

Policy and Performance Advisory Committee

Minutes of meeting held in Room 209/210 Marine Workshops, Newhaven on 30 November 2023 at 5.00 pm.

Present:

Councillors Janet Baah (Deputy-Chair), Lesley Boniface, Graham Clews, Ezra Cohen, Paul Keene, Imogen Makepeace, Paul Mellor and Daniel Stewart-Roberts.

Officers in attendance:

Luke Dreeling (Performance Lead), Nick Peeters (Committee Officer), Jo Harper (Head of Business Planning and Performance), Nick Ducatel (Functional Lead - Growth and Prosperity), Steven Houchin (Interim Deputy Chief Finance Officer (Corporate Finance)), Lynn Ingram (Interim Head of Financial Planning), Julie Quanstrom (Neighbourhood First Manager) and Bill McCafferty (Lead for Income Maximisation and Welfare).

Also in attendance:

Councillor Wendy Maples (Cabinet member)

32 Minutes of the previous meeting

The minutes of the meeting held on the 7 November 2023 were submitted and the Deputy Chair was authorised to sign them as a correct record.

33 Apologies for absence

Apologies for absence were received from Councillors Brett, Clarkson, Davies and Fabry. Councillor Boniface was a substitute for Councillor Brett.

34 Declarations of Interest

There were none.

35 Urgent Items

There were none.

36 Written Questions from Councillors

There were none.

37 Requested reports due for consideration by the Cabinet on 7 December 2023

It was agreed by Members that all the reports on the agenda would be considered by the Committee.

37a Draft Medium Term Financial Strategy 2024/25 to 2027/28

Steven Houchin, Deputy Chief Finance Officer and Lynn Ingram, Interim Head of Financial Planning, presented the report which sought Cabinet agreement on the interim Medium Term Financial Strategy for 2024/25 to 2027/28, together with the updated Capital Programme position. During discussion, the following points were highlighted:

- In response to a question regarding funding for the Domestic Abuse Housing Alliance (DAHA) accreditation, it was confirmed that guarantees as to where savings would occur, could not be made. However, the Council would look to try and protect key areas where vulnerable people were involved. The discussion around where savings would be required was for the Council's Corporate Management Team (CMT).
- The Council's Reserves were finite and should be used as little as possible, as their use could impact on the viability of the Council's finances. At the end of 2023 fiscal year, the reserves were anticipated to be £6.275 million, with a balance in the Housing Revenue Account of £4.413. Earmarked reserves were available to support particular areas, such as the cost-of-living reserves, and reduction to the financial support reserves. There was no further update on the impact of planning appeals on the Council's reserves and whether the support of business rates would be used to mitigate the impact.
- Either the option of a 3% increase in council tax would be considered or the option of a maximum increase allowed of £5. Only one option would be used across all council tax bands, and it did not automatically follow that the maximum for either option would be used to its fullest. The Council was close to reaching its council tax collection rate of 98%. More accurate figures would be provided at a later date.
- The Council would look to avoid sweeping reductions across all service areas. Discretionary services and service areas where there was an ability to reduce particular levels would be initially considered. The Council was aware of the need to maintain priority services.
- Government funding had reduced significantly since 2010 and councils were having to find innovative ways to deal with the reductions. The Better Care Fund provision, with East Sussex County Council was not guaranteed and the Council's section 151 Officer was in discussion with ESCC to secure the next tranche of funding.
- There were challenges in gauging the direction of travel in terms of receiving additional funding for homeless people and those in temporary accommodation. The Chancellor's autumn statement had not provided any

significant lead and the Council would need to wait until December for the Government's provisional local government finance settlement for a clearer indication. The Council's service delivery teams were already looking at ways to mitigate additional financial pressures.

- The Council employed treasury management services to provide an indication of where inflation levels would be in the future. The Council used a single forecast for inflation for the next few years and the current forecast was broadly in line with Government predictions.

Resolved to support the Officer recommendations in the Cabinet report, in full.

37b Revenue & Capital Financial Monitoring Report Quarter 2 2023-24

Steve Houchin, Deputy Chief Finance Officer and Lynn Ingram, Interim Head of Financial Planning, presented the report which provided an assessment of the Council's financial performance against its approved 2023-24 budget. The report incorporated key financial risks, issues and opportunities identified since 2 April 2023 for the General Fund and the Housing Revenue Account (HRA). During discussion, the following points were highlighted:

- The £919,000 overspend for planning policy was a result of the increased use of consultants on the Council's Local Plan, as well as the increased use of consultants to defend appeals. One lost appeal alone was a cost of £184,000 in legal fees. The cost of future appeals was difficult to assess as they would be at varying levels. A breakdown and of previous planning appeals costs would be provided to Members along with an assessment on future costs.
- Cllr Stewart-Roberts asked about under-recovery of car park charges. LI said Additional information on the under-recovery of car-park charges was not currently available, however, work was being undertaken on how best to manage the under-recovery. Members requested a separate report on the under-recovery of car park charges.
- A recruitment campaign for positions within the Finance Team had been successful with several positions filled including three finance business partner positions and the appointment of three senior finance officer positions (including support for the Housing Revenue Account Business Partner).
- There were no current arrangements with local schools/colleges in terms of student-level positions, however, apprentices were occasionally appointed with support provided towards gaining relevant qualifications.

Resolved to support the Officer recommendations in the Cabinet report, in full.

37c Council Tax Base and Non-Domestic Rates income for 2024/25

Steve Houchin, Deputy Chief Finance Officer, presented the report which asked Cabinet approval for 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 this item.

Resolved to support the Officer recommendations in the Cabinet report, in Full.

37d Petition - 'To Return Lewes Farmers Market Back to Cliffe Precinct'

The Deputy Chair, Councillor Baah, introduced the report which asked the Committee to consider a petition received by the Council, asking for the return of Lewes Farmers Market to Cliff High Street from its current location in Friars Walk Car Park.

Councillor Wendy Maples, Cabinet Member for Neighbourhood Wellbeing, addressed the Committee and highlighted the following points:

- The two issues raised as part of the discussion were: the impact on other traders of moving the Farmers Market back to the precinct; and concerns over the existing use of Friars Walk Car Park for the Market and the loss of parking spaces for visitors to Lewes.
- Concern had been expressed over access to the car park for those with mobility issues, and subsequently the Town, through the removal of two disabled parking bays to accommodate the Market. However, this had been addressed and two further blue-badge spaces were being provided by the entrance to the Car Park. Common Cause was also looking at improving ramp access to public toilets – both these concerns had been raised by the Lewes Area Access Group.
- Disabled access had been one of the considerations when the Market was moved from the Cliffe Precinct, with uneven, cobbled surfaces and other trip hazards, along with the restriction of access around stalls and vehicle movement by stallholders, raised as concerns by the Lewes Area Access Group. The Friars Walk Car Park provided a more even surface.
- It was important that the Council managed spaces, such as car parks and cobbled or uneven brick pavements safely and inclusively. Various configurations of a potential Market layout in the Cliffe Precinct had been considered but health and safety concerns continued to present the greatest challenge.
- Any decision on the future of the Market needed to be based on evidence with health and safety, access and the interests of all traders in the Town considered. It was recognised that there were a number of interest groups and that they should all be included in future discussions.

Julie Quanstrom, Head of Neighbourhood First, outlined the background to the presentation of the Petition to the Council and highlighted the following points:

- More information was needed on the number of spaces currently available, the number of spaces needed to accommodate visitors and how spaces were currently being used. It was not felt that sufficient information was currently available and the use of a survey, along with a thorough overview of the issues, including the views of all stakeholders, should be considered.

Celia Shultz, a retailer/trader in Lewes, and presenter of the Petition, addressed the Committee and raised the following points:

- 18 other traders in Riverside Walk were represented in the Petition. The traders were not opposed to the Market itself, but rather its location. The Petition had been based on one question, which was whether the Market should be retained in its current location or be returned to its previous location in Cliffe Precinct. The Petition had received 924 signatures.
- It was not felt that clear information on the nature of historic complaints about the Market's location, the volume of those complaints or when the complaints had been received, had been provided. Other locations had been suggested for the relocation of the Market.
- It was noted that the recently undertaken footfall survey had been in one location in Riverside Walk and on only two days. It was not felt that this was sufficient evidence to support a decision. It was further felt that insufficient information on the reasons for the customer visits, parking locations and whether the Market had been visited also, had been collected.
- A small, face-to-face survey had recently been carried out by Riverside traders, with other traders in the Cliffe Precinct and the High Street. Of the 22 traders spoken to, 2 had opposed the return of the Market to the Cliffe Precinct.
- It was felt that the return of the parking spaces in the Friar's Walk Car Park that were currently taken up by the Market would allow more visitors and residents to park and shop in the Riverside, the Market and the High Street.

Topsy Jewel, a Market trader and member of Common Cause, addressed the Committee and raised the following points:

- When located at Cliffe Precinct, the Market had a good relationship with other shop traders, however the shop owners commented that they did not start trading properly until the afternoon each day, when the Market packed down.

- Common Cause felt that, whereas previously, local shops had agreed to remove tables and chairs to allow the Market space, this would now be difficult to reverse as the availability of the tables and chairs was an established element of the businesses. The space currently available in the Cliffe Precinct was not sufficient to support the Market.

The Committee discussed the issue and during discussion, the following points were raised.

- The Market was keen to increase its size, stall numbers had not increased back to pre-Covid numbers. It did not follow that more space would be needed as a balance of the types of stalls and products sold was needed, with the need to avoid duplication. The Market encouraged produce makers and farmers to be involved, as well as supporting start-up businesses.
- An in-depth look at of the type of study/analysis and whether further, independent surveys were needed, had not yet been done. It was recognised that the areas that needed consideration were the availability of car park spaces in Friars Walk, as well as other car parks in Lewes, access and safety issues, as well as the needs of all businesses. Access to the Market by public transport and other modes of transportation should also be considered as part of any work.
- Members requested that an independent survey that considered all aspects of the issue be provided. It was also requested that stakeholders be included in future discussions.

Resolved

- a) That an update be provided to the Committee at its next meeting, that detailed the various elements and options that would need to form part of a survey; and
- b) That any future surveys used to inform the work be carried out by an independent provider.

37e Local Council Tax Reduction Scheme 2024/25

Bill McCafferty, Lead for Income Maximisation and Welfare, presented the report which sought Cabinet's recommendation to Full Council that the 2023/24 Local Council Tax Reduction Scheme is adopted as the 2024/25 scheme. During discussion, the following points were highlighted.

- The scheme was provided and managed by the Council, however, any changes were required to go through a consultation process that included preceptors, the County Council and the public.
- The main challenge to the viability of the scheme would be a significant

increase in claimant numbers, which would affect the council tax base. The claimant numbers had remained fairly consistent over previous years and with reasonably accurate cost estimates.

Resolved to support the Officer recommendations in the Cabinet report, in full

37f Council Tax Discounts and Premiums

Nick Ducatel, Lead for Income Maximisation and Welfare, presented the report which sought the Cabinet's determination on the level of certain Council Tax discounts and Council Tax premiums with effect from 1 April 2024 and 1 April 2025.

There was no further discussion on the report.

Resolved to support the Officer recommendations in the Cabinet report, in full.

37g Portfolio progress and performance report 2023/24 - Quarter 2

Jo Harper, Head of Business Planning and Performance, presented the report which provided detail of 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 Cabinet report.

There was no further discussion on the report.

Resolved to support the officer recommendations in the Cabinet report, in full.

38 Forward Plan of Cabinet Decisions

The Chair, Councillor Brett, introduced the Cabinet Forward Plan of decisions, which outlined decisions due to be presented to the Cabinet at its future meetings. Members agreed that the following reports be included on the agenda for the Committee's next meeting on the 25 January 2024:

- Portfolio progress and performance report quarter 3 - 2023-2024
- General Fund Revenue Budget 2024/25, Capital Programme
- Treasury Management and Prudential Indicators 2024/25, Capital Strategy &
- Investment Strategy
- Housing revenue account budget 2024/25
- Complaints Policy
- Rights of Rivers Update

Resolved to note the Forward Plan of Cabinet decisions.

39 Policy and Performance Advisory Committee Work Programme

The Deputy Chair, Councillor Baah, introduced the Committee's work programme, which detailed the items due to be considered at future meetings and provided an opportunity for Members to request any areas or issues they wished the Committee to look at in further depth:

- Members requested an update on the Air Quality Action Plan

Resolved to note the Committee's Work Programme.

40 Date of Next Meeting

Resolved to note that the next meeting of the Policy and Performance Advisory Committee is scheduled to be held on the 25 January 2024 at The Marine Workshops, Railway Quay, Newhaven, East Sussex, BN9 0ER.

The meeting ended at 7.30 pm

Councillor