

Scrutiny Committee

Minutes of meeting held in Court Room - Town Hall, Eastbourne on 11 July 2022 at 6.00 pm.

Present:

Councillor Kshama Shore (Chair).

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

Officers in attendance:

Philip Brown (Property Lawyer), Luke Dreeling (Performance Lead), Lee Banner (Transformation Programme Manager), Homira Javadi (Chief Finance Officer), Ola Owolabi (Deputy Chief Finance Officer - Corporate Finance), Nick Peeters (Committee Officer), Sian Hedger (Interim Deputy Chief Finance Officer), Oliver Jones (Strategy and Partnership Lead), Leigh Palmer (Head of Planning First), Lisa Rawlinson (Head of Regeneration and Planning Policy), Sean Towey (Head of Environment First) and Tim Whelan (Director of Service Delivery).

1 Election of a Chair

Councillor Kshama Shore was nominated by Councillor Smart and seconded by Councillor Wallis as Chair of the Scrutiny Committee.

Resolved unanimously that Councillor Shore be appointed as Chair of the Scrutiny Committee.

Councillor Shore thanked Councillor Freebody for his time and work as the Chair of the Scrutiny Committee.

2 Minutes of the meeting held on 7 February 2022

Resolved that the minutes of the meeting held on 7 February were submitted and approved and signed as a correct record by the Chair.

3 Apologies for absence / declaration of substitute members

Apologies were received from Councillor Babarinde.

4 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. Councillor Wallis requested that it be noted that he was no

longer the Chair of Trustees for Warming up the Homeless and as such, he did not have an interest in the organisation.

5 Questions by members of the public

There were none.

6 Urgent items of business

There were none.

7 Right to address the meeting/order of business

No requests were received.

8 Recovery and Stabilisation Programme

Lee Banner, Transformation Programme Manager, introduced the report which detailed the provision of a structured and accountable approach for delivering the level of significant organisational change needed to respond to current and future challenges. During discussion, the following points were highlighted:

- Further detail on the Homes First reshaping delivered spend, along with a detailed update on each of the recommendations within the Assurance Review (appendix B to the report) would be provided.
- The reduction in the arrears for commercial tenants was due to repayment plans and recovery action and reflected the reduction in the level of debt now experienced by businesses in the Borough.

Resolved to note the report and ask Cabinet to note the request from the Scrutiny Committee for the following additional information:

- 1) That further analysis is provided on the £936,800 delivered on Homes First reshaping; and**
- 2) That an item-by-item comparison on the CIPFA pro-forma, highlighting the status of each item and in particular those items with a six-month time frame that have not yet been enacted, is provided.**

9 Cost of Living Crisis

Seanne Sweeney, Community Services Lead, presented the report which sought to help tackle those worst affected by the cost of living crisis. During discussion, the following points were highlighted.

- The community fridges would be spread across wards in the Borough and once established, they would be self-sustaining and respond to the need in each ward.

- The demand for foodbanks had increased with Eastbourne having on of the highest demands. It was expected that the demand would increase as winter approached and heating bills increased.
- The impact of the increase in council tax arrears was a consideration, however it had not formed part of the report.
- Concern was expressed by Members that there were hard-to-reach people in the Borough who would benefit from the schemes detailed in the report but would not come forward and engage with the support offered.

Resolved to note the report.

10 Corporate Performance Quarter 4 2021-22

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

- The queue waiting time notification for the Contact Team had been disabled at peak times as customers were finding the lack of progression through the queue confusing. The enabling of the facility would be looked at.
- The IT Team would be contacted regarding the core system for the Contact Centre and the challenges that some staff were experiencing when working remotely.
- A breakdown of activity within the Contact Centre by activity area would be provided. The online chatbot (ELLIS) had now taken 22,000 online chats with an accuracy rate of 93 percent. The use of the chatbot was allowing advisors to support customers who were unable to self-serve online. The key performance indicator for increasing the percentage of calls to the Contact Centre within 60 seconds would remain at 80 percent.
- There had been a reduction in the number of customers using the 'paid for' garden waste collection service. However, the result was a more effective service with fuller bins, a reduction in vehicle movements and an improved carbon footprint for the Council.
- The 'Bring' sites were being used by trades and as a result were contaminating into the overall recycling. The reduction in the number of bring sites had resulted in a reduction in contaminated levels, which was how the Council was being measured.

Resolved to note the report.

11 Provisional revenue and capital outturn 2021/22

Homira Javadi, Chief Finance Officer, introduced the report which enabled Members to consider specific aspects of the Council's financial performance for 2021/22. During discussion, the following points were highlighted:

- The original request to the Government for exceptional financial support had undergone close scrutiny with an assurance review from an external financial assessor. There had been significant challenges since the original submission with the Council updating the Government on its continued loss of income.
- The Council's strategy was to now deliver on the Assurance Review recommendations, including the provision for any risks and the strengthening of its financial resilience. The implementing of the Recovery and Reset programme and a more affordable Capital programme had supported the Council in increasing its Unallocated Reserve.

Resolved to note the report.

12 Treasury management annual report 2021/22

Ola Owolabi, Deputy Chief Finance Officer, presented the report which was a requirement of CIPFA Treasury Management in the Public Sector Code of Practice (the Code) and would be reported to Full Council. During discussion, the following points were highlighted.

Members requested that a fuller analysis of the movement of the Council's total debt from April 2021 to March 2022 be provided.

Resolved to note the report and that Cabinet note the following request from the Scrutiny Committee for additional information, agreed at the meeting:

That a full analysis of the movement of debt from 1 April 2021 – 31 March 2022 be provided.

13 Eastbourne Borough Council Homelessness & Rough Sleeping Strategy 2022 - 2027

Oliver Jones, Housing, Homelessness & Community Safety Lead, presented the report which detailed a new strategy providing a strategic overview of the current challenges and setting out a framework and action plan addressing these. During discussion, the following points were highlighted:

- There was strict legislation around how homeless people with and without a local connection were supported. Anyone who was assessed to be a priority need would need to be housed, but investigations would then take place to establish whether a local connection exists.
- The Council's Housing Needs Team interfaced with a number of organisations who provided support to homeless people. The primary framework for this support was provided by the Rough Sleeper Initiative. The support also included initiatives at County level including drug and alcohol support services. Changing Futures was a pan-Sussex initiative that had received approximately £3.1 million funding and focused on improving

systems and services for people experiencing multiple disadvantages, including homelessness.

- Although there was a statutory target for the length of time people spent in temporary and emergency accommodation, people could be housed in those environments for long periods. The provision of a supply of sufficient permanent housing was an ongoing challenge. It was anticipated that there would be an increase in demand for temporary accommodation and there was additional Government funding to support this demand.
- The action plan, within the Strategy, could be amended should the need to provide support failed matches between Ukrainian households and their hosts begin to impact on resourcing within the team.
- It was confirmed that the review provided a breakdown of the number of enquiries raised with the Housing Needs Team.
- A key learning point was trying to rebalance the numbers of homeless people dealt with through the prevention and relief duties, so focussing on prevention to reduce the numbers who were homeless when they first approach the council for advice. This was the main purpose of the new Prevention Hub, along with other initiatives looking at using data to identify those at most risk of falling into financial difficulty. Early prevention would also reduce costs to the Council.

Resolved to note the report

14 Review of Planning Policy and Licensing for Houses in Multiple Occupation

Lisa Rawlinson, Strategy & Partnership Lead (Growth & Prosperity) presented the report which had been produced to enable a full understanding of the current situation regarding HMOs and other private sector residential properties in the town, including future need and impacts on local communities. During discussion, the following points were highlighted:

- One of the recommendations in the report was to collect data on smaller HMOs. The work due to be commissioned would provide a map of licensable HMOs and give a wider picture of the concentrations of HMOs in the Town.
- Members expressed concern at the anti-social behaviours and fly-tipping that occurred where clusters of HMOs existed, and the difficulties in building communities in those areas. It was felt that all HMOs should be run to an agreed standard and held to account where those standards failed.
- Members requested that an interim update be provided to the Committee by the consultants chosen to provide the evidence detailed in the report, at the Committee's November meeting.

Resolved to note the report and request that Cabinet note the request from the Scrutiny Committee for the following item to be added to the Committee's work programme, agreed at the meeting:

- 1) That the consultants commissioned to provide robust evidence to support and justify any future decisions on action regarding HMO planning policy and licensing shall provide an interim update to the Scrutiny Committee at its meeting on 28 November 2022.

15 Methodology for collecting monitoring fees in connection with the compliance with/of S106 Legal Agreements

Leigh Palmer, Head of Planning, presented the report which set out the proposal to implement a suite of charges to support the staffing resource in the monitoring and compliance of approved S106 Legal Agreements. During discussion, the following points were highlighted:

- The benefit of a charging regime provided knowledge to developers in advance of applications and allowed them to build the charge into their business plan. It was set a level that it was considered would not dissuade investment by developers.
- A number of local authorities had similar charging schedules. On the signing of the legal planning agreement developers would be required to pay the S106 fee.

Resolved to note the report.

16 Heritage Assets Update - verbal update

Leigh Palmer, Head of Planning, provided an update on the Town's heritage assets, not all of which are owned by the Council. Historic England keeps a register of historic building, including those at risk. At a national level, Natural England deals with public open space and East Sussex County Council supports the monitoring of areas of archaeological interest. There are broadly 364 listed buildings in the Town and 12 conservation areas take up 5 percent of the Town's property base. The Conservation Group's remit was being expanded to look at heritage assets beyond just at planning application level, which was a positive step forward. During discussion, the following points were highlighted.

- An asset review was being produced and this would include a comprehensive list of the Town's assets. It was confirmed that a small number of the assets were within Council ownership.

Resolved to note the update.

17 Revised Planning Pre-Application Charging Schedule

Leigh Palmer, Head of Planning, introduced the report which detailed the

proposal to implement a suite of charges to support the staffing resource in connection with delivering the:

1. pre-application process,
2. planning Performance Agreement (PPA),
3. Validation Process,
4. CIL Process
5. Local Plan Charges and Additional charges.

During discussion, the following point was highlighted:

It was not considered that the fees would deter applications and that on a larger scale, the fees provided assurance to developers.

Resolved to note the report.

18 Exclusion of the public

The Committee resolved to enter into a private session for items 18 and 19 Housing Development update and appendices 2&3 - as discussion was likely to disclose exempt information as defined in Schedule 12A of the Local Government Act 1972 Exempt. Information reason 3 – Information relating to the financial and business affairs of any particular person (including the authority holding that information).

19 Housing development update

Nathan Haffenden, Head of Development, Investment and Delivery, presented the report which detailed the progress of the development of new homes across the borough to provide new affordable housing options.

Resolved to note the report.

20 Housing development update - Exempt Appendix 2 and 3

The Housing development update – Exempt Appendix 2 and 3 were dealt with under a private session along with Item 18 – Housing development update.

21 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 12 September:

- Corporate performance - quarter 1 - 2022/23
- Medium term financial strategy
- Congress and Devonshire Park Theatres – Future Governance Arrangements

Resolved to note the Forward Plan of Cabinet Decisions.

22 Scrutiny Work Programme

The Chair, Councillor Shore, introduced the Scrutiny Committee work programme. Members requested that the following item be added to the work programme:

- An interim update at the 28 November meeting from the consultants commissioned to provide robust evidence to support and justify any future decisions on actions regarding HMO planning policy and licensing.
- An update on Eastbourne Airshow

Resolved to note the work programme.

23 Date of the next meeting

Resolved to note that the date of the next meeting of the Scrutiny Committee is scheduled for Monday 12 September 2022, in the Court Room, Eastbourne Town Hall, Grove Road, Eastbourne, BN21 4UG.

The meeting ended at 9.05 pm

Councillor Kshama Shore (Chair)