove Road, Eastbourne, BN21 4UG, commencing at 6pm be noted.

The meeting ended at 6.28 pm

Councillor Pat Rodohan (Chair)

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Planning Committee

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 27 August 2019 at 6.00 pm

Present:

Councillor Jim Murray (Chair)

Councillors Peter Diplock (Deputy-Chair), Jane Lamb, Robin Maxted, Paul Metcalfe, Md. Harun Miah, Barry Taylor and Candy Vaughan

Officers in attendance:

Helen Monaghan (Lawyer, Planning), Leigh Palmer (Interim Head of Planning), James Smith (Specialist Advisor for Planning) and Nick Peeters (Committee Officer)

32 Minutes of the meeting held on 23 July 2019

The minutes of the meeting held on 23 July 2019 were submitted and approved as a correct record, and the Chair was authorised to sign them.

33 Apologies for absence and notification of substitute members

There were no apologies given and there were no notifications of substitute Members.

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

Councillor Barry Taylor declared a Prejudicial Interest in minute 37, 282 Kings Drive as he was the owner of a care home. He withdrew from the room while the items were considered and did not vote.

35 Urgent items of business.

There were none.

36 Right to address the meeting/order of business.

The business of the meeting proceeded in accordance with the agenda.

37 282 Kings Drive. Application ID: 181178

Planning permission for the demolition of existing house and associated structures and provision of 85 Bed Care Home with Parking, Landscaping and Highway Access – **RATTON**

Having declared a prejudicial Interest, Councillor Barry Taylor was absent from the room during discussion and voting on this item.

Richard Thomas, local resident, representing Kings Drive Scrutiny Group, addressed the Committee in objection, raising concern regarding the size of the building, the effect on the local environment including trees and the dominating appearance in the local area.

Councillor Freebody, Ward Councillor, addressed the Committee (from the public gallery) in objection to the officer recommendations. He referred to the negative impact the proposals would have on the immediate environment, the loss of privacy for neighbouring properties and the insufficient parking.

Alison Knight, agent, spoke in response to the concerns raised, stating that the development was of high quality, the majority of residents in care homes came from within a three mile radius and that vehicle movement was reduced as the majority of residents did not drive and visits were less frequent.

The Committee discussed the application and recognised that there was a requirement for residential care with suitable facilities in the area; the elderly and vulnerable should be prioritised. Members expressed concern at the size of the development, the number of rooms and that it was in front of the existing building lines. Officers explained that there was not a policy that inhibited this.

Councillor Diplock felt the development was too large and that the developer and planning team be requested to look at the feasibility for a smaller scheme. For this reason, Councillor Diplock proposed a motion to defer the application. This was seconded by Councillor Maxted.

Resolved (by 4 votes to 3 against): that the application be deferred due to the size/over-massing of the proposed development and to allow the developer and Planning team to liaise on the viability of an alternative development.

38 14-29 Brassey Parade. Application ID: 180913

Planning permission for the construction of an additional storey and re-modelling of existing building to provide 22 additional residential units (to include sub-division of 1 existing flat into 2 units) together with the retention of 7 existing flats at first floor level thereby resulting in a combined total of 29 residential units. Configuration to comprise: 17 flats (9 x studio units and 8 x 1-bed units) at second floor level; 5 no. 1-bed flats on first floor together with retention of existing 7 x 2-bed flats – **HAMPDEN PARK**

This application was brought back to the Planning Committee following its previous consideration at the meeting on 11th December 2018, where Members resolved to approve the application subject to the completion of a S106 Agreement to secure provision of affordable housing. The applicant made the decision to amend the scheme by removing one floor of residential units as the original proposals were not sustainable. Members agreed that the scheme remained an improvement on what currently existed but expressed dissatisfaction at the design and in particular the loss of the 'Hansard' roof.

Resolved (6 votes in favour and 2 against): That permission be approved.

39 South Down National Park Authority Planning Applications (Verbal update)

There were none.

The meeting ended at 7.00 pm

Councillor Jim Murray (Chair)

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Working in partnership with **Eastbourne Homes**

Eastbourne Licensing Committee

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 29 August 2019 at 6.00 pm

Present:

Councillor Pat Rodohan (Chair)

Councillors Robin Maxted (Deputy-Chair), Colin Belsey, Helen Burton, Sammy Choudhury, Penny di Cara, Jim Murray, Barry Taylor and Candy Vaughan

Officers in attendance:

Danielle Ball (Specialist Advisor Licensing), Michelle Wilkinson (Lawyer (Housing & Regulatory)), Emily Horne (Committee Officer) and Elaine Roberts (Committee Officer).

8 Minutes of the meeting held on 27 June 2019

The minutes of the meeting of the Licensing Committee held on 27 June 2019 were submitted and approved and the Chair was authorised to sign them as an accurate record.

9 Apologies for absence/declaration of substitute members

Apologies for absence were reported from Councillors Diplock and Murdoch. Absence was noted for Councillor Morris.

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

There were none.

11 Questions by members of the public

There were none.

12 Urgent items of business

There were none.

13 Right to address the meeting/order of business

The Chair reported that an Objector had requested to address the Committee, having raised an objection to the proposed Hackney Carriage Fare increase during the Public Consultation, and would be invited to speak when the Committee considered that item.

14 Hackney Carriage Fares

The Committee considered the report of the Director of Service Delivery regarding the request for a new fare structure as proposed by the Hackney Carriage proprietors.

There was a verbal addition to the report: that the 30th of October had been identified as the optimum date to introduce an increase in the Hackney Fares, should that proposal be finally approved.

Following agreement of the revised fare structure by the Licensing Committee on 11th March 2019, the revised tariff was then passed to the Leader of the Council for final approval prior to publishing a public consultation. A copy of the revised tariff was included at Appendix 1b of the report.

The decision of the Leader, on behalf of the Cabinet, was that if there were any objections then the Licensing Committee should be delegated to consider the same and modify or not the proposed fares.

Members were advised that 1 objection had been raised during the public consultation period regarding the Hackney Carriage Fare increase proposed by the trade. The letter was included at Appendix 4 of the report.

In his representation, the Objector raised concerns regarding the proposed tariff increase and in particular to:

- Transportation of domestic pets being raised 100% from £1 to £2
- Small removals cost rising 33% from £6 to £8

Members raised concerns regarding the increased cost of a 'small removal' from £6 to £8 and the lack of clarity of what a small removal is.

Members were advised that the cost of a small removal is discretionary and to be considered in addition to the metered fee. The Officer agreed to consider clarifying 'small removal' in the proposal which comes to Committee in September.

Concern was also raised by Members at the increased cost for transporting domestic pets, which had risen from £1 to £2. It was felt this could disadvantage passengers taking pets to and from the vets, for example.

Members were advised that the Fare Card sets out what the maximum levels are to ensure drivers do not go over the maximum limit set.

Councillor Belsey proposed a motion to agree the increase in fares; apart from the increase in charges for transporting domestic pets. This was seconded by Councillor Taylor. The motion was lost by 3 votes to 6 against.

The Committee further discussed the options and it was considered that given 84% of the trade had agreed to the proposed increases and that the work to achieve an acceptable fare increase had been ongoing since October 2018, the increase in fares was seen as reasonable after a 10 year period since the fare structure was reviewed.

Councillor Burton proposed a motion to accept the proposal that the Hackney Carriage Fares remain as proposed by the Licensing Committee on 11 March 2019 and shall come into force on 30th October 2019. This was seconded by Councillor Murray.

Resolved: (By 7 votes and 1 abstention)

The meeting ended at 6.45 pm

Councillor Pat Rodohan (Chair)

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Scrutiny Committee

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 2 September 2019 at 6.00 pm.

Present:

Councillor Caroline Ansell (Chair)

Councillors Dean Sabri (Deputy-Chair), Helen Burton, Peter Diplock, Pat Rodohan and Robert Smart

Officers in attendance:

Tim Whelan (Director of Service Delivery), Jo Harper (Head of Business Planning and Performance), Millie McDevitt (Performance and Programmes Lead), Peter Finnis (Assistant Director for Corporate Governance), Gary Hall (Head of Homes First), Tondra Thom (Planning Policy Lead), Sean Towey (Head of Environment First), Emily Horne (Committee Officer) and Matt Hitchen (Senior Strategy and Commissioning Officer (Planning Policy)).

11 Minutes of the meeting held on 10 June 2019.

The minutes of the meeting held on 10 June 2019 were submitted and approved, and the Chairman was authorised to sign them as a correct record.

12 Apologies for absence

Apologies received from Councillors Murdoch and Maxted.

The Chair reminded Members of a recent communication requesting that, substitutes be arranged where necessary and Democratic Services be advised of those substitutes, prior to the meeting.

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

There were no declarations made by Members at the meeting.

14 Questions by members of the public

No questions were received.

15 Urgent items of business

The Head of Business Planning and Performance requested that, through the Chair, the Climate Emergency report be taken as an urgent item (the reason

for urgency was as a result of the item not being included on the Committee's work programme). The report followed the Eastbourne Borough Council resolution 10 July that recognised the Climate Change Emergency and that the Council would work in partnership with local groups and stakeholders to deliver a climate neutral town by 2030.

During discussion the following points were highlighted:

In developing the proposals it was recognised that there was already a great deal of cross-authority work being done on this important issue. This extended more widely across all of Sussex. A communications event took place in the summer of 2019 which brought the leads on climate change and sustainability across the districts, boroughs and county together. It was evident at that point that a number of authorities were doing similar work, with many shared challenges.

It was felt that a resource at district and borough level would provide a more local focus. The appointment would be advertised imminently and there was confidence that, through initial enquiries already made in the sector, the post would be successfully recruited to. In the meantime a meeting with the relevant portfolio holder had been scheduled to decide on how the work programme for the item would be shaped.

Caution was proposed regarding the level of bureaucracy in the programme - between the proposed Officer Working Group and the Member Panel, and the impact of the arrangement on decision making. It was clarified that the new Panel would supersede the previous Member Carbon Reduction Panel. The Eastbourne Carbon Neutral Group was a community led initiative and would work closely with the Council's panel in the future.

RESOLVED – to give the Committee's support to the recommendation that Cabinet approve £36k per annum towards the cost of a dedicated post, shared with Lewes District Council, to develop and support the delivery of a Climate Change Strategy.

16 Right to address the meeting/order of business

There were no requests to address the meeting.

17 Sovereign Centre Task and Finish Group Update

The Head of Commercial Business presented the report to Members that summarised the work of the Sovereign Centre Task and Finish Group. The Group had looked at what options would be available for the Sovereign Centre following the construction of a new leisure centre.

The Group's January 2019 meeting had included discussion with Stiles, Harold, Williams (commercial agents) to obtain professional, commercial advice on a broad view of the options.

The Group recognised that there was a demand for housing in a beach-front location and affordable housing would form part of the development profile. High quality retirement homes and villages were also acknowledged as a national target market. Other options looked at were: beach-front leisure facilities (water-sports), beach huts, and the opportunity for a convenience store (metro/express style of shop).

A mixed use of development was the preferred option for further exploration with a strong focus on a sustainable community in terms of a residential development, and the opportunity for economic growth through tourism and commercially related activity.

During discussion by Members the following points were highlighted:

The Council remained committed to the development of a new Sovereign Leisure Centre. The budget of £29.1 million represented a significant investment and it was incumbent on the Council to recognise its exact position in the market, as part of the process of following due diligence. The Council was working with Clear Sustainable Futures through a process for the joint venture assessing the construction and capital costs, as well as the revenue income opportunities.

It was advised that consideration was being given to a waste to energy facility within the design of the centre, which could enhance the scheme by reducing utility costs and the carbon impact, but would require an additional capital allocation. Councillors asked if there was the option to retro-fit such an energy facility as part of any refurbishment of the Sovereign Centre, but it was confirmed that the design of older buildings and the need to include facilities in the fabric of the building would make it very difficult to develop a viable scheme.

The business case for the new Centre was based on the budget and construction costs for that project alone. There had not been any cross-subsidy from other adjacent schemes to date. There was no 'marriage' value to adjacent sites and the new scheme for the Sovereign Centre was expected to work within its own budget.

Within the options appraisal process it made sense for the design and architectural elements of two builds to be worked on side-by-side, however, in terms of a business-case, the scheme for a new Sovereign Leisure Centre and the scheme for redevelopment of the existing site were two separate business cases (including capital and revenue income). If there were opportunities for cross-subsidising schemes, they would be utilised where beneficial. Officers would provide as up-to-date information as was available supporting the two schemes.

An early assessment of housing provision within the scheme estimated between 200-250 units (apartments) which would be high-density and reflect other areas of Eastbourne. The requirement for affordable housing within a development of this size was 30 percent and would be included in the options

appraisal. The Task and Finish Group was mindful of the opportunity to produce a high quality design within the scheme and to attract young professionals who would feed into the economic growth of the Eastbourne.

It was confirmed that the business case reviewed by the Cabinet in July 2018 remained as the relevant report. If a further scheduled review came forward, the Scrutiny Committee would have an opportunity to review it (once fully formed) prior to its consideration by the Cabinet.

RESOLVED:

1. To note the outcomes achieved by the task and finish group on reviewing the development options for the Sovereign Leisure site based on commercial advice and guidance sought; and
2. To agree to recommend to Cabinet that the future redevelopment options laid out in section 2.1 of the report (as below) be agreed to progress in principle with further due diligence on the financial and legal implications of each option undertaken;

Details of options in Section 2.1 of the report:

- 1) High quality residential development – the advice given was to look to develop an ‘iconic’ building which could rival other seaside town regeneration and attract a good level of investment.
 - 2) Affordable housing – the demand for affordable housing continues to increase and any development would need to be planning policy compliant meaning it would be likely a requirement of permission for residential development to be granted.
 - 3) Retirement homes / village – coastal towns such as Eastbourne have a good market for older persons housing and agents are actively seeking sites in seafront locations for this style of development.
 - 4) Beach front leisure/water sports – given the geographical location of the site there are clear opportunities to explore the development of water sports facilities which would enhance the overall development offer
 - 5) Beach huts – there were examples of significant beach hut expansion on seafront estates in other locations which produce a good commercial return.
 - 6) Convenience store sub 5,000 sq. ft – this would be a commercial element of a residential scheme on the ground floor.
3. To agree to recommend to Cabinet that a report is provided to a future meeting of Cabinet to allocate a budget for the required enabling works and due diligence to develop an options appraisal and business case to redevelop the site; and

4. To recommend to Cabinet to request a wider public consultation.

18 Quarter 1 Performance Report

The Performance and Programme Lead presented the Quarter 1 Performance report that detailed the Council's performance against an agreed set of performance indicators. The points highlighted at the previous Scrutiny Committee meeting for further clarification, had been responded to in the report, or would be covered as part of the presentation to Members at the meeting.

During discussion the following points were made:

- Bandstand - Due to its location by the sea, the Bandstand would require ongoing routine maintenance for its lifetime (including planned maintenances during the winter period).
- Housing - South Downs Housing was a housing association (HA) that worked in partnership with the Council. The HA housed tenants facing homelessness or rough sleeping. South Downs Housing worked with tenants for a two year period to make them 'tenancy ready', and take them out of the cycle of homelessness. South Downs HA currently had 60 Council properties that were tenanted.
- Housing initiatives - A new Housing Solutions Team had been set up and within the last month and 90 households (49 of who were in priority need) had presented as homeless on the day of their interaction, or within the following two weeks. The new team prevented 38 of those households from going into temporary accommodation, with the intervention saving the Council £154,700 in the same month.
- Temporary Accommodation – A Commercial Property Team had been set up alongside the new Housing Solution team to deal with temporary accommodation and was tasked with getting families/individuals out of emergency accommodation and into temporary accommodation (allowing the subsidy to be retained) - also discharging duties to the private sector (including the Council's own housing companies). There was now a private sector stock of housing the Council was able to control. The aspiration was for a zero target in emergency accommodation and the work undertaken was building towards this.
- Housing waiting list - All individuals in need of social housing or in temporary and emergency accommodation were assessed in terms of need and banded. The number of properties that became available for re-let each year was approximately 100, set against approximately 1000 individuals on the waiting list. This demonstrated the value of the private housing investment companies and the importance of affordable house-building on other sites.

- Local Plan - The Council's Housing Delivery action plan set out actions taken towards housing strategy and how developers can be worked with to deliver housing numbers. Policy implications and whether a change of emphasis would provide more opportunities was another area being reviewed, along with the effect of the Community Infrastructure Levy. The Local Plan was previously 'in date' until 2027. Legislation (National Planning Policy Framework NPPF) changed requiring local authorities to update their local plans on a five-year basis. Those authorities that were under-delivering housing numbers were under additional pressure to identify further sites and land.
- The Council's housing target was confirmed as 668 per year and there was insufficient land in Eastbourne to meet this target.
- Abandoned calls - The performance indicators were refreshed on an annual basis by the Cabinet and it was felt that the indicator for abandoned calls did not provide an accurate picture as part of the message provided customers with details of the Council's online facilities. It was agreed that, should there be an adverse change in the levels of abandoned calls by more than 5 percent; a response would be included in the overall commentary in the performance report.

The Head of Environment First provided an update on the Council's Waste Mobilisation Programme and establishment of South East Environmental Services Limited (SEESL). The following points were highlighted:

- Many of the Council's own services had been involved in the successful mobilisation of the SEESL in June 2019 and in its third month of operation significant gains across the service had already been made.
- A depot had been secured early in the process providing more space. Significant investment in the depot had improved safety levels and improved the professionalism of the service.
- New in-cab technology (W360) provided live information on the location of all bins, including missed bins, assisted bins and contaminated bins. The performance information provided by the new white-space IT portal allowed patterns in behaviour and issues to be identified early on.
- A challenging HR process resulted in 97 staff transferred through Transfer of Undertakings (Protection of Employment) (TUPE) to SEESL (including 13 staff previously employed through agencies).
- A new fleet of vehicles had been purchased (including some of Kier's fleet). The increased capacity of the new vehicles reduced the number of journeys to waste disposal sites. Five mechanical sweepers had also been purchased, reducing the dependency on hand-pushed sweepers and improving cleanliness.

- A high level of commitment and energy had been shown by staff in the new service and input into new initiatives to improve the collection service was encouraged.
- The Service was working with Neighbourhood First and the Environment Enforcement Team to ensure businesses were aware of their duty of care with regard to bins. Similar work was commencing in targeted areas to ensure landlords with houses of multiple occupancy (HMOs) were also aware of their responsibilities.
- Complaints via W360 were 68 for July and 11 for August, from a total of 300,000 collections in each period and all Street Cleansing activities. The Service would continue to analyse complaints. The service level agreements (SLAs) included bin deliveries which had been eight weeks (prior to the new service being introduced) and had reduced to two weeks. The SLA target of 10 days had been impacted by the marketing and rolling out of new recycling bins to enhance recycling initiatives.
- The street-cleaning monitoring service was now in-house allowing a more pro-active approach to the education of service users and evidence based enforcement where appropriate and necessary.
- The 50 percent recycling target would be encouraged through smarter collection processes, more education and looking at how waste is managed in the future.

The Head of Environment First thanked the waste services team for the hard work that had contributed to the success of the new service and invited Committee members to visit the team and see first-hand the work being done.

The following points were highlighted during discussion:

The June 2019 recycling rate had increased from approximately 32 percent to approximately 38 percent. Green waste would have been a factor in the increase but a successful programme of community and resident education would have contributed also.

The organisation was aware of the issues around the siting and return of bins. The operatives who collected the bins had already commenced a focus on ensuring they were returned to collection points (within property curtilages). Awareness amongst residents also needed increasing as to where bins should be sited for collection. The siting of communal bins in densely populated areas would be appraised within three years to try and overcome the anti-social behavioural issues around the use and abuse of the bins.

Collection of food waste was not currently a service. The Council had responded to a recent DEFRA consultation and was waiting for the Government to respond with guidance and any available funding (including for food waste).

It was recommended by the Committee that additional performance indicators around waste collection be included in the quarterly performance report.

RESOLVED:

1. To note the progress and performance for Q1;
2. To recommend to the Cabinet that additional collection indicators regarding waste performance and how recycling levels can be improved (the details of which will be confirmed by officers) are included in future performance reports; and
3. That where there is any adverse change in the level of contact centre calls answered (of more than 5 percent) information relating to missed calls will then be included in the narrative of the performance report.

Part B – Finance Performance Report

The Director of Finance presented the report which provided an overview of the Council's finances in Quarter 1.

The analysis in the report provided a number of key finance headlines. The Committee was advised that the Council continues to experience pressure in managing increased demand for its housing related services including temporary and emergency housing but also provision of housing subsidy. The quarter's financial performance also reflected the general economic slowdown including the added uncertainty and its adverse impact on the Council's commercial income levels.

The Committee was advised that there would be further improvements to the formatting of the report and the reporting timelines. These will be delivered in time for future reporting cycles. . It was also acknowledged there had not been capacity within the finance team to make the planned improvements. The Financial Services were in the process of transitioning to a new structure and having in place the required staffing complement within the next few months. It was anticipated that noticeable improvements would be delivered by the next quarter.

RESOLVED:

1. To note the achievements and progress against Corporate Plan priorities for 2019-20, as set out in Part A of the report;
2. Note the General Fund, HRA and Collection Fund financial performance for the quarter, as set out in part B of the report; and
3. Note the amended capital programme as set out in Appendix 4.

19 Forward Plan of Decisions

This item was included under discussion in item 10 on the Agenda – Annual Scrutiny Work Programme.

RESOLVED: To note the Forward Plan of Decisions.

20 Annual Scrutiny Work Programme

The Head of Business Planning and Performance presented the report which asked the Scrutiny Committee to agree its Annual Work Programme for 2019/2020, prior to it going via Cabinet to Full Council for approval on 13 November 2019.

Members agreed the following changes to the Committee's work programme:

2 December meeting:

- Sovereign Centre Task (business case review) – this would be brought to an earlier meeting if required.
- Recycling – a report to look at recycling rates in the Borough and how they could be improved.
- Southern Water Treatment – in response to a recent event involving untreated wastewater.
- The Council's process for the inspection of licensed Houses of Multiple Occupancy (HMO's) and how targets are managed – this would be provided as a briefing prior to the 2 December meeting and included on the agenda as part of the performance report.
- The role of scrutiny in the community and improving resident engagement.

3 February meeting

- The Budget for 20/21 – the Committee would receive an update on the work undertaken towards the setting of the Council's budget.
- The A27.

RESOLVED to agree the Committee's work programme, as set out at Appendix A to the report and subject to the amendments listed above.

21 Date of the next meeting

RESOLVED: To note that the next meeting of the Scrutiny Committee was scheduled for Monday, 2 December 2019 in the Court Room, Eastbourne Town Hall, Grove Road, Eastbourne, BN21 4UG.

The meeting ended at 8.35 pm

Councillor Caroline Ansell (Chair)

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Working in partnership with **Eastbourne Homes**

Planning Committee

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 24 September 2019 at 6.00 pm

Present:

Councillor Jim Murray (Chair)

Councillors Peter Diplock (Deputy-Chair), Jane Lamb, Robin Maxted, Paul Metcalfe MBE, Md. Harun Miah and Candy Vaughan

Officers in attendance:

Helen Monaghan (Lawyer, Planning), Leigh Palmer (Interim Head of Planning), and Emily Horne, Committee Officer.

40 Minutes of the meeting held on 27 August 2019

The minutes of the meeting held on 27 August 2019 were submitted and approved as a correct record, and the Chair was authorised to sign them.

41 Apologies for absence and notification of substitute members

An apology was reported from Councillor Md. Huran Miah. Councillor Colin Murdoch was the appointed substitute for Councillor Barry Taylor.

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

There were none.

43 Urgent items of business.

There were none.

44 Right to address the meeting/order of business.

The business of the meeting proceeded in accordance with the agenda.

45 282 Kings Drive. Application ID: 181178

Planning permission for demolition of existing house and associated structures and provision of 85 bed care home with parking, landscaping and highway access - **RATTON**.

This application had been brought back to Committee following deferral to mitigate concerns raised by the Committee concerning size/over-massing of the proposed development and to allow the developer and planning team to liaise on the viability of an alternative development. The applicant had made several alterations to the scheme to address these concerns:

- A reduction of 5 bedrooms in total (85 rooms down to 80)
- Setting the building into the ground (16m AOD) approximately 2.1m below Kings Drive.
- Setting the building back from the front by approximately 1.5m to align with the front building line of the adjacent property.
- Refuse vehicle access and turning details.

The Committee was advised by way of an addendum report, that should members agree to delegate the decision to approve the application to the Head of Planning in consultation with the Chair of the Planning Committee, subject to no new issues being raised as a result of the additional consultation, a requirement for a local labour agreement, including monetary contributions towards monitoring, would be attached as a planning condition. A further representation was received from the occupiers of 284 Kings Drive stating that the development had not been accompanied by a daylight and sunlight impact assessment. Conditions 1 & 4 of the addendum had been updated to reflect this. Conditions 2 & 3 of the addendum were as per the officer's report.

Roland Cottingham, speaking on behalf of the local residents, addressed the Committee in objection, referring to the height, mass and scale of the development stating that it was out of keeping in the area and there were already a number of care homes in the area which were not fully occupied.

Councillor Belsey, Ward Councillor, addressed the Committee (from the public gallery) in objection to the application. He referred to the overdevelopment of the site, raising concern regarding the recent number of the road traffic collisions and the potential for further accidents to occur.

Alison Knight, agent, explained the whole build had been moved back 1½metres and the bay window was in front of the building line. In response to the concerns raised, she referred to the alterations to the scheme, stating that the development would be of economic benefit to the area, providing much needed care facilities for the elderly and frail who reside locally. Although none of the residents would drive cars, she said electric point charging would be provided for visitors and staff. New trees and bird and bat boxes would be installed for the benefit of wildlife. She stated that the scheme had been improved significantly and no objections had been received from statutory consultees.

The Committee discussed the application and came to a mixed view. Discussion included concern regarding the proximity of the proposed development to other care homes and sheltered accommodation in the area. Concern was also raised regarding the insufficient reduction of rooms, lack of

parking, excessive footprint, impact on the foundations, surface water drainage, effect on the listed building, absence of turning space and pavement, and the potential for further traffic accidents as vehicles enter and leave the site. Discussion in favour of the application, praised the applicant for taking on board concerns such as moving the frontage of the building back, reducing its height, the creation of jobs and electric charging points.

The Committee were advised that a flood risk assessment had been undertaken and was mitigated in Conditions 4 and 27 of the officer's report from August 2019, similarly archaeological impacts concerning digging had been mitigated in Condition 22. Furthermore, no statutory objections had been received regarding the movement of vehicles in and out of the site and it had been demonstrated by the applicant that a large emergency vehicle would be able to enter the site.

Councillor Murdoch raised concerns regarding vehicular access and egress suggested a left hand turn only. He was advised that Highways did not have any objections to the application.

Councillor Murray proposed a motion to approve the application; this was seconded by Councillor Miah.

Resolved (by 5 votes for (Councillors Miah, Vaughan, Murray, Diplock and Maxted) **and 3 against** (Councillors Metcalfe MBE, Lamb and Murdoch)): That the application be delegated to the Head of Planning in consultation with the Chair of Planning Committee, subject to no new issues being raised as a result of the additional consultation on the amended drawings, a local labour agreement including monetary contributions towards monitoring, a daylight and sunlight impact assessment and the conditions set out in the addendum.

Members noted that if any new material issues arise from the consultation and the daylight and impact assessment, then the application will be reported back to the Planning Committee. If no new material issues are raised as a result of the additional consultation, the Head of Planning will undertake delegated authority to approve the application.

46 Appeal Decision - 189 Terminus Road ID: 3214271

Members noted that the Inspector had allowed the appeal.

47 Appeal Decision - Wood Winton. ID: 3229204

Members noted that the Inspector had allowed the appeal.

48 College Conservation Area Appraisal (update)

The Committee received a verbal update from the Head of Planning on the public consultation of the boundary review for the College Conservation Area.

A review of College Conservation Area was commissioned as part of the borough's commitment to undertaking a rolling programme of conservation area appraisals. The College Conservation Area has not been reviewed or extended since its adoption in 1986.

Members noted that further public engagement regarding the proposed boundary changes to the College Conservation Area would be taking place, the results of which will be reported back to the Planning Committee.

The meeting ended at 6.56 pm

Councillor Jim Murray (Chair)



Working in partnership with **Eastbourne Homes**

Eastbourne Licensing Committee

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 30 September 2019 at 4.00 pm

Present:

Councillor Pat Rodohan (Chair)

Councillors Robin Maxted (Deputy-Chair), Colin Belsey, Helen Burton, Sammy Choudhury, Penny di Cara, Amanda Morris, Jim Murray, Barry Taylor and Candy Vaughan

Officers in attendance:

Ed Hele (Functional Lead – Quality Environment), Danielle Ball (Specialist Advisor – Licensing), Oliver Dixon (Senior Lawyer and Data Protection Officer), Emily Horne (Committee Officer), and Elaine Roberts (Committee Officer).

15 Minutes of the meeting held on 29 August 2019

The minutes of the meeting of the Licensing Committee held on 29 August 2019 were submitted and approved and the Chair was authorised to sign them as an accurate record.

16 Apologies for absence/declaration of substitute members

Apologies for absence were reported from Councillor Diplock and Councillor Murdoch.

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

There were none.

18 Questions by members of the public

There were none.

19 Urgent items of business

There were none.

20 Right to address the meeting/order of business

The Chair reported that an Objector had requested to address the Committee, having raised an objection to the proposed Hackney Carriage Fare increase during the Public Consultation, and would be invited to speak when the Committee considered that item.

21 Taxi Licensing Guidance Review

The Committee considered the report of the Director of Service Delivery which requested that Councillors consider and approve the Draft Hackney Carriage and Private Hire Licensing Guidance document in light of the comments received during the consultation.

The Functional Lead – Quality Environment (FLQE), referred to Appendix A which set out the draft Eastbourne Hackney Carriage and Private Hire Licensing Guidance and Appendix B, the Taxi Licensing Consultation Report, which set out the consultation process, who responded and key findings.

Members were advised of three amendments on page 9 of the report. Under Purpose of Report, the words 'reviewed Taxi Licensing guidance' were deleted. Under Officer Recommendation(s) the words 'and approve a final version' were added after the word 'consultation'. Under Reasons for recommendations, No (2), the word 'Guidance' was inserted after the words 'changes to the'.

Liz Trethewey, spokesperson for Eastbourne Access Group / the Chair, Mr Ian Westgate; Possability People, Mr Rowkins (resident) and herself as an access group member, welcomed the review of the draft Hackney Carriage and Private Hire Licensing Guidance. She stated that the need for a new and proactive policy will lead to an increase in the choice and availability of licensed Hackney Carriage and Private Hire vehicles for hire by disabled citizens in Eastbourne. In particular, they were in support of (para 5.5, option A) of the officers report that Hackney Carriage vehicles are replaced by wheelchair accessible vehicles, and (option B) must be rear loading only. They also supported (para 5.6, option A) that all new hackney carriage vehicles should only be licensed if they are wheelchair accessible and that (option B) the vehicles are rear loading only, or at least both to ensure there are more rear loaders on the road, available to pre book and available on the taxi ranks.

Discussion included:-

- Clarification on the percentage of wheelchair accessible vehicles (WAVS). The FLQE explained that in 2009, 12% of Hackney Carriages were wheelchair accessible and this had increased to 22% in 2019. Eastbourne is considered favourable compared to other urban areas at 15%.
- The cost of side loading vehicles compared to rear loading vehicles. The FLQE advised that side loading vehicles are more expensive than rear loading vehicles and do not provide as much accessibility. The Specialist Advisor – Licensing (SAL), added that as part of the quality control checks

for vehicles post 2009, if a vehicle is less than a year old with 20,000 miles on the clock, these vehicles would not be licensed. This increases the amount drivers pay for vehicles.

- Can WAVS carry non-wheelchair passengers? The SAL confirmed that rear loading WAVS can carry up to 8 non-wheelchair passengers.
- How many customers have requested a WAV and not received one? This information was not immediately available.
- Do rear loading vehicles take up more space on the taxi rank? The SAL confirmed that rear loading vehicles do take up more room.
- How regularly do Hackney Carriage drivers change plates? The SAL advised that drivers were changing to private hire plates every week. The FLQE added that the demand for Hackney Carriage was less as customers were using phones to order taxis, rather than go directly to a taxi rank. The SAL explained that there were 84 vehicles which have pre-2009 plates that have no conditions and do not need to be wheelchair accessible. As such, these plates are more lucrative for drivers. Furthermore, if the plate is transferred to another driver it will retain grandfather rights and remain without conditions. However, if a new plate is applied for, it will need to meet the quality control policy.
- A request for an Equalities Impact Assessment to be undertaken (see paragraph's 5.5 and 5.6 of the officers report) in respect of new and replacement Hackney Carriage vehicles, and signed off by the Disability Cabinet Member. The FLQE explained that this would need to be outsourced and given sufficient time to be reviewed.
- Concern that the whole fleet will become wheelchair accessible too quickly and that there should be a combination of vehicles. The SAL advised that any driver issued with a licence and plate after 2009 must ensure their vehicle meets the Quality Control Policy and be wheelchair accessible.
- Whether or not fraudulent activity can occur on the electronic knowledge test. The FLQE confirmed that the test questions are changed to prevent fraudulent activity from occurring.
- Clarification on safeguarding. The SAL advised that safeguarding was part of the knowledge test and that courses were available externally by separate certification. However, this will involve an additional cost to the driver.
- The effect on taxi licensing when the UK exits the EU. The SAL clarified that the guidance/legislation will remain the same until UK law is changed.

Members chose to consider for decision paragraphs 5.2 to 5.7 of the officer's report which outlined the significant changes for consideration following the

public consultation on the draft Hackney Carriage and Private Hire Licensing Guidance.

Resolved: to approve the following changes to the draft Hackney Carriage and Private Hire Licensing Guidance:-

1. Councillor Taylor proposed a motion to include equalities, disability awareness, CSE (child sexual exploitation) and safeguarding as part of the knowledge test. This was seconded by Councillor Murray.

Resolved: (Unanimous) that equalities, disability awareness, child sexual exploitation and safeguarding be introduced as a section on the knowledge test.

2. Councillor Belsey proposed a motion to adopt emissions limits rather than engine cubic capacity. This was seconded by Councillor Murray.

Resolved: (Unanimous) that the Council should adopt emissions limits such as Euro 4 Petrol and Euro 6 Diesel, or the equivalent UK standard, as opposed to a minimum cubic capacity of the vehicle's engine.

3. Councillor Vaughan proposed a motion that vehicles be permitted up to 5 years old. This was seconded by Councillor Morris.

Resolved: (Unanimous) that Vehicles be permitted up to 5 years old from first registration upon first application.

4. Councillor Rodohan proposed a motion that any person found cheating on knowledge tests should be disqualified from the test and not be granted a licence for at least three years. This was seconded by Councillor Vaughan.

Resolved (Unanimous): that any person found cheating on knowledge tests should be disqualified from the test and not be granted a licence for at least three years.

5. Councillor Burton proposed a motion for an Equalities Impact Assessment to be undertaken regarding new and replacement Hackney Carriage Vehicles (5.5 & 5.6 of the officer's report). This was seconded by Councillor Murray.

Resolved (by 6 votes to 4 against): that an Equalities Impact Assessment is undertaken regarding new and replacement Hackney Carriage Vehicles as soon as possible.

The Functional Lead – Quality Environment raised an additional item for members to consider. Members were asked to decide if they would agree to the vehicle test occurring every 6 months instead of yearly (as per the MOT).

6. Councillor Rodohan proposed a motion to increase the number of vehicle checks from once a year to every 6 months. This was seconded by Councillor Murray.

Resolved (unanimous): that vehicle checks be undertaken every 6 months.

22 Date of Next Meeting

The next meeting is scheduled for 6 January 2020 at 6pm.

The meeting ended at 5.40 pm

Councillor Pat Rodohan (Chair)

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Working in partnership with **Eastbourne Homes**

Conservation Area Advisory Group

Minutes of meeting held in Court Room - Town Hall, Eastbourne on 1 October 2019 at 6.00 pm

Present:

Councillor Pat Rodohan (Chair)

Councillors Dean Sabri (Deputy-Chair) and Colin Belsey

Advisors: Richard Crook (Royal Institute of British Architects), Nicholas Howell (Eastbourne Society) and Rebecca Madell (Heritage Champion)

Officers in attendance:

Chris Connelley (Specialist Advisor, Conservation), Jenny Martin (Specialist Advisor, Conservation) and Elaine Roberts (Committee Officer)

28 Minutes of the meeting held on 20 August 2019

The minutes of the meeting held on 20 August 2019 were approved and the Chair was authorised to sign them as a correct record.

29 Apologies for absence/declaration of substitute members

An apology had been received from Councillor Smart.

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

There were none.

31 Questions by members of the public.

None received.

32 Urgent items of business.

There were none.

33 Right to address the meeting/order of business.

There was one registered speaker: Mr Peter Cadwallader, applicant for planning application 190641 (PP) and the order of business was unchanged.

The Chair welcomed and invited Mr Cadwallader to speak on his application immediately after the report of the application from the Specialist Advisor.

34 Planning Applications for Consideration

1) 190494, (PP), The Colonnades, Colonnade Gardens, Eastbourne

Cons Area: Town Centre and Seafront.

Listing: n/a

Proposal: Proposed rendering and replacement windows and to first, second and third floors of the Colonnades and Braemar Court.

CAAG Comments: The Group noted the application and agreed that the proposal preserved and even enhanced the character and appearance of the building.

2) 190641, (PP), The Waterside, 11-12 Royal Parade, Eastbourne, BN22 7AR.

Cons Area: Town Centre and Seafront.

Listing: n/a

Proposal: Removal of existing glazed screen to the front elevation and alterations and amendments to the seating area. New entrance door, awning and non-illuminated signage. New proprietary render system applied to front and rear elevations, replacement of existing and 1no. new windows to basement, minor amendments to basement windows and 2 no. new ground floor rear windows.

Mr Cadwallader addressed the Group.

CAAG Comments: The Group expressed a range of opinions and the majority felt that the proposal preserved the character of the conservation area.

3) 190393, (LBC), St Elisabeths Parish Hall, Victoria Drive, Eastbourne, BN20 8QX.

Cons Area: n/a.

Listing: Grade 2

Proposal: 2x exterior signs - one front elevation, one right elevation
1no Freestanding sign behind the boundary wall within the church site.

CAAG Comments: The Group agreed the proposal preserved the significance of the listed building.

35 New Listings

There were none.

36 Date of next meeting

26 November 2019 at 6pm, in the Town Hall, Eastbourne.

The meeting ended at 7.15 pm

Councillor Pat Rodohan (Chair)

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Working in partnership with **Eastbourne Homes**

Planning Committee

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 22 October 2019 at 6.00 pm

Present:

Councillor Jim Murray (Chair)

Councillors Choudhury (Reserve) (as substitute for Robin Maxted), Peter Diplock (Deputy-Chair), Jane Lamb, Paul Metcalfe, Md. Harun Miah, Barry Taylor and Candy Vaughan

Officers in attendance:

Leigh Palmer (Interim Head of Planning), Helen Monaghan (Lawyer for Planning), James Smith (Specialist Advisor for Planning), Anna Clare (Specialist Advisor for Planning) and Emily Horne (Committee Officer).

49 Minutes of the meeting held on 24 September 2019

The minutes of the meeting held on 24 September 2019 were submitted to and approved as a correct record, and the Chair was authorised to sign them.

50 Apologies for absence and notification of substitute members

An apology was reported from Councillor Robin Maxted. Councillor Sammy Choudhury was the appointed substitute for Councillor Robin Maxted.

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

Councillor Lamb declared a Prejudicial Interest in minute 54, 54-56 Upperton Road, Eastbourne (ID 190626), as the developer for the application was known to her. Councillor Lamb withdrew from the room whilst the application was considered and did not vote thereon.

52 Urgent items of business.

There were none.

53 Right to address the meeting/order of business.

The business of the meeting proceeded in accordance with the agenda.

54 54-56 Upperton Road. Application ID: 190626

Outline application for residential development of land for up to 29 flats requesting consideration of access and scale – **UPPERTON**.

Having declared a prejudicial interest, Councillor Lamb was absent from the room during discussion and voting on this item.

The Committee discussed the application and felt that the increase in the number of flats previously approved from 12 to 29 was of concern and that the design could be improved.

Officers clarified that this was an outline application to consider access and scale. Matters concerning appearance, landscaping and layout would be brought to a subsequent committee meeting as a reserved matters application. The Committee's concerns regarding the quality of design would be forwarded to the applicant.

Councillor Taylor proposed a motion to refuse outline planning permission on grounds of overdevelopment and the impact on residents. This motion was not seconded.

Councillor Murray proposed a motion to grant outline planning permission (scale and access), subject to conditions and S106 to secure affordable housing and local labour; this was seconded by Councillor Miah.

Resolved (by 6 votes for (Councillors Choudhury, Murray, Diplock, Metcalfe MBE, Miah and Vaughan) **and 1 against** (Councillor Taylor) **that** outline planning permission be approved as set out in the report.

55 Marshalls Yard, Winchelsea Road. Application ID: 190312

Outline application (all matters reserved) for the demolition of the existing buildings and creation of 9 residential dwellings (revised description) – **DEVONSHIRE**.

The Committee discussed the application and felt that it would be an improvement to the area, but raised concern regarding parking during peak periods. The Committee were informed that East Sussex County Council, Highways, had no objection in principle to the application and that Condition 8 of the officer's report, requires a Construction Management Plan to ensure no on-street parking occurs during the demolition and construction phase of the scheme.

Councillor Taylor proposed a motion to grant outline planning permission; this was seconded by Councillor Miah.

Resolved (unanimously) that outline planning permission be approved as set out in the report.

56 Wood's Cottages, Langney Rise. Application ID: 190339

Planning permission for redevelopment of site to form 35 dwellings, formed of 1 one bedroom flat, 10 two bedroom flats, 19 three bedroom houses, 5 four bedroom houses – **LANGNEY**.

The Committee were informed that the applicant had submitted further details in response to a request from ESCC concerning the vehicular access to the site. Details included: increasing the width of the access, undertaking a Swept Path Analysis of vehicle movements, redirecting the footpath away from the turning head, infilling the large pond and excavation of the attenuation pond.

Mr Keith Woods, local resident, addressed the Committee in objection to the application, specifically regarding the access. He said the existing access road will not cope with an additional 35 dwellings and he referred to the access issues incurred by refuse and emergency vehicles. He disputed the number of car trips provided in the transport statement stating that it was much greater.

Donna St. Clare, local resident, addressed the Committee in objection to the access road and number of houses proposed. She raised concern regarding parking and pedestrian safety and said the access road would be better suited along the eastside of the development (by the dry pond) where the road is wider. She urged the Committee to re-consider the access road.

Mr Manas Chadha, applicant, was present, but chose not to speak.

The Committee discussed the application and felt there would be benefits. However, concern was raised regarding impact on residents, safety and depth of the pond, and the width and location of the access road. The Committee also felt that the process was out of order and if the application was approved, traffic matters should be dealt with first, rather than afterwards as part of the traffic regulation order.

The Committee were informed that the development was within guidelines for National Planning Policy and that East Sussex County Council Highways were satisfied with the scheme, subject to a traffic regulation order (included in the Section 106 Agreement), for which a consultation will be undertaken. Concerns raised by Sussex Police regarding security, will be covered by condition that meets the Secure by Design Standards.

Councillor Taylor proposed a motion to defer the application. This was seconded by Councillor Metcalfe MBE.

Resolved (unanimously) that permission be deferred for the following reason:

That the application is deferred to officers to seek amendments regarding the access, prior to being brought back to the Committee.

57 Westgate Motors, Stansted Road. Application ID: 190256

Outline application (all matters reserved) for the demolition of the existing garage facility and erection of residential accommodation comprising 6 single family dwellings (revised description) – **DEVONSHIRE**.

The Committee discussed the position of the dwellings and felt that they should be angled as per plan B of the officers presentation, to reduce overlooking and increase the site line.

Councillor Taylor proposed a motion to grant outline planning permission; this was seconded by Councillor Metcalfe MBE.

Resolved (unanimously) that outline planning permission be approved as set out in the report.

58 Westlords Pavilion, Westlords. Application ID: 190645

Planning permission for the installation of a single storey building for use as a community hall, changing rooms and storage for Westlords Playing Field – **RATTON**.

Councillor Belsey, applicant, addressed the Committee (from the public gallery) in support of the application. He said there were no community facilities available in Ratton since the previous building had been destroyed, and a new and updated building would provide much needed local facilities. The temporary modular building would provide changing facilities, toilets and double classroom for activities associated with recreational sports.

Councillors queried the temporary nature of the building. The Committee were advised that, as per Condition 2 of the officer's report, consent shall be limited to 2 years and would either need to be extended or the building removed at the end of 2 years.

The Committee considered this scheme was acceptable and would benefit the community.

Councillor Miah proposed a motion to approve the application; this was seconded by Councillor Taylor.

Resolved (unanimously) that permission be approved as set out in the report.

The meeting ended at 7.27 pm

Councillor Jim Murray (Chair)



Working in partnership with **Eastbourne Homes**

Conservation Area Advisory Group

Minutes of meeting held in Court Room - Town Hall, Eastbourne on 26 November 2019 at 6.00 pm

Present:

Councillor Pat Rodohan (Chair)

Councillors Colin Belsey and Robert Smart

Advisors: Richard Crook (Royal Institute of British Architects), Nicholas Howell (Eastbourne Society) and Rebecca Madell (Heritage Champion).

Officers in attendance:

Chris Connelley (Specialist Advisor, Conservation), Jenny Martin (Specialist Advisor, Conservation) and Elaine Roberts (Committee Officer)

37 Minutes of the meeting held on 26 November 2019

A comment was raised that the minutes did not capture adequate detail.

The Chair noted CAAG's role as an advisory body, specifically to evaluate whether an item under consideration 'preserved and/or enhanced' its environment.

The Specialist Conservation Advisor confirmed that comments from CAAG were shared back to both the Planning Officers and the applicants, and that the descriptions were taken from the Planning Application, ensuring consistency.

The minutes of the meeting held on the 1st October 2019 were approved and the Chair was authorised to sign them as a correct record.

38 Apologies for absence/declaration of substitute members

An apology had been received from Councillor Sabri.

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

There were none.

40 Questions by members of the public.

None received.

41 Urgent items of business.

There were none.

42 Right to address the meeting/order of business.

None received.

43 Planning Applications for Consideration**1) 190785, (LBC), Eastbourne Bandstand, Grand Parade, Eastbourne BE21 3EH**

Cons Area: Town Centre and Seafront, Grade 2 listing
Proposal: Structural engineering investigation

CAAG Comments: The Group noted the application and agreed the application preserved the character and appearance of the building.

2) 190665/ 190666, (LBC and PP), The Southdown Hotel, 1-3 Howard Square, Eastbourne, East Sussex, BN21 4BQ

Cons Area: Town Centre and Seafront.
Proposal: Creation of 15 apartments and removal of lift shaft at rear and alterations to the rear elevation including the enlarging of dormer windows and associated works.

CAAG Comments: The Group agreed that the application would preserve the character of the building and requested that officers note the view that harmony of colour would help enhance the character of the conservation area.

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

7th January 2020 at 6pm in the Town Hall, Eastbourne.

The Chair thanked everyone for coming and wished everyone a Merry Christmas and a Happy New Year.

The meeting ended at 6.55 pm

Councillor Pat Rodohan (Chair)



Planning Committee

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 10 December 2019 at 6.00 pm

Present:

Councillor Jim Murray (Chair)

Councillors Peter Diplock (Deputy-Chair), Jane Lamb, Robin Maxted, Paul Metcalfe, Md. Harun Miah, Barry Taylor and Candy Vaughan

Officers in attendance:

Helen Monaghan (Lawyer, Planning), Leigh Palmer (Interim Head of Planning), and James Smith (Specialist Advisor for Planning), Anna Clare (Specialist Advisor for Planning) and Emily Horne (Committee Officer).

59 Minutes of the meeting held on 22 October 2019

The minutes of the meeting held on 22 October 2019 were submitted to and approved as a correct record, and the Chair was authorised to sign them.

60 Apologies for absence and notification of substitute members

There were no apologies given and there were no notifications of substitute Members.

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

Councillor Barry Taylor declared a Prejudicial Interest in minute 65, 282 Kings Drive as he was the owner of a care home. He withdrew from the room while the item was considered and did not vote.

62 Urgent items of business.

There were none.

63 Right to address the meeting/order of business.

The business of the meeting was reordered from the agenda in the following order.

64 First Church of Christ Scientist, Spencer Road. Application ID: 190461

Planning permission for the addition of internal second floor with conversion of main building to provide 6no. self-contained flats with conversion of single storey rear element to provide 1no. self-contained flat – **MEADS**

Amendments to the report were noted in the Addendum.

Peter Jeffreys, local resident, addressed the committee in objection to the application on grounds of overlooking/loss of privacy, density, building height, fire safety and parking.

David Challinor, agent, said the windows had been angled and balconies screened to reduce the effects of overlooking. He said the application had not increased in height and that fire safety matters would be covered by Building Regulations. Furthermore, Highways had not objected to the application.

The Committee discussed the application and were of a mixed opinion. Members raised concern at the lack of parking and amenity space, stating that the fire authority should be consulted earlier in the process and that the scheme could be improved if the number of dwellings were reduced. Members also stated that they were happy with the steps taken to reduce overlooking and that the reduction in car parking spaces will help reduce carbon footprint.

Councillor Murray proposed a motion to approve the application. This was seconded by Councillor Vaughan.

Resolved (by 5 votes for and 3 against): That permission be approved as set out in the report and addendum.

65 282 Kings Drive. Application ID: 181178

Planning permission for demolition of existing house and associated structures and provision of 85 bed care home with parking, landscaping and highway access - **RATTON**.

Having declared a prejudicial Interest, Councillor Barry Taylor was absent from the room during discussion and voting on this item.

This application had been brought back to Committee following deferral to mitigate concerns raised by the Committee concerning scale and impact of the development. The applicant had made several alterations to the scheme to address these concerns.

Amendments to the report were noted in the Addendum.

Dr. Roland Cottingham, Chair of Kings Drive, addressed the Committee in objection, referring to the loss of light, overdevelopment, and the accuracy of

the Daylight Assessment report. He urged the committee to refuse the application.

Councillor Freebody, Ward Councillor, addressed the Committee (from the public gallery) in objection to the application. He referred to loss of light, privacy, overdevelopment and the proximity of the development to 284 Kings Drive. He raised concern that the Daylight Assessment report was undertaken remotely using Google Maps to determine the measurements.

Alison Knight, agent, explained that she had addressed the concerns raised by the Committee at its previous meeting, stating that a Daylight Impact Assessment report had been submitted as requested and an additional condition had been added to secure a local labour agreement. She said no objections had been received regarding the application from statutory consultees and the application had been recommended for approval by Officers twice before at committee.

Members were informed that the Daylight Assessment was performed in accordance with the methodology set out in the Building Research Establishment (BRE) document BR209 – Site Layout Planning for Sunlight and Daylight: A Guide to Good Practice (2011).

Councillor Murray proposed a motion to approve the application. This was seconded by Councillor Diplock.

Resolved (by 5 votes for and 2 against): That permission be approved as set out in the report.

66 Langney Shopping Centre Car Valet, Langney Shopping Centre, 64 Kingfisher Drive. Application ID: 190604

Planning permission for erection of 10 houses together with parking and installation of crossover onto Swanley Close - **LANGNEY**.

Amendments to the report were noted in the Addendum.

Donna St.Claire, local resident, addressed the Committee in objection, raising concern regarding the proposed site entrance, stating that Swanley Close was too narrow and the access point should be from the northern boundary at Langney Rise, where the impact will be less. She also raised concerns regarding parking restrictions, flooding and loss of privacy.

Mr Pickup, agent, addressed the Committee in support, stating that no highway objections had been received and that applicant had entered into a S106 agreement to secure £5,000 contribution towards investigating the installation of a Traffic Regulation Order for parking restrictions. He said the Local Authority were satisfied with the flood risk assessment submitted.

The Committee discussed the application and expressed concern regarding the entrance to the site and overlooking.

Members were advised that the land was owned by Langney Shopping Centre and that an alternative access point would need their consent.

Councillor Lamb proposed a motion to defer the application. This was seconded by Councillor Taylor.

Resolved (Unanimous): That permission be deferred to enable the developer to negotiate an alternative access with Langney Shopping Centre.

67 Wood's Cottages, Langney Rise. Application ID: 190339

Planning permission for redevelopment of site to form 35 dwellings, formed of 1 one bedroom flat, 10 two bedroom flats, 19 three bedroom houses, 5 four bedroom houses – **LANGNEY**.

This application had been brought back to Committee following deferral by the Committee to allow the developer and planning team to liaise on the viability of an alternative access to the proposed development. In response, the applicant has altered the access and moved it to the south of the site, to the west of 33 Swanley Close, opposite No 4 & 5 Swanley Close.

Amendments to the report were noted in the Addendum.

Amanda Rock, local resident, addressed the Committee in objection to the application. She raised concern regarding flooding, traffic, noise pollution, loss of woodland and parking spaces.

The Chair referred to a written representation from Councillor Shuttleworth, Ward Councillor for Langney, stating that he was in support of the development, but agreed with resident's concerns regarding loss of trees and impact on wildlife.

Mr Singh, applicant, was present, but chose not to speak.

The Committee were informed that concerns raised regarding trees and surface water were covered by condition which must be approved prior to commencement of development.

The Committee discussed the location of the revised access stating that they had addressed the resident's request for it to be repositioned and felt it was better suited to the new location. They supported the relocation of the pond; reintroduction of wildlife and replacement of trees.

Councillor Murray proposed a motion to approve the application. This was seconded by Councillor Miah.

Resolved (Unanimous): That permission be approved subject to Recommendation 2-6 of the officers report being satisfactorily concluded. And

subject to conditions and Section 106 Agreement to include affordable housing and a local labour agreement, as set out in the report.

**68 Land South of Langney Shopping Centre and West of Langney Rise.
Application ID: 190668**

Planning permission for development of 9 houses - **LANGNEY**.

Amendments to the report were noted in the Addendum.

The Land Contamination condition was amended verbally by the Officer:-
Prior to the first occupation of the development hereby approved, testing results for any imported soils, as recommended by the Combined Geotechnical and Ground Contamination Risk Assessment by Ashdown Site Investigation Ltd, dated July 2019, shall be carried out by a suitably qualified land contamination specialist and the results submitted to and approved in writing by the Local Planning Authority all other recommendations contained within the above assessment shall be carried out to the satisfaction of the Local Planning Authority and if during construction contamination not previously identified is found to be present at the site then no further development on that part of the site (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and written approval for the associated strategy has been obtained from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the resulting site does not compromise any contamination to protect future occupants and local water sources from unacceptable levels of pollution.

Members welcomed the addition of new housing in the area.

Councillor Vaughan proposed a motion to approve the application. This was seconded by Councillor Miah.

Resolved (Unanimous): That permission be approved subject to no new issues being raised from the Consultation to delegate to Head of Planning in consultation with the Chair of Planning Committee to Grant Planning permission subject to conditions as set out the report and addendum.

69 42-44 Meads Street. Application ID: 190717

Planning permission for a single storey extension and re-siting of kitchen extract (retrospective application) - **MEADS**.

This application had been brought to committee at the request of the Meads Ward Councillor, Councillor Taylor.

The Committee discussed the application and felt that the design of the kitchen extractor fan was over sized and engineered. Concern was raised

regarding noise, emissions, location, impact on the Conservation Area and effect on the local residents.

The Committee were informed that no complaints had been received regarding the retrospective application. Officers advised that it was not possible to position the kitchen extractor fan vertically on the building due to ownership issues and impact on the Conservation Area. The extractor fan will be painted black and boxed in within 6 months of the date of permission, to reduce noise emissions and comply with the Noise Impact Assessment submitted, as per condition 2 of the report.

A motion to refuse the application, proposed by Councillor Taylor and seconded by Councillor Lamb, was lost by three votes for to five against refusal.

Councillor Murray proposed a motion to approve the application as set out in the report. This was seconded by Councillor Diplock.

Resolved (by 5 votes for and 3 votes against): That permission be approved as set out in the report.

70 6 Jellicoe Close. Application ID: 190751

Planning permission to extend existing side wall - **SOVEREIGN**.

Members were informed that this application had been brought to committee as the applicant is a member of staff.

Councillor Miah proposed a motion to approve the application. This was seconded by Councillor Metcalfe.

Resolved (Unanimous): That permission be approved as set out in the report.

71 Appeal Summary

Members noted the summary report of appeal decisions between October and November 2019.

Flat 1, 17 Enys Road, Eastbourne. ID: 180933. Appeal dismissed.

Spring Mead, 25 Meads Brow, Eastbourne. ID: 181058. Appeal allowed.

131 Southern Road, Eastbourne. ID: 190132. Appeal allowed.

72 South Down National Park Authority Planning Applications (Verbal update)

There were none.

73 Addendum Report to the Planning Committee 10 December 2019

The meeting ended at 8.20 pm

Councillor Jim Murray (Chair)

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Working in partnership with **Eastbourne Homes**

Planning Committee

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 21 January 2020 at 6.00 pm

Present:

Councillor Jim Murray (Chair)

Councillors Peter Diplock (Deputy-Chair), Jane Lamb, Robin Maxted, Paul Metcalfe, Md. Harun Miah, Barry Taylor and Candy Vaughan

Officers in attendance:

Helen Monaghan (Lawyer, Planning), Leigh Palmer (Interim Head of Planning), Anna Clare (Specialist Advisor for Planning) and Emily Horne, Committee Officer.

74 Minutes of the meeting held on 10 December 2019

The minutes of the meeting held on 10 December 2019 were submitted and approved as a correct record, and the Chair was authorised to sign them.

75 Apologies for absence and notification of substitute members

There were no apologies given and there were no notifications of substitute Members.

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

Councillor Jane Lamb declared a Non Pecuniary Interest in minute 81, 4 The Avenue, as she had business connections with the developer. She withdrew from the room while the item was considered and did not vote.

77 Urgent items of business.

There were none.

78 Right to address the meeting/order of business.

The business of the meeting was reordered from the agenda as listed below.

79 Pine Cottage, 17 Ratton Drive. Application ID: 190871

Planning permission for the demolition of detached garage, rear conservatory, and WC. Proposed two storey side extension with garage, single storey rear extension and front extension enlarging the existing porch – **RATTON**

Amendments to the report were noted in the Addendum.

Councillor Freebody, Ward Member, addressed the Committee (from the public gallery) in objection, stating the building was of historic value and the scheme would result in overdevelopment and loss of light. He urged the Committee to reject the application.

The Committee discussed the application and were concerned of the proximity of the scheme to the neighbouring property. Members were informed of the separation distances between the proposed extension and neighbouring buildings and were advised that the separation distances were consistent with guidance, with no significant loss of light to the neighbouring property.

Members felt that the scheme was an improvement to the area.

Councillor Vaughan proposed a motion to approve the application. This was seconded by Councillor Maxted.

Resolved (Unanimous): That permission be approved as set out in the report and Addendum.

80 26-28 Lottbridge Drove. Application ID: 190726

Planning permission for change of use to part Class D2 (Assembly and Leisure) and Class A3 (Cafe) for a children's educational role play experience. – **ST ANTHONYS**.

Davie Langham, applicant, explained that it had been challenging to find a premises with an open plan layout which met the right criteria for height and parking. He said they had scaled back the capacity of the building from 50 persons to 25 persons and had considered providing a parking survey, but it was costly and would not be available in time. Although the premises is short of 3 parking spaces if the building is at full capacity, he said customers will be encouraged to use public transport and will benefit from discounted entry.

Members welcomed the enterprise, but felt strongly that the location was unsuitable; situated in the heart of an industrial area, the building is not easily accessible and falls short of adequate parking for parents with children.

Councillor Taylor proposed a motion to refuse the application. This was seconded by Councillor Metcalfe MBE.

Resolved (Unanimous): That permission be refused as set out in the report.

81 4 The Avenue. Application ID: 190734

Planning permission for the change of use of 3No. garages to 1No. 1bed self-contained dwelling with the replacement of garage doors with grey cladding and formation of 3No. windows along with provision of allocated disabled parking space - **UPPERTON**.

Amendments to the report were noted in the Addendum.

Having declared a Non Pecuniary Interest, Councillor Jane Lamb was absent from the room during discussion and voting on this item.

Members were informed that the applicant had offered a contribution towards off site affordable housing by way of a commuted sum.

In discussing the application, Members arrived at differing views. Concern was raised that the building was north facing; lacked light, quality living space and access via the service lane was tight. Furthermore, a car could park in front of the dwelling and block the windows. Also, the residents were not given the opportunity to purchase or rent the garages prior to the application. Members also praised the design and quality of the building, stating it was fit for purpose; met the minimum standards for circulation space and light, and provided much needed accommodation in the town.

Members were informed that the applicant owned the service lane and bollards would be installed to prevent parking in front of the windows.

A motion to refuse the application, proposed by Councillor Maxted and seconded by Councillor Taylor, was lost by three votes for to four against refusal.

Councillor Murray proposed a motion to approve the application as set out in the report. This was seconded by Councillor Miah.

Resolved (by 4 votes for and 3 votes against): That permission be approved as set out in the report and Addendum.

82 Langney Shopping Centre Car Valet, Langney Shopping Centre, 64 Kingfisher Drive. Application ID: 190604

Planning permission for erection of 10 houses together with parking and access from Langney Shopping Centre service road - **LANGNEY**.

Amendments to the report were noted in the Addendum.

This application had been brought back to Committee following deferral to mitigate concerns raised by the Committee due to the site being accessed

from Swanley Close. In response, the applicant had submitted amended plans to address these concerns showing a revised layout for the site, which is accessed from Langney Shopping Centre service road on the northern boundary.

The Committee was pleased the applicant had taken on board their comments to relocate the access point.

Councillor Miah proposed a motion to approve the application. This was seconded by Councillor Vaughan.

Resolved (Unanimous): That permission be approved as per the report and Addendum.

83 Ground Floor Flat, 16 Commercial Road. Application ID: 190772

Planning permission for the removal of existing timber framed front door and replace with Eclat arch style composite door with pvc top light - **UPPERTON**.

Members were informed that this application had been brought to committee as the applicant is an employee of Eastbourne Borough Council.

Councillor Taylor proposed a motion to approve the application. This was seconded by Councillor Diplock.

Resolved (Unanimous): That permission be approved as set out in the report.

84 Appeal Summary (Verbal Update)

There were none.

The meeting ended at 6.55 pm

Councillor Jim Murray (Chair)