

## **Scrutiny Committee**

**Minutes of meeting held in Court Room - Town Hall, Eastbourne on 4 December 2023 at 6.00 pm.**

### **Present:**

Councillor Kshama Shore (Chair).

Councillors Alan Shuttleworth (Deputy-Chair), Kathy Ballard, Ali Dehdashty, Nigel Goodyear, Jane Lamb, Amanda Morris and Hugh Parker.

### **Officers in attendance:**

Philip Brown (Property Lawyer), Luke Dreeling (Performance Lead), Homira Javadi (Director of Finance and Performance (Section 151 Officer)), Nick Peeters (Committee Officer), Nick Ducatel (Functional Lead - Growth and Prosperity), Jo Harper (Head of Business Planning and Performance), Steven Houchin (Interim Deputy Chief Finance Officer (Corporate Finance)), Oliver Jones (Lead, Housing, Homelessness & Community Safety) and Jo Wunsch (Specialist Advisor (Sustainability)).

### **Also in attendance:**

Paul Avery (AECOM Consultants)

### **31 Minutes of the meeting held on 18 September 2023**

**Resolved** that the minutes of the meeting held on 5 February 2024 were submitted and approved and signed as a correct record by the Chair.

### **32 Apologies for absence / declaration of substitute members**

There were no apologies received.

### **33 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.

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

There were none.

### **35 Urgent items of business**

There were none.

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

There were none received.

### **37 Eastbourne Carbon Neutral 2030: Annual Progress Report**

The Chair, Councillor Shore, advised that the order of items on the agenda would be altered, with Item 15 - Eastbourne Carbon Neutral 2030: Annual Progress Report, being considered as the first substantive item. The remaining reports would be considered as per the agenda order. The report provided an update on the Council's progress towards the aims of achieving Eastbourne Carbon Neutral by 2030. During discussion, the following points were highlighted:

- Further detail on the baseline figures used as a starting point and confirmation on whether they were nationally set, would be provided. The 'light-touch' refresh referred to in the report and recommendations would involve updating data in the document, such as names and organisations, some of which were out-of-date. It was confirmed that Eastbourne as a town and Eastbourne Borough Council were measured differently and the refresh would look more at how the Strategy outcomes would be actioned and ensuring that, where possible, resources were available to achieve the outcomes. There would be further, more thorough periodic refreshes of the Strategy.
- The figures reported on were those within the Council's buildings and other assets. The emissions levels measured in those areas had reduced during the pandemic but had subsequently increased as the buildings and assets came back into use. The measurements for the Town of Eastbourne were collected nationally by the Department for Energy Security and Net Zero, however, there was two-year delay in their publication. The data would be available in the 2024 strategy.
- A large part of the work within the aims of the Strategy was to work with partnerships, and in areas where the Council was not able to directly reduce levels of emissions, to influence organisations and industry that did directly impact on emission levels.
- Zapmap was an online tool that included real-time identification of charging points, nationally. It was also confirmed that East Sussex County Council had received £4.4 million of funding for the installation of on-street charging points and a public consultation would be included, to determine the locations.
- Future reports would include a breakdown of emissions by service area and the ability to project future levels and represent the data in graph form would be considered. The Council's Tourism Team were working with Eastbourne Eco Action Network to record and monitor the levels of emissions from travel to and from events in the Borough. A presentation on the emissions from Eastbourne Airbourne would be available at the Committee's next meeting.

- Members felt that a more thorough refresh was needed with measurable outcomes.

**Resolved** to support the Officer recommendations to the Cabinet, subject to the following, amended recommendation being considered:

(3) Approve to delegate authority to the Deputy Chief Executive and Director of Planning and Regeneration, in consultation with the Lead Member for Climate Change, to complete a thorough refresh of the Climate Change Strategy and action plan in readiness for the new financial year 2024/5.

### **38 Update on the work of Consultants - Eastbourne Houses in Multiple Occupation (HMO) Study**

Leigh Palmer, Head of Planning, introduced the report which provided background to the request from the Scrutiny Committee for an update on licenced houses of multiple occupancy (HMOs) in Eastbourne Borough, and the commissioning of consultants to provide data on HMOs. It was highlighted to Members that the update and the report that would follow would not include recommendations for policy direction but instead, were an analysis of the current situation, based on evidence gathered through the Study. It would be for Members of the Council to decide if further scrutiny or action was required.

Paul Avery, Principal Housing Consultant, AECOM, gave a presentation to the Committee which updated Members on the objectives of the Study, which was to provide a robust, evidence-based analysis of the role and impact of HMOs in Eastbourne. The Study covered:

- A review of the current HMOs policy and associated literature.
- An exploration of the current numbers of HMOs.
- The physical condition of the HMOs (the study precluded the internal inspection of properties).
- The impact of HMOs on occupants, communities and neighbourhoods.
- The role of HMOs in the housing market.

During discussion, the following points were highlighted:

- There had been a delay in the production of the report, and there was one dataset that was due to be provided by the Council's Housing Team. Once received, the report would be complete.
- The Housing Team had a diarised inspection regime and responded to risk areas such as mould damp and dangerous electrics. Previous inspection monitoring by the Council had not been included in the Study, as it was considered that a fresh approach would provide a more balanced review. Members considered that previous monitoring regimes and more information on the internal condition of HMOs was needed to provide a

more thorough analysis.

- The suggested interventions were part of the research undertaken, including a review of interventions taken by other authorities, and discussions with those authorities to understand which interventions were successful and how this had been evidenced. The original report to the Cabinet, which initiated the commissioning of the Study, had also included interventions put forward by the Council's Planning Team.
- There were a number of HMOs that were managed individually or as part of a cluster. Some were managed by third-sector organisations that offered temporary accommodation. The benefit or negative impact of an HMO on the area around it could be determined by how well the HMO was managed. It was unusual for the manager/owner of the HMO to live in the property, although the Study had not included this level of investigation.
- The model of an HMO with a live-in manager or a usable room that could provide shared space for residents was considered useful. It had potential for reducing anti-social behaviour that could otherwise end up in public areas. This would, however, impact on the revenue for owners/landlords from the property.
- The model used for the doorstep interviews involved identifying sample areas with the highest percentage of HMO's and randomly sampled addresses in those areas chosen for an interview. The same process was used for low control areas with low HMO concentrations.
- Communication, engagement with communities and addressing negative perceptions of HMO's were areas that could be focused on.
- Members asked that the dataset required to complete the report be provided at the earliest available opportunity.

**Resolved** to note the update.

### **39 Corporate performance - quarter 2 - 2023/24**

Luke Dreeling, Performance Lead, presented the report which provided an update on the Council's progress and performance in respect of service areas for the Second Quarter of the year (July-September 2023) as shown in Appendix 1 to the report. Linda Farley, Head of Customer First, also provided an update on the Council's complaints procedure. During discussion, the following points were highlighted:

- Solutions Sprint was an internal group of existing Council staff which looked at processes and identified any efficiencies that could be made.
- Seven new starters were anticipated to be working independently in the Customer Contact Centre by January/February 2024. Four additional staff would be in place to deal solely with garden waste enquiries after the

Christmas period, and interviews had taken place, with four new staff appointed. This left one and half vacancies. There were seasonal variances with January-March a busy time with garden waste renewal and the annual billing of council tax. The summer period often involved environmental enquiries due to the warmer temperature.

- Staff availability was managed during the busy periods to maximise staff capacity on phones. Staff recognised that requests for annual leave needed to meet the demands of the business.
- Communication was a key area for improving recycling rates. The Eastbourne Waste Team had an officer dedicated to community engagement who undertook educational work around recycling.
- Staff retention within contact centres had shared challenges nationally. The Council's contact centre was seen as a pathway for staff to other areas within the Council. Skills-based routing was being looked at, which would involve staff being trained to a higher level, with a focus on specific services. Apprenticeships was another area that was used to provide and retain staff.
- **Update on the five complaints that progressed to the Local Government and Social Care Ombudsman** – The five complaints comprised of three regarding housing, one regarding business rates and one regarding council tax. The Ombudsman was satisfied that the measures put in place regarding the business rates and council tax complaints were adequate and they did not progress further. The three housing complaints resulted in the Council providing varying amounts of compensation and a request from the Ombudsman for the Council to put measures in place to improve the service, which have been undertaken.
- Staff were cognisant of the need to fully understand the customer experience and where possible, when the case was passed to an individual member of the Team, to take ownership of the enquiry. A revised complaints policy was currently being reviewed and this would be consulted on in the New Year.

**Resolved** to note the report.

#### **40 Revenue and Capital Financial Monitoring Report Quarter 2 2023-24**

Steve Houchin, Deputy Chief Finance Officer, presented the report which provided an assessment of the Council's financial performance against its approved 2023-24 budget. The report included key financial risks, issues and opportunities identified since 1 April 2023 for the General Fund and the Housing Revenue Account (HRA)

- Homelessness in the Borough was one of the key issues facing the Council, with a significant impact on the Council's budget and overspend. The three areas the Council was working towards were: the continuing lobbying by the

Leader and Cabinet for additional funding and the raising of the issue at a National level; the work towards mitigating the causes of homelessness through early prevention, leading to a reduction in the number of households presenting as homeless; and the work of the Section 151 Officer in continuing to engage with the Department for Levelling Up, Housing and Communities and highlight the issue from the Council's financial situation.

- The worsened position of £1.6m from that reported at Q1 and highlighted in the report, was based on information as of the 30 September 2023. Work had been undertaken to identify areas of spend within the Budget that could be removed or reduced and this work was ongoing. Homelessness had been a factor in the overspend, however, the mitigations already highlighted had been put in place and it was anticipated that as the Council moved through the year, the variance would reduce. The first quarter of reporting often involved a 'light-touch' position in the identification of overspend and the second quarter had involved more thorough work in areas such as homelessness and its impact.
- A Member requested that the Cabinet be advised of the Scrutiny Committee's support of the ongoing work towards promoting homelessness as a widespread issue and the need for a national response, with Government support. Members recognised that, although homelessness was a significant issue, there were other contributing factors that impacted on the Council's financial position. It was further noted by Members that a Full Council motion on Housing and Homelessness had been moved and discussed in November 2023 and had received cross-party support. Members were advised that the very recent and current levels of homelessness and the provision of temporary/emergency accommodation in the Borough were unprecedented and disproportionate, and presented a serious concern to the Council's finances.

**Resolved** that, following a proposal by Councillor Shuttleworth, the members of the Committee noted and supported the Officer recommendations to the Cabinet, along with a strong endorsement from the Scrutiny Committee of the Council's ongoing work towards its engagement with Government, in highlighting the impact and cost of homelessness and the need for additional funding and support to tackle unprecedented levels.

#### **41 Interim medium term financial strategy**

Homira Javid, Chief Finance Officer and Steve Houchin, Deputy Chief Finance Officer, presented the report which provided an update on the interim Medium Term Financial Strategy (MTFS) for 2024/25 to 2027/28, together with the updated Capital Programme position. During discussion, the following points were highlighted:

- The revenue support grant had reduced by approximately £10 million over the previous 10 years. This had been replaced by approximately £4 million in non-domestic rates, over the same period. The MTFS was a complex

piece of modelling and set the demands and requirements of the Council to provide statutory and some discretionary services as effectively as possible. However, the Council could not operate in isolation and its financial modelling was linked to current demands, set against the National picture.

- The Council had secured Levelling-Up grants, however, this was capital funding for specific schemes. The MTFS highlighted the continued pressure on revenue expenditure and whereas it was anticipated that there would be a level of recovery, external and national pressures were limiting the ability of the Council to manage the recovery locally.
- The current situation was very difficult and it was not considered that the Council's position, in continually using reserves and potentially having to reduce service-levels, was sustainable.

**Resolved** to note the report.

#### **42 Council tax and business rate base 2024/25 - to follow**

Steve Houchin, Deputy Chief Finance Officer, presented the report which outlined the Council Tax Base and net yield from Business Rate Income for 2024/25 in accordance with the Local Government Finance Act 1992.

There was no further discussion on the report.

**Resolved** to note the report.

#### **43 Housing Services - Current Operating Pressures**

Oliver Jones, Strategy Lead, Homes First, presented the report which provided a summary of the current operating context and the challenges this is presenting to the delivery of housing services in the Borough.

Members noted the figures already provided on the levels of projected homelessness over the next year, and thanked officers for providing a human element to those figures.

**Resolved** to note the report.

#### **44 Local council tax reduction scheme**

Members were advised that this report and its recommendations would be considered at a later Cabinet meeting.

#### **45 Changes to Discretionary Council Tax Discounts and Empty Homes Premiums from 01 April 2024**

Nick Ducatel, Lead for Income Maximisation and Welfare, presented the report which provided detail on the expected level of certain Council Tax discounts and Council Tax premiums with effect from 1 April 2024 and 1 April 2025.

During discussion, the following points were highlighted:

- The Income Maximisation and Welfare Team was proactive in monitoring building control and planning portals to ensure that new builds and conversions were brought into the council tax framework as soon as possible. Empty Homes reviews were carried out, with the most recent one carried out in February 2023. The reviews would continue and measures would be put in place to ensure that council tax avoidance was reduced.
- The recommended levels of council tax discounts and premiums in the report were in line with other districts and boroughs in East Sussex that were already charging the maximum permitted.

**Resolved** to note the report.

#### **46 Eastbourne Borough Council Asset Strategy**

Jo Harper, Head of Business Planning and Performance, presented the report which proposed a new Corporate Property and Assets Strategy, in line with recommendations from the Assurance Review. During discussion, the following points were highlighted:

- The work on identifying which assets were appropriate for disposal had run in parallel with development of the Strategy. Some assets had already been disposed of or leased and these were detailed in 2.2 of the report. It had become evident that there were a variety of challenges in disposing of the remaining assets and there would be further reports as the challenges were worked through.

**Resolved** to note the report.

#### **47 Forward Plan of Decisions**

The Chair, Councillor Shore introduced the Forward Plan of Cabinet decisions, which outlined those reports due for consideration by the Cabinet its future meetings.

**Resolved** to note the Forward Plan of Cabinet Decisions,

#### **48 Scrutiny Work Programme**

The Chair, Councillor Shore, introduced the item which provided an opportunity for Members to add items to the Committee's work programme.

Members were advised that the update on data from Airbourne 2022 and a presentation from Southern Water would be included as items at the Committee's next meeting.

**Resolved** to note the Scrutiny Committee work programme.



**49 Date of the next meeting**

**Resolved** to note that the next meeting of the Scrutiny Committee is scheduled to be held on 5 February 2024 in the Court Room, Town Hall, Eastbourne commencing at 6:00pm.

The meeting ended at 9.35 pm

Councillor Kshama Shore (Chair)