

## Scrutiny Committee

**Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 10 February 2025 at 6.00 pm.**

### **Present:**

Councillor Kshama Shore (Chair).

Councillors Alan Shuttleworth (Deputy-Chair), Kathy Ballard, Ali Dehdashty, Nigel Goodyear, Hugh Parker, Teri Sayers-Cooper and David Small.

### **Officers in attendance:**

Homira Javadi (Director of Finance and Performance (Section 151 Officer)), Nick Peeters (Committee Officer), Jack Brownell (Tourism Manager), Nadeem Din (Head of Planning Policy), Helen Gunnell (Project Manager), Jo Harper (Head of Business Planning and Performance), Matt Hitchen (Senior Planning Policy Officer), Steven Houchin (Deputy Chief Finance Officer) and Ross Sutton (Head of Financial Reporting).

### **Also in attendance:**

Councillor Stephen Holt (Leader of the Council)

#### **46 Minutes of the meeting held on 9 December 2024**

**Resolved** that the minutes of the meeting held on 9 December 2024 were submitted and approved and signed as a correct record by the Chair.

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

Apologies for absence were received from Councillors Lamb and Morris. Councillor Small was appointed as a Member of the Committee under delegated powers, for this meeting only and Councillor Sayers-Copper was a substitute for Councillor Morris.

#### **48 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.

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

There were none.

#### **50 Urgent items of business**

There were none.

**51 Right to address the meeting/order of business**

A request to address the Committee on item 7. Update on the Sovereign Leisure Centre was received from Sarah Turner.

**52 Update on the Sovereign Leisure Centre - verbal update**

Prior to the update, Eastbourne resident Sarah Turner, addressed the Committee and raised the following points:

- There were questions over inconsistencies in the financial information provided ahead of the closure of the pools and the levels of consultation undertaken.
- It was not felt that the needs of children in Eastbourne were being prioritised, both in terms of the pool closures at the Sovereign Centre and other facilities such as playgrounds and splash-pads. Seasonal reopening of the pools was not sufficient as many users relied on warmer water and accessibility all year round. It appeared that the Council was funding arts and cultural events ahead of children and youth provision.
- It was considered that public pressure, by thousands of Eastbourne residents, had been needed for the Council to reconsider the proposals and look at alternatives. It was felt that there was now a lack of public trust in the Council's decision making and proper scrutiny was required in the future.

Sarah Turner went on to provide testimonies from people who had contacted her to describe their personal situations and how much they and their families relied on the facilities at the Sovereign Centre. The testimonies described the detrimental effect the closure of the two pools was having on the families.

Councillor Holt, Leader of the Council provided an update on the Sovereign Leisure Centre and highlighted the following:

- It was agreed that transparency, openness and honesty were critical when dealing with the concerns of the public and responses to the points raised by Sarah Turner would be included in the existing FAQs that would continue to be updated and were available on the Council's website.
- Negotiations were ongoing and there were areas that were not able to be discussed as they could prejudice and jeopardise the work being done. It was anticipated that there would be a further report to the Cabinet in March 2025.
- Following on from the last Cabinet decision which to close two pools at the Sovereign Centre, a commitment was made to look at other options prior to a final decision being taken. During December 2024 and January 2025 Officers had met with organisations and other stakeholders who had come

forward with alternative options for the Centre and with an interest in running it. Challenging financial decisions had been made and the types of decisions made were being reflected across other authorities.

- As a result of the conversations, it had been announced in late January 2025 that Greenwich Leisure Limited, with its leisure centres branded as 'Better' had entered negotiations with the Council to run the pools at the Sovereign leisure Centre at its own financial risk. The Council would continue to invest in the building and the plant equipment, and retain the freehold.
- A minimum three-year lease was set to be agreed with the gala pool being retained and the training pool open. As a result, there would be no rescheduling of training pool activities. Greenwich Leisure Limited would reopen the fun pool between springtime and October and would continue to explore options for its operation all year round. The fun pool was due to reopen on the 5 April, subject to continuing successful negotiations.

During discussion by the Committee, the following points were raised:

- Every possible approach with Greenwich Leisure limited was being taken and all possible outcomes were being explored. As a result, there was no set end date for negotiations. However, both the Council and Greenwich Leisure Limited were looking to be in a positive position ahead of the new financial year.
- The Councils' position had always been to continue to look at every available option. Discussions with potential partners took place late in the process and prior to and as those discussions took place, the Council had to continue making difficult decisions and identifying savings. This included closure of the pools at the Sovereign Centre and reprovisioning the swimming timetable in the gala pool and swimming lessons.
- Greenwich Leisure Limited was a social enterprise with management of over 250 leisure centres and potentially in a more advantageous position to explore grant funding opportunities for areas such as keeping the fun pool open all year round. There would also be the opportunity to work with partners on a long-term vision for the Sovereign Centre and ensuring swimming was protected for Eastbourne residents. A public consultation would be launched to obtain views on the future of swimming in Eastbourne, including the Sovereign Centre. The consultation process would include questions around long-term investment and the Council was committed to £600,000 of investment in the plant and building over the next three years. The consultation would start as soon as possible.
- There was no predetermination by the Council with regards to the Sovereign Centre or the overall leisure offer and the focus was providing the best facilities possible in Eastbourne. The inclusion of a health hub with associated facilities such as hydrotherapy pools would be included in future considerations, as would cafeteria facilities, possibly outside of the main

building. Working with funding partners and the community would be part of the process. It was noted that the age of the Sovereign Centre building was a consideration.

- How future consultation and partnership working was shaped would be looked at as the process towards management of the Sovereign Centre progressed. As a social enterprise and with the experience already gained through management of its other facilities, Greenwich Leisure Limited was expertly placed to provide this type of guidance.
- The Chair noted that, although the figure quoted for the number of swimming pools closed was 276, the figure for the number of new facilities built was 242, with a net closure of 34 pools.

**Resolved** to note the update.

### 53 Update from Byelaws Task and Finish Group - verbal update

Councillor Goodyear, Chair of the Byelaws Task and Finish Group provided an update to the Committee on the Group's work to date. Councillor Goodyear reminded the Committee of the Groups terms of reference and highlighted the following areas looked at by the members:

- The following areas and issues were highlighted and considered by the Group to be in need of enforcement, education and publicity.
  - Dog fouling.
  - Anti-Social Behaviour through alcohol use in the Town Centre.
  - Anti-Social Behaviour driving through the Town and on the Seafront.
  - Homelessness and the associated Anti-Social Behaviour activities.
  - Parking on the seafront in various forms including overnight stays.
  - Reckless cycling along the seafront in the summer season.
  - lighting of BBQs and alfresco toileting in Sovereign Park (this included illegal casting nets by groups of fishermen).
- The Group agreed at an early point that existing byelaws were difficult to enforce and prosecution through the courts was not effective and uncertain. There were costs that had to be considered in the current financial environment. The Group agreed that consideration of the byelaws could be put in abeyance and felt they did not require adding to or for any to be removed, as they still provided a deterrent of sorts.
- As a result, the Group agreed to focus on the following types of enforcement that it thought may prove more useful:
  - **Public Space protection Orders (PSPO)** – these were widely used by police officers and the Council and an early

recommendation by the Group was for them to be expanded.

- **Respect orders** – these would be court orders available to the council and the police under the Crime and Policing Bill, when enacted. They were not yet in place but would be a useful tool when they became available.
  - **Criminal Behaviour Orders** – these were already available, however they took up police time and resources and were not necessarily the first choice for enforcement by the police.
- A further recommendation by the Group would be for adequate resources and necessary budgets to be made available to provide enforcement, through the most appropriate means in the areas highlighted by the Group.
  - The Group noted that the Council was unable to enforce instances of anti-social behaviour through driving and the ability to catch people ‘in the act’ particularly in cases of dog-fouling was problematic and littering.
  - The Group discussed a media campaign that would be launched in the springtime and would target dog fouling. Stickers would be produced and circulated to support the campaign. Hotspots for dog-fouling would be targeted.
  - At its most recent meeting the Group had met with Inspector Sarah Taylor from Sussex Police. Inspector Taylor talked about the wide-ranging areas of community policing and highlighted the identified priorities for policing in Eastbourne, in 2025, which were:
    - Drug harm reduction
    - Public place violent crime (including youth disorder and violence against women and girls)
    - Business crime (shoplifting and offences against businesses).
  - The Group agreed that the following recommendation from its most recent meeting would be included in a final report:
    - That the existing boundary of the PSPO for alcohol consumption be extended to the seafront to deal with related anti-social behaviour, particularly along the seafront.
  - The Group’s final meeting was scheduled for the 18 February and a final report from the Group was anticipated to be available for the March 2025 Scrutiny and Full Council Meetings.
  - A Member requested that any instances of successful enforcement be advertised, and it was agreed that Councillor Sayers-Cooper, as the Council appointed girls and women’s champion for Eastbourne, would

attend the next meeting of the Group.

**Resolved** to note the update.

#### **54 Devolution and Local Government Reorganisation**

Jo Harper, Head of Business Planning and Performance, presented the report which provided information on the Government White Paper on Devolution and the response made to the paper impacting on the Sussex area. During discussion, the following points were highlighted:

- A Member expressed concern at the level of work and funding needed to respond to the normal areas of activity expected from the Council, such as the Local Plan and the additional work needed to meet the requirements of the devolution and local government reorganisation programme. Members did not feel that there had been adequate consultation and considered postponement of the county council elections in 2025 to be undemocratic. There was also concern at the lack of information on how the authority would be shaped in the period up to 2027.
- It was confirmed that a letter had been sent to all Leaders in East Sussex on the 5 February 2025 confirming that county council elections would be deferred until 2026 and that mayoral elections would take place in 2026. It was not yet clear what would take place between 2026 and 2027 as there would still be a two-tier local government system in place. The Council was expected to indicate to Government the level of costs it expected to incur for transformation, implementation and capacity funding. Levels of expected funding from Government were unknown, however, capital receipts could be used for transformation costs.
- The creation of a town council for Eastbourne was a possible outcome and was being actively considered by officers. Updates would be provided in due course. No advice had been received on funding for the mayoral elections in 2026.
- The forthcoming briefing on the Devolution and Local Government Reorganisation programme, for all Members, would include a small amount of additional detail, however, there was not currently any further information from Government to impart. Examples of the transition from two-tier to unitary authorities in other areas would be provided.
- A Member requested that, when further information became available and a clearer picture was provided, a working party of Members be appointed to identify appropriate areas of responsibility, for the successful transfer to a new authority from Eastbourne Borough Council. A Member also requested that the Committee's dissatisfaction with the postponement of the 2025 county council elections as being undemocratic, be passed on to the Cabinet. The same Member requested that the Cabinet make every effort and as early as possible to obtain information from Government of the

impact of the Devolution and Local Government Reorganisation programme on the Council and to obtain appropriate funding to deal with the impact.

**Resolved** to request that:

1. When further information becomes available and when more clarity is provided, Cabinet appoints a cross-party working group (the political composition of which, is to be agreed), to identify, solely from Eastbourne Borough's position, appropriate areas of responsibility that would be required to ensure a successful transfer of governance and services to a new authority;
2. The Cabinet makes every effort, and at the earliest opportunity, to obtain information from Government and understand the financial impact of the Devolution and Local Government Reorganisation programme for Eastbourne Borough Council, its residents and staff over the next two-year period (as well as obtaining the additional financial resources from Government to mitigate the impact); and
3. The Cabinet notes the Scrutiny Committee's grave concern for the welfare of our staff and provision of services in the interim (or until a new authority is established).

Cabinet is also asked to note the Scrutiny Committee's opposition to the postponement of the County Council elections in May 2025 as being undemocratic and without consultation.

## **55 General fund budget 2025/26 and capital programme**

Homira Javadi, Chief Finance Officer and Steve Houchin, Deputy Chief Finance Officer presented the report which sought the Cabinet's agreement on the General Fund Budget 2025/26, updated Medium Term Financial Strategy and the updated Capital Programme and Treasury Management position. During discussion, the following points were highlighted:

- The Council received a share of business rates and council tax collected, as well as very specific grants that were not ring-fenced. However, in reality, the Council was experiencing a reduction in funding, an experience shared across many borough and district councils. The majority of additional funding had been allocated to social care and statutory services provided by East Sussex County Council. However, the Extended Producer Responsibility did provide a level of funding that was considered to be a windfall as it was only available in 2025-2026. Funding the areas impacted by homelessness remained a significant challenge with a £3 million gap between the cost of homelessness prevention, which was ongoing and the funding received.
- There was disappointment that once again, through lack of funding, the Council was having to use Exceptional Financial Support to balance the Budget. There was confidence in the £7.6 million savings package,

however, the timings and delivery of the savings, through engagement with external parties were difficult to predict. There was a £1.4 million contingency fund within the Budget and contingencies were included in other high-risk budgetary lines. The Exceptional Financial Support was linked overall to the cost of temporary accommodation. The post-Covid position for many authorities was having to borrow money to pay for statutory services. Eastbourne Borough Council had reduced its borrowing levels.

- Whilst recognising the associated difficulties with collecting unpaid business rates, council tax and housing benefits overpayments, the Chair highlighted the levels over previous years and urged the Council to provide more focus on the collection of arrears.

**Resolved** to note the report.

#### **56 Treasury Management and Prudential Indicators 2025/26, Capital Strategy & Investment Strategy**

Ross Sutton, Head of Financial Planning, presented the report which sought the Cabinet's approval of the Council's Annual Treasury Management Strategy, Capital Strategy & Investment Strategy together with the Treasury and Prudential Indicators. During discussion, the following points were highlighted:

- One of the areas the report was intended to highlight was the level of allocation for capital projects and the financial impact on the Budget. Further details on individual projects could be provided.

**Resolved** to note the report.

#### **57 Housing revenue account budget 2025/26**

Steve Houchin, Deputy Chief Finance Officer, presented the report which sought the Cabinet's agreement to the detailed Housing Revenue Account budget proposals, rent levels and service charges for 2025/26, and the Housing Revenue Account Capital Programme 2024-29. During discussion, the following points were highlighted:

- Members expressed concern at the difficulties involved in finding relevant sections in very detailed financial reports. It was requested that officers refer to page numbers when presenting and that a concise version of the reports be provided. Officers advised that the opportunity for Members to attend a presentation on key areas of the Budget was available.
- With regards to the assessment and evaluation of projects involving land acquisition, the purchase of the land would form an early part of the assessment. However, if the Council already owned the land, the additional costs for development would be a matter for financial assessment. The parameters for existing projects could change, requiring revaluation with a



risk-based approach.

- The Council was limited in its ability to influence rent levels as social rent levels were determined by Government. The difference in rent levels to other authorities was possibly historic, stemming from a period when a self-financing model was introduced and requiring each authority to undertake the debt associated with the housing stock. At that point, the rent setting would have been subject to government guidance.

**Resolved** to note the report.

## **58 General Fund Accommodation Programme**

Helen Gunnell, Programme Manager Residential - Development & Acquisitions, presented the report which sought to establish a new programme to acquire and/or develop additional accommodation within the General Fund, to meet immediate housing priorities including reducing the pressures of homelessness.

- Members noted the approximate annual cost to the Council of emergency accommodation rent payments, highlighted in 7.1 of the report, based on 50 one-bedroom, self-contained units.

**Resolved** to note the report.

## **59 Allocations Policy - Review of the Choice Based Lettings Model**

Members were advised that there was not an officer in attendance to present the report and that any views or questions would be responded to after the meeting.

**Resolved** to note the report.

## **60 Eastbourne Local Development Scheme**

Matthew Hitchen, Senior Planning Policy Officer, presented the report which sought the Cabinet's endorsement of the Local Development Scheme and recommendation that it be formally adopted by Full Council on the 5 March 2025. During discussion, the following points were highlighted:

- Members expressed concern at the Government's requirements in terms of timelines for production of the various stages of the Local Development Scheme and the associated cost to the Council. This was at the same time as the Government expected progression of the Devolution and Local Government Reorganisation programme. Members also urged the Cabinet to ensure that any work on Houses of Multiple Occupancy as part of the Local Development Scheme be monitored thoroughly. Members also felt that more focus on cross-party support for the local plan process and increased engagement with the public was needed.

- Officers confirmed that the previous deadline provided by Government for examination of local plans under the current framework had been the 30 June 2025. As a result of the consultation on the National Planning Policy Framework in Autumn 2024, the Government extended the deadline to the 31 December 2026 for examination. If councils do not submit their plans by that date, plans will need to be reprepared under the revised framework coming out of the Levelling-up and Regeneration Act 2023. Failure to meet the required deadline would result in councils not being in a position to defend their areas from developer led developments.
- Officers said there had not been any clear indication of what type of authority would be in receipt of the Local Plan following its examination and expected adoption. However, the timetable for the Council was to have an adopted Plan in place by November 2027 and regardless of the make-up of the relevant authority at that point, the Plan would be good for influencing what happens in Eastbourne in terms of planning and development. There were costs associated with the Local Plan timetable and these had been budgeted for following consultation with the Finance team. The majority of the costs were associated with gathering technical evidence and the preparation of the Plan was regulated, with the various stages clear to the Planning team in terms of requirements.

**Resolved** to note the report.

#### **61 Eastbourne Houses in Multiple Occupation Supplementary Planning Document (SPD)**

Matthew Hitchen, Senior Planning Policy Officer, presented the report which sought the Cabinet's approval for publication of the Houses in Multiple Occupation Supplementary Planning Document (HMO SPD) for public consultation.

- The Houses in Multiple Occupation Supplementary Planning Document (SPD), had previously been subject to public consultation as a Development Plan Document (DPD). The introduction of a new National Planning Policy Framework and Government requirement in national policy resulted in the re-commencement of work on the Eastbourne Local Plan. The DPD was being taken forward as an SPD. A benefit in the changed approach was that the SPD would be adopted in July 2025, as opposed to the timetable for the DPD, which would have resulted in a later adoption in February 2026. The new guidance rules for houses in multiple occupation could come into effect sooner.
- The Supplementary Planning Document, if used correctly, would have the necessary weight to deal with the HMO issues and applications in Eastbourne, although, as a document, it did not form Policy. It did provide guidance on interpreting the number of existing policies in the 2013 Local Plan and in the Councils Core Strategy.

**Resolved** to note the report.

## 62 Eastbourne Tourist Accommodation Retention Supplementary Planning Document

Matthew Hitchen, Senior Planning Policy Officer, introduced the report which sought the Cabinet's approval to publish the Revised Tourist Accommodation Retention Supplementary Planning Document (SPD) for public consultation. During discussion, the following points were highlighted:

- The Supplementary Planning Document was looking solely at the principle of the loss of tourist accommodation at the current point in time. Planning applications would be assessed against current policies in the Development Plan. One of the existing policies stated that there would not be HMOs within the tourist accommodation area, restricting the loss of hotels to HMOs. The overall strategy for how tourist accommodation would be managed in the future would be considered in the Local Plan and through design policies. The restrictions on HMOs in tourist accommodation areas would be retained until the adoption of the new Local Plan in 2027.

**Resolved** to note the report.

## 63 Forward Plan of Decisions

Members were referred to the Forward Plan of Cabinet decisions which provided detail of reports due for consideration by the Cabinet on the 26 March. The reports that the Scrutiny Committee would be expected to consider at its next were highlighted. The Committee requested that the following report from the Plan also be included on the Scrutiny Committee agenda for the 24 March meeting:

- Grounds Maintenance Management - Proposal for the future of Grounds Maintenance across Eastbourne Borough Council and Lewes District Council.

**Resolved** to note the Forward Plan of Cabinet decisions.

## 64 Scrutiny Work Programme

Members were referred to items included in the Committee's work programme and advised that if there were areas of concern or topics that required oversight or scrutiny, they could be added to the work programme for discussion at a future meeting.

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

## 65 Date of the next meeting

**Resolved** to note that the next meeting of the Scrutiny Committee is scheduled to be held on 24 March 2025 (**N.B. subsequently changed to 17 March**)

**2025**) in the Court Room, Town Hall, Eastbourne commencing at 6:00pm.

The meeting ended at 9.00 pm

Councillor Kshama Shore (Chair)