

Scrutiny Committee

6 February 2023



Working in partnership with **Eastbourne Homes**

Time and venue:

6.00 pm in the Court Room - Town Hall, Eastbourne

Membership:

Councillor Kshama Shore (Chair); Councillors Josh Babarinde (Vice-Chair) Steve Wallis, Jane Lamb, Md. Harun Miah, Amanda Morris, Hugh Parker and Robert Smart

Quorum: 2

Published: Friday, 27 January 2023

Agenda

- 1 Minutes of the meeting held on 5 December 2022 (Pages 5 - 12)**
- 2 Apologies for absence / declaration of substitute members**
- 3 Declarations of Disclosable Pecuniary Interests (DPIs) by members as required under Section 31 of the Localism Act and of other interests as required by the Code of Conduct**
- 4 Questions by members of the public**

On matters not already included on the agenda and for which prior written notice has been given (total time allowed 15 minutes).
- 5 Urgent items of business**

The Chairman to notify the Committee of any items of urgent business to be added to the agenda.
- 6 Right to address the meeting/order of business**

The Chairman to report any requests received to address the Committee from a member of the public or from a Councillor in respect of an item listed below and to invite the Committee to consider taking such items at the commencement of the meeting.
- 7 Customer Contact Overview (Pages 13 - 18)**
- 8 Corporate Performance - quarter 3 - 2022-2023 (Pages 19 - 28)**

Report of the Chief Finance Officer

9 General fund budget 2023/24 and capital programme - to follow

Report of the Chief Finance Officer

10 Treasury Management and Prudential Indicators 2023/24, Capital Strategy & Investment Strategy - to follow

Report of the Chief Finance Officer

11 Housing Revenue Account Budget 2023/24 - to follow

Report of the Chief Finance Officer

12 Congress and Devonshire Park Theatres - Future Governance Arrangements (Pages 29 - 36)

Report of the Chief Executive

13 Eastbourne & Lewes Community Safety Partnership – Annual Report (Eastbourne) - to follow

14 Update on Scrutiny of Gatwick Airport Ltd (Carbon Neutral Accreditation/Northern Runway development) - verbal update

15 Forward Plan of Decisions (Pages 37 - 52)

To receive the Forward Plan of the Cabinet.

16 Scrutiny Committee Work Programme (Pages 53 - 56)

To receive the Scrutiny Work Programme.

Information for the public

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Information for Councillors

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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).

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Working in partnership with **Eastbourne Homes**

Scrutiny Committee

Minutes of meeting held in Court Room - Town Hall, Eastbourne on 5 December 2022 at 6.00 pm.

Present:

Councillor Kshama Shore (Chair).

Councillors Steve Wallis (Deputy-Chair), Jane Lamb, Md. Harun Miah, Hugh Parker, Robert Smart and Robin Maxted.

Officers in attendance:

Philip Brown (Property Lawyer), Luke Dreeling (Performance Lead), Ola Owolabi (Deputy Chief Finance Officer - Corporate Finance), Nick Peeters (Committee Officer), Parmjeet Jassal (Interim Head of Financial Planning), Leigh Palmer (Head of Planning First), Lisa Rawlinson (Head of Regeneration and Planning Policy), Seanne Sweeney (Strategy and Commissioning Lead for Community and Partnerships) and Mark Walker (Head of Financial Planning).

Also in attendance:

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37 Minutes of the meeting held on 10 October 2022

Resolved that the minutes of the meeting held on 10 October 2022 were submitted and approved and signed as a correct record by the Chair.

* Members requested that updates on the following be provided:

- Further data on the carbon emissions from the Eastbourne Airshow.
- An overview on the work of the Customer Contact team.

38 Apologies for absence / declaration of substitute members

Apologies for absence were received from Councillor Babarinde and Councillor Morris, Councillor Maxted attended as a substitute for Councillor Babarinde.

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

There were none.

41 Urgent items of business

There were none.

42 Right to address the meeting/order of business

No requests were received.

43 HMO planning policy and licensing update - verbal update

Lisa Rawlinson, Head of Regeneration, provided an interim update to Members on planning policy and licensing for Houses of Multiple Occupancy (HMOs). Members were advised that, due to the complex nature of collecting the data, particularly the difficulties in identifying the location of small non licensable HMO's, data collected was unlikely to provide a comprehensive analysis.

During discussion, the following points were highlighted:

- The consultants engaged to collect the data had advised that identifying a sample of the HMO data would be sufficient to provide a robust analysis and avoid a challenge. The main issue was how the data was reported and that there was not a single point of information.
- The Council had datasets on licensable HMOs. The number of homes/dwellings that housed less than six people and were not licensed, were not known. Work was being done with the consultants to improve the quality of this data.
- The licensing of all types of HMOs was extremely difficult. One area the Council would focus on was a policy that controlled volumes of HMOs by street.
- Members felt that the proliferation of large HMOs in Eastbourne was of concern, with potentially vulnerable occupants with safeguarding needs. There was also an impact on local residents. Members asked that updated regulations and a policy be produced as a matter of urgency.

Resolved to note the update and request that a full report be provided to a future meeting of the Scrutiny Committee, including further information on the sampling exercise being undertaken by the Consultants.

44 Ombudsman referral

Tim Whelan, Director of Service Delivery and Gary Hall, Head of Homes First, introduced the report which outlined a decision by the Local Government and Social Care Ombudsman, regarding a complaint made against Eastbourne Borough Council's Housing service. The Ombudsman's recommendations

included referral of the decision and the lessons learned outcomes to the Council's Scrutiny Committee. During discussion, the following points were highlighted:

- The Service had, historically, experienced a high turnover in staff, however, the importance of improved communication, both internally and externally, had been made a priority. The recommendations from the Ombudsman had been accepted.
- The Housing Needs team received a large volume of requests that included complex needs and did not refuse to support the requests. However, the major challenge faced by the Team was that the housing stock, both in the public and private sector, was not available to meet the needs requested.
- The front-end communications process had been improved to include a triage team that took calls straight away and assessed people that presented as homeless – providing early intervention.
- A homeless and housing prevention hub had been established in Eastbourne, which would work alongside statutory and voluntary agencies to ensure that practical, joined-up support was provided.
- A customer care workshop was being arranged in January for the Homes First leadership team, which would include focus on improved communications. Personal improvement plans had also been introduced for some staff.
- The Council had a low turnover of its own housing stock which meant the throughput of properties for those on the waiting list was low. This was also impacted on by homeless people housed in hotels and asylum seekers who sought housing.
- The complexity of the case had been noted and actions had been undertaken to address the issues raised by the Ombudsman. A review of the Council's letter of response to the Ombudsman would be undertaken to reflect more fully the steps taken by the Council.

Resolved to note the report and request that a top level analysis of the numbers of people on the housing waiting list and the types of more complex cases be provided to a future meeting of the Committee.

45 Corporate performance - quarter 2 - 2022/23

Luke Dreeling, Performance Lead, presented the report. During discussion, the following points were highlighted:

- The target of 22 days for the performance indicator (PI) 'Benefits: Average days to process new claims for housing/council tax benefit' was set by the Department for Work and Pensions. The types of information and the length of time customers needed to provide it, varied. The PI which impacted more

on customers, was the 'Average days to process change of circumstances', following the award of benefits.

- In relation to the PI 'Customers: Increase the percentage of calls to the contact centre answered within 60 seconds', a number of the vacancies in the contact centre were a result of staff moving internally in the organisation and becoming specialists in other areas. Recruitment continued to be a challenge; however, the Team was being looked at and staff with skills/knowledge in areas such as housing or council tax/business rates were providing responses to those types of enquiries. Telephone, email and webchat were available for customers to contact the Council.
- Improvements in the PI for Housing: Average void relet time key to key (month & year to date) were expected through quarters 3 to 4. There were still challenges in sourcing building materials for repairs. Areas such as new kitchens and bathrooms had a longer lead-in time. A tenancy could be taken on prior to repairs being undertaken, however, in reality, there was normally work required in bathrooms and kitchens.
- The target for the PI for Housing: Number of Licensed HMO's Inspected per Quarter was based on a 'risk based' approach as not all the HMOs required inspection on an annual basis.

Corporate performance quarter 2, 2022-2023 Part B

Ola Owolabi, Deputy Chief Finance Director, presented the report. During the discussion, the following points were highlighted:

- The Annual Settlement from Government was expected around the 21 December 2022.
- Further analysis of the £1,353,00 (Capital Financing) within table 2.1 of the report was requested.
- The discussion around the additional cost and final figure for a pay award took place prior to the setting of the 2022/23 budget. The award had been anticipated and included in individual service costs, however, an additional cost now had to be managed.

Resolved to note the report.

46 Local council tax reduction scheme

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

An online income and expenditure form had recently been introduced and become 'live' which used 'open sourced' banking data volunteered by customers and allowing quicker processing and decision making

A session was held at the Town Hall, attended by 250 people with pensions, providing access to the Council Tax Reduction scheme. Software had been introduced which identified pensioners in Eastbourne who were eligible for the scheme but had not made a claim.

As the scheme was not being changed, it did not require consultation or permissions from partner authorities. Moving the scheme to 100 % council tax liability from 80 % would incur an additional cost of approximately £1 million for East Sussex County Council and £160,000 for Eastbourne Borough Council.

Resolved to note the report.

47 Council tax and business rate base 2023/24

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

- Members felt that the scope of the council tax and business rate base should be reviewed and whether the mix of property types was being fully considered. Members were advised that an understanding of the current discounts and exemptions that applied in the Borough and the options available could be reviewed.

Following a proposal by Councillor Smart which was seconded by Councillor Lamb, the members of the Committee **Resolved** unanimously to support the Officer recommendations to the Cabinet, subject to the following, additional recommendation being considered:

- IV. That the Cabinet consider a review of the scope of the council tax base, including the parameters for exemptions and discounts that currently apply to Eastbourne Borough, and innovative schemes adopted by other authorities.

48 Cost of Living Crisis Fund Update

Seanne Sweeney, Community Services Lead, presented the report. During discussion, the following points were highlighted:

- Once a grant was awarded, a reporting schedule was provided as part of the letter of acceptance, and the organisations distributing the funds were required to report on where the funds were spent and the level of uptake. A timescale for the funds was normally, also provided.
- Members were advised that a breakdown of the grants awarded and the remaining balance would be provided to Members.

Resolved to note the report.

49 Update to the Local Validation List:- Information required to support/accompany planning applications

Leigh Palmer, Head of Planning presented the report. During discussion, the following points were highlighted:

- Members noted and supported the recommendations in the report as they considered it would reduce the time planning officers would have to unnecessarily spend on planning applications.
- The list would be reviewed every two years. If there were only minor amendments, a public consultation would not be required.
- The House in Multiple Occupation Management Plan applied to properties with six occupants and above. The plan would support area such as anti-social behaviour.

Resolved to note the report.

50 Eastbourne Carbon Neutral 2030: Annual Progress Report

Ian Fitzpatrick, Deputy Chief Executive and Director of Regeneration and Planning, presented the report. During discussion, the following points were highlighted:

The travel element of the Eastbourne Airshow had been the largest contributor of carbon emissions at the event, and it was recognised that this had been increased by rail strikes on the day. The report highlighted this and future work would include mitigation and addressing the volume of travel.

A number of areas nationally, including technology, supply chains and skills, with capital support, needed acceleration. A number of housing supply chains were looking at environmental, social and governance (ESG) strategies. There was also a transitional period from fossil fuels to other energy sources with transport nationally, a crucial area of focus.

The majority of actions within the Action Plan were on target.

Resolved to note the report.

51 Forward Plan of Decisions

The Chair, Councillor Shore, introduced the Forward Plan of Cabinet decisions. Members requested that the following reports be included on the agenda for the Committee's meeting on the 6 February 2023:

- Corporate performance -quarter 3 - 2021/22
- General fund budget 2023/24 and capital programme
- Treasury Management and Prudential Indicators 2023/24, Capital Strategy &
- Investment Strategy

- Housing revenue account budget 2023/24
- Congress and Devonshire Park Theatres – Future Governance Arrangements
- Eastbourne & Lewes Community Safety Partnership – Annual Report (Eastbourne)

Resolved to note the Forward Plan of Cabinet Decisions.

52 Scrutiny Work Programme

The Chair, Councillor Shore, introduced the Committee's work programme. The following items were requested for inclusion at future meeting:

An additional meeting to discuss Gatwick Airport Ltd's carbon neutral accreditation was confirmed for the 9 January 2023.

An overview of the Customer Contact team.

Resolved to note the Committee's work programme.

53 Date of the next meeting

Resolved to note that the date of the next scheduled meeting of the Scrutiny Committee is Monday 6 February 2023, in the Court Room, Eastbourne Town Hall, Grove Road, Eastbourne, BN21 4UG, with an additional meeting scheduled for Monday 9 January 2023.

The meeting ended at 8.45 pm

Councillor Kshama Shore (Chair)

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Agenda Item 7

Report to:	Scrutiny Committee
Date:	6 February 2023
Subject:	Customer Contact Overview
Report of:	Tim Whelan, Director of Service Delivery
Cabinet member:	Councillor Colin Swansborough, Cabinet member for climate change, place services and special projects
Ward(s):	All
Purpose of the report:	To provide members with an overview of the work of the customer contact team
Decision type:	N/a
Recommendation:	Scrutiny is recommended to: 1) Note the report
Contact:	Linda Farley, Head of Customer First Tel: 07939579644 or email: linda.farley@lewes-eastbourne.gov.uk

1. Background

- 1.1 The Customer First Resolution Contact Centre is made up of 1 Operational Manager reporting to the Head of Customer First, 4 Team Leaders, 5 Senior Customer First Resolution Advisors and 42 Customer First Resolution Advisors.
- 1.2 The role of the team is to be the first point of contact and triage for all council services via telephone, mailroom, email, social media, webchat, online process, and face to face contact.
- 1.3 During the last few years the team have never experienced being fully staffed. With on average 10 vacancies consistently.
- 1.4 On average it takes 8 months to train a new Customer First Resolution Advisor
- 1.5 Calls to the Customer First Resolution Contact Centre are complex and often require a great deal of unpicking. Currently the impact of the cost of living crisis and previously the Covid 19 pandemic have created more complex and sensitive enquiries for resolution. This report aims to outline the challenges faced by the team.

2. Data

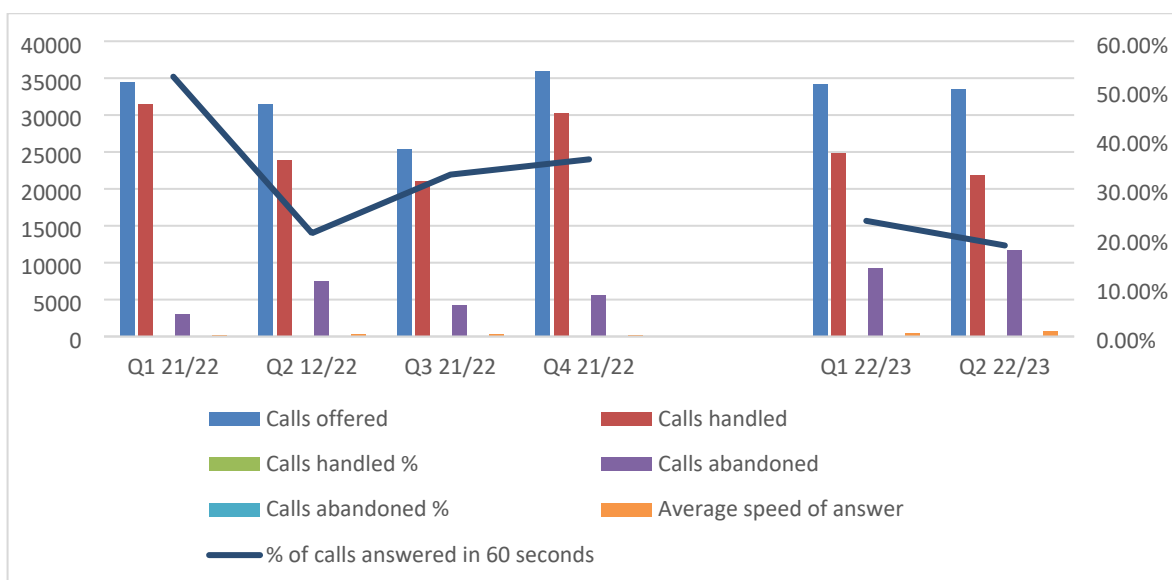
2.1 This table outlines the volume of enquiries received to the team for the first 6 months of 2022/2023

Month 2022	Emails	Contact us	Webchat	Phone	Face to face	Total
April	6382	404	298	19,318	1257	27,659
May	7597	463	514	22,915	1622	33,111
June	6980	420	450	19,821	1549	29,220
July	6777	423	299	19,899	1278	28,676
August	7122	416	514	20,186	1536	29,774
September	6522	508	331	19,100	1516	27,977
Totals	41,380	2634	2406	121,239	8758	176,417

2.2 The below table breaks down the phone performance for Eastbourne for 2022/2023 only with a comparison against 2021/2022

Eastbourne	Q1 21/22	Q2 12/22	Q3 21/22	Q4 21/22		Q1 22/23	Q2 22/23
Calls offered	34545	31438	25351	35915		34167	33569
Calls handled	31492	23930	21055	30302		24829	21858
Calls handled %	91.20	76.10	83.10	84.40		72.70	65.10
Calls abandoned	3053	7508	4296	5613		9338	11711
Calls abandoned %	8.80	23.90	16.90	15.60		27.30	34.90
Average speed of answer	139	379	284	255		477	686
% of calls answered in 60 seconds	52.80	21	32.90	36		23.50	18.50

2.3 The data provided in 2.2 can also be viewed in a graph format below



2.4 The graph demonstrates a similar path to call volumes and that the % of calls answered within 60 seconds dips in Q1 and Q2.

2.5 As requested by Scrutiny committee the types of enquiries received and handled by the Customer First Resolution Team is outlined below :

Q2 2022/2023 data*	
Service area/nature of enquiry	Volume
Council Tax	11586
Waste & Recycling	4855
Housing Options and Homelessness	2154
Housing Benefit and Council Tax Reduction Scheme	1444
Homes First Tenant Query	1301
Miscellaneous Unscripted or Non Council	1194
Send a form or document request	888
Rent & Leasehold	712
Housing register application	676
Neighbourhood First request	657
Electoral Services	644
Other services in Eastbourne/Lewes (non council)	588
Parks, Garden & Trees	445
Planning	441
Business Rates	345
Anti social behaviour (ASB), noise and nuisance report	303
Licensing (General)	272
Energy Rebate Scheme	266
Parking	250
Taxi Licensing	232
Pest Control	186
Fly tipping	145
Street & Beach cleansing report	125

Death notification	106
Private Sector Housing	71
Food Hygiene Enquiry	59
Dog & Cat Issue/attack	57
Compliment the council	54
HMO licensing advice	43
Environmental health/Safety advice/report	35
Mutual exchange and & Right To Buy	35
Building Control	27
Abandoned and nuisance vehicles	20
Sales Call	18
Cemeteries and crematorium enquiries	12
Events	12
MyAccount Registration	12
Land charges, local authority and personal search queries	11
Complaint enquiries	10
Website support	6
Am I allowed to	5
Allotment enquiries	2
Democratic Services	1
*please note total volume will not equal total calls received as not all calls end with an enquiry being logged on the system. For Q2 3264 calls were received and did not require a log due to the nature of the call (not for us or chasing a request)	30,305

2.6 For the top 5 enquiries in Q2 2022/2023 the types of questions being asked by customers are:

Service area/nature of enquiry	Volume	Type of question (not exhaustive)
Council Tax	11586	Query after receiving summons Query bill Request for payment plan Query instalments Request exemption or discount Change of address
Waste & Recycling	4855	Missed bin Assisted collection Clinical waste Bulky waste Garden waste service Query collection day
Housing Options and Homelessness	2154	Raise a request for help with housing Homeless and need housing Chase case officer for update Deposit and loan scheme Request emergency or temporary accommodation

Housing Benefit and Council Tax Reduction Scheme	1444	Chase status of claim Make new claim Request DHP Change in circumstances
HomesFirst Tenant Query	1301	Speak to housing officer Help with moving

2.7 Customer First Resolution Team Advisors are targeted with the following performance targets:

- 6 online processes a day
- 6 email a day
- Average handling time of 5 mins (calls are lasting approx. 8 minutes on average at the moment)
- No more than 25% of time on make busy

2.8 In April 2022 a study was undertaken to assess the numbers of staff required to just keep up with demand from customers. The study used the performance of 3 average performers accepting that some staff perform better than average and some worse than average. The average performances were:

- Average performer 1 - 448 calls handled, 859 outbound calls, 44% of time spent on make busy
- Average performer 2 – 329 calls handled, 338 outbound calls, 39% of time spent on make busy
- Average performer 3 – 470 calls handled, 803 outbound calls, 55% of time spent on make busy

2.9 It was therefore found based on the calls received for one month you would need 30 Advisors for phones alone to handle the same calls as the average performer 2 (above) Therefore everyday to handle all demand from customers we need:

- 10 advisors for emails
- 30 advisors for calls
- 7 advisors for “other” (1 reception, 4 mailroom and 1 webchat/social media)
- 47 Advisors overall consistently

The above would be the requirement for 100% of the time the team is operational and open to customers (between 08:30am and 5pm) and for them to be 100% focussed on the activity they are doing without interruption. This number is impacted by things such as annual leave, sickness, team meetings, 121s and training where the team are taken away from dealing with customers. We would therefore require over and above this number to account for absences (permitted and non permitted)

We already operate a policy to restrict annual leave (a maximum of 5 off at anyone time) due to predicted peaks in demand around public holidays and times where higher demand is predicted. We furthermore do not allow annual leave to be taken during the month of March whilst we carry out end of year activity and annual council tax billing.

Agenda Item 8

Body:	Scrutiny Committee
Date:	6 February 2023
Subject:	Corporate Performance Quarter 3 2022-23
Report of:	Homira Javadi, Director of Finance and Performance (Chief Finance Officer – S151 Officer)
Cabinet member:	Councillor Colin Swansborough, Cabinet member for climate change, place services and special projects
Ward(s):	All
Purpose of the report:	To update Members on the Council’s performance against Corporate Plan priority actions, performance indicators and targets for the third quarter of the year 2022-23.
Decision type:	Non Key
Recommendation:	Scrutiny is recommended to: i) Note the achievements and progress against Corporate Plan priorities for 2022-23, as set out at Appendix 1
Reasons for recommendations:	To enable Cabinet members to consider specific aspects of the Council’s progress and performance.
Contact:	Luke Dreeling: Performance Lead Tel: 07525 351757 or email: luke.dreeling@lewes-eastbourne.gov.uk

1.0 Consultation

1.1 The priority themes in the Corporate Plan were developed in consultation with residents.

2.0 Solution Sprints

2.1 The council employed Solution Sprints (SS) pre-pandemic to realise service improvements. Associated SS work has been relaunched this year. As previously reported, quarters 1 and 2 saw the soft launch of SS and approval of associated governance arrangements via the Accelerating Change Steering Group.

In quarter three we have piloted SS approaches resulting in the launch of a new ‘Contact Us’ form on the council’s website. This is helping to streamline emails to service areas and free up Customer First colleagues, to prioritise those

customers with the greatest need. Associated process mapping methods have also been used this quarter to support the new Planning System project.

Within this quarter the Accelerating Change Steering Group have reviewed and refined a range of SS ideas. This has included research and initial scoping, with associated Sprint work prioritised and integrated into existing and forthcoming projects such as the new council website project commencing in Quarter 4. Quarter 4 will also see the Accelerating Change Steering Group reviewing SS approaches to date and, if appropriate, launching communications to pool wider ideas for continuous improvement activity from across the council.

3.0 Financial appraisal

3.1 Project and performance monitoring and reporting arrangements are contained within existing estimates. Corporate performance information should also be considered alongside the Council's financial update as there is a clear link between performance and budgets/resources.

3.2 All the financial implications are contained within the body of the report.

4.0 Legal implications

4.1 Comment from the Legal Services Team is not necessary for this routine monitoring report.

5.0 Equality analysis

5.1 The equality implications of individual decisions relating to the projects/services covered in this report are addressed within other relevant Council reports or as part of programmed equality analysis.

6.0 Conclusion









6.1 This report provides an overview of performance against the authority's priority actions and indicators for 2022-23.

Appendices









Appendix 1 – Q3 Performance Overview





















Appendix 1















Eastbourne Borough Council Corporate Performance Report Q3 2022-23

Key			
	Performance that is at or above target Project is on track		Performance that is below target Projects that are not expected to be completed in time or within requirements
	Project has been completed, been discontinued or is on hold		Performance that is slightly below target but is within an acceptable tolerance Projects : where there are issues causing significant delay, changes to planned activities, scale, cost pressures or risks
	Direction of travel on performance indicator : improving performance		Direction of travel on performance indicator : declining performance
	Direction of travel on performance indicator : no change		Data with no performance target

KPIs

KPI Description	Annual Target 2022/23	Q2 2022/23	Q3 2022/23			Latest Note	
		Value	Value	Target	Status		Short Trend
1. Finance: Percentage of Council Tax collected during the year - Eastbourne	96.80%	54.97%	81.45%	82.44%		↑	The collection rate was not achieved, falling (0.99%) below target. The cost-of-living crisis is continuing to impact and is expected to do so until at least the end of the financial year.
2. Finance: Percentage of Business Rates collected during the year - Eastbourne	97%	57.99%	81.28%	81.10%		↑	The collection rate has exceeded target by 0.18% and remains on track. The significant increase is mainly due to the award of Covid Additional Relief Fund in the 2021/22 financial year to eligible businesses resulting in overpayments on their accounts in most cases. The credits were subsequently transferred into the 2022/23 financial year on each account earlier this year putting most businesses ahead of their current instalment plans.
3. Benefits: Average days to process new claims for housing/council tax benefit	22	25	26	22		↓	The national average number of days to process a new claim has increased. This can be attributed to the number of different government schemes that councils' Benefit sections have had to administer and the nationwide challenges in recruiting and retaining staff. An additional factor is the increase in the number of 'Homeless' claims that the service are dealing with. It often takes longer to gather the information needed to process new claims relating to homelessness/potential homelessness.
4. Benefits: Average days to process change of circs (housing/council tax benefit)	6	12	9	6		↑	Whilst the target has not been achieved, Q3 performance at 9 days shows a great improvement and trend from Q2 (12 days). Actions taken to improve performance are starting to have a positive impact.
5. Customers: Increase the percentage of calls to the contact centre answered within 60 seconds	80%	18.6%	41.45%	80%		↑	Due to system issues with our telephone provider, we were unable to collect the exact data although weekly monitoring showed continued improvement from previous quarters. Exact figures will be provided in Q4 and updated as soon as available. We are working with IT to resolve this as soon as possible. During January the improvement has continued with the average speed of answer at under 2 minutes with an average of 63% of calls answered within 60 seconds and 6% of calls abandoned We have 6 new starters on our customer contact training programme. Customer contact continues to remain of a complex nature and Customer Advisors are spending longer assisting with enquiries endeavouring to resolve them at that first contact.
6. Customers: Reduce the numbers of abandoned calls to the contact centre - Ebn	5%	34.63%	16.34%	5%		↑	Please see above commentary
7. Housing: Number of households living in emergency (nightly paid) accommodation	Data only	207	247	Data only		↓	The cost-of-living crisis continues to impact this measure, in addition to this we continue to see an increase in single placements due to mental health issues and family breakdown.
8. Customers: Number of new sign-ups to the Councils' social media channels	650	611	577	162.5		↓	During each month in Q3 2022-23 we consistently exceeded the target for new social media followers across both sets of profiles.

KPI Description	Annual Target 2022/23	Q2 2022/23	Q3 2022/23				Latest Note
		Value	Value	Target	Status	Short Trend	
9. Customers: Number of people registering for our email service (GovDelivery)	2,000	1,315	876	500			The good level of new email alert subscribers was maintained during each month of Q3 2022-23.
10. Customers: Percentage of local searches that are returned within 10 working days of receipt	80%	99.68%	100%	80%			Q3 performance above target. 222 out of 222 local searches returned within 10 working days.
11. Growth: Town centre vacant retail business space	11.8%	9.24%	8.78%	11.8%			Town centre vacancy reporting has improved marginally due to temporary Christmas pop up shops returning 8.78% against a national average of 11.2%. Smaller units in the town centre attract new operators whilst larger retail units continue to remain vacant.
12. Housing: Average void relet time key to key (month & YTD)	20.0	53.3	48.7	20.0			Void improvement plan now in place with a meeting structure to support improvements operationally and strategically across Homes First. There have been a large number of candidate rejections particularly in retirement housing 2-beds and studios and some delays due to adaptations. General turnover remains low, particularly in larger family accommodation, which means that the Housing Register is not reducing in number and pressure on accommodation remains acute. Housing register review due to be complete in Q4 which will help to resolve rejections.
13. Housing: DFGs - Time taken from council receiving a fully complete application to the council approving the grant	14 days	6 days		14 days			Unfortunately, due to timescales within Q3, this PI information is not yet available
14. Housing: Number of Licensed HMO's Inspected per Quarter	50 (12.5 Quarterly)	16		12.5			Unfortunately, due to timescales within Q3, this PI information is not yet available
15. Housing: Rent arrears of current tenants (expressed as a percentage of rent debit)	3%	3.5%	3.77%	3%			Rent arrears are 0.77% below target and is at its highest level since April. In monetary terms arrears stood at £557,318 in April and have increased to £587,638. Cost of living continues to drive contact of a more complex nature. We have 2 new starters on our rents Training programme and increasing debt support training has been delivered to the team, to manage the additional demand of rent increases in 23/24. Work continues with Mobyssoft to implement improvements to the software we use and we have benchmarked our performance against all other councils in the South East of England showing a decrease since April 21 of the number of tenants in arrears against an increase in the other authorities.
16. Planning: Increase the percentage of Major Planning Applications processed within 13 weeks	65%	80%	67%	65%			Exceeds National PI
17. Increase the percentage of minor planning applications processed within 8 weeks	75%	85%	89%	75%			Exceeds National PI

KPI Description	Annual Target 2022/23	Q2 2022/23	Q3 2022/23				Latest Note
		Value	Value	Target	Status	Short Trend	
18. Increase the percentage of other planning applications processed within 8 weeks	75%	84%	91%	75%			Exceeds National PI
19. Recycling & Waste: % Container Deliveries on Time (SLA)	99%	81.2%	85.7%	99%			This quarter has seen an improvement by 4.5% compared to Q2 (81.2%)
20. Recycling & Waste: Missed Assisted Collections	1%	0.11%	0.1%	1%			This quarter remains comparable to Q2, but with a good improvement for December, attributed to Christmas.
21. Recycling & Waste: Number of missed bins (per 100,000)	100	71	39	100			This quarter sees a good improvement compared to Q2 (71) and attributed to Christmas.
22. Recycling & Waste: Percentage of household waste sent for reuse, recycling and composting	45.00%	37.48%	37.48%	45.00%			Updated figures given for Q2 and used as estimated data for Q3. Quarter 2 is slightly down on the previous quarter average of 39.90% and attributed to the reduction in garden waste because of the extra dry summer and residents being cautious because of the cost-of-living crisis.
23. Recycling & Waste: Total number of reported fly-tipping incidents	480	128	159	120			Reported incidents breakdown: Oct 61, Nov 66 and Dec 32. Hotspot wards: Devonshire, Hampden Park, Langney and Meads. Most common type of fly-tips this quarter are: <ul style="list-style-type: none"> • Those on council land, roads, pavements • Household items, builders waste, garden waste • Equivalent to a small van load in volume
24. Staff: Average days lost per FTE employee due to sickness (J)	8.0 days	1.67 days	1.4 days	2.0 days			This is the third quarter of reporting average days lost due to sickness for 2022/23. Sickness levels remain below target in Q3 where we recorded an average of just 1.4 days absence which is a decrease from Q2 (1.67 days) but remains stable and well within target. Absences for Covid-19 (those staff reporting symptoms) for Q2 was 28 which is a reduction of 14 from Q2. The figure of 1.4 days for Q3 means we remain on track to meet our annual target of 8 days per annum. It is worth noting that that this figure will increase as sickness notifications are still being received for December following the Christmas break and a further calculation will be undertaken at the end of this week and figures updated. HR Business Partners continue to support managers in managing any attendance issues that arise.

Projects

Project / Initiative	Description	Target completion
Winter Garden Improvements	Phase 1 is complete. Phase 2 work in design/planning stage (comprises new façade and refurbishment of South Pavilion).	Q4 2024/25
Sovereign Centre Review	Under review/Ongoing	To be confirmed
Hampden Retail Park	The acquisition and development of Hampden Retail Park as part of the Property Acquisition and Investment Strategy (PAIS).	Ongoing. Phase 1 ended March 2022.

Devolved ward budget scheme 2022/2023 – Summary by ward to end of Quarter 3 (1 April – 31 December 2022)

Ward	Project	Description	Project Spend to Date
Devonshire	Devonshire Collective partnership project	To support a community partnership between Devonshire Collective and Take the Space to provide free cultural activities for Eastbourne residents, with focus on the most disadvantaged communities using space in the former TJ Hughes building.	£500.00
Total spend to end of Quarter 3			£500.00
Hampden Park	Tree protection	Tree protection measures, including cages to trees to help stop damage (as damage has been stopped this way in other areas)	£1,470.00
Total spend to end of Quarter 3			£1,470.00
Langney	Treebourne	To support Treebourne's wild meadow initiative in Sevenoaks Park.	£500.00
	Volunteer Networks at Community Centre	To support cost of living initiatives run by the Volunteers Network at the Langney Community Centre.	£1,000.00
Total spend to end of Quarter 3			£1,500.00
Meads	St Johns Church Jubilee BBQ	To help St John's Church put on a Jubilee BBQ for residents.	£1,011.24
	360 Camera Vision for Eastbourne	To help buy a 360 camera for use by a number of different Eastbourne community projects.	£456.00
	Meads Magic	To support the annual Meads Magic community event.	£500.00
Total spend to end of Quarter 3			£1967.24
Old Town	Bridge repair in Motcombe Gardens	Internal funding request for repairs to bridge in Motcombe Gardens.	£400.00
	bulb and flower planting	Bulb and flower planting at various sites around the ward, with support from Victoria Baptist Church.	£100.00

Ward	Project	Description	Project Spend to Date
	Summer Holiday breakfast club	To support a breakfast club scheme during summer holidays	£200.00
	Ocklynge School SEND garden	To create a SEND garden for the school.	£400.00
	Tennis Courts security	To provide match funding for security measures to protect well used tennis courts facility	£1,000.00
	Tree planting - Vicarage Drive	Tree planting in Vicarage Drive	£250.00
	St Michael's Christmas	To support a family Christmas event hosted at St Michael's and All Angels Church.	£200.00
Total spend to end of Quarter 3			£2550.00
Ratton	Bulb planting in Kings Drive	Bulb planting in Kings Drive area	£1,000.00
	Tree planting in Ratton Ward	To fund planting of 8 new trees in Ratton Ward.	£2,000.00
Total spend to end of Quarter 3			£3,000.00
St Anthony's	Park bench	New park bench - supplied and installed via Neighbourhood First team.	£1,726.00
Total spend to end of Quarter 3			£1,726.00
Sovereign	Christmas boxes	To help provide Christmas boxes for Kingsmere children	£300.00
	Armed Forces support	To fund new flags for armed forces day event	£460.80
Total spend to end of Quarter 3			£760.80
Upperton	Hanging baskets	Funds to Eastbourne Allotments to provide hanging baskets for Crown Street	£239.77
	cordless drill for Grow Eastbourne	Funding to provide a cordless drill for use by the volunteer group Grow Eastbourne	£70.00
	Planting for Eastbourne Station	Planting for Eastbourne Station	£250.00
	St Mary's church lighting	To fund electricity to keep outside lighting on at St Mary's church through winter.	£195.00
Total spend to end of Quarter 3			£754.77

Number of schemes to end of Quarter 3	23
All wards total spend to end of Quarter 3	£14,228.81

Report to:	Scrutiny Committee
Date:	6 February 2023
Title:	Congress and Devonshire Park Theatres – Future Governance Arrangements
Report of:	Robert Cottrill, Chief Executive
Cabinet member(s):	Councillor David Tutt, Leader of the Council
Ward(s):	All
Purpose of report:	To update Cabinet on the progress of the work of the cross-party Devonshire Park Governance Board and to propose changes to the governance arrangements for the Congress and Devonshire Park Theatres in pursuit of cultural and financial benefits.
Decision type:	Key Decision
Officer recommendations to the Cabinet:	<ol style="list-style-type: none">1. To note the update on work to date and to authorise the Chief Executive, in consultation with the Leader and the Cabinet Member for Tourism and Culture Services, to take all necessary actions in relation to the project to create the Local Authority Controlled Company including determining the terms of and authorising execution of all documentation.2. To develop further the plans for the creation of the charitable entity for a future decision by Cabinet.3. To agree provision of £50,000 to be made available to support the initial steps towards delivery of the new governance arrangement.
Reasons for recommendations:	The recommendations build on investment made to date which has enhanced the offer of the Congress and Devonshire Park Theatres, and promote the future of the facilities and the cultural offer for Eastbourne. The proposed, new governance offer would introduce financial safeguards for the council while increasing opportunities for the theatres to raise funds and access funding streams unavailable to local authority-owned and operated facilities.
Recommendations to the Scrutiny Committee:	The Committee is asked to note the report.

Contact Officer: **Name: Lee Banner**
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Telephone number: 07894 237929

1 Introduction and Background

- 1.1 Eastbourne Borough Council (EBC) owns and operates the Devonshire Park Quarter (DPQ) complex – one of the most vibrant, multi-purpose leisure and culture hubs in the south-east of England.
- 1.2 Major investment in the DPQ over recent years has significantly improved the quality and range of its facilities, positioning Eastbourne as one of the country's most attractive and high-profile leisure and business visitor destinations.
- 1.3 A thriving cultural and leisure offer plays a vital role in successful place shaping, honours the investment made over recent years, and safeguards Eastbourne's reputation and status as a great place to live, work, study and visit.

Additionally, the benefits of the DPQ on the local economy – in terms of employment, spend (both within the DPQ and in other parts of the local dining, leisure, hospitality and hotel sectors), attracting visitors, students and residents, and retaining and circulating cultural spend within the local economy – are well documented.

It is, therefore, imperative that EBC considers the most appropriate way for the DPQ to be managed and to strengthen further its contribution to the local economy and identity.

- 1.4 As a way of building upon the current offer and delivering safeguards to EBC, a cross-party Devonshire Park Governance Board has been exploring alternative legal, constitutional and governance models for the future operation and management of the DPQ. The considerations include, amongst others (see paragraph 5.1), a potential transfer of the assets and undertaking.
- 1.5 Consideration of alternative governance arrangements is in the spirit of the council's commitment and ambitions to develop the cultural offer, to continue growing the regional and national reputation and audience base, and to lever in additional financial investment.

An alternative governance model would enable and facilitate a range of benefits:

- a sustainable future for the cultural and leisure offer for the benefit of the town and local economy.
- de-risk a range of costs, liabilities and responsibilities for the council.
- protection of the council's VAT recovery position.
- increased opportunities to raise funds and access funding streams.
- Support opportunities to diversify the town's business offer to reduce the scale of reliance on tourism and leisure income.
- ability to deliver a greater impact (social value and cultural participation) than a council-owned and operated service.

- 1.6 Womble Bond Dickinson (WBD) – specialists in charity law with considerable experience in the charity sector – have provided EBC with initial high-level legal advice on the, in principle, direction of travel of the governance options and the various legal considerations that would be involved in a transfer of DPQ. WBD advised of the need to develop a sound and sustainable business case for the operation of the site as a going concern by a newly formed charitable independent body, and that operation through a new charitable vehicle is financially sustainable in the short, medium and longer-term.

WBD also confirmed that as a complex and multi-functional site, there are significant activities across DPQ that are not and cannot be charitable (e.g. conference events held by commercial entities). The advice set out that if the newly formed independent body were to operate as a charity, a range of current DPQ activities would need to sit outside of the new governance arrangements.

As such, further consideration of the future governance arrangements for the site has focused on the Congress and Devonshire Park Theatres (the Theatres) only. The Theatres' activities align with a move to a charitable body.

- 1.7 Detailed, financial modelling is required to enable the council to decide the next steps in relation to the future of the Theatres. The modelling would set out the financial consequences – including best, worst and reasonable case scenarios – of the Theatres being operated by a new, charitable operator, both in relation to EBC and any new charity. To be a viable proposal, EBC must ensure that the independent body would have the resources available to operate as a going concern. The financial modelling will contribute to and support the development of a full business case and plan for the future of the Theatres.
- 1.8 In addition to legal advice, EBC also commissioned Value Added Consultancy to provide specialist taxation advice in relation to the Theatres and the opportunity of making use of the VAT cultural exemption.

The findings of the consultant are based on the most recent information. These include estimates of the input tax attributable to the council's exempt activities ('exempt input tax') across all cost centres for 2022-23 and 2023-24.

It is important to stress that the conclusions the consultant has reached are dependent on the estimates and could be altered if the actual expenditure differs. Any decisions based on these conclusions should, therefore, allow for a margin of error.

A brief summary of the key points of the consultant's findings are as follow:

- EBC is forecast to exceed the annual partial exemption de minimis threshold for 2022-23 even whilst the Congress Theatre remains taxable. However, it will remain under the threshold when measured over seven years.
- The council will continue to remain below the 5% threshold in 2023-24, measured on the seven-year average, even allowing for the introduction of exempt input tax in the Congress Theatre cost centre, but there is little margin for error.
- EBC is forecast to exceed the 5% threshold under both the annual and seven-year measures in 2024-25, even with the removal of the Congress

Theatre. This problem is resolved if the Devonshire Park Theatre is also transferred out.

The latest advice from the consultant confirms that based on the council's projected levels of exempt input tax within each cost centre, it can absorb the additional level of exempt input tax generated if the Congress Theatre becomes culturally exempt for one year.

A significant change compared to earlier advice is the level of exempt input tax generated by the Devonshire Park Theatre. This significantly reduces the margin of error for the de minimis threshold.

A series of recommendations has been made including EBC making plans to remove the Theatres from council control.

- 1.9 Subject to Cabinet's approval, it is expected that Value Added Consultancy will liaise with the appointed accountancy firm in carrying out the financial modelling work to ensure a joined-up approach between the advice on the VAT cultural exemption and on the broader, financial modelling.
- 1.10 Further advice will be required on the legal considerations of implementing a new governance arrangement, including:
- The potential legal models for the charitable entity and the steps to its creation.
 - The impact of any governance changes on any agreements currently in place for the Theatres and, more broadly, the DPQ.
 - The legal and practical issues arising in the event of a transfer of assets and the undertaking (the staff employment and pension considerations will be covered by the provisions of the Transfer of Undertaking [Protection of Employment] Regulations Act 2006 – commonly referred to as TUPE) from EBC to a new charity.
 - The establishment of the Local Authority Controlled Company (LACC - see paragraph 2.1).

The additional legal advice will be pursued subject to Cabinet's approval of the proposals.

- 1.11 Any changes to the ownership responsibilities at the Devonshire Park complex would require consideration and resolution of a number of complexities from a practical and operational perspective, including:
- Access arrangements for the Congress Theatre – as part of the extensive redevelopment at Devonshire Park, including the construction of the Welcome Building, access arrangements to the Congress Theatre were changed. The only access to the Congress Theatre that is compliant with the Equality Act 2010 is through the Welcome Building.
 - Utilities within the Welcome Building and the Congress Theatre – the buildings share a heating system that cannot be separated.
 - Co-ordination of assets for mutual benefit – there will be occasions when it will be desirable to open the various access points between the Congress Theatre and the Welcome Building (e.g. if there is a show in the Congress Theatre, it would be mutually advantageous to open the café in the Welcome

Building and, if there is a large event in the Welcome Building, it may be advantageous for the attendees to be able to use the foyer of the Congress Theatre).

- 1.12 The work to explore alternative governance arrangements for the Theatres sits alongside, is informed by and will need to take into consideration the following external review processes that EBC is engaged with/has undertaken:
- The assurance review with government to explore opportunities to support the council with the financial challenges experienced as a result of the Covid-19 pandemic. An overarching recommendation from the assurance review is that the council should reduce its reliance on tourism income.
 - The Local Government Association peer challenge process which took place in September 2022 and, for which, there will be a follow up review in 2023 (an exact date is still to be confirmed).

Any steps to implement alternative governance arrangements for the Theatres will need to be taken in line with the parameters of the assurance review and peer challenge processes.

Further, any steps to implement alternative governance arrangements for the Theatres will be reviewed every six months in relation to progress.

2 Latest Position and Next Steps

- 2.1 The Devonshire Park Governance Board has considered the best routes, if approved by Cabinet, to implement a new charitable entity to operate the Theatres. The Board recommends Cabinet approve a staged approach to forming the charitable entity, with the creation of a Local Authority Controlled Company (LACC) as an interim step from April 2023.
- 2.2 A LACC is a company which is a subsidiary of the local authority, or the local authority controls the majority of the votes at its general meetings, or the local authority has the power to appoint or remove a majority of the directors/trustees.
- EBC has experience in recent years of setting up a LACC with the establishment of South East Environmental Services Ltd (SEESL).
- 2.3 Local authorities may consider establishing a LACC for certain projects/activities. The reasons for doing so may include:
- a desire to establish an organisation's independence from the local authority.
 - for the purposes of trading.
 - to attract funding which is not otherwise available to the local authority.
 - the need to ring-fence funding.
- 2.4 The Board proposes the creation of a LACC for the following reasons:
- The LACC would afford EBC the time to develop the sound and sustainable business case for the operation of the Theatres as a going concern by a newly formed charitable independent body.
 - The interim step of using a LACC will allow for the development of a sound operational and financial structure and the basis for the lease terms and

service level agreements will be put in place to support the finalisation of agreed financial terms for the charitable entity model.

- Transfer of the Theatres' operations to a LACC would enable EBC to avail of the VAT cultural exemption.
- Whilst the Theatres are run by a LACC, the rules regarding charities being independent can be fully explored including what this means in terms of governance, and how EBC can secure strategic engagement with a new charitable operator.
- The interim LACC would allow the parties to put in place lease arrangements and a Memorandum of Understanding to govern the practical issues relating to use of the site (e.g. access to the Congress Theatre that is compliant with the Equality Act 2010). The use of the LACC would enable EBC to put in place effective arrangements that are workable in the future.

2.5 If Cabinet approves the Devonshire Park Governance Board's proposal to explore the creation of a charitable entity to operate the Theatres, with the interim step of forming a LACC from April 2023, the rigour and discipline of a project management approach (using the council's project management toolkit) would be applied to the next phase of consideration and actions. Regular updates would be provided to Cabinet, along with decision points, at key milestones within the project. Agreement is sought for provision of £50,000 to be made available to support the initial steps towards delivery of the new governance arrangement. Any additional funding requirements for this work will be submitted to Cabinet for approval once the project is fully scoped and costed.

2.6 The Project Board will produce and oversee a plan to deliver the detailed proposals for Cabinet's approval for the move to a new governance arrangement for the Theatres. The plan will include a number of key milestones and delivery dates for the project, including:

- development of an operational model – early 2023
- aim to deliver tax efficiencies – from 1 April 2023
- define high-level arrangements between the council and the LACC – by the 1 April 2023
- explore the options for and timing of the move to the charitable entity – ongoing.

2.7 An effective communications and engagement strategy with key stakeholders – members, local and national partners, cultural organisations, groups and funding bodies, and staff and trade unions – will be essential throughout this process. This will be mapped and implemented in parallel to, and as part of, the project activities.

3 Conclusions

3.1 EBC is well-positioned to build on improvements implemented over recent years across DPQ by exploring a new governance model for the Theatres. A new, charitable entity, supported in the interim by a LACC would enable and support the next phase of the cultural offer for the benefit of residents, communities and the local economy.

4 Corporate plan and council policies

4.1 The approach and proposals set out in this paper align with and/or further the aims of the following plans, strategies or policies:

- Corporate Plan 2022-2026
- The council's response to the assurance review process

5 Business case and alternative option(s) considered

5.1 The Devonshire Park Governance Board members considered a range of options relating to the future governance of the Devonshire Park and, specifically, the Congress Theatre and the Devonshire Park Theatre, including:

- Do nothing – leave the current arrangements “as is” and manage the activities and assets as part of EBC.
- Charitable entity – transfer the activity and/or assets to a newly-created charity to ensure the future provision of a cultural programme to the benefit of the residents, communities and the local community.
- Privatised the assets/offer – transfer the Theatres (buildings and activities) to a 3rd party to operate as a commercial concern.
- Management company – operate the Theatres through a wholly owned EBC company (a Local Authority Controlled Company – LACC), tasked with managing the buildings and services.

The Board considers the proposal to transfer the Theatres to a charitable entity, via a LACC, best aligns with the council's commitment and ambitions to develop the cultural offer, to continue growing the regional and national reputation and audience base, and to lever in additional financial investment.

6 Financial appraisal

6.1 The Finance implications are dealt with in the body of the report. Comprehensive financial advice (both internal and external) has been, and will continue to be, taken as the proposals are progressed.

7 Legal implications

7.1 The legal implications are dealt with in the body of the report. Comprehensive legal advice (both internal and external) has been, and will continue to be, taken as the proposals are progressed.

[[ken ref 11739-EBC-KS 15th January 2023]

8 Risk management implications

8.1 Subject to approval by Cabinet, a full assessment and management of any risks will be undertaken, as part of the project management approach.

9 Equality analysis

9.1 Subject to approval by Cabinet, an equality analysis will be undertaken, as part of the project management approach.

10 Environmental sustainability implications

10.1 Subject to approval by Cabinet, the environmental implications and opportunities will be assessed, as part of the project management approach.

11 Appendices

None

12 Background papers

None

FORWARD PLAN OF DECISIONS

Period covered by this Plan: **1 January to 30 April 2023**
Date of publication: **10 January 2022**

Membership of Cabinet:

Councillor David Tutt (Leader and Chair of Cabinet): Responsibilities aligned with Chief Executive and including the Community Strategy, Local Strategic Partnership, the Corporate Plan and economic development.

Councillor Stephen Holt: (Deputy Leader and Deputy Chair of Cabinet): Financial services including accountancy, audit, purchasing and payments).

Councillor Margaret Bannister: Tourism and leisure services

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

Councillor Colin Swansborough: Climate change, place services and special projects.

Councillor Peter Diplock: Disabilities and community safety

Please see the explanatory note appended to this Plan for further information and details of how to make representations and otherwise contact the Council on matters listed in the Plan. Documents referred to will be available at least 5 clear working days before the date for decision.

Forthcoming decisions

Title, description and lead cabinet member:	Ward(s):	Decision type:	Decision maker:	Expected date of decision:	Expected exemption class: (Exempt information reason as defined by Part 1 of Schedule 12A of the Local Government Act 1972 (as amended))	Consultation arrangements proposed or undertaken (where known):	Documents to be submitted:	Lead Chief Officer/ Contact Officer:
<p>Corporate performance - quarter 3 - 2022/23</p> <p>to update Members on the Council's performance against Corporate Plan priority actions, performance indicators and targets over Q3 2022/23 period.</p> <p>(Lead Cabinet members: Councillor Stephen Holt, Councillor Colin Swansborough)</p>	All Wards	Key	Cabinet	8 Feb 2023	Open	Scrutiny Committee	Report	<p>Chief Finance Officer (Homira Javadi)</p> <p>Luke Dreeling, Performance Lead luke.dreeling@lewes-eastbourne.gov.uk</p> <p>Ola Owolabi, Deputy Chief Finance Officer - Corporate Finance ola.owolabi@lewes-eastbourne.gov.uk,</p> <p>Mark Walker, Head of Financial Planning mark.walker@lewes-eastbourne.gov.uk</p>

Forthcoming decisions:

Title, description and lead cabinet member:	Ward(s):	Decision type:	Decision maker:	Expected date of decision:	Expected exemption class: (Exempt information reason as defined by Part 1 of Schedule 12A of the Local Government Act 1972 (as amended))	Consultation arrangements proposed or undertaken (where known):	Documents to be submitted:	Lead Chief Officer/ Contact Officer:
<p>General fund budget 2023/24 and capital programme</p> <p>To recommend full Council to set the 2023/24 budget and council tax at their meeting in February 2023.</p> <p>(Lead Cabinet member: Councillor Stephen Holt)</p>	All Wards	Budget and policy framework	Cabinet	8 Feb 2023	Open	The budget is subject to a wide and varied consultation process. The Council's Scrutiny Committee will also have a formal opportunity of considering the proposals.	Report	<p>Chief Finance Officer (Homira Javadi)</p> <p>Ola Owolabi, Deputy Chief Finance Officer - Corporate Finance ola.owolabi@lewes-eastbourne.gov.uk</p> <p>Mark Walker, Head of Financial Planning mark.walker@lewes-eastbourne.gov.uk</p>

Forthcoming decisions:

Title, description and lead cabinet member:	Ward(s):	Decision type:	Decision maker:	Expected date of decision:	Expected exemption class: (Exempt information reason as defined by Part 1 of Schedule 12A of the Local Government Act 1972 (as amended))	Consultation arrangements proposed or undertaken (where known):	Documents to be submitted:	Lead Chief Officer/ Contact Officer:
<p>Treasury Management and Prudential Indicators 2023/24, Capital Strategy & Investment Strategy</p> <p>To approve the Council's Annual Treasury Management Strategy, Capital Strategy & investment Strategy together with the Treasury and Prudential Indicators.</p> <p>(Lead Cabinet member: Councillor Stephen Holt)</p>	All Wards	Budget and policy framework	Cabinet Full Council	8 Feb 2023 22 Feb 2023	Open	The budget is subject to a wide and varied consultation process. The Council's Policy and Performance Advisory Committee will also have a formal opportunity of considering the proposals.	Report	<p>Chief Finance Officer (Homira Javadi)</p> <p>Ola Owolabi, Deputy Chief Finance Officer - Corporate Finance ola.owolabi@lewes-eastbourne.gov.uk</p> <p>Mark Walker, Head of Financial Planning mark.walker@lewes-eastbourne.gov.uk</p>

Forthcoming decisions:

Title, description and lead cabinet member:	Ward(s):	Decision type:	Decision maker:	Expected date of decision:	Expected exemption class: (Exempt information reason as defined by Part 1 of Schedule 12A of the Local Government Act 1972 (as amended))	Consultation arrangements proposed or undertaken (where known):	Documents to be submitted:	Lead Chief Officer/ Contact Officer:
<p>Housing revenue account budget 2023/24</p> <p>Recommendations to full Council in respect of the housing revenue account for 2023/24.</p> <p>(Lead Cabinet member: Councillor Stephen Holt)</p>	All Wards	Budget and policy framework	Cabinet Full Council	8 Feb 2023 22 Feb 2023	Open	Consultation with tenants via newsletter and focus groups and consideration at Eastbourne Homes Ltd Board.	Report	<p>Chief Finance Officer (Homira Javadi)</p> <p>Ola Owolabi, Deputy Chief Finance Officer - Corporate Finance ola.owolabi@lewes-eastbourne.gov.uk</p> <p>Mark Walker, Head of Financial Planning mark.walker@lewes-eastbourne.gov.uk</p>

Forthcoming decisions:

Title, description and lead cabinet member:	Ward(s):	Decision type:	Decision maker:	Expected date of decision:	Expected exemption class: (Exempt information reason as defined by Part 1 of Schedule 12A of the Local Government Act 1972 (as amended))	Consultation arrangements proposed or undertaken (where known):	Documents to be submitted:	Lead Chief Officer/ Contact Officer:
<p>War Pensions and Armed Forces Compensation Policy</p> <p>The Housing Benefit regulations set a statutory disregard of £10.00 on War Pensions and Armed Forces compensation schemes when assessing a claimant's entitlement to housing benefit. A local authority can at its discretion disregard the remaining amount.</p> <p>(Lead Cabinet member: Councillor Alan Shuttleworth)</p>	All Wards	Non-Key	Cabinet	8 Feb 2023	Open	Scrutiny Committee (if requested) – 6 February 23	Report	<p>Director of Service Delivery (Tim Whelan)</p> <p>Bill McCafferty, Lead for Income Maximisation and Welfare Tel: (01323) 415171</p> <p>bill.mccafferty@lewes-eastbourne.gov.uk</p>

Forthcoming decisions:

Title, description and lead cabinet member:	Ward(s):	Decision type:	Decision maker:	Expected date of decision:	Expected exemption class: (Exempt information reason as defined by Part 1 of Schedule 12A of the Local Government Act 1972 (as amended))	Consultation arrangements proposed or undertaken (where known):	Documents to be submitted:	Lead Chief Officer/ Contact Officer:
<p>Congress and Devonshire Park Theatres - Future Governance Arrangements</p> <p>To seek Cabinet's approval to explore options for the future governance arrangements for the Congress and Devonshire Park Theatres, with a further report to set out proposals for Cabinet at a later date.</p> <p>(Lead Cabinet member: Councillor Margaret Bannister)</p>	All Wards	Non-Key	Cabinet	8 Feb 2023	Open	Not applicable.	Report	<p>Chief Executive (Robert Cottrill)</p> <p>Lee Banner, Transformation Programme Manager Tel: 01323 415763 lee.banner@lewes-eastbourne.gov.uk</p>

Forthcoming decisions:

Title, description and lead cabinet member:	Ward(s):	Decision type:	Decision maker:	Expected date of decision:	Expected exemption class: (Exempt information reason as defined by Part 1 of Schedule 12A of the Local Government Act 1972 (as amended))	Consultation arrangements proposed or undertaken (where known):	Documents to be submitted:	Lead Chief Officer/ Contact Officer:
<p>Sovereign Centre Arrangements</p> <p>The report recommends the inclusion of the leisure services at the Sovereign Centre in the existing arrangements with Wave Leisure for the operation of a number of leisure facilities in Eastbourne. The decision required is to approve this decision and delegate the necessary powers to enable it to be implemented.</p> <p>(Lead Cabinet member: Councillor Margaret Bannister)</p>	Devonshire	Key	Cabinet	8 Feb 2023	Open	Scrutiny Committee (if requested)	Report	<p>Chief Executive (Robert Cottrill)</p> <p>Annie Wills, Tourism Development, Heritage and Catering Manager Tel: 01323 415410 annie.wills@eastbourne.gov.uk</p>

Forthcoming decisions:

Title, description and lead cabinet member:	Ward(s):	Decision type:	Decision maker:	Expected date of decision:	Expected exemption class: (Exempt information reason as defined by Part 1 of Schedule 12A of the Local Government Act 1972 (as amended))	Consultation arrangements proposed or undertaken (where known):	Documents to be submitted:	Lead Chief Officer/ Contact Officer:
<p>Updated and Aligned Scheme of Delegation to Officers</p> <p>The report will recommend that Cabinet approves a revised Scheme of Delegation to Officers, updated and aligned to reflect current organisational structure and legislation. Cabinet is permitted to approve only the executive delegations.</p> <p>(Lead Cabinet member: Councillor Colin Swansborough)</p>	All Wards	Non-Key	Cabinet	8 Feb 2023	Open	Heads of Service	Report	<p>Chief Executive (Robert Cottrill)</p> <p>Oliver Dixon, Lawyer and Monitoring Officer Tel: 01273 085881 oliver.dixon@lewes.gov.uk</p>

Forthcoming decisions:

Title, description and lead cabinet member:	Ward(s):	Decision type:	Decision maker:	Expected date of decision:	Expected exemption class: (Exempt information reason as defined by Part 1 of Schedule 12A of the Local Government Act 1972 (as amended))	Consultation arrangements proposed or undertaken (where known):	Documents to be submitted:	Lead Chief Officer/ Contact Officer:
<p>Eastbourne & Lewes Community Safety Partnership – Annual Report (Eastbourne)</p> <p>To enable Cabinet to consider the 2022/23 performance of the Eastbourne & Lewes Community Safety Partnership (E&LCSP)</p> <p>(Lead Cabinet member: Councillor Peter Diplock)</p>	All Wards	Non-Key	Cabinet	22 Mar 2023	Open	An ongoing process of engagement is in place to help assess and evaluate the success of projects and other measures supported by the Partnership.	Report	<p>Director of Service Delivery (Tim Whelan)</p> <p>Oliver Jones, Strategy and Partnership Lead Tel: 01323 415464 Oliver.Jones@lewes-eastbourne.gov.uk</p>

Explanatory Note

The Council is required to publish information about all key decisions at least 28 days in advance of the decision being taken.

This plan is a list of the decisions likely to be taken over the coming four months. The list is not exhaustive as not all decisions are known that far in advance. The Plan is updated and re-published monthly.

The forward plan shows details of key decisions intended to be taken by the Cabinet and Chief Officers under their delegated powers.

The plan shows:

- the subject of the decisions
- what wards are affected
- the decision type
- who will make the decision
- when those decisions will be made
- expected exemption class (open, part exempt or fully exempt.)
- what the consultation arrangements are
- what documents relating to those decisions will be available
- who you can contact about the decision and how to obtain copies of those documents referred to in the plan

What is a key decision?

"Key decisions" relate to a decision, which is likely:-

(1) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or

(2) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the Council's area.

What is budget and policy framework?

When a decision is marked as “budget and policy framework”, it requires the approval of Full Council.

Confidential and exempt information

From time to time, the forward plan will indicate matters (or part thereof) which may need to be considered in private, during which time the press and public will be excluded. This is in accordance with the provisions of Regulation 5(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

Any representations that such matters should not be considered in private should be sent to the contact officer.

Information given to the Council by a Government Department on terms which forbid its disclosure to the public, information which cannot be publicly disclosed by a Court Order and information, the disclosure of which is prohibited by an enactment are all legally defined as “Confidential Information” and must not be disclosed. All other local authority information which it is desired should not be disclosed has to be categorised under one or more of the following “Exempt Information” reasons (as given under Schedule 12A of the Local Government Act 1972) and subject to the public interest test.

Category	Condition No.
1. Information relating to any individual.	See conditions 9 and 10 below.
2. Information which is likely to reveal the identity of an individual.	See conditions 9 and 10 below.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).	See conditions 8, 9, 10 and 12 below.
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.	See conditions 9, 10, 11 and 12 below.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.	See conditions 9 and 10 below.
6. Information which reveals that the authority proposes— (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.	See conditions 9, 10 and 12 below.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.	See conditions 9 and 10 below.

Conditions
8. Information is not exempt information if it is required to be registered under: (a) the Companies Acts (as defined in section 2 of the Companies Act 2006); (b) the Friendly Societies Act 1974; (c) the Friendly Societies Act 1992;

- (d) the Industrial and Provident Societies Acts 1965 to 1978;
- (e) the Building Societies Act 1986; or
- (f) the Charities Act 1993.

“Financial or business affairs” includes contemplated as well as past or current activities.

9. Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.

10. Information which:

- (a) falls within any of paragraphs 1 to 7 above; and
 - (b) is not prevented from being exempt by virtue of paragraph 8 or 9 above,
- is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

11. “Labour relations matter” means:

- (a) any of the matters specified in paragraphs (a) to (g) of section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 (matters which may be the subject of a trade dispute, within the meaning of that Act); or
 - (b) any dispute about a matter falling within paragraph (a) above;
- and for the purposes of this definition the enactments mentioned in paragraph (a) above, with the necessary modifications, shall apply in relation to office-holders under the authority as they apply in relation to employees of the authority;

“Office-holder”, in relation to the authority, means the holder of any paid office appointments to which are or may be made or confirmed by the authority or by any joint board on which the authority is represented or by any person who holds any such office or is an employee of the authority.

“Employee” means a person employed under a contract of service.

12. “The authority” is a reference to the council or a committee or sub-committee of the council or a joint committee of more than one council.

Further information

The plan is available on the [Council website at http://www.lewes-eastbourne.gov.uk/councillors-committees-and-meetings/cabinet-and-committees/](http://www.lewes-eastbourne.gov.uk/councillors-committees-and-meetings/cabinet-and-committees/)

If you have any questions about the Forward Plan please contact Simon Russell, Head of Democratic Services, on (01323) 415021, or e-mail simon.russell@lewes-eastbourne.gov.uk.

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Scrutiny Committee Work Programme 2022/2023

Subject	Lead Officer	Date of Meeting
Recovery and Stabilisation Programme	Lee Banner, Transformation Programme Manager lee.banner@lewes-eastbourne.gov.uk	11 July 2022
Corporate performance - quarter 4 - 2020/21	Luke Dreeling, Performance Lead, Luke.Dreeling@lewes-eastbourne.gov.uk	11 July 2022
Revenue and capital outturn 2021/22	Homira Javadi, Chief Finance Officer homira.javadi@lewes-eastbourne.gov.uk, Ola Owolabi, Deputy Chief Finance Officer ola.owolabi@lewes-eastbourne.gov.uk	11 July 2022
Treasury management annual report 2021/22	Homira Javadi, Chief Finance Officer, homira.javadi@lewes-eastbourne.gov.uk, Ola Owolabi, Deputy Chief Finance Officer owolabi@lewes-eastbourne.gov.uk	11 July 2022
Cost of Living Crisis	Seanne Sweeney, Strategy and Commissioning Lead for Community and Partnerships seanne.sweeney@lewes-eastbourne.gov.uk	11 July 2022
Heritage Assets Update	Leigh Palmer, Head of Planning First leigh.palmer@lewes-eastbourne.gov.uk	11 July 2022
Housing Development Update	Leigh Palmer, Head of Planning First leigh.palmer@lewes-eastbourne.gov.uk	11 July 2022
Review of Planning Policy and Licensing for Houses in Multiple Occupation	Lisa Rawlinson, Head of Regeneration and Planning Policy lisa.rawlinson@eastbourne.gov.uk	11 July 2022
Methodology for collecting monitoring fees in connection with the compliance with/of S106 Legal Agreements	Leigh Palmer, Head of Planning First, leigh.palmer@lewes-eastbourne.gov.uk	11 July 2022
Revised Planning Pre-Application Charging Schedule	Leigh Palmer, Head of Planning First, leigh.palmer@lewes-eastbourne.gov.uk	11 July 2022
Eastbourne Borough Council Homelessness & Rough Sleeping Strategy 2022 - 2027	Oliver Jones, Strategy and Partnership Lead, Oliver.Jones@lewes-eastbourne.gov.uk	11 July 2022

Scrutiny Committee Work Programme 2022/2023

Request from the Council for the Scrutiny Committee's consideration of Gatwick Airport's Carbon Neutrality Pledge	Ian Fitzpatrick (Deputy Chief Executive and Director of Regeneration and Planning)	10 October 2022
A review of Eastbourne Air Show	Annie Wills, Head of Tourism & Enterprise annie.wills@lewes-eastbourne.gov.uk	10 October 2022
Corporate performance - quarter 1 - 2022/23	Luke Dreeling, Performance Lead luke.dreeling@lewes-eastbourne.gov.uk , Sian Hedger, Interim Deputy Chief Finance Officer sian.hedger@lewes-eastbourne.gov.uk, Ola Owolabi, Deputy Chief Finance Officer - Corporate Finance ola.owolabi@lewes-eastbourne.gov	10 October 2022
Update from consultants commissioned to provide robust evidence to support and justify any future decisions on actions regarding HMO planning policy and licensing.	Lisa Rawlinson, Strategy & Partnership Lead (Growth & Prosperity) lisa.rawlinson@lewes-eastbourne.gov.uk	28 November 2022
Cost of Living Crisis Fund Update	Seanne Sweeney, Strategy and Commissioning Lead for Community and Partnerships seanne.sweeney@lewes-eastbourne.gov.uk	28 November 2022
Local council tax reduction scheme	Bill McCafferty, Lead for Income Maximisation and Welfare bill.mccafferty@lewes-eastbourne.gov.uk	28 November 2022
Council tax and business rate base 2023/24	Sian Hedger, Interim Deputy Chief Finance Officer sian.hedger@lewes-eastbourne.gov.uk Ola Owolabi, Deputy Chief Finance Officer - Corporate Finance ola.owolabi@lewes-eastbourne.gov.uk	28 November 2022
Corporate performance - quarter 2 - 2022/23	Luke Dreeling, Performance Lead luke.dreeling@lewes-eastbourne.gov.uk , Sian Hedger, Deputy Chief Finance Officer sian.hedger@lewes-eastbourne.gov.uk, Ola Owolabi, Deputy Chief Finance Officer - Corporate Finance ola.owolabi@lewes-eastbourne.gov	28 November 2022

Scrutiny Committee Work Programme 2022/2023

Update to the Local Validation List:- Information required to support/accompany planning applications	Leigh Palmer, Head of Planning First, leigh.palmer@lewes-eastbourne.gov.uk	28 November 2022
Congress and Devonshire Park Theatres - Future Governance Arrangements	Lee Banner, Transformation Programme Manager lee.banner@lewes-eastbourne.gov.uk	28 November 2022
Eastbourne Carbon Neutral 2030: Annual Progress Report	Kate Richardson, Strategy and Partnership Lead for Sustainability kate.richardson@lewes-eastbourne.gov.uk	28 November 2022
Gatwick Airport - Carbon Neutral Status	Ian Fitzpatrick, Ian Fitzpatrick, Deputy Chief Executive and Director of Regeneration and Planning, ian.fitzpatrick@lewes-eastbourne.gov.uk	9 January 2023
Corporate Performance – quarter 3 – 2022-2023	Luke Dreeling, Performance Lead luke.dreeling@lewes-eastbourne.gov.uk	6 February 2023
Congress and Devonshire Park Theatres - Future Governance Arrangements	Lee Banner, Transformation Programme Manager lee.banner@lewes-eastbourne.gov.uk	6 February 2023
Update on Scrutiny of Gatwick Airport Ltd (Carbon Neutral Accreditation/Northern Runway development) - verbal update	Nick Peeters, Committee Officer nick.peeters@lewes-eastbourne.gov.uk	6 February 2023
General fund budget 2023/24 and capital programme	Homira Javadi, Director of Finance and Performance homira.javadi@lewes-eastbourne.gov.uk, Ola Owolabi, Deputy Chief Finance Officer ola.owolabi@lewes-eastbourne.gov.uk	6 February 2023
Treasury Management and Prudential Indicators 2023/24, Capital Strategy & Investment Strategy	Homira Javadi, Director of Finance and Performance homira.javadi@lewes-eastbourne.gov.uk, Ola Owolabi, Deputy Chief Finance Officer ola.owolabi@lewes-eastbourne.gov.uk	6 February 2023
Housing Revenue Account Budget 2023/24	Homira Javadi, Director of Finance and Performance homira.javadi@lewes-eastbourne.gov.uk, Ola Owolabi,	6 February 2023

Scrutiny Committee Work Programme 2022/2023

	Deputy Chief Finance Officer ola.owolabi@lewes-eastbourne.gov.uk	
Eastbourne & Lewes Community Safety Partnership – Annual Report (Eastbourne)	Oliver Jones, Strategy Lead (Homes First) Oliver.Jones@lewes-eastbourne.gov.uk	6 February 2023
Customer Contact Overview	Linda Farley, Head of Customer First, Linda.Farley@lewes-eastbourne.gov.uk	6 February 2023

Standing items on the agendas:

- The Forward Plan of Cabinet Decisions
- Scrutiny Committee Work Programme