

## **Scrutiny Committee**

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

### **Present:**

Councillor Caroline Ansell (Chair)

Councillors Dean Sabri (Deputy-Chair), Helen Burton, Peter Diplock, Pat Rodohan and Robert Smart

### **Officers in attendance:**

Tim Whelan (Director of Service Delivery), Jo Harper (Head of Business Planning and Performance), Millie McDevitt (Performance and Programmes Lead), Peter Finnis (Assistant Director for Corporate Governance), Gary Hall (Head of Homes First), Tondra Thom (Planning Policy Lead), Sean Towey (Head of Environment First), Emily Horne (Committee Officer) and Matt Hitchen (Senior Strategy and Commissioning Officer (Planning Policy)).

### **11 Minutes of the meeting held on 10 June 2019.**

The minutes of the meeting held on 10 June 2019 were submitted and approved, and the Chairman was authorised to sign them as a correct record.

### **12 Apologies for absence**

Apologies received from Councillors Murdoch and Maxted.

The Chair reminded Members of a recent communication requesting that, substitutes be arranged where necessary and Democratic Services be advised of those substitutes, prior to the meeting.

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

There were no declarations made by Members at the meeting.

### **14 Questions by members of the public**

No questions were received.

### **15 Urgent items of business**

The Head of Business Planning and Performance requested that, through the Chair, the Climate Emergency report be taken as an urgent item (the reason

for urgency was as a result of the item not being included on the Committee's work programme). The report followed the Eastbourne Borough Council resolution 10 July that recognised the Climate Change Emergency and that the Council would work in partnership with local groups and stakeholders to deliver a climate neutral town by 2030.

During discussion the following points were highlighted:

In developing the proposals it was recognised that there was already a great deal of cross-authority work being done on this important issue. This extended more widely across all of Sussex. A communications event took place in the summer of 2019 which brought the leads on climate change and sustainability across the districts, boroughs and county together. It was evident at that point that a number of authorities were doing similar work, with many shared challenges.

It was felt that a resource at district and borough level would provide a more local focus. The appointment would be advertised imminently and there was confidence that, through initial enquiries already made in the sector, the post would be successfully recruited to. In the meantime a meeting with the relevant portfolio holder had been scheduled to decide on how the work programme for the item would be shaped.

Caution was proposed regarding the level of bureaucracy in the programme - between the proposed Officer Working Group and the Member Panel, and the impact of the arrangement on decision making. It was clarified that the new Panel would supersede the previous Member Carbon Reduction Panel. The Eastbourne Carbon Neutral Group was a community led initiative and would work closely with the Council's panel in the future.

**RESOLVED** – to give the Committee's support to the recommendation that Cabinet approve £36k per annum towards the cost of a dedicated post, shared with Lewes District Council, to develop and support the delivery of a Climate Change Strategy.

## **16 Right to address the meeting/order of business**

There were no requests to address the meeting.

## **17 Sovereign Centre Task and Finish Group Update**

The Head of Commercial Business presented the report to Members that summarised the work of the Sovereign Centre Task and Finish Group. The Group had looked at what options would be available for the Sovereign Centre following the construction of a new leisure centre.

The Group's January 2019 meeting had included discussion with Stiles, Harold, Williams (commercial agents) to obtain professional, commercial advice on a broad view of the options.

The Group recognised that there was a demand for housing in a beach-front location and affordable housing would form part of the development profile. High quality retirement homes and villages were also acknowledged as a national target market. Other options looked at were: beach-front leisure facilities (water-sports), beach huts, and the opportunity for a convenience store (metro/express style of shop).

A mixed use of development was the preferred option for further exploration with a strong focus on a sustainable community in terms of a residential development, and the opportunity for economic growth through tourism and commercially related activity.

During discussion by Members the following points were highlighted:

The Council remained committed to the development of a new Sovereign Leisure Centre. The budget of £29.1 million represented a significant investment and it was incumbent on the Council to recognise its exact position in the market, as part of the process of following due diligence. The Council was working with Clear Sustainable Futures through a process for the joint venture assessing the construction and capital costs, as well as the revenue income opportunities.

It was advised that consideration was being given to a waste to energy facility within the design of the centre, which could enhance the scheme by reducing utility costs and the carbon impact, but would require an additional capital allocation. Councillors asked if there was the option to retro-fit such an energy facility as part of any refurbishment of the Sovereign Centre, but it was confirmed that the design of older buildings and the need to include facilities in the fabric of the building would make it very difficult to develop a viable scheme.

The business case for the new Centre was based on the budget and construction costs for that project alone. There had not been any cross-subsidy from other adjacent schemes to date. There was no 'marriage' value to adjacent sites and the new scheme for the Sovereign Centre was expected to work within its own budget.

Within the options appraisal process it made sense for the design and architectural elements of two builds to be worked on side-by-side, however, in terms of a business-case, the scheme for a new Sovereign Leisure Centre and the scheme for redevelopment of the existing site were two separate business cases (including capital and revenue income). If there were opportunities for cross-subsidising schemes, they would be utilised where beneficial. Officers would provide as up-to-date information as was available supporting the two schemes.

An early assessment of housing provision within the scheme estimated between 200-250 units (apartments) which would be high-density and reflect other areas of Eastbourne. The requirement for affordable housing within a development of this size was 30 percent and would be included in the options

appraisal. The Task and Finish Group was mindful of the opportunity to produce a high quality design within the scheme and to attract young professionals who would feed into the economic growth of the Eastbourne.

It was confirmed that the business case reviewed by the Cabinet in July 2018 remained as the relevant report. If a further scheduled review came forward, the Scrutiny Committee would have an opportunity to review it (once fully formed) prior to its consideration by the Cabinet.

**RESOLVED:**

1. To note the outcomes achieved by the task and finish group on reviewing the development options for the Sovereign Leisure site based on commercial advice and guidance sought; and
2. To agree to recommend to Cabinet that the future redevelopment options laid out in section 2.1 of the report (as below) be agreed to progress in principle with further due diligence on the financial and legal implications of each option undertaken;

Details of options in Section 2.1 of the report:

- 1) High quality residential development – the advice given was to look to develop an ‘iconic’ building which could rival other seaside town regeneration and attract a good level of investment.
  - 2) Affordable housing – the demand for affordable housing continues to increase and any development would need to be planning policy compliant meaning it would be likely a requirement of permission for residential development to be granted.
  - 3) Retirement homes / village – coastal towns such as Eastbourne have a good market for older persons housing and agents are actively seeking sites in seafront locations for this style of development.
  - 4) Beach front leisure/water sports – given the geographical location of the site there are clear opportunities to explore the development of water sports facilities which would enhance the overall development offer
  - 5) Beach huts – there were examples of significant beach hut expansion on seafront estates in other locations which produce a good commercial return.
  - 6) Convenience store sub 5,000 sq. ft – this would be a commercial element of a residential scheme on the ground floor.
3. To agree to recommend to Cabinet that a report is provided to a future meeting of Cabinet to allocate a budget for the required enabling works and due diligence to develop an options appraisal and business case to redevelop the site; and

4. To recommend to Cabinet to request a wider public consultation.

## 18 Quarter 1 Performance Report

The Performance and Programme Lead presented the Quarter 1 Performance report that detailed the Council's performance against an agreed set of performance indicators. The points highlighted at the previous Scrutiny Committee meeting for further clarification, had been responded to in the report, or would be covered as part of the presentation to Members at the meeting.

During discussion the following points were made:

- Bandstand - Due to its location by the sea, the Bandstand would require ongoing routine maintenance for its lifetime (including planned maintenances during the winter period).
- Housing - South Downs Housing was a housing association (HA) that worked in partnership with the Council. The HA housed tenants facing homelessness or rough sleeping. South Downs Housing worked with tenants for a two year period to make them 'tenancy ready', and take them out of the cycle of homelessness. South Downs HA currently had 60 Council properties that were tenanted.
- Housing initiatives - A new Housing Solutions Team had been set up and within the last month and 90 households (49 of who were in priority need) had presented as homeless on the day of their interaction, or within the following two weeks. The new team prevented 38 of those households from going into temporary accommodation, with the intervention saving the Council £154,700 in the same month.
- Temporary Accommodation – A Commercial Property Team had been set up alongside the new Housing Solution team to deal with temporary accommodation and was tasked with getting families/individuals out of emergency accommodation and into temporary accommodation (allowing the subsidy to be retained) - also discharging duties to the private sector (including the Council's own housing companies). There was now a private sector stock of housing the Council was able to control. The aspiration was for a zero target in emergency accommodation and the work undertaken was building towards this.
- Housing waiting list - All individuals in need of social housing or in temporary and emergency accommodation were assessed in terms of need and banded. The number of properties that became available for re-let each year was approximately 100, set against approximately 1000 individuals on the waiting list. This demonstrated the value of the private housing investment companies and the importance of affordable house-building on other sites.

- Local Plan - The Council's Housing Delivery action plan set out actions taken towards housing strategy and how developers can be worked with to deliver housing numbers. Policy implications and whether a change of emphasis would provide more opportunities was another area being reviewed, along with the effect of the Community Infrastructure Levy. The Local Plan was previously 'in date' until 2027. Legislation (National Planning Policy Framework NPPF) changed requiring local authorities to update their local plans on a five-year basis. Those authorities that were under-delivering housing numbers were under additional pressure to identify further sites and land.
- The Council's housing target was confirmed as 668 per year and there was insufficient land in Eastbourne to meet this target.
- Abandoned calls - The performance indicators were refreshed on an annual basis by the Cabinet and it was felt that the indicator for abandoned calls did not provide an accurate picture as part of the message provided customers with details of the Council's online facilities. It was agreed that, should there be an adverse change in the levels of abandoned calls by more than 5 percent; a response would be included in the overall commentary in the performance report.

The Head of Environment First provided an update on the Council's Waste Mobilisation Programme and establishment of South East Environmental Services Limited (SEESL). The following points were highlighted:

- Many of the Council's own services had been involved in the successful mobilisation of the SEESL in June 2019 and in its third month of operation significant gains across the service had already been made.
- A depot had been secured early in the process providing more space. Significant investment in the depot had improved safety levels and improved the professionalism of the service.
- New in-cab technology (W360) provided live information on the location of all bins, including missed bins, assisted bins and contaminated bins. The performance information provided by the new white-space IT portal allowed patterns in behaviour and issues to be identified early on.
- A challenging HR process resulted in 97 staff transferred through Transfer of Undertakings (Protection of Employment) (TUPE) to SEESL (including 13 staff previously employed through agencies).
- A new fleet of vehicles had been purchased (including some of Kier's fleet). The increased capacity of the new vehicles reduced the number of journeys to waste disposal sites. Five mechanical sweepers had also been purchased, reducing the dependency on hand-pushed sweepers and improving cleanliness.

- A high level of commitment and energy had been shown by staff in the new service and input into new initiatives to improve the collection service was encouraged.
- The Service was working with Neighbourhood First and the Environment Enforcement Team to ensure businesses were aware of their duty of care with regard to bins. Similar work was commencing in targeted areas to ensure landlords with houses of multiple occupancy (HMOs) were also aware of their responsibilities.
- Complaints via W360 were 68 for July and 11 for August, from a total of 300,000 collections in each period and all Street Cleansing activities. The Service would continue to analyse complaints. The service level agreements (SLAs) included bin deliveries which had been eight weeks (prior to the new service being introduced) and had reduced to two weeks. The SLA target of 10 days had been impacted by the marketing and rolling out of new recycling bins to enhance recycling initiatives.
- The street-cleaning monitoring service was now in-house allowing a more pro-active approach to the education of service users and evidence based enforcement where appropriate and necessary.
- The 50 percent recycling target would be encouraged through smarter collection processes, more education and looking at how waste is managed in the future.

The Head of Environment First thanked the waste services team for the hard work that had contributed to the success of the new service and invited Committee members to visit the team and see first-hand the work being done.

The following points were highlighted during discussion:

The June 2019 recycling rate had increased from approximately 32 percent to approximately 38 percent. Green waste would have been a factor in the increase but a successful programme of community and resident education would have contributed also.

The organisation was aware of the issues around the siting and return of bins. The operatives who collected the bins had already commenced a focus on ensuring they were returned to collection points (within property curtilages). Awareness amongst residents also needed increasing as to where bins should be sited for collection. The siting of communal bins in densely populated areas would be appraised within three years to try and overcome the anti-social behavioural issues around the use and abuse of the bins.

Collection of food waste was not currently a service. The Council had responded to a recent DEFRA consultation and was waiting for the Government to respond with guidance and any available funding (including for food waste).

It was recommended by the Committee that additional performance indicators around waste collection be included in the quarterly performance report.

**RESOLVED:**

1. To note the progress and performance for Q1;
2. To recommend to the Cabinet that additional collection indicators regarding waste performance and how recycling levels can be improved (the details of which will be confirmed by officers) are included in future performance reports; and
3. That where there is any adverse change in the level of contact centre calls answered (of more than 5 percent) information relating to missed calls will then be included in the narrative of the performance report.

**Part B – Finance Performance Report**

The Director of Finance presented the report which provided an overview of the Council's finances in Quarter 1.

The analysis in the report provided a number of key finance headlines. The Committee was advised that the Council continues to experience pressure in managing increased demand for its housing related services including temporary and emergency housing but also provision of housing subsidy. The quarter's financial performance also reflected the general economic slowdown including the added uncertainty and its adverse impact on the Council's commercial income levels.

The Committee was advised that there would be further improvements to the formatting of the report and the reporting timelines. These will be delivered in time for future reporting cycles. . It was also acknowledged there had not been capacity within the finance team to make the planned improvements. The Financial Services were in the process of transitioning to a new structure and having in place the required staffing complement within the next few months. It was anticipated that noticeable improvements would be delivered by the next quarter.

**RESOLVED:**

1. To note the achievements and progress against Corporate Plan priorities for 2019-20, as set out in Part A of the report;
2. Note the General Fund, HRA and Collection Fund financial performance for the quarter, as set out in part B of the report; and
3. Note the amended capital programme as set out in Appendix 4.

**19 Forward Plan of Decisions**

This item was included under discussion in item 10 on the Agenda – Annual Scrutiny Work Programme.

**RESOLVED:** To note the Forward Plan of Decisions.



## 20 Annual Scrutiny Work Programme

The Head of Business Planning and Performance presented the report which asked the Scrutiny Committee to agree its Annual Work Programme for 2019/2020, prior to it going via Cabinet to Full Council for approval on 13 November 2019.

Members agreed the following changes to the Committee's work programme:

### 2 December meeting:

- Sovereign Centre Task (business case review) – this would be brought to an earlier meeting if required.
- Recycling – a report to look at recycling rates in the Borough and how they could be improved.
- Southern Water Treatment – in response to a recent event involving untreated wastewater.
- The Council's process for the inspection of licensed Houses of Multiple Occupancy (HMO's) and how targets are managed – this would be provided as a briefing prior to the 2 December meeting and included on the agenda as part of the performance report.
- The role of scrutiny in the community and improving resident engagement.

### 3 February meeting

- The Budget for 20/21 – the Committee would receive an update on the work undertaken towards the setting of the Council's budget.
- The A27.

**RESOLVED** to agree the Committee's work programme, as set out at Appendix A to the report and subject to the amendments listed above.

## 21 Date of the next meeting

**RESOLVED:** To note that the next meeting of the Scrutiny Committee was scheduled for Monday, 2 December 2019 in the Court Room, Eastbourne Town Hall, Grove Road, Eastbourne, BN21 4UG.

The meeting ended at 8.35 pm

Councillor Caroline Ansell (Chair)