

Full Council

23 February 2022



Working in partnership with **Eastbourne Homes**

Quorum: 7

Published: Tuesday, 15 February 2022

To the Members of the Borough Council

You are summoned to attend an ordinary/annual meeting of Eastbourne Borough Council to be held at the Shackleton Hall, Welcome Building, Devonshire Quarter, Compton Street, Eastbourne BN21 4BP on 23 February 2022 at 6.00 pm to transact the following business.

NOTE - Attendees are recommended to wear a face covering to move around the building until seated or unless speaking into a microphone. Attendees are also recommended to take a lateral flow ahead of attending the meeting. The meeting will be webcast and a link to view the webcast will be available on the Council's website.

Agenda

1 Minutes of the meetings held on 17 November 2021 and 31 January 2022. (Pages 7 - 14)

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 15 - 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 Matters referred from Cabinet or other council bodies.

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

(a) Council Budget and Setting of the Council Tax for 2022/23. (Pages 17 - 42)

Report of Councillor Holt on behalf of the Cabinet. Referred from Cabinet on 9 February 2022. To include decisions in respect of:

- General Fund Budget 2022/23 and Capital Programme.
- Treasury Management and Prudential Indicators 2022/23, Capital Strategy and Investment Strategy.
- Housing Revenue Account (HRA) Revenue Budget and Rent Setting 2022/23 and HRA Capital Programme 2021-25

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

(b) Local Council Tax Reduction Scheme. (Pages 43 - 44)

Report of Councillor Shuttleworth on behalf of the Cabinet. Referred from Cabinet on 1 December 2021.

(c) Appointment of External Auditor. (Pages 45 - 60)

Report of the Chief Finance Officer. Referred from Audit and Governance Committee on 12 January 2022.

(d) Approval of Licensing Fees and Charges 2022-23. (Pages 61 - 68)

Report of Councillor Maxted on behalf of the Licensing Committee of 17 January 2022.

(e) Review of the Cumulative Impact Assessment part of the Statement of Licensing Act Policy 2019-2024. (Pages 69 - 72)

Report of Councillor Maxted on behalf of the Licensing Committee of 17 January 2022.

8 Motions.

The following motions have been submitted by members under council procedure rule 13:-

(a) Motion 1 - 20 mph speed limits

Motion submitted by Councillor Murray:

“Eastbourne Borough Council:

1. Supports the ‘20’s Plenty Eastbourne’ campaign:

“We have all seen the benefits of less traffic on the road because of lockdown, the aim of this campaign is to ask East Sussex County Council to help keep these improvements in air quality and road

safety by introducing 20mph speed limits in all the areas where we have schools and where people live, work, shop, play or learn”

2. Calls on East Sussex County Council to implement 20mph as the default speed limit in Eastbourne; and
3. Agrees that the Cabinet Member for Climate Change, Place Services and Special Projects and Chair of the Planning Committee write to East Sussex County Council on behalf of the Council to request making 20mph the default speed limit on streets throughout Eastbourne in places where people live, work, shop, play or learn, leaving 30mph as the exception on those roads, where full consideration of the needs of vulnerable road users allows a higher limit.”

(b) Motion 2 - Holding Southern Water to account

Submitted by Councillor Babarinde

“This Council notes that:

1. Southern Water has discharged untreated wastewater (raw sewage) into the sea in Eastbourne 20 times in the last year.
2. Southern Water was fined £90 million in 2021 for dumping raw sewage into the sea, after pleading guilty to 6,971 unpermitted sewage discharges.
3. Southern Water conducted a severe raw sewage dump on the Eastbourne coast for more than 17 hours on Saturday 5 February 2022.
4. The 5 February dump was caused by an electrical fault at the Southern Water Treatment Plant. No back-up system was in place and this could not be rectified until a portable generator was brought on to the site.
5. Clean Eastbourne sea is critical to Eastbourne’s tourism economy, the quality of our coastal environment, and to the enjoyment and fitness of local swimming groups and residents.
6. Southern Water made a profit £139 million last year.

This Council calls on:

1. Southern Water to swiftly complete a full and transparent investigation into the 5 February Eastbourne discharge, and its raw sewage dumping more generally.
2. Southern Water to take robust action to prevent such discharges from reoccurring in Eastbourne and elsewhere, including the deployment of a permanent on-site back-up generator at the

Eastbourne Water Treatment Plant.

3. Southern Water to take responsibility for such discharges in Eastbourne and apologise to Eastbourne residents, businesses and visitors.
4. The Government to introduce a 'Sewage Tax' on water companies' profits to begin compensating for their discharges, and to help fund a cleaner sea."

(c) Motion 3 - Maintaining Heritage Assets

Submitted by Councillor Smart

"This Council commits to properly maintaining its Heritage (and other) assets such the Bandstand, Winter Garden, Redoubt Fortress and Motcombe Pool."

(d) Motion 4 - Cardiology Services at the Eastbourne DGH

Submitted by Councillor Babarinde

"This Council calls on:

1. East Sussex Healthcare NHS Trust to retain full cardiology services at the Eastbourne District General Hospital (DGH), including catheterisation laboratories and specialist inpatient services.
2. East Sussex Healthcare NHS Trust to publish – in full – the criteria and the criteria weightings it will use to assess where local cardiology services will be located in the future, as part of its 'Improving cardiology and ophthalmology services in East Sussex' proposals.
3. Local residents in Eastbourne and the surrounding areas to contribute to East Sussex Healthcare NHS Trust's public consultation on its 'Improving cardiology and ophthalmology services in East Sussex' proposals before it concludes on Friday 11 March."

9 Calendar of Meetings 2022/23. (Pages 73 - 74)

To agree the Calendar of Meetings for 2022/23.

Please note - The Council dates will be subject to final approval at the annual meeting of the Council, in accordance with legislation.

10 Special Urgency Decisions by Cabinet Members (Pages 75 - 78)

Report of the Leader on Cabinet Member decisions made under special urgency powers during the last three months and reported in accordance with Section 17.3 of the Council's Access to Information Procedures Rules. Copies of the decision notices are attached for information for the following decisions:

[Omicron Hospitality and Leisure Grant Scheme](#) – 14 January 2022

[COVID-19 Additional Relief Fund Scheme](#) – 31 January 2022.

11 Discussion on minutes of council bodies.

To receive and note the 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 Cabinet - 1 December 2021** (Pages 79 - 84)
- (b) **Minutes of Planning Committee - 23 November 2021** (Pages 85 - 86)
- (c) **Minutes of Audit and Governance Committee - 24 November 2021**
(Pages 87 - 92)
- (d) **Minutes of Scrutiny Committee - 29 November 2021** (Pages 93 - 98)
- (e) **Minutes of Planning Committee - 14 December 2021** (Pages 99 - 104)
- (f) **Minutes of Audit and Governance Committee - 12 January 2022**
(Pages 105 - 108)
- (g) **Minutes of Licensing Committee - 17 January 2022** (Pages 109 - 112)
- (h) **Minutes of Planning Committee - 25 January 2022** (Pages 113 - 116)
- (i) **Minutes of Scrutiny Committee - 7 February 2022**
- (j) **Minutes of Cabinet - 9 February 2022**

12 Date of the next meeting.

The next meeting is scheduled to take place on 18 May 2022.



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

Telephone: 01323 410000

Council website: <https://www.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 17 November 2021 at 6.00 pm.

Present:

Councillor Pat Rodohan (Mayor).

Councillors Josh Babarinde, Margaret Bannister, Colin Belsey, Penny di Cara, Sammy Choudhury, Peter Diplock, Jonathan Dow, Tony Freebody, Stephen Holt, Jane Lamb, Robin Maxted, Jim Murray, Kshama Shore, Alan Shuttleworth, Robert Smart, Colin Swansborough, Steve Wallis, Barry Taylor, David Tutt and Candy Vaughan.

Officers in attendance:

Robert Cottrill (Chief Executive), Homira Javadi (Chief Finance Officer), Simon Russell (Head of Democratic Services) and Sarah Lawrence (Senior Committee Officer).

40 Minutes of the meeting held on 21 July 2021

The minutes of the meeting of the Council held on 21 July 2021 were confirmed and signed as a correct record.

41 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).

Councillor Babarinde declared a personal interest in Item 8 (c) – Motion on The Centenary of Eastbourne's Royal British Legion, as a member of the Royal British Legion.

42 Mayor's announcements.

The Mayor drew Council's attention to the list of activities undertaken by him and the Deputy Mayor since the last meeting in July 2021.

The Mayor congratulated two local charities supporting women who had been presented with the Queen's award, Bramber Bake House and Wayfarer Women.

The Mayor advised he had attended the recent event at Bonner's and was pleased to see this successful business continuing in Eastbourne.

The Mayor advised he had attended the Remembrance Service on Sunday, and a ceremony at Butt's Brow on the same day to commemorate the American Crew who lost their lives in the aircraft which crashed on 2 February 1944.

43 Notification of apologies for absence.

Apologies for absence were received from Councillors Burton, Metcalfe, Miah, Morris and Murdoch.

44 Public right of address.

The Mayor advised that there were two public speakers:

- Barbara Granger (a local resident) had registered to speak on Item 8(b) Motion on Anti-Social Driving.
- Allan Leith (Chair of the Royal British Legion branch) had registered to speak on Item 8(c) Motion on the centenary of Eastbourne's Royal British Legion Branch.

Each would be called on to speak at the start of the relevant item.

45 Order of business.

The Mayor advised that the motions at items 8 a-c would be considered in the order 8c (Motion on the centenary of Eastbourne's Royal British Legion), 8b (Motion on anti-social driving) and then 8a (Motion on Ecological Emergency), due to the number of public present for each item.

46 Review of the Eastbourne Borough Council Gambling Act Statement of Principles

Councillor Maxted (as Chair of the Licensing Committee) moved and Councillor Diplock (as Deputy Chair of the Licensing Committee) seconded the recommendations set out in the report to adopt the 'Eastbourne Borough Council Gambling Act Statement of Principles'.

It was noted that the proposed minor amendments to the Statement of Principles had been considered by the Licensing Committee on 27 July and then put out to public consultation. As the changes had received support in the consultation, these were referred directly to Full Council for approval in accordance with the Committee's resolution.

Resolved (unanimously) – That the Council approves the Gambling Statement of Principles made under S349 of the Gambling Act 2005 for 2022-2025.

47 Motions.**47a Motion - The centenary of Eastbourne's Royal British Legion Branch**

Councillor Babarinde moved and Councillor Belsey seconded the following motion, as set out on the agenda paper, subject to the replacement of the "to honours" with 'honours'.

“Eastbourne Borough Council pays tribute to the Eastbourne branch of the Royal British Legion in recognition of its 100th Year Anniversary in 2021, and honours the outstanding work the organisation does to support the Armed Forces community in Eastbourne. Eastbourne Borough Council supports the branch’s efforts to provide lifelong support to service and ex-serving personal and their families as it moves into its second century of existence.”

Mr Allan Leith (the new Chair of the Royal British Legion) spoke as a member of the public, in support of the motion.

The motion was debated and supported across the Council.

Resolved (unanimously) – That the Eastbourne Borough Council pays tribute to the Eastbourne branch of the Royal British Legion in recognition of its 100th Year Anniversary in 2021, and honours the outstanding work the organisation does to support the Armed Forces community in Eastbourne. Eastbourne Borough Council supports the branch’s efforts to provide lifelong support to service and ex-serving personal and their families as it moves into its second century of existence.

47b Motion - Anti-social driving

Councillor Lamb moved and Councillor Smart seconded the following motion, as set out on the agenda paper:

“This Council, working in liaison with Sussex Police and other relevant authorities, is committed to reducing the amount of anti-social driving(including noisy vehicles) in the Borough, and will explore all preventative measures including PSPO’s.”

Mrs Barbara Granger spoke as a member of the public in support of the motion.

The motion was debated and supported across the Council.

Resolved (unanimously) – That this Council, working in liaison with Sussex Police and other relevant authorities, is committed to reducing the amount of anti-social driving (including noisy vehicles) in the Borough, and will explore all preventative measures including PSPO’s (Public Spaces Protection Orders).

47c Motion - Ecological Emergency

Councillor Dow moved and Councillor Swansborough seconded the following motion, as set out in the agenda:

“The Council resolves:

- 1) To note that:

- i. Many local authorities are playing an important role in the UK taking action to achieve net zero carbon emissions, and to protect and revitalise local wildlife and natural habitats.
 - ii. Parliament in May 2019 declared an Environment and Climate Emergency and this Council has already declared a Climate Emergency.
 - iii. There is a Bill before Parliament—the Climate and Ecological Emergency Bill (published as the “Climate and Ecology Bill”), which, if it became law, would require the Government to develop a strategy to address the emergency that would ensure:
 - A. the ecological emergency is tackled shoulder to shoulder with the climate crisis in a joined-up approach;
 - B. the Paris Agreement is enshrined into law to ensure that UK does its real fair share to limit global temperature rise to the most stringent end of the Paris agreement -1.5°C;
 - C. the Leaders Pledge for Nature is enshrined into law to ensure that the UK’s ecosystems are protected and restored with a focus on biodiversity, soils and natural carbon sinks;
 - D. the UK takes full responsibility for our entire green house gas footprint (i.e. consumption emissions plus shipping, flights and land-based transport) by accounting for all of the emissions that take place overseas to manufacture, transport and dispose of the goods and services we import and consume;
 - E. the UK takes full responsibility for our ecological footprint so that we protect health and resilience of ecosystems along both domestic and our global supply chains;
- 2) To declare an ecological emergency;
 - 3) To support the Climate and Ecological Emergency Bill,
 - 4) To inform the local media of this decision;
 - 5) To write an open letter to Caroline Ansell MP (shared with our residents through local and social media) urging them to sign up to support the Bill, or thanking them for doing so; and
 - 6) To write to the CEE Bill Alliance, the organisers of the campaign for the Bill, expressing its support (joinus@ceebill.uk).

The motion was debated by the Council. There was a shared support across the Council on the need to declare an ecological emergency and for local action. However, opposition Councillors indicated they could not support the Climate and Ecological Emergency Bill as the method to achieve this.

Resolved (By 15 votes to 7):

- 1) To note that:
 - i. Many local authorities are playing an important role in the UK taking action to achieve net zero carbon emissions, and to protect and revitalise local wildlife and natural habitats.
 - ii. Parliament in May 2019 declared an Environment and Climate Emergency and this Council has already declared a Climate Emergency.
 - iii. There is a Bill before Parliament—the Climate and Ecological

Emergency Bill (published as the “Climate and Ecology Bill”), which, if it became law, would require the Government to develop a strategy to address the emergency that would ensure:

- F. the ecological emergency is tackled shoulder to shoulder with the climate crisis in a joined-up approach;
- G. the Paris Agreement is enshrined into law to ensure that UK does its real fair share to limit global temperature rise to the most stringent end of the Paris agreement -1.5°C.
- H. the Leaders Pledge for Nature is enshrined into law to ensure that the UK’s ecosystems are protected and restored with a focus on biodiversity, soils and natural carbon sinks;
- I. the UK takes full responsibility for our entire green house gas footprint (i.e. consumption emissions plus shipping, flights and land-based transport) by accounting for all of the emissions that take place overseas to manufacture, transport and dispose of the goods and services we import and consume;
- J. the UK takes full responsibility for our ecological footprint so that we protect health and resilience of ecosystems along both domestic and our global supply chains;

- 2) To declare an Ecological Emergency;
- 3) To support the Climate and Ecological Emergency Bill,
- 4) To inform the local media of this decision;
- 5) To write an open letter to Caroline Ansell MP (shared with our residents through local and social media) urging them to sign up to support the Bill, or thanking them for doing so; and
- 6) To write to the CEE Bill Alliance, the organisers of the campaign for the Bill, expressing its support (joinus@ceebill.uk).

48 Discussion on minutes of council bodies.

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

- Licensing Committee – 27 July 2021
- Audit and Governance Committee – 28 July 2021 and 29 September 2021
- Planning Committee – 24 August 2021, 21 September 2021 and 19 October 2021
- Cabinet – 15 September 2021 and 3 November 2021
- Scrutiny Committee – 13 September 2021

Councillor Smart raised for discussion, Minute 12 ‘Reset and Recovery Programme’ from Cabinet on 14 July, and asked questions in relation to the certainty of the shortfall. Councillor Tutt gave assurance of the figures and offered to answer any detailed questions outside the meeting.

Councillor Smart raised for discussion, Minute 26, ‘Medium Term Financial Strategy’ from the Scrutiny Committee of 13 September 2021 and scrutiny of finance, and Councillors Swansborough, Tutt, Freebody and Holt responded to the matters raised.

Councillor Shore raised for discussion, Minute 12, 'Internal Audit and Counter Fraud Report for the financial year 2020-2021' from the Audit and Governance Committee of 28 July 2021 on the audit record, and Councillor Maxted responded.

Councillor Shore raised for discussion, Minute 16, 'Minutes' from the Audit and Governance Committee of 29 September 2021 and for discussion, Minute 22, 'Internal Audit and Counter Fraud Quarterly Report'. Councillor Tutt and Councillor Holt responded on the points made and offered to meet with Councillor Shore outside the meeting to provide additional clarification.

The minutes were noted.

49 Date of Next Meeting

The Mayor advised that the next scheduled meeting of the Council would be held on 23 February 2022 at 6 pm.

In addition, he advised that a Special Full Council meeting would be held in January at the Welcome Building in relation to the conferring of Alderman, as approved at the last meeting.

The meeting ended at 8.24 pm

Councillor Pat Rodohan (Mayor)

Special Full Council

Minutes of meeting held in Shackleton Hall, Welcome Building, Devonshire Quarter, Eastbourne BN21 4JN on 31 January 2022 at 6.00 pm.

Present:

Councillor Pat Rodohan (Mayor).

Councillors Helen Burton (Deputy Mayor), Josh Babarinde, Margaret Bannister, Colin Belsey, Penny di Cara, Sammy Choudhury, Jonathan Dow, Stephen Holt, Jane Lamb, Paul Metcalfe, Md. Harun Miah, Jim Murray, Kshama Shore, Alan Shuttleworth, Robert Smart, Colin Swansborough, Barry Taylor, David Tutt and Candy Vaughan.

Officers in attendance:

Simon Russell (Head of Democratic Services), Robert Cottrill (Chief Executive) and Sarah Lawrence (Senior Committee Officer).

50 Notification of apologies for absence.

Apologies for absence were received from Councillors Diplock, Freebody, Macted and Whippy.

51 Honorary Alderman - John Joseph Ungar

The following motion was proposed by Councillor Shuttleworth and seconded by Councillor Belsey:

“That the Council exercises its powers under Section 249(1) of the Local Government Act, 1972 and confer the title of Honorary Alderman upon **John Joseph Ungar**, who has in the opinion of the Council rendered eminent service as a member of the Eastbourne Borough Council from 7 May 1991 to 27 March 1998 and from 9 May 2011 until his retirement on 7 May 2019.”

Councillor Babarinde also spoke in support of the motion.

Resolved: (Unanimously) That the motion be approved.

52 Honorary Alderman - Sandie Howlett

The following motion was proposed by Councillor Belsey and seconded by Councillor Tutt:

“That the Council exercises its powers under Section 249(1) of the Local Government Act, 1972 and confer the title of Honorary Alderman upon **Sandie Howlett**, who has in the opinion of the Council rendered eminent service as a

member of the Eastbourne Borough Council from 7 May 2002 until her retirement on 11 May 2015.”

Councillor Bannister also spoke in support of the motion.

Resolved: (Unanimously) That the motion be approved.

53 Date of Next Meeting

It was noted that the next scheduled meeting of the Full Council would be held on 23 February 2022.

The meeting ended at 6.55 pm

Councillor Pat Rodohan (Mayor)

Agenda Item 3

Eastbourne Borough Council



Mayor
Councillor PAT RODOHAN

Deputy Mayor
Councillor HELEN BURTON

MAYOR'S ANNOUNCEMENTS

Mayor's ENGAGEMENTS November 2021 – February 2022

Date	Attendee	Event
17.11.21	Mayor	Full Council Meeting
18.11.21	Mayor and Mayoress	Youth Radio, East Sussex College (5pm)
19.11.21	Mayor and Mayoress	SEA Exhibition Judging, Town Hall (5pm)
10.11.21	Mayor and Mayoress	Opening of SEA Exhibition, Town Hall (10.30am)
10.11.21	Mayor and Mayoress	Eastbourne Choral Society, All Saints Church (7.20pm)
22.11.21	Mayor and Mayoress	Car Park Challenge for Smile Packages, Morrisons (10.00am)
24.11.21	Mayor and Mayoress	Friends of Eastbourne Hospital AGM, Victoria Baptist Church (1.45pm)
25.11.21	Mayor and Mayoress	Launch of new Leaves Café, Leaf Hall (12.00pm)
27.11.21	Mayor and Mayoress	Sakura Tree Planting for Queens Green Canopy, Elm Grove (2.30pm)
03.12.21	Mayor and Mayoress	Pantomime Technology Challenge (1.30 pm) Cheque Presentation (3 pm)
04.12.21	Mayor and Mayoress	Opening of Ice Rink, Enterprise Centre (9 am)
04.12.21	Mayor and Mayoress	Jubilate Choir Concert, All Saints Church (6 pm)
05.12.21	Mayor and Mayoress	Tree of Light, Congress Theatre (3.40 pm)
07.12.21	Mayor and Mayoress	Eastbourne Orchestral Society Christmas Concert, All Saints Church (7.15 pm)

Date	Attendee	Event
08.12.21	Mayor and Mayoress	Mayor of Seaford Christmas Service Seaford Baptist Church (6.45 pm)
09.12.21	Mayor and Mayoress	A Band of Brothers Homecoming Celebration, Town Hall (6.45pm)
10.12.21	Mayor and Mayoress	Mayor's Christmas Choir, Morrison's (10 am)
11.12.21	Mayor and Mayoress	Our Favourite Things, Winter Garden (1.35 pm)
16.12.21	Mayor and Mayoress	Mayor's Charity Christmas Dinner - Kings Restaurant East Sussex College (6.30 pm)
17.12.21	Mayor and Mayoress	Defiant sports Christmas Party - Inclusion Hub, The Crumbles Centre (2 pm)
18.12.21	Mayor and Mayoress	Christmas Event, The Hut, Beacon Centre (12 noon)
24.12.21	Mayor and Mayoress	105 th Birthday Celebration - Hartfield House Residential Home (3 pm)
10.01.22	Mayor and Mayoress	Mayor's Charity Committee Meeting, Town Hall (6.00pm)
12.01.22	Mayor	Plastic Free Eastbourne AGM, Online (10.00am)
14.01.22	Mayor and Mayoress	Compass Arts Privet View, 21 Lushington Lane (6.00pm)
27.01.22	Mayor and Mayoress	Holocaust Memorial Event, Congress Theatre (6.45pm)
28.01.22	Mayor and Mayoress	The Mayor's Charity Quiz Night, Town Hall (6.30pm)
31.01.22	Mayor and Mayoress	Special Full Council – Alderman Appointments, Welcome Building (6pm)
01.02.22	Mayor and Mayoress	Mayor's Charity Committee Meeting, Town Hall (6.00pm)
06.02.22	Mayor and Mayoress	Platinum Jubilee Accession Service, St Mary's Church, Old Town (9.45 am)
08.02.22	Mayor and Mayoress	Solo Past Rebranding Event, Cornfield Road (6.00pm)
09.02.22	Mayor and Mayoress	University of Brighton Graduation Ceremony, Brighton Centre (9.00am)
09.02.22	Deputy Mayor	Fibromyalgia Support Group (9.00am)
11.02.22	Mayor and Mayoress	Laptop Drive, Morrisons (1.00pm)
13.02.22	Mayor and Mayoress	ESO Young Soloist Concert, The Birley Centre (1.45pm)
20.02.22	Mayor	Eastbourne District Armed Forces and Veterans Breakfast Club, Toby Carvery (9.00am)
22.02.22	Deputy Mayor	Anderida Adolescent Care Fostering Event, Enterprise Centre (12.30pm)

Agenda Item 7a

Meeting:	FULL COUNCIL
Date:	Wednesday 23 February 2022
Subject:	COUNCIL BUDGET AND SETTING OF THE COUNCIL TAX FOR 2021/22
Report of:	Councillor Stephen Holt, Deputy Leader of the Council and 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 9 February 2022.

The budget book 2022/23 will be circulated to all Members of the Council in March once the budget has been formally adopted. A copy will be provided on the Council's website.

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

[Agenda for Eastbourne Borough Council Cabinet on Wednesday, 9th February, 2022, 6.00 pm \(lewes-eastbourne.gov.uk\) \(https://democracy.lewes-eastbourne.gov.uk/ieListDocuments.aspx?CId=125&MId=3376&Ver=4\)](https://democracy.lewes-eastbourne.gov.uk/ieListDocuments.aspx?CId=125&MId=3376&Ver=4).

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 East Sussex County Council, the Police and Crime Commissioner for Sussex and East Sussex Fire Authority.

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

Authority	Precept/Demand		2022/23 Band D Council Tax	Change over 2021/22	
	£	%		£	%
Eastbourne Borough Council	9,100,335	11.91%	261.85	5.11	1.99%
East Sussex County Council	56,070,018	73.35%	1,613.34	69.30	4.49%
The Police and Crime Commissioner for Sussex	7,816,522	10.23%	224.91	10.00	4.65%
East Sussex Fire Authority	3,453,505	4.52%	99.37	1.94	1.99%
Total	76,440,380	100.00%	2,199.47	86.35	4.09%

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 to Cabinet on 9 February 2022:
 - (i) To approve the General Fund budget for 2021/22 (Revised) and 2022/23 (original).
 - (ii) To approve an increase in the Council Tax for Eastbourne Borough Council of 1.99% resulting in a Band D charge of £261.85 for 2022/23.
 - (iii) To approve the revised General Fund capital programme 2022/23.
 - (iv) To endorse the continuation of the Flexible use of Capital Receipts.
 - (v) To approve the Treasury Management Strategy and Annual Investment Strategy for 2022/23.
 - (vi) To approve the Minimum Revenue Provision Policy Statement 2022/23.
 - (vii) To approve the Prudential and Treasury Indicators 2022/23 to 2024/25.
 - (viii) To approve the Capital Strategy.
 - (ix) To approve the Housing Revenue Account (HRA) income and expenditure proposals, including revised HRA budget for 2021/22 and the budget for 2022/23, rents and service charges and the arrangements for finalising Eastbourne Homes' management fee, including:
 - That social and affordable rents (including Shared Ownership) are increased by 4.1% in line with Government policy.
 - That the average General Needs Housing Benefit (HB) Eligible service charge will be £5.04 per week.
 - That the average HB Eligible service charge for Retirement Housing will be £35.85 per week.
 - That the Support charge for Retirement Housing will be £5.44 per unit.
 - That the average Non-HB Eligible heating charges will be £3.49 per week.
 - That the average non-HB Eligible water charges will be £3.33.
 - That Garage rents are increased by 4.86% (September RPI).

- (x) To grant 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.
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 9 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 £16,105,550 and other matters, the basic amount (Band D) of Council Tax for the Borough Council's functions will be £261.85 (representing an increase of 1.99%) calculated as follows:

	£'000	£'000
Gross Expenditure:		
General Fund		90,256
HRA		19,452
Business Rates Tariff payable and deficit		12,974
		<u>122,682</u>
Less Income:		
Service Income	(90,294)	
Contribution form Reserves	(4,648)	
Other Government Grants	(2,706)	
Business Rates income	(15,672)	
Collection Fund Surplus (Council Tax)	(262)	(113,582)
		<u>9,100</u>
COUNCIL TAX REQUIREMENT		9,100
Band 'D' Council Tax		£261.85

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 1 December 2021 the Cabinet agreed the Council Tax Base of 34,754.0 for Band 'D' equivalent properties for the year 2022/23 (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 2022/23 as £9,100,335.
7. That the following amounts be now calculated by the Council for the year 2022/23 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended:

(a)	£122,681,850	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
(b)	£113,581,550	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
(c)	£9,100,300	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)	£261.85	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 East Sussex County Council, the Police and Crime Commissioner for Sussex and the East Sussex Fire Authority have issued precepts 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.
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 2022/23 for each of the categories of dwellings.

	A 6/9 £	B 7/9 £	C 8/9 £	D 9/9 £	E 11/9 £	F 13/9 £	G 15/9 £	H 2 £
Precepting Authorities								
Eastbourne Borough Council	174.57	203.66	232.76	261.85	320.04	378.23	436.42	523.70
East Sussex County Council	1,075.56	1,254.82	1,434.08	1,613.34	1,971.86	2,330.38	2,688.90	3,226.68
Sussex Police Authority	155.19	181.06	206.92	224.91	284.52	336.25	387.98	465.58
East Sussex Fire Authority	66.25	77.29	88.33	99.37	121.45	143.53	165.62	198.74
Aggregate of Council Tax Requirements	1,471.57	1,716.83	1,962.09	2,199.47	2,697.87	3,188.39	3,678.92	4,414.70

10. Determine that the Council's basic amount of Council Tax for 2022/23 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 2022/23 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, Town Hall, Grove Road, Eastbourne, BN21 4TW. Tel. (01323) 415023.
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 Chief Finance Officer.

Appendix 2 - Draft Cabinet Minute Extract, 9 February 2022, General Fund Budget 2022/23 and Capital Programme.

Appendix 3 – Draft Cabinet Minute Extract, 9 February 2022, Treasury Management and Prudential Indicators 2022/23, Capital Strategy and Investment Strategy.

Appendix 4 – Draft Cabinet Minute Extract, 9 February 2022, Housing Revenue Account (HRA) Revenue Budget and Rent Setting 2022/23 and HRA Capital Programme 2022-25.

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Section 25 Statement of the Section 151 Officer

1. Introduction

1.1. The Chief Financial Officer is required to make a statement on the adequacy of reserves and the robustness of the budget. This is a statutory duty under Section 25 of the 2003 Local Government Act which states the following:

a) Where an authority to which Section 32 or 43 of the Local Government Finance Act 1992 (billing or major precepting authority) or Section 85 of the Greater London Authority Act 1999 (c.29) (Great London Authority) applies is making calculations in accordance with that section, the Chief Finance Officer of the authority must report to it on the following matters:

- The robustness of the estimates made for the purposes of the calculations, and
- The adequacy of the proposed financial reserves.

b) An authority to which a report under this section is made shall have regard to the report when making decisions about the calculations in connection with which it is made. This includes reporting and considering:

- The key assumptions in the proposed budget and to give a view on the robustness of those assumptions.
- The key risk areas in the budget and to assess the adequacy of the Council's reserves when reviewing the potential financial impact of these risk areas on the finances of the Council. This should be accompanied by a Reserves Strategy.

1.2. CIPFA published a new Financial Management (FM) Code in October 2019. One of the 17 standards included in the new Code is 'the budget report includes a statement by the chief financial officer on the robustness of the estimates and a statement on the adequacy of the proposed financial reserves.' The first full year of compliance with the new FM Code was 2021/22. This is a good practice approach that the Council will follow, and the statement is updated considering the prevailing circumstances and assessment of relevant risks each financial year.

1.3. This statement must be considered and approved by full Council as part of the budget approval and Council Tax setting process.

1.4. This document concentrates on the General Fund budget, the Housing Revenue Account and Capital Investment Programme, but in addition it also considers key medium-term issues faced by the Council.

1.5. The importance of this overall approach and need for prudent and realistic levels of reserves and provisions has been brought sharply into focus by the impact of COVID-19 on both the finances and operations of the Local Government Sector throughout 2020/21 and 2021/22.

2. Assurance Statement of the Council's Section 151 Officer

2.1. The following are the summary assurances and recommendations of the Council's Section 151 Officer (currently the Chief Finance Officer). They must be read in conjunction with the supporting statement in this Appendix, which together make up the Section 151 Officer's statutory duty to report under Section 25 of the Local Government Act 2003.

2.1.1. In relation to the 2022/23 General Fund Revenue budget, it relies on £5.6m of savings and income targets, of which some £3.7m is considered low risk or already certain. The remaining £1.9m 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 2022/23 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. Good management and the sound monitoring of performance and budgets will be essential. I am satisfied that sufficient management processes exist within the Council to deliver this budget and to identify and deal with any problems which may arise unexpectedly during the year.

2.1.2. The key process risks in making the above statement are the level of resources within the Council dedicated to providing financial support services and advice to managers, which will need the finance teams to be focused on key risk budgets.

2.1.3. My recommendations are also conditional upon:

a) The Council continuing to assess, learn, report, and respond appropriately to the impact of COVID-19 across all aspects of its operations, in particular its income from tourism and commercial portfolio.

b) The Council continuing with the progress it has made in delivering the targets set within its Recovery and Reset Programme.

c) The Council makes full commitment to the implementation of the recommendations made by Chartered Institute of Public Finance and Accountancy (CIPFA) Assurance Review which was carried out following the approval of its capitalisation request.

d) The Council approving the updated Medium Term Financial Strategy for 2021/22 revised to 2024/25

e) A recognition in the medium-term planning approach that the level of reserves and corporate risk assessment need to be regularly reviewed in the light of changing circumstances and that it may not be possible to match the two at any single point in time. The Council needs to show a commitment to maintain reserves at a level which provides adequate cover for most identified risks during the planning period. This approach is pragmatic and shows a clear commitment to prudent contingency planning.

f) It must be noted, however, that the recommended levels of reserves could still leave the Council exposed to the very exceptional risks identified in this

review and, if all those risks crystallised at the same time, then the total level of reserves could be inadequate.

g) Cabinet Members, Chief Executive, Executive Directors and managers not exceeding their cash limits for 2022/23 (and future years covered by the Medium Term Financial Strategy).

h) Taking every opportunity to meet the Reserves Policy as a first call on windfall underspends.

i) Not considering further calls on reserves other than for those risks that have been identified, those that could not have been reasonably foreseen and that cannot be dealt with through management or policy actions. The exception to this is where the Reserves Policy (introduced in Sept 2021) is met. Even in those circumstances, it is not prudent to finance ongoing spending from one-off reserves. Any excess reserves should be targeted towards business transformation (including redundancies and invest to save initiatives), key services particularly housing need, environmental services, contributions to support asset maintenance, Local Government funding changes and the impacts of significant changes in national policy.

j) Where there is a draw-down on reserves, which causes the approved Reserves Policy to be off target, that this is replenished as part of a revised Medium Term Financial Strategy.

k) That the Council has arrangements and resources in place to consider and assess value for money across the delivery of all its services and operations in preparation for future years' budgets.

2.1.4. In relation to the adequacy of reserves, I recommend the following Reserves Policy based on an approach to evidence the requisite level of reserves by internal financial risk assessment. The Reserves Policy will need to be reviewed annually and adjusted in the light of the prevailing circumstances.

a) An absolute minimum level of unallocated General Fund reserves of £2 million is maintained throughout the period between 2022/23 to 2024/25.

b) An optimal level of unallocated General Fund reserves of £4 million over the period 2022/23 to 2024/25 to cover the absolute minimum level of reserves, in-year risks, cash flow needs and unforeseen circumstances.

c) A maximum recommended level of unallocated General Fund reserves of £5 million for the period 2022/23 to 2024/25 to provide additional resilience to implement the Medium Term Financial Strategy.

d) A Reserves Policy to remain within the recommended level of reserves over the relevant period of 2022/23 to 2024/25.

2.1.5. The estimated level of unallocated General Fund reserves at 31 March 2022, based on current projections is £2.6 million depending on the final outturn position. Therefore:

- a) The absolute minimum level of reserves of £2 million is currently being achieved.
- b) The maximum level of reserves of £5 million is not being exceeded.
- c) Reserves should remain within the recommended range of reserves during 2022/23. This is subject to the cash limited budget for 2022/23 being met.

2.1.6. These recommendations are made based on:

- a) The risks identified by the Chief Executive and Executive Directors reviews of their budgets.
- b) My own enquiries during the development of the current budget proposals.
- c) The resilience and sustainability required to deliver the Medium Term Financial Strategy.
- d) One-off unallocated reserves not being used to fund new on-going commitments.
- e) That the reserves in 2022/23 and the foreseeable future are used only if risks materialise and cannot be contained by management or policy actions.
- f) That where reserves are drawn down, the level of reserves is maintained in line with the latest Medium Term Financial Strategy.

2.1.7. There are also serious exceptional risks which, if they crystallise, could significantly impact the Council's reserves, and leave its financial standing seriously in question. These include:

- a) A national failure to mobilise and roll out an effective on-going vaccination and booster programme to reduce the spread and impact of COVID-19 as new variants emerge and reduced financial support for the continuing local implications of the pandemic.
- b) The potential for unforeseen Council owned infrastructure issues.
- c) Waste Management (Disposal) – this is to be kept under review in view of the rising inflationary costs and pay demands in 2022/23.
- d) The Waste Management is one of the largest areas of expenditure for the Council where there is a considerable volatility, on-going union activity and wage claims, new legislative and environmental requirements, which will potentially add extra risks and costs nationally in the market, any implications for the Council will be considered by the Cabinet in due time.
- e) The financial implications from the Care Act, adult social care and other welfare reform changes or other associated Housing legislation.
- f) The risk surrounding the non-delivery of savings and exceeding investment proposals within the Recovery and Reset budget package for 2022/23.

g) The financial uncertainty for the public sector arising from the prevailing and continuing national and local conditions.

h) The risk of further significant reductions in income and Government grant funding, particularly in relation to:

- Growth and decline in the Council's Tax base and Business Rates base.
- Business Rates appeals from the 2017 revaluation.
- Academies funding.
- The Local Council Tax Support Scheme with reduction in subsidy funding and no protection for caseload increases.
- Further changes to the way in which Local Government is financed given the Government's intended Local Government reform in 2022/23 as part of its 'Levelling Up' agenda and potential redistribution of existing funding levels to other local authority areas from 2023/24.
- Future Government changes in policy and funding for Local Government, particularly the unknown impact of the next Spending Round in 2024.
- The need to address the Country's ongoing Public Sector Borrowing Requirement (PSBR) and the structural financial deficit.
- The economic impact of the withdrawal of the UK from the European Union.

i) Insurance Claims.

j) Any impact on Council services and Budget in 2022/23 and later years arising from the withdrawal from the European Union on 01/01/2021.

2.1.8. In relation to the Housing Revenue Account (HRA) in 2022/23 and the medium to long term:

a) Given the current status of housing management provision the recommendation is that general reserves be maintained at the target figure of £1.7m.

b) A 2022/23 budget has been agreed with Eastbourne Homes Ltd. to maintain a balanced HRA.

c) Forward projections for the HRA beyond 2022/23 are being remodelled. In addition, this is linked to the HRA's own Medium Term Financial Strategy for the period 2022/23 to 2024/25.

The current position demonstrates that it is possible to:

- Maintain a balanced HRA throughout that period.

- Meet current level of capital investment, and
- Repayment of required debt.

2.1.9. In relation to the General Fund and HRA Capital Investment Programme 2021/22 to 2024/25 (including commitments from previous years and new starts):

- a) The HRA Capital Programme will need to be contained within the total programme cost.
- b) The General Fund Capital Budget is considerable and is based on the best information available in terms of project costs. What is less certain is the actual phasing of expenditure and any material increases in the costs caused by the supply and labour shortage.
- c) The key strategic schemes identified in the Capital Investment Programme will be closely monitored in-year.
- d) That the funding identified for the approved Capital Investment Programme is delivered and is proportionate, prudent, affordable, and sustainable.

2.1.10. In relation to the medium to long term Capital Investment Programme:

- a) The delivery of the agreed Capital Strategy and Asset Management Plan is a critical priority to enable the matching of resources to needs and priorities.

2.2. Assurance - Given all these factors, I, as the Council's Section 151 Officer, consider the estimates for 2022/23 to be sufficiently robust and recommend for approval by the Council. I am also able to advise the Council that the level of General Fund Reserves is adequate and to recommend a Reserves Strategy which is achievable for 2022/23 – 2024/25.

3. Supporting Statement

3.1. Processes

3.1.1. 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 information and assumptions available at the time.

3.1.2. To meet the requirement on the robustness of estimates several key processes have been put in place, including:

- a) The issuing of clear guidance to Services on preparing budgets.
- b) The development of a Council wide risk assessment.
- c) The use of extensive budget monitoring and its escalation process to identify risks.
- d) The Council's S151 Officer providing advice throughout the process of budget preparation and budget monitoring.

- e) The Chief Executive and Executive Directors review of their budgets and appropriate sensitivity analysis.
- f) A review of all budget proposals and implications by CMT from April 2021 to January 2022.
- g) A review of budget proposals and implications by Cabinet Members from July 2021 to January 2022.
- h) Enquiries made directly by the Section 151 Officer and Finance Officers.

3.1.3. Notwithstanding these arrangements, which are designed to rigorously test the budget throughout its various stages of development, considerable reliance is placed on the Chief Executive, Executive Directors and Directors having proper arrangements in place to identify issues, project costs, service demands, income levels, to consider value for money and efficiency, and to implement changes in their service plans. These arrangements are supported by appropriately qualified financial staff.

3.1.4. A summary of the key budget assumptions considered by Services and financial staff in terms of assessing the robustness of their budgets are shown below:

- a) The treatment of inflation and interest rates.
- b) The treatment of demand led pressures.
- c) The treatment of efficiency savings/productivity gains.
- d) The financial risks inherent in any significant new funding partnerships, major outsourcing deals, or major capital developments.
- e) The availability of other funds to deal with major contingencies.
- f) The Service's track record in budget and financial management.
- g) The Service's capacity to manage in-year budget pressures.

3.1.5. The full key budget assumptions and comments by the Chief Executive and Executive Directors have been used in constructing all budget proposals.

3.1.6. Corporate and service processes are under continuous review and improvement. Over the last few years there has been a sustained emphasis on a robust scheme of budget monitoring with an improved reporting format to Cabinet and Members in 2020/21, which was further improved in 2021/22. Additionally, the regular review and monitoring of the annual budget savings that was introduced by the current Chief Finance Officer will continue in 2022/23.

3.1.7. There are also plans in place for the continuous improvement and development of the Financial systems. This will strengthen the authority's capacity and ability to monitor more effectively the overall budget. Continual improvement in these processes will also assist in the prevention or at least the earlier identification of issues to be dealt with in the budget and Medium Term Financial Strategy and allow for any in-year rebalancing to be undertaken as soon as possible if required. Nevertheless, in

preparing a comprehensive budget for such a complex Organisation, unforeseen issues will undoubtedly still arise throughout the year and in the future.

3.2. Robustness of Estimates - General Fund Revenue Budget

3.2.1. The 2022/23 budget and the Council's Corporate Plan set out the roadmap to target our financial resources to delivering better outcomes and effectively manage risks. In addition to improving efficiency, there are clearly choices for the Council in this respect:

- a) To increase financial resources to meet demand and reduce risk, and/or
- b) To reduce (where possible) service levels and standards, frequency of service delivery, and eligibility for services.

3.2.2. As part of developing the budget, Members of the administration have considered these options and the outcome of these deliberations are reflected in the proposed overall budget package.

3.2.3. Most notably the Council has had to address major cost increases and pressures as well as corporate priorities including:

- a) Employee costs.
- b) Demand led costs.
- c) The cost of capital financing within the capital programme.
- d) Shortfalls in income and grant income.
- e) Inflation.

3.2.4. The factors and risks considered in developing the proposed budget and recommendations on reserves are contained in each of the Executive Directors proposals surrounding their Service budget.

3.2.5. These assumptions will require the forecasts for future years to be reviewed early in each financial year leading to more detailed budgets during the autumn of each financial year.

3.3. Financial Sustainability Strategy

3.3.1. The Council has previously developed a high-level long-term strategy that is designed to frame its financial future and intentions. This strategy helps set the context for the Medium Term Financial Strategy, guide the Council's approach to maximising resources, prioritising investment and the effective targeting of resources to deliver the ambitions and outcomes contained within the Corporate plan.

3.3.2. Its primary purpose is to outline the Council's approach, desire, and commitment to achieving financial sustainability by embracing the area's economic potential, growing our local tax base and increase sustainable income capabilities.

3.3.3. Given the unprecedented circumstances and challenges caused by COVID-19 in 2020/21 and 2021/22, the Council has committed to reviewing this strategy again as part of the budget process for 2022/23.

3.4. Medium Term Financial Strategy

3.4.1. The Council needs to deliver its Medium-Term Financial Strategy reflecting the continuing impact of the proposed budget and only planned growth in relation to issues that are unavoidable. Within the current uncertain financial climate, it is very likely that service improvement and reasonable Council Tax increases, without key service reductions, will only be achieved through improving efficiency, clear prioritisation and adopting a new more commercial approach to income generation.

3.5. Adequacy of Reserves – General Fund Revenue Budget

3.5.1. Under the Local Government 2003 Act the Secretary of State has powers to set a minimum level of reserves. The most likely use of this power is where an authority is running down its reserves against the advice of their S151 Officer.

3.5.2. Determining the appropriate levels of reserves is not a precise science or a formula e.g. a simple percentage of the Council's budget. It is the Council's safety net for risks, unforeseen or other circumstances. The reserves must last the lifetime of the Council unless contributions are made from future years' revenue budgets. The minimum level of balances cannot be judged merely against the current risks facing the council as these can and will change over time.

3.5.3. Determining the appropriate levels of reserves is a professional judgement based on local circumstances including the overall budget size, risks, robustness of budget preparation, major initiatives being undertaken, budget assumptions, other earmarked reserves and provisions, and the Council's track record in budget management. It is also a professional judgement on the external factors that influence the Council's current and future funding position.

3.5.4. The consequences of not keeping a minimum prudent level of reserves can be serious. In the event of a major problem or a series of events, the Council would run the serious risk of a deficit or of being forced to cut spending during the year in a damaging and arbitrary way.

3.5.5. The recommendation on the prudent level of reserves has been based on the robustness of estimate information and the Corporate Risk Register. In addition, the other strategic operational and financial risks considered when recommending the minimum level of unallocated General Fund reserves include:

a) There is always some degree of uncertainty over whether the full effects of any economising measures and/or service reductions will be achieved. The Executive Directors have been requested to be prudent in their assumptions and that those assumptions, particularly about demand led budgets, will hold true in changing circumstances.

b) The Bellwin Scheme Emergency Financial Assistance to Local Authorities provides assistance in the event of an emergency. The Local Authority can

claim assistance with the cost of dealing with an emergency over and above a threshold set by the Government.

c) The risk of major litigation, both current and in the future. Risks in the inter-relationship between various agencies and local authorities coupled with the responsibilities of Public Health.

e) The Local Council Tax Support Scheme with less Government funding and increases in caseload at the Council's own risk

f) Issues arising from the final Housing Benefit Subsidy Claim.

g) The localisation of Business Rates including the impact of business rate reset and businesses declining in the district/ borough boundaries.

h) New and impending legislation.

i) Unplanned volume increases in major demand led budgets, particularly in housing and benefit services.

j) The need to retain a general contingency to provide for some measure of unforeseen circumstances which may arise. This part of the reserves is not provided for directly but indirectly on the assumption that the financial risks identified will not all crystallise.

k) The need to retain reserves for general day-to-day cash flow needs. This is minimal given the level of cash the Council holds at any given time.

l) The potential impact nationally, regionally, and locally of new climate change initiatives and commitment to our green agenda.

m) The longer-term impact of the pandemic on the finances and operational arrangements of the Council.

n) There remains some ongoing uncertainty over the impact of Brexit.

3.5.6. Further exceptional risks identified may have a potential and serious call on reserves. The Council is advised to be cautious about these risks and commit to restoring any drawn down reserves in line with the Medium Term Financial Strategy.

3.5.7. In these circumstances, I will require the Council, Cabinet, Chief Executive, Executive Directors and Directors:

a) To remain within their service budget for 2022/23 and within agreed medium term financial strategy parameters for future years (2023/24 to 2024/25) with a strict adherence to recovering overspends within future years' financial plan targets.

b) Repayment to reserves in line with the Medium Term Financial Strategy should these risks materialise.

c) Direct any windfall revenue savings/underspends to reserves should the General Fund Revenue Reserves Policy require it.

3.6. Estimated Earmarked General Fund Revenue Reserves

3.6.1. I have reviewed the Council's General Fund earmarked revenue reserves. Further consideration and potential reassessment of all earmarked reserves will be undertaken considering budget decisions taken in July 2022 as part of the outturn process.

3.7. Estimated Earmarked Housing Revenue Account Revenue Reserves

3.7.1. I have reviewed the Council's Housing Revenue Account earmarked revenue reserves. This is compiled mainly of a Capital Investment reserve and Major Repairs reserve.

3.8. Capital Investment Programme – 2022/23 to 2024/25

4. The Capital Budget

4.1. Projects, included in the capital investment programme, were prepared by Directors and managers in line with financial regulations, guidance and recommendations from the Assurance Review. All projects were agreed by the relevant member of CMT and Cabinet Member and are fully funded for their estimated cost.

4.2. Projects have been costed at outturn prices with many subject to tender after inclusion in the programme. This may lead to variance in the final costs.

4.3. Services are required to work within the given cash envelope so any under or over provision must be found within these limits.

Capital Investment Programme Risks

4.4. The risk of the Council being unable to fund variations in the programme is minimal mainly due to phasing of projects. The Council can freeze parts of the programme throughout the year to ensure spend is within the agreed financial envelope, although this may have service implications.

4.5. A further key risk to the capital investment programme is the ability of the Council to fully deliver it within the agreed timescales.

4.6. In relation to the General Fund and HRA Capital Investment Programme specifically for 2022/23 (including commitments from previous years and new starts):

- a) The HRA Capital Investment Programme will need to be contained within total programme cost by delaying or stopping specified schemes.
- b) The General Fund Capital Budget is based on the best information available in terms of project costs. What is less certain is the phasing of expenditure.
- c) The strategic schemes identified in the Capital Investment Programme will be closely monitored in-year.
- d) That the funding identified for the approved Capital Investment Programme is delivered and is proportionate, prudent, affordable, and sustainable.

e) That the programme and its financing are in line with the Assurance Review recommendations.

7. Conclusion

Given all these factors, I, as the Council's Section 151 Officer, consider the estimates for 2022/23 to be sufficiently robust and recommend for approval by the Council. I am also able to advise the Council that the level of General Fund Reserves is adequate and to recommend a Reserves Policy which is achievable for 2021/22 revised – 2024/25.

Homira Javadi (CPFA, FCCA,ACCA)

Chief Finance Officer (Section 151 Officer)

Meeting: Full Council

Date: 23 February 2022

Subject: General Fund Revenue Budget 2022/23 and Capital Programme

Report of: Councillor Stephen Holt on behalf of the Cabinet

The Council is asked to consider the draft minute and resolution of the **Cabinet** meeting held on **9 February 2022** as set out below.

The Council is recommended to approve:-

- (1) The General Fund budget for 2021/22 (Revised) and 2022/23 (original).
 - (2) An increase in the Council Tax for Eastbourne Borough Council of 1.99% (per annum) resulting in a Band D charge for general expenses of £261.85 (per annum) for 2022/23.
 - (3) The revised General Fund capital programme 2022/23 as set out at Appendix 3 to the Cabinet report.
 - (4) That Cabinet endorses the continuation of the Flexible use of Capital Receipts and refers on to Council for approval.
 - (5) To note the section 151 Officer's sign off as outlined in the Cabinet report.
-

Draft minute extract –

Cabinet – 9 February 2022.

The Cabinet considered the report of the Chief Finance Officer, asking it to recommend to Full Council, the updated General Fund budget and updated Medium Term Financial Strategy, together with the updated Capital Programme position. The proposed 1.99% rise in council tax would enable the council to continue delivering essential frontline services to residents and businesses in the wake of the huge impact Covid-19 had left on its finances.

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

In presenting the report, Councillor Holt advised of an amendment to the Band D charge, as originally set out in officer recommendation (2) of the report. This was unanimously accepted by Cabinet and detailed below.

Recommended to Full Council (Budget and policy framework):

- (1) The General Fund budget for 2021/22 (Revised) and 2022/23 (original).
- (2) An increase in the Council Tax for Eastbourne Borough Council of 1.99% (per annum) resulting in a Band D charge for general expenses of £261.85 (per annum) for 2022/23.
- (3) The revised General Fund capital programme 2022/23 as set out at Appendix 3 to the report.
- (4) That Cabinet endorses the continuation of the Flexible use of Capital Receipts and refers on to Council for approval.
- (5) To note the section 151 Officer's sign off as outlined in the report.

Reason for decisions:

The Cabinet must 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:

[Agenda for Eastbourne Borough Council Cabinet on Wednesday, 9th February, 2022, 6.00 pm \(lewes-eastbourne.gov.uk\)](#)

Meeting: Full Council

Date: 23 February 2022

Subject: Treasury Management and Prudential Indicators 2022/23,
Capital Strategy and Investment Strategy

Report of: Councillor Stephen Holt on behalf of the Cabinet

The Council is asked to consider the draft minute and resolution of the **Cabinet** meeting held on **9 February 2022** as set out below.

The Council is recommended:

- (1) To approve the Treasury Management Strategy and Annual Investment Strategy for 2022/23 as set out at Appendix A to the Cabinet report.
 - (2) To approve the Minimum Revenue Provision Policy Statement 2022/23 as set out at paragraph 8 in the Cabinet report.
 - (3) To approve the Prudential and Treasury Indicators 2022/23 to 2024/25, as set out at paragraph 6 in the Cabinet report.
 - (4) To approve the Capital Strategy set out at Appendix E to the Cabinet report.
-

Draft minute extract
Cabinet – 9 February 2022.

The Cabinet considered the report of the Chief Finance Office, asking it to recommend the Council's Annual Treasury Management Strategy, Capital Strategy and Investment Strategy together with the Treasury and Prudential Indicators to Full Council.

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

Thanks were conveyed to the Deputy Chief Finance Officer and the Finance team for their work as outlined in the report.

Recommended to Full Council (Budget and policy framework):

- (1) To approve the Treasury Management Strategy and Annual Investment Strategy for 2022/23 as set out at Appendix A to the report;
- (2) To approve the Minimum Revenue Provision Policy Statement 2022/23 as set out at paragraph 8 in the report.

(3) To approve the Prudential and Treasury Indicators 2022/23 to 2024/25, as set out at paragraph 6 in the report.

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

Reason for decisions:

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

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

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

[Agenda for Eastbourne Borough Council Cabinet on Wednesday, 9th February, 2022, 6.00 pm \(lewes-eastbourne.gov.uk\)](#)

Meeting: Full Council

Date: 23 February 2022

Subject: Housing Revenue Account (HRA) Revenue Budget and Rent Setting 2022/23 and HRA Capital Programme 2021-25

Report of: Councillor Stephen Holt on behalf of the Cabinet

The Council is asked to consider the draft minute and resolution of the **Cabinet** meeting held on **9 February 2022** as set out below.

The Council is recommended to approve:

- (1) The HRA budget for 2022/23 and revised 2021/22 budget as set out at Appendix 1 to the Cabinet report.
 - (2) That social and affordable rents (including Shared Ownership) are increased by 4.1% in line with government policy.
 - (3) That the average General Needs Housing Benefit (HB) Eligible service charge will be £5.04 per week
 - (4) That the average HB Eligible service charge for Retirement Housing will be £35.85 per week
 - (5) That the Support charge for Retirement Housing will be £5.44 per unit.
 - (6) That the average Non-HB Eligible heating charges will be £3.49 per week.
 - (7) That the average non-HB Eligible water charges will be £3.33.
 - (8) That Garage rents are increased by 4.86% (September RPI).
 - (9) To grant 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) The HRA Capital Programme as set out at Appendix 2 to the Cabinet report.
-

Draft minute extract

Cabinet – 9 February 2022.

The Cabinet considered the report of the Chief Finance Officer, asking it to recommend to Full Council, the detailed Housing Revenue Account (HRA) budget proposals, rent levels, service charges and heating costs for 2022/23, and the HRA Capital Programme 2021-25.

The Deputy Chief Executive and Director of Regeneration and Planning added that the Council would be looking to support those that would be experiencing hardship as a result of the increase in the cost of living.

Recommended to Full Council (Budget and policy framework):

- (1) The HRA budget for 2022/23 and revised 2021/22 budget as set out at Appendix 1 to the report.
- (2) That social and affordable rents (including Shared Ownership) are increased by 4.1% in line with government policy.
- (3) That the average General Needs Housing Benefit (HB) Eligible service charge will be £5.04 per week
- (4) That the average HB Eligible service charge for Retirement Housing will be £35.85 per week
- (5) That the Support charge for Retirement Housing will be £5.44 per unit.
- (6) That the average Non-HB Eligible heating charges will be £3.49 per week.
- (7) That the average non-HB Eligible water charges will be £3.33.
- (8) That Garage rents are increased by 4.86% (September RPI).
- (9) To grant 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) The HRA Capital Programme as set out at Appendix 2 to the report.

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:

[Agenda for Eastbourne Borough Council Cabinet on Wednesday, 9th February, 2022, 6.00 pm \(lewes-eastbourne.gov.uk\)](#)

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Working in partnership with **Eastbourne Homes-**

Meeting: Council

Date: 23 February 2022

Subject: Local Council Tax Reduction scheme 2022/23

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 1 December 2021 as set out below.

The Council is recommended to:

- (1) Adopt the 2021/22 Local Council Tax Reduction Scheme as the 2022/23 scheme.
 - (2) To continue the Exceptional Hardship Scheme in 2022/23.
-

Minute extract

Cabinet – 1 December 2021.

Local Council Tax Reduction scheme 2022/23

The Cabinet considered the report of the Director of Service Delivery, seeking their recommendation to Full Council that the 2021/22 Local Council Tax Reduction Scheme is adopted as the 2022/23 scheme.

Recommended to Full Council (Budget and policy framework):

- (1) To recommend to Full Council that the 2021/22 Local Council Tax Reduction Scheme is adopted as the 2022/23 scheme.
- (2) That the Exceptional Hardship Scheme is continued in 2022/23.

Reason for decisions:

The 2022/23 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 below:

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

Report to:	Full Council
Date:	23 February 2022
Report Title:	Arrangements for Appointing External Auditors
Report of:	Homira Javadi, Chief Finance Officer
Ward(s):	All
Purpose of report:	For Full Council to agree a procurement route for the appointment of the Council's External Audit arrangements post for the 2023/24 financial year onwards.
Officer Recommendations:	a. That Full Council approves the Audit and Governance Committee's recommendation to accept the Public Sector Audit Appointments' (PSAA's) opt-in invitation into the sector-led option for the appointment of external auditors from 1st April 2023; and b. That delegated authority be given to the Section 151 Officer to complete and submit the 'opt in' form (Appendix B) to PSAA by the deadline of the 11 March 2022.
Reasons for recommendations:	The Council has a statutory responsibility to appoint an external auditor to audit its accounts.

Contact Officer(s)- **Name: Ola Owolabi**
Post title: Deputy Chief Finance Officer
E-mail: ola.owolabi@lewes-eastbourne.gov.uk
Telephone number: 01323 485083

1. Introduction

- 1.1 The current auditor appointment arrangements cover the period up to and including the audit of the 2022/23 accounts. The Council opted into the 'appointing person' national auditor appointment arrangements established by Public Sector Audit Appointments (PSAA) for the period covering the accounts 2018/19 to 2022/23.
- 1.2 All local government bodies need to make important decisions about appointing their external auditors, and have options to arrange their own procurement, make the appointment themselves, or in conjunction with others, or they can join and take advantage of the national collective scheme administered by PSAA.
- 1.3 The Council has recently been contacted by PSAA regarding the potential to again Opt-in to the national exercise to procure External Auditors from 1 April 2023. The closing date to give notice to PSAA of the Council's acceptance of the invitation is Friday, 11 March 2022, and the full Council must make the decision as to whether to accept the offer.

2. Appointment of External Auditor from 2023/24 - Options

- 2.1 The Council current External Audit provider was appointed under the PSAA procurement contract. Current scale fees are based on rates negotiated by PSAA and reflect market share offered in framework contracts. If the Council wishes to remain in the PSAA framework and allow PSAA to continue to manage the appointment of the external auditors, it can do so.
- 2.2 There are three ways for a principal local government body to appoint its auditor for the five financial years from 2023/24, namely:
- **Option 1** - Undertake an individual auditor procurement and appointment exercise.
 - **Option 2** - Undertake a joint audit procurement and appointing exercise with other bodies, those in the same locality for example, or
 - **Option 3** - Join PSAA's sector led national scheme.
- 2.3 Under both Option 1 and Option 2, the Council would need to establish an Auditor Panel to advise it on:
- Selecting and appointing an auditor.
 - Whether to adopt a policy on obtaining non-audit services from the auditor.
 - Maintaining an independent relationship with its auditor; and
 - The outcome of any investigation into an auditor's resignation or removal from office.
- 2.4 Members of the Auditor Panel would need to be wholly or by majority independent members, and an independent member must chair the Panel. Under Option 2 the Council could set up an Auditor Panel with one or more other authorities or ask another authority's Auditor Panel to carry out its functions.
- 2.5 Options 1 and 2 provide greater scope for the audit contract to be tailored but would incur higher costs from setting up and administering the Auditor Panel either in isolation or jointly and the staff time involved in the procurement exercise.
- 2.6 The preferred option (supported by the LGA) is Option 3. The benefits of opting into the sector led national scheme are that it:
- reduces the financial and administrative burden on the Council as there would, for example, be no requirement for an Auditor Panel.
 - will enhance the procurement exercise by offering a high volume of work likely to be of greater interest to the main accountancy firms and therefore lead to more competitive audit fees. Audit fees, as is currently the case, will be linked to size, quality, complexity, and risk associated with each local council.
- 2.7 All of the above options require a local auditor to be appointed not later than 31 December in the financial year preceding the financial year of the accounts to be audited. So, for the audit of the accounts of the 2023/24 financial year, there must be a local auditor appointed by 31 December 2022.

- 2.8 PSAA sent an invite to “opt-in” (September 2021) to the Chair of Audit and Governance Committee, the Chief Executive, and the Section 151 Officer, requesting a decision on/before Friday 11th March 2022. Details relating to the PSAA’s invitation are attached as **Appendix B1 and B2** to this Report.
- 2.9 The scheme will not include the audit of wholly owned companies such as Eastbourne Homes Ltd. Company audits are subject to different audit legislation.

3. Audit and Governance Committee Conclusion

- 3.1 The Audit and Governance Committee considered the available options regarding the appointment of auditors at its meeting on 12 January 2022. The Committee supported the officers’ recommendation (**Appendix A**) to opt into the PSAA arrangement and to seek Council approval for this decision.
- 3.2 The Committee also acknowledged that concerns over external audit delay and timeliness should continue to be raised with PSAA and requested assurance as to how the risk of capacity, standards and quality would be managed through the procurement and contract management process. Further updates will be provided to Audit and Standards Committee on these matters as the process develops.

4. Financial Appraisal

- 4.1 The proposed external audit fees will not be known until the procurement process has been completed, as the costs will depend on proposals from the audit firms. Given the widespread prevalence of fee variations, market uncertainty and the revision to an 80% quality weighting within the procurement, it is almost certain that the fee payable by the Council will rise.
- 4.2 Opting-in to a national scheme provides a strong opportunity to ensure fees are as low as possible, whilst ensuring the quality of audit is maintained by entering into a large-scale collective procurement arrangement. If the national scheme is not used some additional resource may be needed to establish an auditor panel and conduct a local procurement. Until a procurement exercise is completed it is not possible to state what, if any, additional resource may be required for audit fees for 2023/24.

5. Risk Management Implications

- 5.1 It is the Council’s policy to proactively identify and manage significant risks which may prevent delivery of business objectives. It is not possible to eliminate or manage all risks all the time and risks will remain which have not been identified. However, it is the officer’s opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls will be put in place to manage them effectively.
- 5.2 There is no immediate risk to the Council, however, early consideration by the Council of its preferred approach will enable detailed planning to take place so as to achieve successful transition to the new arrangement in a timely and efficient manner.

6. Equality Analysis

- 6.1 This is a routine report for which detailed Equality Analysis is not required to be undertaken.

7. Legal Implications

- 7.1 The Local Audit and Accountability Act 2014 (Part 3) gives powers to appoint auditors. In July 2016, the Secretary of State for Housing Communities and Local Government specified PSAA as an appointing person for principal local government and police bodies for audits from 2018/19, under the provisions of the Local Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015. The implications arising therefrom in relation to the audit of the council's accounts are set out in the report.

8. Appendices:

- Appendix A - Audit and Governance Committee referral minute from the 12 January 2022 meeting.
- Appendix B1 - Invitation to opt into the national scheme for auditor appointments from April 2023.
- Appendix B2 - Appointing Period 2023/24 to 2027/28 - Form of notice of acceptance of the invitation to opt in.

Working in partnership with **Eastbourne Homes**

Meeting: Full Council

Date: 23 February 2022

Subject: Appointment of External Auditor

Report of: On behalf of the Audit and Governance Committee

The Full Council is asked to consider the minute and resolution of the Audit and Governance Committee meeting held on 12 January 2022 as set out below.

The Council is recommended to: -

Accept Public Sector Audit Appointments' (PSAA's) invitation to opt into the sector-led option for the appointment of external auditors from 1st April 2023.

Minute extract - Audit and Governance Committee, 12 January 2022.

Arrangements for appointing external auditors

The Committee considered the report of the Chief Finance Officer, seeking its agreement to recommend that the Full Council accepts the invitation from the Public Sector Audit Appointments (PSAA) to opt into the sector-led option for the appointment of external auditors from 1st April 2023.

Ola Owolabi, Deputy Chief Finance Officer (DCFO), presented the report, briefly outlining the requirements on the Council and the three options for appointment arrangements that were available to the Council.

The DCFO noted that the subject had been discussed at length at a number of previous meetings of the Audit and Governance Committee, and at an informal briefing with the PSAA.

The DCFO informed Members that the CFO had recently written a letter to the PSAA, seeking assurances that, should the Council chose to opt-in to the scheme, the PSAA would consider the Council's request for a different auditor, and would provide support for a smooth transition from existing to new auditor. The DCFO highlighted the importance of considering the transition phase, because the two currently outstanding sets of accounts risked potential delays should a new auditor be appointed. The ability to apply to the PSAA for support in this matter was noted as a benefit of opting into the scheme.

The Chair thanked the DCFO and invited comments and questions from the Committee.

Feedback was shared of the positive experiences that other local Councils' had had of the PSAA scheme. Members noted the usefulness of the briefing with the PSAA and there was recognition that the Council's own poor experience under the current arrangement had been largely due to issues with the current specific auditor, rather than the scheme generally.

Members requested clarification on a number of points concerning current and future costs for external auditing. In his responses, the DCFO confirmed that:

- The current external audit fee within the PSAA scheme was £52K per annum, but that the final audit fees would be more, due to extra billing for various audit works.
- Costs for external auditing from April 2023 would increase, whichever of the three options was selected.
- Research regarding likely external auditing fees for Option 2 had returned an estimate quote of between £150K-£200k per annum, of which approximately 60-65% would fall to Eastbourne Borough Council.
- The PSAA had been unable to provide estimated external audit fees, as it was too early in the timeline of preparations for the next scheme.
- By choosing the PSAA, Option 3, the Council would save on the costs of setting up and maintaining an independent panel as those costs would be over and above any relative comparable cost for auditor services.

There was general agreement amongst Members that cost should not be the only consideration in determining best value. Moreover, the impact on the Council's Finance Team of the lack of resources and poor communications exhibited by the current auditors had had hidden costs for the Council. In light of these considerations, and the fact that the Council shared a joint staff Finance Team with Lewes District Council (LDC), the DCFO agreed the evening's decision of Committee would be shared with LDC's Audit and Standards Committee.

Following questions and comments from Members regarding its request for an alternative auditor from the PSAA scheme, the DCFO reminded Members that the PSAA had clearly stated that the independent process for auditor appointments meant that requests for specific auditors could not be guaranteed. The DCFO noted that, based on previous experiences, he had confidence that the Council's request for a change of auditor would be listened to by the PSAA, and that the Council's position on this matter, and the importance it placed on the need to have a change of auditor going forward, had been made very clear to the PSAA.

The DCFO confirmed that a discussion of 'level of materiality' would be included in the External Audit Plan, presented at the start of the annual audit process from the external auditors, currently expected March 2022.

There was general agreement that joining the PSAA scheme was most likely to provide overall best value out of the three options available to the Council.

On behalf of the Committee, the Chair thanked the Chief Finance Officer and Deputy Chief Finance Officer and the Finance Team finance team for all their work and support in this matter.

Resolved (unanimously)

1. That the Committee recommends that Council approves the decision to accept Public Sector Audit Appointments' (PSAA's) invitation to opt into the sector-led option for the appointment of external auditors from 1st April 2023.

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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22 September 2021

To: Mr Cottrill, Chief Executive
Eastbourne Borough Council

Copied to: Mrs Javadi, S151 Officer
Councillor Mazted, Chair of Audit Committee or equivalent

Dear Mr Cottrill,

Invitation to opt into the national scheme for auditor appointments from April 2023

I want to ensure that you are aware the external auditor for the audit of your accounts for 2023/24 has to be appointed before the end of December 2022. That may seem a long way away but, as your organisation has a choice about how to make that appointment, your decision-making process needs to begin soon.

We are pleased that the Secretary of State has confirmed PSAA in the role of the appointing person for eligible principal bodies for the period commencing April 2023. Joining PSAA's national scheme for auditor appointments is one of the choices available to your organisation.

In June 2021 we issued a draft prospectus and invited your views and comments on our early thinking on the development of the national scheme for the next period. Feedback from the sector has been extremely helpful and has enabled us to refine our proposals which are now set out in the [scheme prospectus](#) and our [procurement strategy](#). Both documents can be downloaded from our website which also contains a range of useful information that you may find helpful.

The national scheme timetable for appointing auditors from 2023/24 means we now need to issue a formal invitation to you to opt into these arrangements. In order to meet the requirements of the relevant regulations, we also attach a form of acceptance of our invitation which you must use if your organisation decides to join the national scheme. We have specified the five consecutive financial years beginning 1 April 2023 as the compulsory appointing period for the purposes of the regulations which govern the national scheme.

Given the very challenging local audit market, we believe that eligible bodies will be best served by opting to join the scheme and have attached a short summary of why we believe that is the best solution both for individual bodies and the sector as a whole.

I would like to highlight three matters to you:

1. if you opt to join the national scheme, we need to receive your formal acceptance of this invitation by Friday 11 March 2022;

2. the relevant regulations require that, except for a body that is a corporation sole (e.g. a police and crime commissioner), the decision to accept our invitation and to opt in must be made by the members of the authority meeting as a whole e.g. Full Council or equivalent. We appreciate this will need to be built into your decision-making timetable. We have deliberately set a generous timescale for bodies to make opt in decisions (24 weeks compared to the statutory minimum of 8 weeks) to ensure that all eligible bodies have sufficient time to comply with this requirement; and
3. if you decide not to accept the invitation to opt in by the closing date, you may subsequently make a request to opt in, but only after 1 April 2023. We are required to consider such requests and agree to them unless there are reasonable grounds for their refusal. PSAA must consider a request as the appointing person in accordance with the Regulations. The Regulations allow us to recover our reasonable costs for making arrangements to appoint a local auditor in these circumstances, for example if we need to embark on a further procurement or enter into further discussions with our contracted firms.

If you have any other questions not covered by our information, do not hesitate to contact us by email at ap2@psaa.co.uk. We also publish answers to [frequently asked questions](#) on our website.

If you would like to discuss a particular issue with us, please send an email also to ap2@psaa.co.uk, and we will respond to you.

Yours sincerely

Tony Crawley
Chief Executive

Encl: Summary of the national scheme

Why accepting the national scheme opt-in invitation is the best solution

Public Sector Audit Appointments Limited (PSAA)

We are a not-for-profit, independent company limited by guarantee incorporated by the Local Government Association in August 2014.

We have the support of the LGA, which in 2014 worked to secure the option for principal local government and police bodies to appoint auditors through a dedicated sector-led national body.

We have the support of Government; MHCLG's Spring statement confirmed our appointment because of our "strong technical expertise and the proactive work they have done to help to identify improvements that can be made to the process".

We are an active member of the new Local Audit Liaison Committee, chaired by MHCLG and attended by key local audit stakeholders, enabling us to feed in body and audit perspectives to decisions about changes to the local audit framework, and the need to address timeliness through actions across the system.

We conduct research to raise awareness of local audit issues, and work with MHCLG and other stakeholders to enable changes arising from Sir Tony Redmond's review, such as more flexible fee setting and a timelier basis to set scale fees.

We have established an advisory panel, which meets three times per year. Its membership is drawn from relevant representative groups of local government and police bodies, to act as a sounding board for our scheme and to enable us to hear your views on the design and operation of the scheme.

The national scheme for appointing local auditors

In July 2016, the Secretary of State specified PSAA as an appointing person for principal local government and police bodies for audits from 2018/19, under the provisions of the Local Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015. Acting in accordance with this role PSAA is responsible for appointing an auditor and setting scales of fees for relevant principal authorities that have chosen to opt into its national scheme. 98% of eligible bodies made the choice to opt-in for the five-year period commencing in April 2018.

We will appoint an auditor for all opted-in bodies for each of the five financial years beginning from 1 April 2023.

We aim for all opted-in bodies to receive an audit service of the required quality at a realistic market price and to support the drive towards a long term competitive and more sustainable market for local audit. The focus of our quality assessment will include resourcing capacity and capability including sector knowledge, and client relationship management and communication.

What the appointing person scheme from 2023 will offer

We believe that a sector-led, collaborative, national scheme stands out as the best option for all eligible bodies, offering the best value for money and assuring the independence of the auditor appointment.

The national scheme from 2023 will build on the range of benefits already available for members:

- transparent and independent auditor appointment via a third party;
- the best opportunity to secure the appointment of a qualified, registered auditor;
- appointment, if possible, of the same auditors to bodies involved in significant collaboration/joint working initiatives, if the parties believe that it will enhance efficiency;
- on-going management of any independence issues which may arise;
- access to a specialist PSAA team with significant experience of working within the context of the relevant regulations to appoint auditors, managing contracts with audit firms, and setting and determining audit fees;
- a value for money offer based on minimising PSAA costs and distribution of any surpluses to scheme members - in 2019 we returned a total £3.5million to relevant bodies and more recently we announced a further distribution of £5.6m in August 2021;
- collective efficiency savings for the sector through undertaking one major procurement as opposed to a multiplicity of smaller procurements;
- avoids the necessity for local bodies to establish an auditor panel and undertake an auditor procurement, enabling time and resources to be deployed on other pressing priorities;
- updates from PSAA to Section 151 officers and Audit Committee Chairs on a range of local audit related matters to inform and support effective auditor-audited body relationships; and
- concerted efforts to work with other stakeholders to develop a more sustainable local audit market.

We are committed to keep developing our scheme, taking into account feedback from scheme members, suppliers and other stakeholders, and learning from the collective post-2018 experience. This work is ongoing, and we have taken a number of initiatives to improve the operation of the scheme for the benefit of all parties.

Importantly we have listened to your feedback to our recent consultation, and our response is reflected in [the scheme prospectus](#).

Opting in

The closing date for opting in is 11 March 2022. We have allowed more than the minimum eight-week notice period required, because the formal approval process for most eligible bodies is a decision made by the members of the authority meeting as a whole [Full Council or equivalent], except police and crime commissioners who are able to make their own decision.

We will confirm receipt of all opt-in notices. A full list of eligible bodies that opt in will be published on our website. Once we have received an opt-in notice, we will write to you to request information on any joint working arrangements relevant to your auditor appointment, and any potential independence matters which may need to be taken into consideration when appointing your auditor.

Local Government Reorganisation

We are aware that reorganisations in the local government areas of Cumbria, Somerset, and North Yorkshire were announced in July 2021. Subject to parliamentary approval shadow elections will take place in May 2022 for the new Councils to become established from 1 April 2023. Newly established local government bodies have the right to opt into PSAA's scheme under Regulation 10 of the Appointing Person Regulations 2015. These Regulations also set out that a local government body that ceases to exist is automatically removed from the scheme.

If for any reason there is any uncertainty that reorganisations will take place or meet the current timetable, we would suggest that the current eligible bodies confirm their acceptance to opt in to avoid the requirement to have to make local arrangements should the reorganisation be delayed.

Next Steps

We expect to formally commence the procurement of audit services in early February 2022. At that time our procurement documentation will be available for opted-in bodies to view through our e-tendering platform.

Our recent webinars to support our consultation proved to be popular, and we will be running a series of webinars covering specific areas of our work and our progress to prepare for the second appointing period. Details can be found on [our website](#) and in [the scheme prospectus](#).

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Appointing Period 2023/24 to 2027/28
Form of notice of acceptance of the invitation to opt in

(Please use the details and text below to submit to PSAA your body's formal notice of acceptance of the invitation to opt into the appointing person arrangements from 2023)

Email to: ap2@psaa.co.uk

Subject: Eastbourne Borough Council Notice of acceptance of the invitation to become an opted-in authority

This email is notice of the acceptance of your invitation dated 22 September 2021 to become an opted-in authority for the audit years 2023/2024 to 2027/2028 for the purposes of the appointment of our auditor under the provisions of the Local Audit and Accountability Act 2014 and the requirements of the Local Audit (Appointing Person) Regulations 2015.

I confirm that **Eastbourne Borough Council** has made the decision to accept your invitation to become an opted-in authority in accordance with the decision making requirements of the Regulations, and that I am authorised to sign this notice of acceptance on behalf of the authority.

Name: **[insert name of signatory]**

Title: **[insert role of signatory]** (authorised officer)

For and on behalf of: **Eastbourne Borough Council**

Date: **[insert date completed]**

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Working in partnership with **Eastbourne Homes**

Meeting: Council

Date: 23 February 2022

Subject: Approval of Licensing Fees 2022/2023

Report of: Tim Whelan – Director of Service Delivery

The Council is asked to consider the minute and resolution of the Licensing Committee meeting held on 17 January 2022 as set out below.

The Council is recommended to: -

To approve the scale of Licensing Fees for 2022/23 as set out in Appendix 1.

Minute extract - Licensing Committee, 17 January 2022

Approval of licensing fees 2022/2023

The Committee considered the report of the Director of Service Delivery which sought the approval of the Licensing fees proposed within Appendix 1 to apply from 1 April 2022, and for them to be recommended to Full Council for approval.

The Regulatory Services Lead (RSL) presented the report and highlighted the changes in relation to the taxi licensing surplus, including reducing Private Hire Operators Licence fees, the slight increase in the number of gambling premises and the substantial increase in the licensing fees relating to Dangerous Wild Animal Licences, as set out in the report and Appendix 1. RSL advised of an additional small decrease in fees for external plates and door signs.

Several amendments to the report were noted at paragraph 2.2, the Total Income Estimates were corrected from £213,900 to £213,250, £23,900 was corrected to - £11,600, and £237,800 was corrected to £201,650. Therefore, the Total Estimated Annual Income (Taxi Licensing), was corrected from £92,550.00 to £84,550 at Appendix 1, page 16, line 52.

The Committee queried whether the fees for the dangerous wild animals should be tiered to reflect the scale of animal sizes. It was asked if the range of fees had been benchmarked against other Local Authorities, and if officers could provide data on how many licences existed in the Borough per year in order to assess the charges and revenue. Officers explained that the fees did not distinguish between animal size, the fees had been benchmarked against other Local Authorities, and that it would be possible going forward to provide data on the number of licences per year, if any.

Councillor Diplock proposed a motion to agree the officer recommendations listed in the report. This was seconded by Councillor Murray.

Resolved (unanimous): That Full Council be recommended to approve the Licensing Fees proposed within Appendix 1 of the report, to apply from 1 April 2022, subject to the correction noted above to the Total Estimated Annual Income (Taxi Licensing).

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:

[Agenda for Eastbourne Borough Council Licensing Committee on Monday, 17th January, 2022, 6.00 pm \(lewes-eastbourne.gov.uk\)](#)

Appendix 1 - Proposed Licensing Fees and Charges 2021/22

Eastbourne Borough Council Licensing Fees and Charges Proposals 2021/2022

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			2020/2021	2021/2022		Increase	Increase
			Current	Proposed		in pence	%
			charge	charge	VAT		
			£pence	£pence			
1	ENVIRONMENTAL HEALTH LICENSING						
2	Street Trading						
		Application Fee	New	£25.00	e		
3		Daily rate	£30.00	£30.00	e		0.00%
4		Weekly Rate	£175.00	£175.00	e		0.00%
5		Annual Rate	£405.00	£475.00	e	- 70.00	17.28%
6	Market Operators		New	£475.00	e	-	
7	Concessions	Event by a charity (inc street collections)	Free upon approval from Licensing Officer				
	Scrap Metal Dealers Act 2013	Site Licence - New	£375.00	£375.00	e	-	0.00%
		Site Licence - Renewal	£375.00	£375.00	e	-	0.00%
		Collector - New	£255.00	£255.00	e	-	0.00%
11		Collector - Renewal	£255.00	£255.00	e	-	0.00%
12		Licence Variation	£75.00	£75.00	e	-	0.00%
	Misc Licensing						
14	Acupuncture, tattooing ear piercing and electrolysis (Personal)		£41.50	£41.50	e	-	0.00%
15	Acupuncture, tattooing ear piercing and electrolysis (Premises)		£93.00	£93.00		-	0.00%
16	Acupuncture, tattooing ear piercing and electrolysis (Premises + Personal)		£135.00	£135.00		-	0.00%
17	Amendment to registered premises					-	
18	Replacement certificate					-	
19	Stage Hypnotism		Not Listed		e		
20	Sex Establishments	Initial Grant of Licence	£3,600.00	£3,600.00	e	-	0.00%
21		Annual Renewal	£2,050.00	£2,050.00	e	-	0.00%
22		Variation	£1,800.00	£1,800.00	e	-	0.00%
23	Zoo Licensing Act 1981	Vet Fee +	Not Listed		e		
24	Guard Dogs Act 1975		Not Listed		e		
25	Dangerous Wild Animals Act 1976	Vet fee +	£95.00	£95.00	e	-	0.00%
26	Total Estimated Annual Income (Misc Licensing)		£6,300.00	£6,300.00		£0.00	0.00%

27 **TAXI LICENSING**

28	Knowledge Test Hackney & Private Hire Retest
29	CSE, Safeguarding test
30	Drivers License Application Fee
31	Hackney Carriage and Private Hire Driver's Licence (Renewal) 3 Years
32	Additional DBS fee
33	Hackney Carriage and / or Private Hire Vehicle Licence
	Private Hire Operator Licence Application Fee
34	Private Hire Operator Licence 5 Year 1 - 2 Vehicles
35	Private Hire Operator Licence 5 Year 3 - 4 Vehicles
36	Private Hire Operator Licence 5 Year 5 - 10 Vehicles
37	Private Hire Operator Licence 5 Year 11 - 15 Vehicles
38	Private Hire Operator Licence 5 Year 16 - 20 Vehicles
39	Private Hire Operator Licence 5 Year 21 - 30 Vehicles
40	Private Hire Operator Licence 5 Year 31 - 40 Vehicles
33	Private Hire Operator Licence 5 Year 41 - 60 Vehicles
34	Private Hire Operator Licence 5 Year 61 - 80 Vehicles
35	Private Hire Operator Licence 5 Year 81 - 100 Vehicles
36	Private Hire Operator Licence 5 Year 101 + Vehicles
37	Private Hire Operator Licence 5 Year up to 5 Vehicles
38	Private Hire Operator Licence 5 Year 6 - 10 Vehicles
39	Private Hire Operator Licence 5 Year 11 - 20 Vehicles
40	Private Hire Operator Licence 5 Year 21 - 40 Vehicles
41	Private Hire Operator Licence 5 Year 41 - 80 Vehicles
42	Private Hire Operator Licence 5 Year 81-100 Vehicles
43	Private Hire Operator Licence 5 Year 101+ Vehicles
44	New / Replacement of Lost /Damaged Licence Plates (External)
45	New / Replacement of Lost /Damaged Licence Plates (Internal)
46	New / Replacement Doorsigns
47	Replacement of Driver's Badge
48	Transfer of Licence Plate to Different Vehicle (Hackney)
49	Transfer of Licence Plate to Different Vehicle (Private Hire)
50	Transfer of Ownership (Hackney)
51	Transfer of Ownership (Private Hire)
52	Vehicle Change of Use
53	Change of Address
54	Missed Appointment
55	Total Estimated Annual Income (Taxi Licensing)

				-	
	£45.00		£45.00	e	- 0.00%
	TBD				
	£99.00		£99.00	e	- 0.00%
	£315.00		£315.00	e	- 0.00%
	£44.00		£44.00	e	- 0.00%
	£150.00		£150.00	e	- 0.00%
					-
	£350.00	Remove		e	
	£425.00	Remove		e	
	£750.00	Remove		e	
	£1,000.00	Remove		e	
	£1,250.00	Remove		e	
	£1,750.00	Remove		e	
	£2,250.00	Remove		e	
	£3,500.00	Remove		e	
	£4,400.00	Remove		e	
	£5,500.00	Remove		e	
	£7,000.00	Remove		e	
		New	£350.00		new
		New	£650.00		new
		New	£1,000.00		new
		New	£1,700.00		new
		New	£3,500.00		new
		New	£4,500.00		new
		New	£5,500.00		new
	£40.00		£40.00	e	- 0.00%
	£10.00		£10.00	e	- 0.00%
	£25.00		£25.00	e	- 0.00%
	£10.00		£10.00	e	- 0.00%
	£37.50		£37.50	e	- 0.00%
	Pro Rata	Pro Rata		e	
	£37.50		£37.50	e	- 0.00%
	Pro Rata	Pro rata		e	
				e	-
	£0.00			e	-
	£0.00			e	-
	£84,550.00		£72,300.00		- 12,250.00 -14.49%

From Private Hire to Hackney

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56	Licensing Act 2003					
57	Premises Licence and Club Premises Certificates	Statutory fees apply as shown below				
58	(Licence fees are linked to non-domestic rateable value of the premises)					
	Application Fee					
59	Band A	£100.00	£100.00	e	-	0.00%
60	Band B	£190.00	£190.00	e	-	0.00%
61	Band C	£315.00	£315.00	e	-	0.00%
62	Band D	£450.00	£450.00	e	-	0.00%
63	Band E	£635.00	£635.00	e	-	0.00%
64	Annual Charge				-	
65	Band A	£70.00	£70.00	e	-	0.00%
66	Band B	£180.00	£180.00	e	-	0.00%
67	Band C	£295.00	£295.00	e	-	0.00%
68	Band D	£320.00	£320.00	e	-	0.00%
69	Band E	£350.00	£350.00	e	-	0.00%
					-	
70	Minor variation application	£89.00	£89.00	e	-	0.00%
71	Dis Application DPS	£23.00	£23.00	e	-	0.00%
72	Personal Licence	£37.00	£37.00	e	-	0.00%
73	Temporary Event Notice	£21.00	£21.00	e	-	0.00%
74	Theft, loss etc of premises licence summary	£10.50	£10.50	e	-	0.00%
75	Application for a provisional statement where premises being built etc.	£315.00	£315.00	e	-	0.00%
76	Notice of change of name or address	£10.50	£10.50	e	-	0.00%
77	Application to vary a licence to specify individual as Designated Premises Supervisor	£23.00	£23.00	e	-	0.00%
78	Application for transfer of Premises Licence	£23.00	£23.00	e	-	0.00%
79	Interim authority notice following death etc. of licence holder	£23.00	£23.00	e	-	0.00%
80	Theft, loss etc. of certificate or summary	£10.50	£10.50	e	-	0.00%
81	Notification of change of name or alteration of rules of club	£10.50	£10.50	e	-	0.00%
82	Change of relevant registered address of club	£10.50	£10.50	e	-	0.00%
83	Theft, loss etc. of Temporary Event Notice	£10.50	£10.50	e	-	0.00%
84	Theft, loss etc. of Personal Licence	£10.50	£10.50	e	-	0.00%
85	Duty to notify of change of name or address	£10.50	£10.50	e	-	0.00%
86	Right of freeholder etc. to be notified of licensing matters	£21.00	£21.00	e	-	0.00%
					-	
87	Premises Licences Additional Fees	Where the number of people that the applicant allows on the premises at any one time is 5,000 or more an additional fee will be charged.				
88	Total Estimated Annual Income (Licensing Act 2003)	£103,300.00	£103,300.00		-	0.00%

89 LICENSING

ANIMAL WELFARE

90	Animal Welfare Regs 2018 Dog Day Care		£225.00	£225.00	e	-	0.00%
91	Animal Welfare Regs 2018 Sale of animals		£250.00	£250.00	e	-	0.00%
92	Animal Welfare Regs 2018 Breeding Dogs	Vet Fee + 1st inspection only	£250.00	£250.00	e	-	0.00%
93	Animal Welfare Regs 2018 Cat and Dog Home Boarding		£225.00	£225.00	e	-	0.00%
94	Animal Welfare Regs 2018 Horses (upto 10)	Vet Fee +	£250.00	£250.00	e	-	0.00%
95	Animal Welfare Regs 2018 Horses (between 11 and 20)	Vet Fee +	£316.00	£316.00	e	-	0.00%
96	Animal Welfare Regs 2018 Horses (More than 20)	Vet Fee +	£415.00	£415.00	e	-	0.00%
97	Animal Welfare Regs 2018 Keeping or training animals		£145.00	£145.00	e	-	0.00%
98	Animal Welfare Regs 2018 Dog Day Care ADDITIONAL ACTIVITY		£69.00	£69.00	e	-	0.00%
99	Animal Welfare Regs 2018 Sale of animals ADDITIONAL ACTIVITY		£91.00	£91.00	e	-	0.00%
100	Animal Welfare Regs 2018 Breeding Dogs ADDITIONAL ACTIVITY		£101.00	£101.00	e	-	0.00%
101	Animal Welfare Regs 2018 Cat and Dog Home Boarding ADDITIONAL ACTIVITY		£59.00	£59.00	e	-	0.00%
102	Animal Welfare Regs 2018 Horses (upto 10) ADDITIONAL ACTIVITY		£107.00	£107.00	e	-	0.00%
103	Animal Welfare Regs 2018 Horses (between 11 and 20) ADDITIONAL ACTIVITY		£123.00	£123.00	e	-	0.00%
104	Animal Welfare Regs 2018 Horses (More than 20) ADDITIONAL ACTIVITY		£251.00	£251.00	e	-	0.00%
105	Animal Welfare Regs 2018 Keeping or training animals ADDITIONAL ACTIVITY		£46.00	£46.00	e	-	0.00%
106	Animal Welfare Regs 2018 Dog Day Care PLV		£138.00	£138.00	e	-	0.00%
107	Animal Welfare Regs 2018 Sale of animals PLV		£144.00	£144.00	e	-	0.00%
108	Animal Welfare Regs 2018 Breeding Dogs PLV		£156.00	£156.00	e	-	0.00%
109	Animal Welfare Regs 2018 Cat and Dog Home Boarding PLV		£113.00	£113.00	e	-	0.00%
110	Animal Welfare Regs 2018 Horses (up to 10) PLV		£162.00	£162.00	e	-	0.00%
111	Animal Welfare Regs 2018 Horses (between 11 and 20) PLV		£177.00	£177.00	e	-	0.00%
112	Animal Welfare Regs 2018 Horses (More than 20) PLV		£305.00	£305.00	e	-	0.00%
113	Animal Welfare Regs 2018 Keeping or training animals PLV		£145.00	£145.00	e	-	0.00%
114	Animal Welfare Regs 2018 Dog Day Care RESCORE		£115.00	£115.00	e	-	0.00%
115	Animal Welfare Regs 2018 Sale of animals RESCORE		£101.00	£101.00	e	-	0.00%
116	Animal Welfare Regs 2018 Breeding Dogs RESCORE		£111.00	£111.00	e	-	0.00%
117	Animal Welfare Regs 2018 Cat and Dog Home Boarding RESCORE		£90.00	£90.00	e	-	0.00%
118	Animal Welfare Regs 2018 Horses (up to 10) RESCORE		£117.00	£117.00	e	-	0.00%
119	Animal Welfare Regs 2018 Horses (between 11 and 20) RESCORE		£133.00	£133.00	e	-	0.00%
120	Animal Welfare Regs 2018 Horses (More than 20) RESCORE		£261.00	£261.00	e	-	0.00%
121	Animal Welfare Regs 2018 Keeping or training animals RESCORE		N/A	N/A	e		
122	Animal Welfare Regs 2018 Dog Day Care APPEAL		£82.00	£82.00	e	-	0.00%
123	Animal Welfare Regs 2018 Sale of animals APPEAL		£71.00	£71.00	e	-	0.00%
124	Animal Welfare Regs 2018 Breeding Dogs APPEAL		£87.00	£87.00	e	-	0.00%
125	Animal Welfare Regs 2018 Cat and Dog Home Boarding APPEAL		£60.00	£60.00	e	-	0.00%
126	Animal Welfare Regs 2018 Horses (up to 10) APPEAL		£87.00	£87.00	e	-	0.00%
127	Animal Welfare Regs 2018 Horses (between 11 and 20) APPEAL		£103.00	£103.00	e	-	0.00%
128	Animal Welfare Regs 2018 Horses (More than 20) APPEAL		£231.00	£231.00	e	-	0.00%
129	Animal Welfare Regs 2018 Keeping or training animals APPEAL		N/A	N/A	e		
130	Total Estimated Annual Income (Animal Welfare Licensing)		£1,000.00	£1,000.00		-	0.00%

VAT charge types: t = inclusive of VAT @ 20%, e = non-business or exempt from VAT, s = standard plus VAT @ 20%

128	Total Estimated Annual Income (Mobile Homes Act 2013)								-	
129	Gambling Act 2003								-	
130	<u>Lotteries (Statutory Fee)</u>	Initial	£40.00	£40.00	e				-	0.00%
131		Renewal	£20.00	£20.00	e				-	0.00%
132	<u>Gaming Machines (Licensed Premises - Licensing Act 2003)</u>	Statutory Fees							-	
133	Notify Licensing Authority of intention to provide a maximum of 2 gaming machines - category C and/or D		£50.00	£50.00	e				-	0.00%
134	New licensed premises gaming permit		£150.00	£150.00	e				-	0.00%
135	Vary an existing licensed premises gaming permit		£100.00	£100.00	e				-	0.00%
136	Transfer an existing licensed premises gaming permit		£25.00	£25.00	e				-	0.00%
137	Annual Fee (Permits over 2 machines)		£50.00	£50.00	e				-	0.00%
138	<u>Bingo Premises Licence</u>	Statutory Fees							-	
139	Annual Fee		£800.00	£800.00	e				-	0.00%
140	Application to vary a licence		£1,500.00	£1,500.00	e				-	0.00%
141	Application to transfer a licence		£1,000.00	£1,000.00	e				-	0.00%
142	Application for reinstatement of a licence		£1,000.00	£1,000.00	e				-	0.00%
143	Application for provisional statement		£2,700.00	£2,700.00	e				-	0.00%
144	Application for a new premises licence		£2,700.00	£2,700.00	e				-	0.00%
145	Application for a new premises licence (Provisional Statement Holder)		£1,000.00	£1,000.00	e				-	0.00%
146	<u>Adult gaming centre premises licence</u>	Statutory Fees							-	
147	Annual Fee		£800.00	£800.00	e				-	0.00%
148	Application to vary a licence		£800.00	£800.00	e				-	0.00%
149	Application to transfer a licence		£1,000.00	£1,000.00	e				-	0.00%
150	Application for reinstatement of a licence		£1,000.00	£1,000.00	e				-	0.00%
151	Application for provisional statement		£1,500.00	£1,500.00	e				-	0.00%
152	Application for a new premises licence		£1,500.00	£1,500.00	e				-	0.00%
153	Application for a new premises licence (Provisional Statement Holder)		£1,500.00	£1,500.00	e				-	0.00%
154	<u>Club Gaming/Machine Permit</u>	Statutory Fees							-	
155	Application for a new permit		£200.00	£200.00	e				-	0.00%
156	Application for a permit (Club Premises Certificate Holder)		£100.00	£100.00	e				-	0.00%
157	Application for a permit (Existing Operator))		£100.00	£100.00	e				-	0.00%
158	Application to vary a permit		£100.00	£100.00	e				-	0.00%
159	Renewal		£200.00	£200.00	e				-	0.00%
160	Renewal (Club Premises Certificate Holder)		£100.00	£100.00	e				-	0.00%
161	Annual Fee		£50.00	£50.00	e				-	0.00%
162	Copy of Permit		£15.00	£15.00	e				-	0.00%

VAT charge types: i = inclusive of VAT @ 20%, e = non-business or exempt from VAT, s = standard plus VAT @ 20%

163	<u>Betting premises (Track licence)</u>	Statutory Fees				-	
164	Annual Fee		£800.00	£800.00	e	-	0.00%
165	Application to vary a licence		£1,000.00	£1,000.00	e	-	0.00%
166	Application to transfer a licence		£800.00	£800.00	e	-	0.00%
167	Application for reinstatement of a licence		£800.00	£800.00	e	-	0.00%
168	Application for provisional statement		£2,000.00	£2,000.00	e	-	0.00%
169	Application for a new premises licence		£2,000.00	£2,000.00	e	-	0.00%
170	Application for a new premises licence (Provisional Statement Holder)		£800.00	£800.00	e	-	0.00%
						-	
171	<u>Betting premises (other) licence</u>	Statutory Fees				-	
172	Annual Fee		£500.00	£500.00	e	-	0.00%
173	Application to vary a licence		£1,200.00	£1,200.00	e	-	0.00%
174	Application to transfer a licence		£1,000.00	£1,000.00	e	-	0.00%
175	Application for reinstatement of a licence		£1,000.00	£1,000.00	e	-	0.00%
176	Application for provisional statement		£2,300.00	£2,300.00	e	-	0.00%
177	Application for a new premises licence		£2,300.00	£2,300.00	e	-	0.00%
178	Application for a new premises licence (Provisional Statement Holder)		£1,000.00	£1,000.00	e	-	0.00%
						-	
179	<u>Temporary use notice</u>		£250.00	£250.00	e	-	0.00%
						-	
180	<u>Family entertainment centre premises licence</u>	Statutory Fees				-	
181	Annual Fee		£600.00	£600.00	e	-	0.00%
182	Application to vary a licence		£800.00	£800.00	e	-	0.00%
183	Application to transfer a licence		£800.00	£800.00	e	-	0.00%
184	Application for reinstatement of a licence		£800.00	£800.00	e	-	0.00%
185	Application for provisional statement		£1,500.00	£1,500.00	e	-	0.00%
186	Application for a new premises licence		£1,500.00	£1,500.00	e	-	0.00%
187	Application for a new premises licence (Provisional Statement Holder)		£800.00	£800.00	e	-	0.00%
						-	
188	<u>Family Entertainment Centre Gaming Machine Permit</u>	Statutory Fees				-	
189	Application for a new permit		£300.00	£300.00	e	-	0.00%
190	Renewal		£300.00	£300.00	e	-	0.00%
191	Application to Substitute name		£25.00	£25.00	e	-	0.00%
192	Copy of permit		£15.00	£15.00	e	-	0.00%
						-	
193	Total Estimated Annual Income (Gambling Act 2003)		£12,900.00	£13,550.00		650.00	5.04%
						-	
						-	
194	TOTAL ESTIMATED ANNUAL INCOME FOR ALL LICENSING SERVICES		£213,250.00	£201,650.00		- 11,600.00	-5.44%

VAT charge types: i = inclusive of VAT @ 20%, e = non-business or exempt from VAT, s = standard plus VAT @ 20%



Working in partnership with **Eastbourne Homes**

Meeting: Council

Date: 23 February 2022

Subject: Review of the Eastbourne Borough Council Cumulative Impact Assessment part of the Statement of Licensing Act Policy 2019-2024 (Licensing Act Policy)

Report of: Tim Whelan – Director of Service Delivery

The Council is asked to consider the minute and resolution of the Licensing Committee meeting held on 17 January 2022 as set out below.

The Council is recommended to: -

To approve the removal of the whole Cumulative Impact Assessment part of the Statement of Licensing Act Policy 2019-2024 (Option C in the Committee Report) at this time with an option to reintroduce if it becomes necessary.

Minute extract - Licensing Committee, 17 January 2022

Review of the Eastbourne Borough Council Cumulative Impact Assessment part of the Statement of Licensing Act Policy 2019-2024 (Licensing Act Policy)

Shoes Simes, Chair of Your Eastbourne Bid, and Vice President of Eastbourne Chamber of Commerce, addressed the Committee in support of the removal of the Cumulative Impact Assessment (CIA) part of the Licensing Act Policy.

The Committee considered the report of the Director of Service Delivery to report the findings on the consultation concerning the Council's Cumulative Impact Assessment part of the Statement of Licensing Act Policy 2019-2024 (Licensing Act Policy).

Appended to the report at Appendix 1 was the Statement of Licensing Policy 2019-2024 which included the Cumulative Impact Assessment, and the analysis of the public consultation was appended to the report at Appendix 2.

It was noted that the Cumulative Impact Assessment must legally be reviewed every 3 years. Following consultation, the Statement of Licensing Policy 2019-2024 including a Cumulative Impact Assessment was last approved by Full Council on 17 June 2019.

The effect of adopting the Cumulative Impact Assessment within the Statement of Licensing Policy was to create a "rebuttable presumption" that applications for new premises licenses, club premises certificates or material variations would be refused unless the applicant could demonstrate that the operation of the premises would not add to the negative cumulative impact already experienced in the area and/or would

not undermine the promotion of the Licensing Objectives. Further details were contained in the report.

The Regulatory Services Lead presented the report. The Committee was asked to consider and select one of the following options to be recommended to Full Council to:

- a. Keep the current Cumulative Impact Assessment.
- b. Change the area covered by the current Cumulative Impact Assessment.
- c. Remove the whole Cumulative Impact Assessment part of the policy at this time with an option to reintroduce if it becomes necessary.
- d. Remove the current Cumulative Impact Assessment part of the policy but replace with a set of principles (para 4.3 of the report) that the Licensing Authority would expect to be considered on all new or variation applications.

It was noted that one written response had been received from Sussex Police in relation to the consultation. Sussex Police was in favour of Option (d), to remove the current Cumulative Impact Assessment part of the policy but replace it with a set of principles that the Licensing Authority would expect to be considered on all new or variation applications.

Members' questions included:

- Had officers liaised with other Local Authorities on how they had approached the CIA, and what assessment had been made against the recommended options in pursuit of the Purple Flag accreditation? Officers confirmed that the Council had looked at how other Local Authorities had supported businesses. Furthermore, the Council had recently employed two night-time economy officers and delivered a successful Covid Ready Scheme in partnership with the Eastbourne Hospitality Association. Officers would also explore the Purple Flag accreditation.
- Would the licensing principles continue to put businesses off coming into the town? The Lawyer advised that it was a question for Members judgment, the licensing principles were not binding and each licensing application was assessed on its own merits.
- Could the principles of Option D be used as a starting point to work with business community and to rework the principles until they are agreed, and could the policy be reviewed earlier than 3 years? Officers confirmed that there was a statutory requirement to review the Cumulative Impact Assessment by June 2022 and that the CIA could be reviewed in a shorter period than 3 years. Officers had worked with the business community and had considered the evolving nature of the Town Centre and changes in the business model.

Members' raised concerns that the CIA policy was having a detrimental impact on the day and night time economy in the town. They felt it was essential to focus on the needs of businesses, residents and employment.

Councillor Belsey proposed a motion to accept Option D. Following discussion, he withdrew his motion.

Councillor Taylor proposed a motion to accept Option A and requested a named vote. The proposal was not seconded, and the motion was lost.

Councillor Swansborough proposed a motion to accept Option C. This was seconded by Councillor Murray.

RESOLVED: (Unanimous) that:

The Committee recommends to Full Council Option C, the removal of the whole Cumulative Impact Assessment part of the policy at this time with an option to reintroduce if it becomes necessary.

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:

[Agenda for Eastbourne Borough Council Licensing Committee on Monday, 17th January, 2022, 6.00 pm \(lewes-eastbourne.gov.uk\)](#)

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Calendar of Meetings

May 2022 - May 2023

EASTBOURNE
Borough Council



Working in partnership with **Eastbourne Homes**

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MEETING:	Day	Time	May 2022	Jun	July	Aug	Sept	Oct	Nov	Dec	Jan 2023	Feb	Mar	Apr	May
Annual Council	W	6pm	18												24
Council	W	6pm	18		20				16			22			24
Cabinet	W	6pm		1	13		14		2	14		8	22		
Scrutiny Committee	M	6pm			11		12		28			6			
Planning Committee*	M	6pm	30	27	25	22	19	17	14	12	23	27	20	17	
Licensing Committee	M	6pm		13				10			16		13		
Audit and Governance Committee	W	6pm			12(Tu)		28		23				1		
Conservation Area Advisory Group	Tu	6pm		7	5	9	6		8		10		7		
Joint Staff Advisory Committee**	M(L) / W(E)	2.30pm		20(M)			21(W)			12(M)			1(W)		
Bank Holidays			2	2, 3		29				26, 27	2			7, 10	1, 29
Elections+															4(EBC)
Other				LGA Ann. Conf. 28 - 30											

Agenda Item 9

Notes:

*Meetings of the Planning Committee have been moved from Tuesdays to Mondays at the request of the Chair of the Planning Committee.

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

+ Scheduled Elections during 2022/23 – Eastbourne Borough Council (EBC) elections May 2023.

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Executive decision taken by Leader



Working in partnership with **Eastbourne Homes**

Decision taken by:

Councillor David Tutt

Date of decision:

14 January 2022

Subject of report:

On 21st December 2021 the Government announced a new CV-19 business grant funding package to support businesses hospitality and leisure businesses impacted by the rise in the Omicron variant. The announcement included a scheme that will operate to support hospitality and leisure businesses within the business rates system.

The funding is aimed at those businesses in occupation in rateable premises as at 30th December 2021.

It is essential that the Council develops a robust policy to administer the scheme whilst at the same time working within budget and ensuring support to those that most need it.

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

No

Key decision?:

Yes

Open summary of decision made:

The Leader of the Council approves the Omicron Hospitality and Leisure Grant Scheme and grants the Director of Service Delivery delegated authority, to

implement, and if necessary, amend each Policy (in consultation with the Leader). Such delegated authority will include any measures necessary for or incidental to its management and administration.

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.

Reason(s) for decision:

This is a new scheme which needs to be implemented as a matter of urgency and so executive approval for the scheme is being sought from the Leader. The Leader is being asked to authorise the Director of Service Delivery to implement and administer the scheme as there is no existing officer delegation in place.

Alternative options considered:

This additional funding has been made available by Government as an emergency measure to support hospitality and leisure businesses over the next few weeks. Time does not permit alternative options.

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

None

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?

Not applicable

Signed:

Councillor David Tutt, Leader of the Council

Executive decision taken by Leader



Decision taken by:

Councillor David Tutt

Date of decision:

31 January 2022

Subject of report:

On 25th March 2021, the government announced plans to provide an additional business rates support package, worth £1.5 billion, to support businesses in England affected by COVID-19 but not eligible for existing support, namely Expanded Retail Discount (covering retail, hospitality and leisure sectors) linked to business rates. The bill received royal assent on 15 December 2021 and guidance was issued by the Department for Levelling Up, Housing and Communities.

Billing Authorities are responsible for designing their own schemes using discretionary relief powers under section 47 of the Local Government Finance Act. Eligible businesses will receive a reduction in their business rates bill for 2021/22.

It is essential that the Council develops a robust policy to administer the scheme whilst at the same time working within the relief allocation provided by the Department to ensure business rates support goes to those businesses that most need it.

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

No

Key decision?:

Yes

Open summary of decision made:

The Leader of the Council approves the Covid-19 Additional Relief Fund – Discretionary Non-Domestic Rate Relief scheme and grants the Director of Service Delivery delegated authority, to implement, and if necessary, amend each Policy (in consultation with the Leader). Such delegated authority will include any measures necessary for or incidental to its management and administration.

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.

Reason(s) for decision:

This is a new scheme which needs to be implemented as a matter of urgency and so executive approval for the scheme is being sought from the Leader. The Leader is being asked to authorise the Director of Service Delivery to implement and administer the scheme as there is no existing officer delegation in place.

Alternative options considered:

This additional relief funding has been made available by Government as a measure to support businesses affected by the pandemic but that are ineligible for existing support linked to business rates. Time does not permit alternative options as the relief must be awarded before the end of the current financial year.

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

None

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?

Not applicable

Signed:

Councillor David Tutt



Working in partnership with **Eastbourne Homes**

Cabinet

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 1 December 2021 at 6.00 pm.

Present:

Councillor David Tutt (Chair).

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

Officers in attendance:

Homira Javadi (Chief Finance Officer), Ian Fitzpatrick (Deputy Chief Executive and Director of Regeneration and Planning), Tim Whelan (Director of Service Delivery) and Simon Russell (Head of Democratic Services).

31 Minutes of the meeting held on 3 November 2021

The minutes of the meeting held on 3 November 2021 were submitted and approved and the Chair was authorised to sign them as a correct record.

32 Apologies for absence

An apology for absence was reported from Councillor Whippy.

33 Declaration of members' interests

Councillor Swansborough declared a prejudicial interest in agenda item 10 (Levelling Up Fund) as a Trustee of Towner. He withdrew from the room whilst the item was being considered.

Councillor Holt declared a personal interest in agenda item 10 (Levelling Up Fund) due to his role with Your Eastbourne Business Improvement District (BID) and Chamber of Commerce, who formed part of the Stakeholder Group that supported the bid. He remained in the room and voted on the item.

34 Council tax and business rate base 2022/23

The Cabinet considered the report of the Chief Finance Officer, asking them to approve the Council Tax Base and net yield from Business Rate Income for 2022/23, in accordance with the Local Government Finance Act 1992.

In presenting the report, the Chief Finance Officer reported a correction to paragraph 4.3 of the report that should read:

“The current level of Council Tax collection for mid-year is forecast to show an

in-year surplus balance of £0.996m at the end of 2021/22. However, a current collection rate of 96.52% is considered as high for 2022/23 and therefore the rate has been reduced to 96.06%.”

The Chief Finance Officer added that this was necessary as the Council was anticipating a difficult financial environment, following the withdrawal of several Government support packages and therefore the Council was taking the appropriate prudent action. The revised wording was unanimously accepted by Cabinet.

Resolved (Key decision):

(1) To agree the provisional Council Tax Base of 34,754.0 for 2022/23.

(2) To agree that the Chief Finance Officer, in consultation with the Portfolio Holder for Finance, determine the final amounts for the Council Tax Base for 2022/23.

(3) To agree that the Chief Finance Officer, in consultation with the Portfolio Holder for Finance, determine net yield from Business Rate income for 2022/23.

Reason for decisions:

Cabinet is required to approve the Tax Base which will be used for the purposes of calculating the 2022/23 Council Tax.

35 Local Council Tax Reduction scheme 2022/23

The Cabinet considered the report of the Director of Service Delivery, seeking their recommendation to Full Council that the 2021/22 Local Council Tax Reduction Scheme is adopted as the 2022/23 scheme.

Recommended to Full Council (Budget and policy framework):

(1) To recommend to Full Council that the 2021/22 Local Council Tax Reduction Scheme is adopted as the 2022/23 scheme.

(2) That the Exceptional Hardship Scheme is continued in 2022/23.

Reason for decisions:

The 2022/23 scheme meets the principles of supporting the most vulnerable with the Exceptional Hardship Scheme providing an extra level of support for those most affected.

36 Corporate performance - quarter 2 - 2021/22

The Cabinet considered the report of the Chief Finance Officer and Deputy Chief Executive/Director of Regeneration of Planning, updating members on

the Council's performance against Corporate Plan priority actions, performance indicators and targets for the second quarter of the year 2021/22.

Commentary on those performance indicators that were currently below target was detailed in the report.

The Director of Service Delivery updated the Cabinet on key performance indicator 2, and reported that 20 of the 68 outstanding businesses had now been signed up to claim expanded retail discount. Those businesses still outstanding would be receiving personal visits from the Neighbourhood First team, encouraging them to sign up.

Part B of the report detailed the Council's financial performance for the same quarter.

Thanks were conveyed to officers for their continued high performance during an exceptional period.

Resolved (Non-key decision):

(1) To note the achievements and progress against Corporate Plan priorities for 2021-22, as set out in Part A of this report.

(2) To note the General Fund, HRA and Collection Fund financial performance for the quarter, as set out in Part B of the report.

Reason for decisions:

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

37 Levelling Up Fund

The Cabinet considered the report of the Deputy Chief Executive and Director of Regeneration and Planning, providing an update on the successful bid for Levelling Up Funding and seeking to secure the necessary delegations to enable the programme of works to commence.

Thanks were conveyed to all those involved in securing the £19,847,287 towards the regeneration of Eastbourne. The bid was focused on three projects which were a new year-round 'destination' for residents and visitors at Victoria Place, a world-class cultural, education and visitor centre at Black Robin Farm and Towner 2023, linking with the centenary celebrations of the Towner Gallery.

Scrutiny Committee, at its meeting on 29 November 2021 considered the report and made the following recommendation.

To request that the Cabinet consider that clear streamlined and transparent governance arrangements for Levelling up Funds are

circulated at the earliest opportunity to all Council members and key stakeholders, whilst retaining any commercial sensitivities.

The Cabinet agreed to incorporate Scrutiny Committee's recommendation into their resolution and this was detailed below.

Councillors Holt and Swansborough declared interests in this item. Councillor Swansborough withdrew from the room whilst the item was considered. Councillor Holt remained in the room and voted on the item.

Resolved (Key decision):

(1) To note the successful bid to the Levelling Up Fund, which has secured £19,847,287 towards the regeneration of Eastbourne.

(2) To approve an allocation of up to £19.9m in the General Fund Capital Programme, to be financed in full by the grant funding secured as per the recommendation above.

(3) To authorise the Director of Regeneration and Planning to enter into the Funding Agreement that will set out the commercial terms associated with the grant award, including use, access, and ongoing monitoring.

(4) To authorise the Director of Regeneration and Planning, in consultation with the Chief Finance Officer, Leader of the Council and Portfolio Holder for Finance, in conjunction with any Project Oversight Board, to carry out all necessary actions to facilitate the recommendations and deliver the programme of works, including feasibility, financing, appointment of professional services, development, contract award(s), lettings, and determining the terms of, and authorising the execution of, all necessary documentation, in accordance with the funding parameters.

(5) To agree that clear streamlined and transparent governance arrangements for Levelling up Funds would be circulated at the earliest opportunity to all Council members and key stakeholders, whilst retaining any commercial sensitivities.

Reason for decisions:

(1) A funding offer of £19,847,287 for Eastbourne was announced on 27 October.

(2) There is a need to move at pace since the Levelling Up Fund award must be spent by March 2024 in line with Government guidance.

(3) To enable Officers to deliver in an effective and timely manner, the necessary delegations to Lead Members and Executive Officers are required to ensure that the Council can deliver the programme within the context of the timeframe.

The meeting ended at 6.27 pm

Councillor David Tutt (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 23 November 2021 at 6.00 pm.

Present:

Councillor Jim Murray (Chair).

Councillors Peter Diplock (Deputy-Chair), Penny di-Cara, Jane Lamb, Colin Maxted, and Candy Vaughan.

Officers in attendance:

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

48 Welcome and Introductions

Members of the Committee and Officers present introduced themselves to all those who were present during the meeting.

49 Apologies for absence and notification of substitute members

Apologies had been received from Councillor Murdoch and Councillor Taylor. Councillor di-Cara confirmed that she was acting as substitute for Councillor Taylor. Absence was noted for Councillor Miah.

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

There were none.

51 Minutes of the meeting held on 19 October 2021

The minutes of the meeting held on 19 October 2021 were submitted and approved as a correct record, and the Chair was authorised to sign them.

52 Urgent items of business.

There were no urgent items and no officer addendum for the meeting.

53 20 Upperton Road. ID: 210647

Application for variation of conditions 2 (approved plans), 3 (external materials), 4 and 5 (vehicular access) following grant of planning permissions 170868 and 180829 to allow for revised design, layout, access and parking

arrangements and external finishing to the approved development -
UPPERTON

The Specialist Advisor (Planning) presented the report. The Committee was reminded that the application sought to regularise the works that had not been built in accordance with the approved plans and to provide additional car and cycle parking spaces which were required as a condition of the prior approval.

Mr Smallwood, resident, addressed the Committee in objection to the application. Mr Bateman, Agent, spoke in support of the Application. Councillor Rodohan, Ward Councillor, spoke in objection.

Members discussed the proposal and raised strong concerns regarding the front elevation of the building, and the lack of block paving, canopy, feature wall, temporary planting, fencing, and screening of the sub-station. Members stated that they considered the development to be an eyesore, and that it was unfinished and of poor quality, and was not in accordance with what had been agreed.

The Committee sought clarification from Officers on the provision of bins, disabled parking spaces / access, electric charging points, cycle storage and the enclosure of the sub-station.

Officers advised the screening of the sub-station was acceptable and would explore the potential for a secure enclosure around it, if the application was deferred.

A typographical error was noted at paragraph 8.3.6 the word 'not' should be inserted after the words 'appearance of the development is'.

Councillor Murray proposed a motion to defer the application to enable officers to seek revised plans. This was seconded by Councillor Vaughan and was carried.

RESOLVED: (unanimously) that the application be deferred for officers to negotiate improvements to the scheme; and to be determined at a future Planning Committee meeting following any required consultation.

54 Date of next meeting

Resolved:

That the next meeting of the Planning Committee is scheduled to commence at 6:00pm on Tuesday, 14 December 2021, be noted.

The meeting ended at 7.03 pm

Councillor Jim Murray (Chair)



Working in partnership with **Eastbourne Homes**

Audit and Governance Committee

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 24 November 2021 at 6.00 pm.

Present:

Councillor Robin Maxted (Chair).

Councillors Amanda Morris (Deputy-Chair), Peter Diplock, Tony Freebody and Kshama Shore.

Officers in attendance:

Oliver Dixon (Monitoring Officer and Head of Legal Services), Lee Ewan (Counter Fraud Investigations Manager), Jackie Humphrey (Chief Internal Auditor), Ola Owolabi (Deputy Chief Finance Officer (Corporate Finance) and Elaine Roberts (Committee Officer).

26 Minutes

Following one amendment (see below), the minutes were confirmed (unanimous) as an accurate record, subject to the replacement of the word 'officers' with 'Chief Internal Auditor' as follows:

"In addition, the CIA clarified that the purpose of the reports was to identify and highlight areas of risk,..."

27 Apologies for absence/declaration of substitute members

Apologies were received from Councillor Burton, Councillor Choudhury and Councillor Miah and from Homira Javadi, Chief Finance Officer.

28 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.

29 Questions by members of the public.

The Chair reported that no questions had been received from members of the public.

30 Urgent items of business.

There were none.

31 Right to address the meeting/order of business.

The Chair reported that no requests to address the meeting had been received.

32 Annual report on Covert Surveillance Management

Lee Ewan, Counter Fraud Investigations Manager and RIPA Monitoring Officer (RMO), presented the annual report to the Committee on adherence to the Council's Covert Surveillance Policy, and provided a verbal update regarding the 2019 IPCO (Investigatory Powers Commissioner's Office) inspection.

Highlighted points included:

- An explanation of the strict thresholds that needed to be met to warrant the use of covert surveillance and confirmation that no requests had been made in the period covered by the report.
- CHIS (Covert Human Intelligence Sources) training had been completed. There was no expectation that CHIS would be used.
- A note of the Council's use of overt surveillance activities that fell outside of RIPA (Regulation of Investigatory Powers Act 2000), including use of CCTV, online open sources, and uniformed Neighbourhood First Team (for prevention and monitoring purposes).
- A confirmation that all the recommendations from the IPCO inspection in 2019 (Appendix 1) had now been fulfilled.

The Chair thanked the RMO for the presentation and members considered the report.

Following questions from members, the RMO explained that RIPA (Regulation of Investigatory Powers Act 2000) had provided a framework that all Local Authorities followed, which ensured proper and consistent application of any covert activity.

The RMO described the process for requesting, authorising, carrying out and monitoring any covert activities. This included the kinds of considerations made by the RIPA Monitoring Officer (RMO), as authoriser, and potential liaison with partnership bodies, such as the Police.

The RMO confirmed that reports of any CHIS activity were provided annually, in line with IPCO recommendations, and that Eastbourne Borough Council had never used CHIS and considered it very unlikely it would do so in the future.

RESOLVED (unanimous)

1. To note the covert surveillance summary for September 2020 to September 2021; and
2. To note the Council's actions to address outstanding recommendations from IPCO's inspection in 2019.

33 Audit and Counter Fraud Work Quarterly Report

Jackie Humphrey, Chief Internal Auditor (CIA) presented the report, in support of the Audit and Governance Committee's duty to keep the Annual Audit Plan under review and to review the probity and effectiveness of internal controls both financial and operational including arrangements for identifying and managing risk.

The CIA noted and explained instances where changes had been made to the presentation of information in the report format and appendices to improve clarity. The CIA invited further suggestions from members, but noted that additional detail was not always appropriate due to considerations over exempt information.

The Chair thanked the CIA and officers provided updates and clarifications to the following questions and comments from the Committee Members.

Officers (The CIA and RMO) explained that it would be difficult to compare the Council's own record of 'savings' with others, due to differences of reporting styles and between housing stock volumes.

The CIA clarified that issues requiring follow up identified in any of the 12 areas of the organisation which were obliged to be audited annually (including debts and payroll) were necessarily covered as part of that annual auditing process.

Following comments regarding content in Appendix B, the CIA clarified how 'client comments' were summarised, and agreed to consider how this information could be expanded for future reporting, along with the potential inclusion of previous and current rating information (from Appendix A) and to provide explanations of acronyms. The CIA explained how the Audit team typically followed up with teams with flagged issues, and provided an update of suggestions made for the specific area of 'arrears collection'.

The RMO provided an update regarding investigations of potential fraudulent application activity for Covid-19 business support, and explained that many flagged potential instances had been found to be non-fraudulent on further investigation.

RESOLVED (unanimous)

1. To note the information in the report and identified further information requirements: specifically, that the CIA would investigate the possibility of providing an update on arrears for the March committee meeting.

34 Treasury Management Quarter 2 Report

Ola Owolabi, Deputy Chief Finance Officer (DCFO) presented the report regarding the activities and performance of the Treasury Management service for the period August to October 2021.

The Chair thanked the DCFO and the Committee considered the report.

The Committee Officer confirmed that information from the recent Treasury Management training session for members (training pack and session recording) would be shared with those Councillors who had not been able to attend the event.

The DCFO confirmed that the Treasury Management report sought to provide Members with a summary and indicator information and that other Council reports, such as the Corporate Performance Q2 Report to Cabinet (Financial Appraisal Appendix 2), provided more detailed breakdowns of particular areas such as for the General Fund capital project programme.

The DCFO said that he would rename the 'Q2 actual Indicator' column to 'projected actual' to better reflect the projected position for the year end. He explained the difficulties in making projections for some areas, such as the General Fund capital expenditure, compared to others, and offered to bring a more detailed report of the capital project programme to a future meeting.

RESOLVED (unanimous)

1. To note the report and recommend that the Committee accepts that Treasury Management Activity for the period 1 August to 31 October 2021 had been in accordance with the approved Treasury Management strategies.

35 Arrangements for Appointing External Auditors

Ola Owolabi, Deputy Chief Finance Officer (DCFO) presented the report and outlined the timeline and options available to the Council for appointing an External Auditor when the current arrangements reach an end in 2023.

In addition, the DCFO concluded his presentation with a short verbal update that summarised the recent deliberations of Lewes District Council's (LDC) Audit and Standards Committee on the same issue.

Namely that:

- Officers had been instructed to survey the nine eligible auditing companies regarding potential interest in independent contracts outside of the PSAA (Public Sector Audit Appointments Limited) scheme.
- The results of the survey would be shared at an informal briefing for members of LDC Audit and Standards Committee. In addition, a representative from PSAA would be invited to attend, to discuss the revised scheme following recommendations of the Redmond Report.
- The LDC Audit and Standards Committee had deferred making a recommendation to Full Council until January 2022.
- That the briefing could be offered as a joint event with Eastbourne Borough Council's Audit and Governance Committee, in consideration of Option 2.

The Committee considered the report. Following questions and comments from Members the DCFO confirmed that:

- A recommendation would need to be presented to the Full Council meeting on 23 February 2022 in order to meet the PSAA's opt-in deadline.
- Auditing costs were expected to increase with any of the three Options outlined in the report. Costs for the PSAA scheme were not available. The Local Government Association had published estimates of circa £25,000.00 to run an independent Auditors Panel (Options 1 and 2). However, that cost could be shared between the participating Councils in the Option 2 model. More information to understand potential costs for setting up and running an Independent Panel could be included within a joint briefing.
- A template form to help members 'weigh' and analyse the benefits and risks of the three options had been devised and shared with Committee members via email, as requested at the informal briefing on 8 November 2021.
- The deadline for survey responses from the nine auditing firms was 3 December 2021.
- Officers had sought to engage with other Councils and shared what feedback had been received to date, including any levels of interest for the Option 2 shared Independent Panel model. In addition, the DCFO reported that only one District Council had previously opted out of the PSAA scheme to set up its own Panel, but that Council had not responded to an invitation to share its experiences as yet
- For the current appointing period, covering audits of the accounts for 2018/19 to 2022/23, there were 510 bodies opted-in and 10 organisations (of which 6 were Councils) who had made their own local arrangements. Of these 6 Councils, 5 were unitary / London Borough / Metropolitan District Councils; East Hampshire District Council was the only District Council to opt out.
- As there was a joint staff arrangement between Lewes District Council and Eastbourne Borough Council, there would be resource efficiencies if the two Councils decided on the same auditing arrangement.
- The Committee could, if it chose to opt in to the PSAA scheme, formally request that the same auditor be appointed for both Eastbourne and Lewes Councils. Officers also advised that the Committee could submit a request regarding specific auditors, but that officers understood that PSAA was not under any obligation to agree such requests.

Members thanked Officers for all their research work, including reaching out to other Councils.

Members noted that, in addition to costs, considerations for ensuring open communication and accountability for poor service, were also important when identifying the best value option.

It was agreed that the pending information from the Officers' investigation should be considered as part of the Committee's deliberations for the future external auditing arrangements. The Committee also welcomed the opportunity to receive a briefing alongside the Lewes District Council Audit and Standards Committee on the Audit Panel arrangements and to hear from the PSAA.

RESOLVED (unanimous)

To request Officers to:

1. Find a suitable date in December for an informal joint briefing with the LDC Audit and Standards Committee, to take place remotely via Microsoft Teams;
2. That a representative from the PSAA be invited to attend that briefing; and
3. That an additional meeting of the Audit and Governance Committee be scheduled for January, in order for the Committee to make a recommendation on the audit arrangements to Full Council on 23 February 2022.

36 Date of the next meeting

The date of the next meeting would be arranged by Officers for January 2022, as per the resolution under Agenda Item 10, and Members would be informed by email.

The meeting ended at 7.42 pm

Councillor Robin Maxted (Chair)



Working in partnership with **Eastbourne Homes**

Scrutiny Committee

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 29 November 2021 at 6.00 pm.

Present:

Councillor Tony Freebody (Chair).

Councillors Steve Wallis (Deputy-Chair), Josh Babarinde, Helen Burton, Peter Diplock, Jane Lamb and Robert Smart.

Officers in attendance:

Philip Brown (Property Lawyer), Linda Farley (Head of Customer First), Homira Javadi (Chief Finance Officer), Ola Owolabi (Deputy Chief Finance Officer (Corporate Finance)), Tim Whelan (Director of Service Delivery) and Nick Peeters (Committee Officer).

30 Minutes of the meeting held on 13 September 2021

Councillor Smart referred to matters arising from the previous minutes and it was agreed that those would be dealt with later on the agenda.

Resolved that the minutes of the meetings held on 13 September 2021 were submitted and approved and signed as a correct record by the Chairman.

31 Apologies for absence / declaration of substitute members

Apologies for absence were received from Councillor Morris.

32 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.

33 Questions by members of the public

There were none.

34 Urgent items of business

There were none.

35 Right to address the meeting/order of business

There were no requests,

36 Corporate performance - quarter 2 - 2021/22

Part A - Portfolio Progress and Performance

Tim Whelan, Director of Service Delivery, introduced the report. During discussion the following points were highlighted:

- Recruitment was an issue across all sector. Changes had been made to working patterns with more flexibility to encourage interest from as diverse a range of applicants as possible. Relevant courses were in place with links to local colleges in order to invest in new staff
- The highlighting of fly-tipping as an issue in the Devonshire ward reflected the transient nature of the population and that the area included a number of unadopted ally-ways in between properties. Safer Streets funding had been used to gate some of the ally-ways and prohibit access. Proactive 'overt' cameras were also being used.
- The increase in home DIY during lockdown periods had contributed to the number of fly-tip incidents and the type of materials left. Part of the work in reducing the number of incidents and the volume of fly-tipping was around educating residents and encouraging ownership of the areas affected.
- The contact-centre call responses data also included the length of time that customers waited for a response and the wait-time had improved significantly between quarters 2 and 3. A number of staff were undergoing training and as a result of the nature of the calls received had become more complex, and involving multiple issues. The standard email response time was 10 working days. However, emails were currently being responded to within 3 working days. Technology was being looked at that would allow signposting via text to dedicated, self-serve web pages. The Council's website was under review and part of the work would be to provide more accurate signposting and responses to a broad range of enquiries. Reports were produced that identified and allowed analysis of the types of calls being received.
- The target for the inspection of licensable houses of multiple occupancy (HMO's) was cumulative and details of the licenses were published on the Council's website. Details of high-risk HMO's could be made available separately.
- The contract for with Mears was 7 seven years old and due for renewal in 2023. An action plan had been provided to drive the performance of the service and weekly meetings were being held with the company directors. The moving of the hosing repair calls back in-house was being looked at as part of a broader look at a different model for providing the service to residents. The final recommendations would form a report to the Cabinet.
- The majority of discretionary housing payments (DHP's) were used for vulnerable tenants in the private housing sector who potentially faced the threat of homelessness. Funds were still available and the Council's own

tenants were being focused on for providing support. Software had been used to identify the most at-risk tenants and as a result, the rent arrears level had been reduced.

- An action plan was in place to target recruitment including school visits and recruitment days. Apprenticeships were being offered also. Plans were in place to attract people from different backgrounds and specialist recruitment websites were being used. The focus was on applicants having the right attitude and behaviours as well as the relevant skill sets.
- An action plan was being worked on for recycling and the 2021 Environment Act would impact on potential changes such as the suggestion for food waste collection and a free garden waste service. A significant amount of communications was available on the Council's website on recycling best practice. Communication was a key area for supporting improvements in recycling levels.
- Sickness levels in the Waste Service was historically higher than office based services. Additionally, staff had been operating in 'bubbles' and there was a direct impact if staff contracted Covid. There was an emphasis on working closely with operatives in the Waste Service to identify areas where injuries and illness levels could be reduced.

Part B - Financial Performance

Homira Javadi, Chief Finance Officer and Ola Owolabi, Deputy Chief Finance Officer, presented the report. During discussion the following points were highlighted:

- The Budget assessment focused on the key areas that had been affected post-Covid which included Regeneration and Planning. Plans were in place to look at areas with a significant variance.
- The Council's Capital Programme was funded through borrowing and there was an obligation to ensure that any commitment could be justified. A significant reduction in income had reduced net expenditure and impacted overall on the Budget. The income headline had also been affected by changes to the categorisation of services. A number of savings from the 2019 Budget had been delayed and consolidated into the Recovery and Reset savings target. The figures in the report were intended to provide a high-level overview of the Budget. A more detailed, line-by-line analysis could be provided.
- It was noted that all investment and expenditure decisions by the Council had an additional consideration of the Council's carbon footprint and the commitment to its 2030 Carbon-Neutral programme.

Resolved to note the report.

37 **Levelling Up Fund**

Tim Whelan, Director of Service Delivery, introduced the report. During discussion the following points were highlighted:

- East Sussex County Council, as the highways authority, would be supporting the pedestrianisation work at Victoria Place. The Band Stand was not suitable for the funding as it was a Council asset and the funding was intended to create jobs, employment and learning opportunities.
- The details of the governance arrangements and membership of the Stakeholder Oversight Board were due to be finalised.
- Members considered that streamlined and transparent governance arrangements were needed as part of the programme.

Resolved:

- 1) To note the report; and
- 2) Request that the Cabinet consider that clear streamlined and transparent governance arrangements for Levelling up Funds are circulated at the earliest opportunity to all Council members and key stakeholders, whilst retaining any commercial sensitivities.

38 **Forward Plan of Decisions**

The Chair, Councillor Freebody, introduced the Forward Plan of the Cabinet.

Concern was expressed that a number of reports that were originally included on the Forward Plan were no longer available for consideration. It was explained that staffing levels and commercial sensitivities had affected the availability of reports for specific deadlines and that the Forward Plan was an evolving document.

Resolved to note the Forward Plan of Cabinet decisions.

39 **Scrutiny Work Programme**

The Chair, Councillor Freebody, introduced the Committee's work programme.

Members noted the update on the figures for the number of homelessness placements into Eastbourne by Brighton and Hove City Council and that this had now reduced to 64 people, close to pre-pandemic figures. Officers and Members were thanked for their work towards the reduction in the figures. Members were advised that Brighton and Hove City Council had declined to attend a further meeting on the issue.

Members requested that updates on the Levelling Up fund be provided to future meetings.

Resolved to note the Committee's work programme.

Matters arising from the previous meeting:

As requested at the beginning of the meeting, the following issues were highlighted and responded to:

Treasury management annual report 2020/21, details of the Council's cashflow – this had been provided as a one-page analysis and was available for circulation.

Housing Development update - Southfields Road Car Park – the recommendation from the Scrutiny Committee was considered by the Cabinet on the 14 July 2021 and it was considered that the request was already considered within the officer recommendations.

40 Date of the next meeting

Resolved to note that the date of the next meeting of the Scrutiny Committee is scheduled for Monday 7 February 2022, in the Court Room, Eastbourne Town Hall, Grove Road, Eastbourne, BN21 4UG.

The meeting ended at 7.50 pm

Councillor Tony Freebody (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 14 December 2021 at 6.00 pm.

Present:

Councillor Jim Murray (Chair).

Councillors Peter Diplock (Deputy-Chair), Jane Lamb, Robin Maxted, Md. Harun Miah, Colin Murdoch and Candy Vaughan.

Officers in attendance:

Neil Collins (Senior Specialist Advisor for Planning), Leigh Palmer (Head of Planning First), James Smith (Specialist Advisor for Planning), Helen Monaghan (Lawyer, Planning), and Emily Horne (Committee Officer)

55 Welcome and Introductions

Members of the Committee and Officers present introduced themselves to all those who were present during the meeting.

56 Apologies for absence and notification of substitute members

Apologies had been received from Councillor Taylor. Councillor Metcalfe MBE confirmed that he was acting as substitute for Councillor Taylor.

57 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.

58 Minutes of the meeting held on 23 November 2021

The minutes of the meeting held on 23 November 2021 were submitted and approved as a correct record, and the Chair was authorised to sign them.

59 Urgent items of business.

There were no urgent items. An officer addendum, however, was circulated to the Committee prior to the start of the meeting, updating the main reports on the agenda with any late information (a copy of which was published on the Council's website).

60 41 Brampton Road. ID: 210324

Demolition of existing industrial units and erection of 7 industrial terraces (providing 31 B2/B8 units) with associated access, car parking and landscaping – **HAMPDEN PARK**

The Senior Specialist Advisor (Planning) presented the report. The Committee was reminded that the application was brought back to the Planning Committee following deferral at the June meeting to address various concerns.

The Committee was advised by way of an Addendum of five additional objections that had been received from local residents and of the revised schedule of conditions submitted by East Sussex County Council, Highways. It was noted that the numbering of the schedule of conditions listed in the Addendum was incorrect and was amended to 24 numbered conditions. The Senior Specialist Advisor (Planning) advised of an additional proposed condition, number 25, for Electric Vehicle Charging Points.

Mr Cos Polito (Agent) addressed the Committee in support of the application. Councillor Babarinde OBE (Ward Councillor) spoke in objection.

Members discussed the proposal and expressed concerns regarding noise, traffic, overdevelopment and loss of parking. Members also welcomed the employment opportunities, provision of electric charging points, solar panels, cycling provision, proximity to railway station and bus stops.

The Committee sought clarification on various points: could the exterior colour of the unit be changed from grey to green, the potential to remove Unit G to provide more parking, was internal parking proposed, would full size trees be replaced, and had East Sussex County Council adjusted its algorithms to reflect changes in homeworking due to the pandemic.

The Senior Specialist Advisor (Planning) informed the Committee that they could not require a change in colour of the external envelope of the building to green without first consulting the applicant and that the views on this alteration may differ for neighbouring residents. The Transport Statement had been corrected due to a mis-calculation regarding the retained floor area and its use (which would be B8 rather than B2). The retained unit would generate a demand of 32 spaces (a total of between 173 to 179 for the entire site depending on the uptake of flexible uses), resulting in a parking shortfall of between 6 and 12 spaces, which was considered to be acceptable. 31 flexible internal parking spaces were also now proposed. The schedule of conditions in the Addendum included additional conditions: details of phased connection to the foul drainage; vehicular accesses, visibility splays; turning spaces and lighting scheme all prior to first use and condition regarding the required parking space dimensions. East Sussex County Council parking standards have not yet been updated to reflect home working arrangements resulting from the pandemic.

Councillor Murray proposed a motion to approve the application in line with the

Officers' recommendation. This was seconded by Councillor Murdoch and was carried.

RESOLVED: (Unanimous) that:

1. Planning permission be approved subject to a Section 106 legal agreement to include:

- reconstruction and widening of the existing eastern access points including tactile paving at the junction with Brampton Road;
- Removal of the existing western accesses onto Brampton Road with reinstatement of the footway and kerbing;
- Construction of new access points serving the western site with tactile paving; £5000 TRO contribution; Directional signage;
- Allocated parking bays;
- Local Construction and Employment Training Plan, the revised schedule of conditions set out in the Addendum, addition condition re No.25, for Electric Vehicle Charging Points.

61 Tesco's Car Park, Lottbridge Drove. ID: 210772

Erection of a coffee shop with drive through facility, replacement car parking and associated works - **ST ANTHONYS**

The Senior Specialist Advisor (Planning) presented the report.

The Committee was advised by way of an Addendum that no further objections had been received following completion of the report. A revised schedule of conditions recommended by East Sussex County Council had been received to include revised plans and additional conditions – Condition 1 was removed and the numbering corrected from 8 to 7. The acoustic fence would be constructed in timber and 30 FTE jobs was corrected to state 22 FTE jobs.

It was noted that the site was in an Archaeological Notification Area (ANA) with potential for significant interest to result from the proposed development affected by the proposals, which would be subject to a programme of archaeological works.

Mr Steve Bradley (resident) addressed the committee in objection to the application. Mr Simon Berry (Applicant) spoke in support of the application. Councillor Tutt (Ward Councillor) addressed the committee in objection.

Members discussed the proposals, and expressed strong concerns regarding safety, traffic, congestion, noise and light pollution, litter, bottle-banks, loss of parking spaces, delivery lorries, activity beyond hours, proximity to residents, acoustic fence, abundant coffee shops and the potential to extend the opening hours.

The Committee requested an additional condition concerning congestion be applied to any grant of consent. Officers advised that it was covered by the safety and air pollution conditions covered in the Officers' report.

Officers advised the pedestrian access would be improved and there were no impacts on safety internally within the site. The Committee was reminded that East Sussex County Council Highways Officers, had not objected to the application and had fully assessed the site. Members noted, the site would be closed and secured by a gate from 11pm till 6am and the acoustic wall would be extended and recycling facilities relocated. The Specialist Advisor for Environmental Health had advised the proposals were acceptable on noise grounds.

Councillor Miah proposed a motion against the Officers' recommendation, to refuse the application. This was seconded by Councillor Lamb and was carried.

RESOLVED: (Unanimous) that Planning Permission be refused for the following reasons:

1. The proposals would, by reason of the increase in traffic to, through and from the site, lead to an increased risk of highway safety issues, contrary to policy D10A (Design) and D8 (Sustainable Travel) of the Eastbourne Core Strategy 2013 and the National Planning Policy Framework (paras. 110d and 111).
2. The proposed use would have an adverse impact upon air quality at and within the vicinity of the site, contrary to the National Planning Policy Framework (paras. 174 and 105).
3. The proposed development would, by nature of its use, create undue noise disturbance to neighbouring residential occupants resulting in a loss of residential amenity, contrary to policy B2 of the Eastbourne Core Strategy 2013 and National Planning Policy Framework (para. 174).

62 28-30 Bedfordwell Road. ID: 210412

Demolition of the existing buildings and redevelopment to provide a new care home (Use Class C2) together with associated access, car and cycle parking, landscaping and amenity space provision - **UPPERTON**.

The Specialist Advisor (Planning) presented the report.

The Committee was advised by way of an Addendum of comments received from East Sussex County Council, Highways, and 9 additional highway conditions.

Mr Adrian Kearley (Agent) addressed the Committee in support of the application.

The Committee raised mixed concerns regarding the loss of family accommodation, lack of parking spaces, bulk and height, but was supportive of the design, additional accommodation and biodiversity.

The Committee sought clarification on the boundary walls, landscaping and double yellow lines.

Officers advised that the boundary wall would be in-filled and existing access would be closed and curb reinstated. A landscaping condition to secure type, species and maturity was included in the conditions of the officers' report. The double yellow lines would be covered by a Traffic Regulation Order and any request to extend it should be made at that stage.

Councillor Maxted proposed a motion to approve the application in line with the Officers' recommendation. This was seconded by Councillor Vaughan and was carried.

RESOLVED: (unanimously) that Planning permission be approved subject to a Section 106 legal agreement to secure a travel plan, local labour agreement, Traffic Regulation Order (double yellow lines), highway improvements and the conditions set out in the officer's report and the Addendum.

63 Date of next meeting

That the next meeting of the Planning Committee is scheduled to commence at 6:00pm on Tuesday, 25 January 2022, be noted.

The meeting ended at 8.43 pm

Councillor Jim Murray (Chair)

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Working in partnership with **Eastbourne Homes**

Audit and Governance Committee

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 12 January 2022 at 6.00 pm.

Present:

Councillor Robin Maxted (Chair).

Councillors Amanda Morris (Deputy-Chair), Sammy Choudhury, Peter Diplock, Md. Harun Miah and Kshama Shore.

Officers in attendance:

Jackie Humphrey (Chief Internal Auditor), Ola Owolabi (Deputy Chief Finance Officer (Corporate Finance)) and Elaine Roberts (Committee Officer).

37 Minutes

The Minutes of the last meeting, held on 24 November 2021, were confirmed as an accurate record.

38 Apologies for absence/declaration of substitute members

Apologies were received from Councillor Burton, Councillor Freebody, Homira Javadi (Chief Finance Officer) and Oliver Dixon (Head of Legal Services and Monitoring Officer).

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.

The Chair reported that no questions had been submitted.

41 Urgent items of business.

There were none.

42 Right to address the meeting/order of business.

The Chair reported that no requests had been received.

43 Arrangements for Appointing External Auditors

The Committee considered the report of the Chief Finance Officer, seeking its agreement to recommend that the Full Council accepts the invitation from the Public Sector Audit Appointments (PSAA) to opt into the sector-led option for the appointment of external auditors from 1st April 2023.

Ola Owolabi, Deputy Chief Finance Officer (DCFO), presented the report, briefly outlining the requirements on the Council and the three options for appointment arrangements that were available to the Council.

The DCFO noted that the subject had been discussed at length at a number of previous meetings of the Audit and Governance Committee, and at an informal briefing with the PSAA.

The DCFO informed Members that the CFO had recently written a letter to the PSAA, seeking assurances that, should the Council chose to opt-in to the scheme, the PSAA would consider the Council's request for a different auditor, and would provide support for a smooth transition from existing to new auditor. The DCFO highlighted the importance of considering the transition phase, because the two currently outstanding sets of accounts risked potential delays should a new auditor be appointed. The ability to apply to the PSAA for support in this matter was noted as a benefit of opting into the scheme.

The Chair thanked the DCFO and invited comments and questions from the Committee.

Feedback was shared of the positive experiences that other local Councils' had had of the PSAA scheme. Members noted the usefulness of the briefing with the PSAA and there was recognition that the Council's own poor experience under the current arrangement had been largely due to issues with the current specific auditor, rather than the scheme generally.

Members requested clarification on a number of points concerning current and future costs for external auditing. In his responses, the DCFO confirmed that:

- The current external audit fee within the PSAA scheme was £52K per annum, but that the final audit fees would be more, due to extra billing for various audit works.
- Costs for external auditing from April 2023 would increase, whichever of the three options was selected.
- Research regarding likely external auditing fees for Option 2 had returned an estimate quote of between £150K-£200k per annum, of which approximately 60-65% would fall to Eastbourne Borough Council.
- The PSAA had been unable to provide estimated external audit fees, as it was too early in the timeline of preparations for the next scheme.
- By choosing the PSAA, Option 3, the Council would save on the costs of setting up and maintaining an independent panel as those costs would be over and above any relative comparable cost for auditor services.

There was general agreement amongst Members that cost should not be the only consideration in determining best value. Moreover, the impact on the Council's Finance Team of the lack of resources and poor communications exhibited by the current auditors had had hidden costs for the Council. In light of these considerations, and the fact that the Council shared a joint staff Finance Team with Lewes District Council (LDC), the DCFO agreed the evening's decision of Committee would be shared with LDC's Audit and Standards Committee.

Following questions and comments from Members regarding its request for an alternative auditor from the PSAA scheme, the DCFO reminded Members that the PSAA had clearly stated that the independent process for auditor appointments meant that requests for specific auditors could not be guaranteed. The DCFO noted that, based on previous experiences, he had confidence that the Council's request for a change of auditor would be listened to by the PSAA, and that the Council's position on this matter, and the importance it placed on the need to have a change of auditor going forward, had been made very clear to the PSAA.

The DCFO confirmed that a discussion of 'level of materiality' would be included in the External Audit Plan, presented at the start of the annual audit process from the external auditors, currently expected March 2022.

There was general agreement that joining the PSAA scheme was most likely to provide overall best value out of the three options available to the Council.

On behalf of the Committee, the Chair thanked the Chief Finance Officer and Deputy Chief Finance Officer and the Finance Team finance team for all their work and support in this matter.

Resolved (unanimously)

1. That the Committee recommends that Council approves the decision to accept Public Sector Audit Appointments' (PSAA's) invitation to opt into the sector-led option for the appointment of external auditors from 1st April 2023.

44 Date of the next meeting

The date of the next meeting was confirmed as 2 March 2022, at 6pm in the Court Room, Town Hall, Eastbourne.

The meeting ended at 6.27 pm

Councillor Robin Maxted (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 17 January 2022 at 6.00 pm.

Present:

Councillor Robin Maxted (Chair).

Councillors Peter Diplock (Deputy-Chair), Josh Babarinde, Colin Belsey, Sammy Choudhury, Penny di Cara, Amanda Morris, Colin Murdoch, Jim Murray, Colin Swansborough and Barry Taylor.

Officers in attendance:

Rebecca Wynn (Regulatory Services Lead – Licensing), Jo Dunk (Senior Specialist Advisor – Environmental Health), Michele Wilkinson (Lawyer – Housing & Regulatory) and Emily Horne (Committee Officer).

20 Introductions

Members of the Committee and Officers present introduced themselves via roll call during the meeting.

21 Minutes of the meeting held on 27 July 2021

The minutes of the meeting held on 27 July 2021 were submitted and approved, and the Chair was authorised to sign them as a correct record.

22 Apologies for absence/declaration of substitute members

An apology for absence had been received from Councillor Candy Vaughan.

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.

There were none.

24 Questions by members of the public

There were none.

25 Urgent items of business

There were none.

26 Right to address the meeting/order of business

Shoes Simes, Chair of Your Eastbourne Bid, and Vice President of Eastbourne Chamber of Commerce had registered to speak on item 8, Review of the Eastbourne Borough Council Cumulative Impact Assessment part of the Statement of Licensing Act Policy 2019-2024 (Licensing Act Policy).

27 **Approval of Licensing Fees**

The Committee considered the report of the Director of Service Delivery which sought the approval of the Licensing fees proposed within Appendix 1 to apply from 1 April 2022, and for them to be recommended to Full Council for approval.

The Regulatory Services Lead (RSL) presented the report and highlighted the changes in relation to the taxi licensing surplus, including reducing Private Hire Operators Licence fees, the slight increase in the number of gambling premises and the substantial increase in the licensing fees relating to Dangerous Wild Animal Licences, as set out in the report and Appendix 1. RSL advised of an additional small decrease in fees for external plates and door signs.

Several amendments to the report were noted at paragraph 2.2, the Total Income Estimates were corrected from £213,900 to £213,250, £23,900 was corrected to -£11,600, and £237,800 was corrected to £201,650. Therefore, the Total Estimated Annual Income (Taxi Licensing), was corrected from £92,550.00 to £84,550 at Appendix 1, page 16, line 52.

The Committee queried whether the fees for the dangerous wild animals should be tiered to reflect the scale of animal sizes. It was asked if the range of fees had been benchmarked against other Local Authorities, and if officers could provide data on how many licences existed in the Borough per year in order to assess the charges and revenue. Officers explained that the fees did not distinguish between animal size, the fees had been benchmarked against other Local Authorities, and that it would be possible going forward to provide data on the number of licences per year, if any.

Councillor Diplock proposed a motion to agree the officer recommendations listed in the report. This was seconded by Councillor Murray.

Resolved (unanimous): That Full Council be recommended to approve the Licensing Fees proposed within Appendix 1 of the report, to apply from 1 April 2022, subject to the correction noted above to the Total Estimated Annual Income (Taxi Licensing).

28 **Review of the Eastbourne Borough Council Cumulative Impact Assessment part of the Statement of Licensing Act Policy 2019-2024 (Licensing Act Policy)**

Shoes Simes, Chair of Your Eastbourne Bid, and Vice President of Eastbourne Chamber of Commerce, addressed the Committee in support of the removal of

the Cumulative Impact Assessment (CIA) part of the Licensing Act Policy.

The Committee considered the report of the Director of Service Delivery to report the findings on the consultation concerning the Council's Cumulative Impact Assessment part of the Statement of Licensing Act Policy 2019-2024 (Licensing Act Policy).

Appended to the report at Appendix 1 was the Statement of Licensing Policy 2019-2024 which included the Cumulative Impact Assessment, and the analysis of the public consultation was appended to the report at Appendix 2.

It was noted that the Cumulative Impact Assessment must legally be reviewed every 3 years. Following consultation, the Statement of Licensing Policy 2019-2024 including a Cumulative Impact Assessment was last approved by Full Council on 17 June 2019.

The effect of adopting the Cumulative Impact Assessment within the Statement of Licensing Policy was to create a "rebuttable presumption" that applications for new premises licenses, club premises certificates or material variations would be refused unless the applicant could demonstrate that the operation of the premises would not add to the negative cumulative impact already experienced in the area and/or would not undermine the promotion of the Licensing Objectives. Further details were contained in the report.

The Regulatory Services Lead presented the report. The Committee was asked to consider and select one of the following options to be recommended to Full Council to:

- a. Keep the current Cumulative Impact Assessment.
- b. Change the area covered by the current Cumulative Impact Assessment.
- c. Remove the whole Cumulative Impact Assessment part of the policy at this time with an option to reintroduce if it becomes necessary.
- d. Remove the current Cumulative Impact Assessment part of the policy but replace with a set of principles (para 4.3 of the report) that the Licensing Authority would expect to be considered on all new or variation applications.

It was noted that one written response had been received from Sussex Police in relation to the consultation. Sussex Police was in favour of Option (d), to remove the current Cumulative Impact Assessment part of the policy but replace it with a set of principles that the Licensing Authority would expect to be considered on all new or variation applications.

Members' questions included:

- Had officers liaised with other Local Authorities on how they had approached the CIA, and what assessment had been made against the recommended options in pursuit of the Purple Flag accreditation? Officers confirmed that the Council had looked at how other Local

Authorities had supported businesses. Furthermore, the Council had recently employed two night time economy officers and delivered a successful Covid Ready Scheme in partnership with the Eastbourne Hospitality Association. Officers would also explore the Purple Flag accreditation.

- Would the licensing principles continue to put businesses off coming into the town? The Lawyer advised that it was a question for Members judgment, the licensing principles were not binding and each licensing application was assessed on its own merits.
- Could the principles of Option D be used as a starting point to work with business community and to rework the principles until they are agreed, and could the policy be reviewed earlier than 3 years? Officers confirmed that there was a statutory requirement to review the Cumulative Impact Assessment by June 2022 and that the CIA could be reviewed in a shorter period than 3 years. Officers had worked with the business community and had considered the evolving nature of the Town Centre and changes in the business model.

Members' raised concerns that the CIA policy was having a detrimental impact on the day and night time economy in the town. They felt it was essential to focus on the needs of businesses, residents and employment.

Councillor Belsey proposed a motion to accept Option D. Following discussion, he withdrew his motion.

Councillor Taylor proposed a motion to accept Option A and requested a named vote. The proposal was not seconded, and the motion was lost.

Councillor Swansborough proposed a motion to accept Option C. This was seconded by Councillor Murray.

RESOLVED: (Unanimous) that:

The Committee recommend to Full Council Option C, the removal of the whole Cumulative Impact Assessment part of the policy at this time with an option to reintroduce if it becomes necessary.

29 Date of the next meeting

That the next meeting of the Licensing Committee scheduled to commence at 6:00pm on Monday, 28 March 2022, be noted.

The meeting ended at 7.05 pm

Councillor Robin Maxted (Chair)



Working in partnership with **Eastbourne Homes**

Planning Committee

Minutes of meeting held in The Welcome Building, Devonshire Quarter, Compton Street, Eastbourne, BN21 4BP on 25 January 2022 at 6.00 pm.

Present:

Councillor Jim Murray (Chair).

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

Officers in attendance:

Neil Collins (Senior Specialist Advisor for Planning), Leigh Palmer (Head of Planning First), James Smith (Specialist Advisor for Planning), Joanne Stone (Lawyer, Planning), and Emily Horne (Committee Officer)

64 Introductions

Members of the Committee and Officers present introduced themselves to all those who were present during the meeting.

65 Apologies for absence and notification of substitute members

Apologies had been received from Councillor Taylor. Councillor Metcalfe MBE confirmed that he was acting as substitute for Councillor Taylor.

66 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.

67 Minutes of the meeting held on 14 December 2021

The minutes of the meeting held on 14 December 2021 were submitted and approved as a correct record, and the Chair was authorised to sign them.

68 Urgent items of business.

There were no urgent items. An officer addendum, however, was circulated to the Committee prior to the start of the meeting, updating the main reports on the agenda with any late information (a copy of which was published on the Council's website).

69 17 Old Camp Road. ID: 210536

Erection of 3no dwellings consisting of 1no 4X bedroom two storey dwelling with detached double garage. 2no 3X bedroom bungalow with detached garage. Formation of parking, landscaping and vehicle entrance new vehicular access. AMENDED DESCRIPTION/PLANS - 1 x bungalow removed, and width of Plot 1 dwelling reduced – **OLD TOWN**

The Specialist Advisor (Planning) presented the report.

The Committee was advised by way of an Addendum of no further updates following competition of the officer's report.

The Chair exercised his discretion in allowing additional speakers to speak for and against the application, whilst giving equal speaking time to both sides to ensure natural justice.

Sara Spratt (resident) addressed the Committee in objection to the application. Mr Mike Farrell (Architect) spoke in support of the application. Mr Paul Muir (Applicant) also spoke in support of the application. A written representation was read aloud by the Head of Planning First on behalf of Councillor Dow (Ward Councillor) in objection to the application.

Members discussed the proposal and expressed strong concerns regarding the clearance works, biodiversity impact, loss of garden space, vehicular access, overdevelopment and precedent for applications.

The Committee sought clarification on various points: garden grabbing, precedent for other applications and access for refuse and emergency service vehicles.

The Specialist Advisor (Planning) referred to the NPPF and informed the Committee that the development of garden land was not prohibited but was stringently controlled. A significant amount of garden space could be retained to ensure biodiversity gain was delivered. The application was considered on its own merits. Refuse lorries would remain on Old Camp Road whilst personnel would collect the bins. Access by East Sussex Fire and Rescue Service would be addressed at the Building Regulation stage.

Councillor Diplock proposed a motion to refuse the application against the Officers' recommendation. This was seconded by Councillor Lamb and was carried.

RESOLVED: by (7 votes to 1 against) that Planning Permission be refused for the following reasons:

1. The proposed development would be unsympathetic towards the established character of the surrounding area, particularly as a consequence of the backland positioning of the bungalows which result in the loss of green space towards the rear of the site. It is therefore in conflict with saved policies UHT1, UHT4, UHT5 and UHT7 of the

Eastbourne Borough Plan, policies B2, D1 and D9 of the Eastbourne Borough Plan and paragraphs 124 and 130 of the NPPF.

2. The submitted scheme fails to demonstrate that biodiversity net gain can be achieved within the site and is therefore in conflict with saved policies NE22 and NE28 of the Eastbourne Borough Plan, policies B2, D1 and D9 of the Eastbourne Core Strategy and paragraphs 174 and 180 of the NPPF.

70 Langney Shopping Centre Market, Langney Shopping Centre, 64 Kingfisher Drive. ID: 210303 and 210304

210303 - Retrospective Installation of modular retail windscreen fitting and repair kiosk to existing retail car park.

210304 - Retrospective application for display of eight non-illuminated adverts - **LANGNEY**

The Senior Specialist Advisor (Planning) presented the report.

The Committee was advised by way of an Addendum of no further updates following completion of the officer's report.

The Committee was advised that noise from plant being used at the site has now ceased following mains power connection and that a condition of permission would require the prior consent of the details of any plant and/or machinery introduced to the site at a later date.

The Committee's attention was drawn to an extant permission for a tyre fitting use (including land within the application site), which was granted at appeal following the Council's refusal. If approved, this application could not be implemented alongside the extant without revision to one/both scheme/s.

The Committee raised some concerns regarding the retrospective application, loss of car parking spaces and excessive number of illuminated adverts, but welcomed the business into the area.

210303 – Full Planning Permission

Councillor Vaughan proposed a motion to approve the application in line with the officer's recommendation. This was seconded by Councillor Miah and was carried.

RESOLVED: (unanimously) that Planning permission be approved subject to the conditions set out in the officer's report.

210304 – Advertisement Consent

Councillor Vaughan proposed a motion to approve the application in line with the Officers' recommendation. This was seconded by Councillor Miah and was carried.

RESOLVED: (unanimously) that Advertisement Consent be approved subject to the conditions set out in the officer's report.

71 Date of next meeting

It was noted that the next meeting of the Planning Committee was scheduled to commence at 6:00pm on Tuesday, 22 February 2022.

The meeting ended at 7.08 pm

Councillor Jim Murray (Chair)