

## Full Council

**Minutes of meeting held remotely on 24 February 2021 at 6.00 pm.**

### **Present:**

Councillor Steve Wallis (Mayor).

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

### **Officers in attendance:**

Robert Cottrill (Chief Executive), Sarah Lawrence (Senior Committee Officer), Simon Russell (Head of Democratic Services), Homira Javadi (Chief Finance Officer), Oliver Dixon (Head of Legal Services) and Andrew Clarke (Deputy Chief Finance Officer (Financial Planning)).

### **17 Welcome and Introductions.**

The Mayor welcomed all Councillors to the second online Full Council meeting being held remotely in accordance with government regulations.

### **18 Notification of apologies for absence.**

There were no apologies for absence.

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

Councillor Burton declared a disclosable pecuniary interest in Item 11, as the charity that she ran had received a business grant. However, she remained in the room as the item was not discussed.

Councillor Holt declared personal interests for transparency in the following items as he was employed by Your Eastbourne BID (Business Improvement District):

- Item 8 (a), as the BID may apply for future grants or support for recovery.
- Item 9 (a), as the BID had provided a public written speech in respect of this item.
- Item 11, as the BID had been supporting organisations to claim grants but had not received any funding to do so.

Councillor Shuttleworth declared a personal and prejudicial interest in Item 11, as chair of the charity trustees for Langney Community Library, who received support from the grants. However, he remained in the room as the item was not discussed.

Councillor Wallis declared a personal interest in Item 9a as he worked for a charity called 'Warming up the Homeless'.

## **20 Minutes of the meeting held on 18 November 2020**

The minutes of the meeting held on 18 November 2020 were presented and the Mayor was authorised to sign them as a correct record, subject to a correction to minute 2 to replace the name 'Derek Cullen' with the name 'Dennis Cullen'.

## **21 Public right of address.**

The Mayor advised that four public speeches had been submitted in respect of Item 9(a) use of Emergency Accommodation in Eastbourne from the following people, which would be read out by an officer at the start of that item, and had been circulated to all Councillors in advance of the meeting:

Christina Ewbank of Eastbourne Chamber of Commerce  
Luke Johnson of Your Eastbourne BID (Business Improvement District)  
Kris Hayter of The Eastbourne Hospitality Association  
Heidi Lane proprietor of the Crown and Anchor Pub

## **22 Mayor's announcements.**

The Mayor drew attention to the list of the mayoral engagements on the agenda.

The Mayor advised that since the last meeting of the Council, Dean Sabri had stepped down as a Councillor and thanked him for his work in his ward and for the Borough and wished him well in his new endeavours.

The Leader, Councillor Tutt, also played tribute to Dean Sabri for his work on the Council and wished him well for the future.

## **23 Order of business.**

The business proceeded in accordance with the agenda.

## **24 Other matters referred from Cabinet or other council bodies.**

### **24a Council Budget and Setting of the Council Tax for 2021/22**

Councillor Holt moved and Councillor Tutt seconded the recommendations set out in the agenda, in relation to the Council Budget and setting of the Council Tax for

2021/22. This incorporated recommendations from Cabinet in respect of the General Fund Budget 2021/22 and Capital Programme, Housing Revenue Account Revenue Budget and Rent Setting 2021/22 and HRA Capital Programme 2020-24, the Treasury Management and Prudential Indicators for 2020/21, Capital Strategy and Investment Strategy.

Councillor Smart moved and Councillor di Cara seconded an amendment, which had been circulated to all Councillors, to add the following as an additional recommendation (11):

“Eastbourne Borough Council is pleased to receive the offer of exceptional financial support from the Government, will fulfil its statutory obligations, and will revise its budget as necessary when the requirements of the Capitalisation Direction are known, including the recommendations of the mandated external assurance review.”

Councillor Holt as Cabinet Member for Finance presented the budget. He highlighted the impact of coronavirus on the authority and the local area, and its impact on the Council's finances, and expressed his condolences to the families of those who had lost their lives. He advised that the Council had achieved over £4.8m savings or efficiencies over the last year but had faced a loss of 60% of its income due to the impact of Covid 19. He advised that there had been extensive external scrutiny of the Council's financial position, and on the basis of this the Government had provided a loan and capitalisation direction to the Council, which would enabled it to achieve a balanced budget and to stabilise its position during the next year, and he set out the context of the plans for this recovery in terms of Council investments, strategies and partnership working. He thanked the Chief Finance Officer and her team for their work on the budget.

Councillor Smart responded to the budget proposals on behalf of the opposition and presented his amendment. He paid tribute to residents and Council employees in their response to Covid 19, and in particular the speed of business grant distribution. He expressed his concerns that the final audited accounts for 2018/19 and 2019/20 had not yet been presented to the Council, and as to the uncertainties this created for the budget proposals. He stated his view that the loss of income was not the major contributor to the shortfall experienced by the Council but was due to choices made by the administration over the last few years. He welcomed the external assurance review required by Government as part of its capitalisation direction, and suggested that a revised budget be prepared after this review, and asked that an additional Council meeting be added in September if necessary to consider this.

The Council debated the budget in full, and Councillor Smart and Councillor Holt were given the opportunity to sum up at the end of the discussion.

As part of her contribution to the discussion, Councillor Bannister paid tribute to the work of Phil Evans, Director of Tourism and Enterprise, who was leaving the Council, and on behalf of the Council extended her thanks to him for his excellent work and wished him well for the future, and this was echoed by other Councillors.

The Mayor reminded Councillors that all votes in relation to the setting of the Council Tax were named votes in accordance with legislation.

The amendment was then put to a named vote and was lost by 16 against, 9 votes for, and 1 abstention:

For: Councillors Ansell, Belsey, di Cara, Freebody, Lamb, Metcalfe, Murdoch, Smart and Taylor (9).

Against: Councillors Bannister, Burton, Choudhury, Diplock, Dow, Holt, Maxted, Miah, Morris, Murray, Rodohan, Shuttleworth, Swansborough, Tutt, Vaughan and Whippy (16).

Abstention: Councillor Wallis (1).

The original motion was then put to a named vote and carried by 16 votes for, 1 against and 9 abstentions:

For: Councillors Bannister, Burton, Choudhury, Diplock, Dow, Holt, Maxted, Miah, Morris, Murray, Rodohan, Shuttleworth, Swansborough, Tutt, Vaughan and Whippy (16).

Against: Councillor Belsey (1).

Abstention: Councillor Ansell, di Cara, Freebody, Lamb, Metcalfe, Murdoch, Smart, Taylor and Wallis (9).

**Resolved:**

1. The recommendations as detailed in the reports from the Chief Finance Officer to Cabinet on 10 February 2021 be approved:
  - (i) To approve the General Fund budget for 2020/21 (Revised) and 2021/22 (original):
  - (ii) To approve an increase in the Council Tax for Eastbourne Borough Council of 1.998% resulting in a Band D charge of £256.74 for 2021/22.
  - (iii) To agree the revised General Fund capital programme 2021/22.
  - (iv) To approve the Treasury Management Strategy and Annual Investment Strategy for 2021/22.
  - (v) To approve the Minimum Revenue Provision Policy Statement 2021/22.
  - (vi) To approve the Prudential and Treasury Indicators 2021/22 to 2023/24.
  - (vii) To approve the Capital Strategy.

- (viii) To approve the Housing Revenue Account (HRA) income and expenditure proposals, including revised HRA budget for 2020/21 and the budget for 2021/22, rents and service charges and the arrangements for finalising Eastbourne Homes' management fee.
2. That delegated authority is given to the Chief Finance Officer to amend the budget for any presentational changes ensuring the Council Tax Requirement at 6 below remains unchanged.
3. That it be noted, that since the Cabinet meeting on 05 February the Business Rates return to the Government (NNDR1) has been finalised with no changes to the previous net budget assumptions.
4. That consequent upon a General Fund budget of £13,473,950 and other matters, the basic amount (Band D) of Council Tax for the Borough Council's functions will be £256.74 (representing an increase of 1.998%) calculated as follows:

	£'000	£'000
<b>Gross Expenditure:</b>		
General Fund		85,853
HRA		19,104
Business Rates Tariff payable and deficit		11,635
		<u>116,592</u>
<b>Less Income:</b>		
Service Income	(86,639)	
Contribution form Reserves	(3,581)	
Other Government Grants	(2,602)	
Business Rates income	(14,859)	
Collection Fund Surplus (Council Tax)	(45)	(107,726)
		<u>(107,726)</u>
<b>COUNCIL TAX REQUIREMENT</b>		<b><u>8,866</u></b>
<b>Band 'D' Council Tax</b>		<b>£256.74</b>

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

5. That it be noted that at its meeting on 02 December 2020 the Cabinet agreed the Council Tax Base of 34,532.2 for Band 'D' equivalent properties for the year 2021/22 (Item T in the formula in section 31B of the Local Government Finance Act 1992, as amended).
6. Calculate that the Council Tax requirement for the Council's own purposes for 2021/22 as £8,865,797.

7. That the following amounts be now calculated by the Council for the year 2020/21 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992, as amended:

(a)	£116,591,652	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act.
(b)	£107,725,855	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
(c)	£8,865,797	being the amount by which the aggregate at 5(a) above exceeds the aggregate at 5(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
(d)	£256.74	being the amount at 5(c) above (Item R), all divided by Item T (4 above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.

8. To note that East Sussex County Council, the Police and Crime Commissioner for Sussex and the East Sussex Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992, as amended, for each category of dwellings in the Council's area as indicated in the table below.
9. That the Council, in accordance with Sections 30 to 36 of the Local Government Finance Act 1992, as amended, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2021/22 for each of the categories of dwellings.

<b>Council Tax Valuation Bands</b>								
	A	B	C	D	E	F	G	H
	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9
	£	£	£	£	£	£	£	£
<b>Precepting Authorities</b>								
Eastbourne Borough Council	171.16	199.69	228.21	256.74	313.79	370.85	427.90	513.48
East Sussex County Council	1,029.36	1,200.92	1,372.48	1,544.04	1,887.16	2,230.28	2,573.40	3,088.08
Sussex Police Authority	143.27	167.15	191.03	214.91	262.67	310.43	358.18	429.82
East Sussex Fire Authority	64.95	75.78	86.60	97.43	119.08	140.73	162.38	194.86
<b>Aggregate of Council Tax Requirements</b>	<b>1,408.75</b>	<b>1,643.54</b>	<b>1,878.33</b>	<b>2,113.12</b>	<b>2,582.70</b>	<b>3,052.28</b>	<b>3,521.87</b>	<b>4,226.24</b>

10. Determine that the Council's basic amount of Council Tax for 2021/22 is not excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992, as amended.

As the billing authority, the Council has not been notified by a major precepting authority that its relevant basic amount of Council Tax for 2021/22 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992, as amended.

(Note – at the end of this agenda item at 19.47 the Council meeting adjourned for a short recess of 5 minutes)

#### **24b Local Council Tax Reduction Scheme**

Councillor Shuttleworth moved and Councillor Tutt seconded the recommendations from Cabinet to approve the Local Council Tax Reduction Scheme and continue with the Exceptional Hardship scheme.

This was put to the Council and approved unanimously.

#### **Resolved –**

1. To adopt the 2020/21 Local Council Tax Reduction Scheme as the 2021/22 scheme; and
2. To continue the Exceptional Hardship Scheme in 2021/22.

#### **24c Approval of Licensing Fees and Charges 2021-22**

Councillor Rodohan moved and Councillor Tutt seconded the recommendations from the Licensing Committee to approve the licensing fees for 2021/22.

This was put to the Council and approved unanimously.

**Resolved –**

1. To formally ratify the scale of licensing fees for 2021/22 set out within Appendix 1 to the report, to apply from 1 April 2020.
2. To continue the Exceptional Hardship Scheme in 2021/22.

**25 Motions.****25a Motion 1 - Use of Emergency Accommodation in Eastbourne**

Councillor Shuttleworth moved and Councillor di Cara seconded a motion set out in the agenda in respect of use of emergency accommodation in Eastbourne by Brighton and Hove City Council.

The four public statements received from Christina Ewbank (Eastbourne Chamber of Commerce), Luke Johnson (Your Eastbourne BID), Kris Hayter (The Eastbourne Hospitality Association) and Heidi Lane (Proprietor of the Crown and Anchor Pub) were read out by the Senior Committee Officer.

The motion was debated in full and received support from across the Council. Councillors expressed concerns not only to impact of the policy on Eastbourne area and businesses, but as to human cost to those who were vulnerable and often in need of specialist support, being placed outside their area and support networks.

In response to a request from Councillor Ansell, Councillor Shuttleworth agreed to include in the letter to Brighton and Hove Council a request for it to share with Eastbourne Borough Council its plans to discontinue the current practice of out of area placements of this sort, and also advise how it would be returning those placed into temporary accommodation in Eastbourne back to the Brighton and Hove area as soon as possible.

It was noted that a dedicated Scrutiny meeting had been set up on this issue, and representatives of Brighton and Hove City Council would be invited to participate in a discussion on this matter.

The motion was put to the Council and approved unanimously.

**Resolved that –**

“Eastbourne Borough Council calls upon Brighton and Hove City Council to end its policy of placing large numbers of homeless people into emergency accommodation in Eastbourne over recent months.

Apart from the detrimental effect on those people who are placed so far from their support services, the policy has impacted significantly upon local health, housing, police, adult social care, children’s and other support services.

Brighton and Hove City Council must find alternative accommodation in Brighton using the Ministry of Housing Communities and Local Government funding provided to the City Council for this purpose.”



## **26 Calendar of Meeting 2021/22**

The Council received the proposed Calendar of Meetings for 2021/22 and noted that this would be formally ratified at the Annual Council meeting on 19 May 2021.

Councillor Smart asked for an additional Council meeting to be added to the calendar in September to consider any revised budget arising from the external assurance review required by Government as part of its capitalisation direction. Councillor Belsey asked for written response as to why the Council had reduced from five to four meetings a year. A request was also made to consider if the dates of Scrutiny Committee and Cabinet in February could be moved to enable the minutes to be reported in full to the February Council meeting.

Councillor Tutt advised he was happy to discuss any necessary changes with Officers and Councillor Smart outside the meeting. He confirmed that the move to reduce the number of Council from 5 to 4 a year was agreed cross-party a few years ago and resolved by Full Council.

### **Resolved –**

1. To note the proposed Calendar of Meetings for 2021/22;
2. For Group Leaders to discuss the need for any adjustments to the Calendar of Meetings 2021/22 with Officers, ahead of it being brought back for approval to the Annual Council Meeting.

## **27 Special Urgency Decisions by Cabinet Members.**

The Council formally noted the three decisions made by the Leader under special urgency powers since the last meeting in relation to approval of and granting of delegated authority in respect of the Grants Schemes (made on 12 November 2020, 19 November 2020 and 23 December 2020). These were reported to the Council in accordance with the Council's Procedure Rules.

## **28 Discussion on minutes of council bodies.**

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

Audit and Governance Committee – 26 November 2020

Cabinet – 4 November 2020, 2 December 2020

Licensing Committee – 18 January 2021

Planning Committee – 20 October 2020, 24 November 2020, 15 December 2020, 26 January 2021.

Scrutiny Committee – 2 November 2020

None of the minutes had been reserved for discussion.

**Resolved (unanimously)** – That the minutes of the above council bodies be noted.

**29 Date of Next Meeting**

It was noted that the next meeting of Full Council was scheduled to take place on Wednesday 19 February 2021 at 6 pm.

The meeting ended at 9.05 pm.

Councillor Steve Wallis (Mayor)