

Cabinet

14 March 2023



Working in partnership with **Eastbourne Homes**

Time and venue:

6.00 pm in the Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG

Membership:

**Councillor David Tutt (Chair); Councillors Stephen Holt (Deputy-Chair)
Margaret Bannister, Peter Diplock, Alan Shuttleworth and Colin Swansborough**

Quorum: 3

Published: Monday, 6 March 2023

Agenda

1 Minutes of the meeting held on 8 February 2023 (Pages 5 - 10)

2 Apologies for absence

3 Declaration of members' interests

4 Questions by members of the public

On matters not already included on the agenda and for which prior notice has been given (total time allowed 15 minutes).

5 Urgent items of business

The Chairman to notify the Cabinet of any items of urgent business to be added to the agenda.

6 Right to address the meeting/order of business

The Chairman to report any requests received to address the Cabinet from a member of the public or from a Councillor in respect of an item listed below and to invite the Cabinet to consider taking such items at the commencement of the meeting.

7 Finance update - performance quarter 3 - 2022-2023 (Pages 11 - 30)

Report of Director of Finance and Performance
Lead Cabinet member: Councillor Stephen Holt

8 Eastbourne & Lewes Community Safety Partnership – Annual Report (Eastbourne) (Pages 31 - 40)

Report of Director of Service Delivery
Lead Cabinet member: Councillor Peter Diplock

9 Eastbourne Local Plan (Pages 41 - 52)

Report of Deputy Chief Executive and Director of Regeneration and Planning
Lead Cabinet member: Councillor Colin Swansborough

Information for the public

Accessibility:

Please note that the venue for this meeting is wheelchair accessible and has an induction loop to help people who are hearing impaired. This agenda and accompanying reports are published on the Council's website in PDF format which means you can use the "read out loud" facility of Adobe Acrobat Reader.

Filming/Recording:

This meeting may be filmed, recorded or broadcast by any person or organisation. Anyone wishing to film or record must notify the Chair prior to the start of the meeting. Members of the public attending the meeting are deemed to have consented to be filmed or recorded, as liability for this is not within the Council's control.

Public participation:

Please contact Democratic Services (see end of agenda) for the relevant deadlines for registering to speak on a matter which is listed on the agenda if applicable.

Information for Councillors

Disclosure of interests:

Members should declare their interest in a matter at the beginning of the meeting.

In the case of a disclosable pecuniary interest (DPI), if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation).

Councillor right of address:

Councillors wishing to address the meeting who are not members of the committee must notify the Chairman and Democratic Services in advance (and no later than immediately prior to the start of the meeting).

Democratic Services

For any further queries regarding this agenda or notification of apologies please contact Democratic Services.

Email: committees@lewes-eastbourne.gov.uk

Telephone: 01323 410000

Council website: <https://www.lewes-eastbourne.gov.uk/>

Modern.gov app available: View upcoming public committee documents on your device.
Free modern.gov [iPad app](#) or [Android app](#) or [Microsoft app](#) .

This page is intentionally left blank



Working in partnership with **Eastbourne Homes**

Cabinet

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 8 February 2023 at 6.00 pm.

Present:

Councillor David Tutt (Chair).

Councillors Stephen Holt (Deputy-Chair), Margaret Bannister, Alan Shuttleworth and Colin Swansborough.

Officers in attendance:

Robert Cottrill (Chief Executive), Homira Javadi (Director of Finance and Performance (Chief Finance Officer)), Ian Fitzpatrick (Deputy Chief Executive and Director of Regeneration and Planning), Tim Whelan (Director of Service Delivery), Becky Cooke (Assistant Director for Human Resources and Transformation), Luke Dreeling (Performance Lead), Simon Russell (Head of Democratic Services), Kate Slattery (Solicitor), Ross Sutton (Head of Financial Reporting) and Mark Walker (Head of Financial Planning).

38 Minutes of the meeting held on 14 December 2022

The minutes of the meeting held on 14 December 2022 were submitted and approved and the Chair was authorised to sign them as a correct record.

39 Apologies for absence

An apology for absence was reported from Councillor Diplock.

40 Declaration of members' interests

None were declared.

41 Corporate performance - quarter 3 - 2022/23

The Cabinet considered the report of the Director of Finance and Performance, updating Members on the Council's performance against Corporate Plan priority actions, performance indicators and targets for the third quarter of the year 2022-23.

Thanks were conveyed to staff for their performance during this quarter, given the impact of Covid-19 and the cost-of-living crisis.

Resolved (Non-key decision):

To note the achievements and progress against Corporate Plan priorities for 2022-23, as set out at Appendix 1 to the report.

Reason for decision:

To enable Cabinet members to consider specific aspects of the Council's progress and performance.

42 General Fund Revenue Budget 2023/24 and Capital Programme

The Cabinet considered the report of the Director of Finance and Performance, seeking their recommendation to Full Council on the General Fund Budget 2023/24 and updated Medium Term Financial Strategy (MTFS), together with the updated Capital Programme and Treasury Management position.

Councillor Holt presented the report and thanked officers for their work in producing a balanced budget, given the challenging economic context, without cutting front line services. He added that following the success of the Cost-of-Living Crisis fund, the Council would be increasing this fund by £0.1 million, to support the local voluntary and community sector with practical support for those in most need.

He advised that a correction was required to section 1.9 of report. The report was produced with the assumption of Government support for the Council's proposals for Levelling Up Fund Round 2 and referred to a planned capital expenditure of £63.9 million (and £146 million over the MTFS period). Given the Council was unsuccessful in its bid, the Council was now planning capital expenditure of £41.6 million (and £79.7 million over the MTFS period).

Following discussion, it was unanimously agreed to add a further recommendation to Full Council around capital receipts in the context of the Recovery and Stabilisation programme and this was detailed below.

Recommended to Full Council (Budget and policy framework)

(1) The General Fund Budget 2023/24 (original) and projected MTFS as set out at Appendix 1 to the report.

(2) The General Fund Budget 2022/23 (revised) as set out at Appendix 2 to the report.

(3) An increase in the Council Tax for Eastbourne Borough Council of 2.99% (per annum) resulting in a Band D charge for general expenses of £269.68 (per annum) for 2023/24.

(4) The revised General Fund Capital Programme 2023/24 as set out at Appendix 6 to the report.

(5) The Council introduce from 1 April 2024 a new discretionary Council Tax premium on second homes of up to 100% and apply a premium of up to 100% on homes which have been empty for longer than 1 year following the Levelling Up and Regeneration Bill becoming law.

(6) To note the Section 151 Officer's sign off as outlined in the report.

(7) To approve flexible use of capital receipts to fund its transformation and improvement plans, as included in its Recovery and Stabilisation phase 2 programme.

Resolved (Key decision):

(8) To give delegated authority to the Section 151 Officer, in consultation with the Cabinet member for finance to make any late adjustments necessary following the announcement of final financial settlement, prior to Full Council submission.

Reason for decisions:

The Cabinet must recommend to Full Council the setting of a revenue budget and associated Council Tax for the forthcoming financial year by law.

43 Treasury Management and Prudential Indicators 2023/24, Capital Strategy & Investment Strategy

The Cabinet considered the report of the Director of Finance and Performance, asking them to recommend to Full Council, the Council's Annual Treasury Management Strategy, Capital Strategy and Investment Strategy, together with the Treasury and Prudential Indicators.

Recommended to Full Council (Budget and policy framework):

(1) To approve the Treasury Management Strategy and Annual Investment Strategy for 2023/24 as set out at Appendix A to the report.

(2) To approve the Minimum Revenue Provision Policy Statement 2023/24 as set out at paragraph 8 of Appendix A to the report.

(3) To approve the Prudential and Treasury Indicators 2023/24 to 2025/26, as set out at paragraph 6 of Appendix A to the report.

(4) To approve the Capital Strategy set out at Appendix E to the report.

Reason for decisions:

It is a requirement within the budget setting process for the Council to review and approve the Prudential and Treasury indicators, Treasury Strategy, Capital Strategy and Investment Strategy.

44 Housing Revenue Account (HRA) Revenue Budget and Rent Setting 2023/24 and HRA Capital Programme 2022-26

The Cabinet considered the report of the Director of Finance and Performance, seeking a recommendation to Full Council for the detailed Housing Revenue Account (HRA) budget proposals, rent levels, service charges and heating costs for 2023/24, and the HRA Capital Programme 2022-26.

Councillor Holt in presenting the report, advised that a minor amendment was required to officer recommendation (8) to reflect that the proposed rent increase for garages was 7%.

Recommended to Full Council (Budget and policy framework):

(1) The HRA budget for 2023/24 and revised 2022/23 budget as set out at Appendix 1 to the report.

(2) That social and affordable rents (including Shared Ownership) are increased by 7% in line with government policy.

(3) That the average General Needs Housing Benefit (HB) Eligible service charge will be £5.39 per week.

(4) That the average HB Eligible service charge for Retirement Housing will be £38.36 per week.

(5) That the Support charge for Retirement Housing will be £5.82 per unit.

(6) That the average Non-HB Eligible heating charges will be £3.73 per week.

(7) That the average non-HB Eligible water charges will be £3.56.

(8) That Garage rents are increased by 7%.

(9) To grant delegated authority to the Chief Executive, in consultation with the Cabinet Portfolio holders for Financial Services and Direct Assistance Service and the Chief Finance Officer to finalise Eastbourne Homes' Management Fee and Delivery Plan.

(10) The HRA Capital Programme as set out at Appendix 2 to the report.

Reason for decisions:

The Cabinet must recommend to Full Council the setting of the HRA revenue and capital budget and the level of social and affordable housing rents for the forthcoming year.

45 Congress and Devonshire Park Theatres - Future Governance Arrangements

The Cabinet considered the report of the Chief Executive, updating it on the progress of the work of the cross-party Devonshire Park Governance Board and to propose changes to the governance arrangements for the Congress and Devonshire Park Theatres, in pursuit of cultural and financial benefits.

Resolved (Key decision):

(1) To note the update on work to date and to authorise the Chief Executive, in consultation with the Leader and the Cabinet Member for Tourism and Culture Services, to take all necessary actions in relation to the project to create the Local Authority Controlled Company including determining the terms of and authorising execution of all documentation.

(2) To develop further the plans for the creation of the charitable entity for a future decision by Cabinet.

(3) To agree provision of £50,000 to be made available to support the initial steps towards delivery of the new governance arrangement.

Reason for decisions:

The recommendations build on investment made to date which has enhanced the offer of the Congress and Devonshire Park Theatres and promote the future of the facilities and the cultural offer for Eastbourne. The proposed, new governance offer would introduce financial safeguards for the council while increasing opportunities for the theatres to raise funds and access funding streams unavailable to local authority-owned and operated facilities.

The meeting ended at 6.20 pm

Councillor David Tutt (Chair)

This page is intentionally left blank

Agenda Item 7

Body:	Cabinet
Date:	14 March 2023
Subject:	Financial Performance Quarter 3 2022-23
Report of:	Homira Javadi, Director of Finance and Performance
Cabinet member:	Councillor Stephen Holt, Cabinet member for financial services
Ward(s):	All
Purpose of the report:	To update Members on the Council's financial performance for the third quarter of the year 2022-23.
Decision type:	Non Key
Recommendation:	Cabinet is recommended to : i) Note the General Fund, HRA and Collection Fund financial performance for the quarter, as set out in Part B of the report.
Reasons for recommendations:	To enable Cabinet members to consider specific aspects of the Council's financial progress and performance.
Contact:	Homira Javadi: Chief Finance Officer Tel: 01323 485512 or e-mail homira.javadi@lewes-eastbourne.gov.uk

1 Introduction

- 1.1 The budget approved by Council in February 2022 was balanced over the medium term and was set based on a number of key assumptions including pay and cost inflation. Inflation had been calculated for premises and transport related costs including utilities, business rates and fuel based on latest market intelligence and CPI forecasts from Central Government. Whilst there were concerns about the rapidly rising levels of inflation, the advice at that time indicated a short term and sharp spike rise in inflation followed by a return to previously experienced levels by early spring.
- 1.2 The CPI has since nearly tripled which when coupled with the proportion of use and demand for consumables such as utilities, fuel, goods and services has created and continues to give rise to significant budgetary concerns.

UK CPI table

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
2022	4.90%	5.50%	6.20%	7.80%	7.90%	8.20%	8.80%	8.60%	8.80%	9.60%	9.30%	9.20%	7.90%
2021	0.90%	0.70%	1.00%	1.60%	2.10%	2.40%	2.10%	3.00%	2.90%	3.80%	4.60%	4.80%	2.49%
2020	1.80%	1.70%	1.50%	0.90%	0.70%	0.80%	1.10%	0.50%	0.70%	0.90%	0.60%	0.80%	1.00%

- 1.3 The Council operates Directorate cash limited budgets and Corporate Management Team/Directors are responsible for ensuring that appropriate action is taken to contain both revenue and capital spending in line with the directorate's overall budget limit. The challenges facing local residents as a result of the cost of living crisis are very real and very urgent. The council cannot singlehandedly resolve these complex and national level issues. There has been a wave of authorities at every level that have revealed their budget plans are in pieces due to the huge spike in costs since April 2022 and authorities across the country are not immune to the national financial pressures while facing increasing demand and increasing cost pressures.
- 1.4 Various authorities are dealing with a very difficult set of circumstances currently and face a real challenge to balance the budget this year, while forecasting a significant overspend with the main causes being record inflation levels, soaring energy prices, pay deal for staff, etc. This is the reality for councils across the country at the moment and it has been widely reported that inflation, energy costs and other current challenges are predicted to lead to £2.4bn in extra cost pressures to councils this year alone, rising to £3.6bn in 2024-25. Therefore, there might be a need for various authorities including this Council to lobby the Government for additional supports.
- 1.5 Another critical issue for the council is that its capital projects are facing an uncertain future due to the increase in material costs. It is too early to have a clear view of the impact of the inflationary pressures while the assumption is that stand-alone projects that are already in-progress will be delivered as planned but that future projects that have not yet started may need to be re-evaluated. In the same way households are struggling with rising costs, it is also becoming more and more expensive for the council to provide the services that people need. This comes at a time when the Council's budgets are already under immense strain, with savings already required due to the impacts of austerity and the pandemic.
- 1.6 Through the Priority Based Budgeting approach, each area of the Council's expenditure was scrutinised, and a range of ongoing budget reduction options were prepared for members' consideration. Some of the proposals will deliver a level of budget reduction in the current financial year, whilst others will yield savings, or increased income generation for years to come. Future budget setting will be taking into consideration current financial pressures and challenges due to ongoing inflation trajectory. The Council has a robust governance process for tracking delivery of agreed savings through the Recovery and Stabilisation Programme meetings, whilst work is still underway to assess developed savings plans.
- 1.7 The Council's overall annual revenue spend is managed and monitored across a number of areas and at Quarter 3, the budget holders are forecasting a risk of overspend of approximately £0.392m (as shown within the table below), which CMT should in the first instance set out in-service options for mitigation. Where these are considered undeliverable, or pressures cannot be contained across the directorate the budget monitoring/scrutiny process will be triggered and a request may be made for the Cabinet to consider granting a supplementary estimate redirecting funds from an alternative source.

- 1.8 Through careful planning and re-profiling during the 2021/22 year-end, the Council has been able to provide resilience by setting aside specific reserves to address ongoing Cost of living, Inflation, Fuel & Energy Cost and Bad debt along with carry forwards, £1.6m of these have been brought into the position as one-off funding to provide relevant immediate support.
- 1.9 The budget 2022/23 was revised in light of identified pressures and approved by Full Council in February 2023.

2 General Fund

- 2.1 The General Fund projected out-turn for 2022/23 as at 31 December, quarter 3, is shown in the summary table 1 below, as an overspend of £392,116 against the revised budget. This shows we are still largely managing the increased cost of housing needs, energy costs and economic down-turn. A number of internal adjustments are to be actioned at year end to target reserves to where they are needed most based on latest projections.

Table 1: Summary of projected out-turn as at Quarter 3	Revised Budget 2022-23	Internal Adjustments	Projected Outturn Including Internal Adjustments	Projected Variance at year end (Quarter 3)
	£	£	£	£
Corporate Services	4,443,467	(300,000)	4,439,759	(3,708)
Service Delivery	8,732,350	(1,150,000)	9,045,163	312,812
Regeneration and Planning	(98,355)	(842,000)	(31,605)	66,750
Tourism and Culture	2,832,502	692,000	2,801,525	(30,977)
Net Cost of Services	15,909,964	(1,600,000)	16,254,842	344,878
Other Operating Income & Expenditure	487,450	0	249,000	(238,450)
Capital Financing	2,103,400	0	750,300	(1,353,100)
Net Budget	18,500,814	(1,600,000)	17,254,142	(1,246,672)
Transfer from reserves	(1,602,622)	1,600,000	(2,622)	1,600,000
Financing	(16,898,192)	0	(16,859,404)	38,788
Total Financing	(18,500,814)	1,600,000	(16,862,026)	1,638,788
Over/ (under) budget	(0)	0	392,116	392,116

*transfer from /to reserves subject to final accounts adjustments

The projected out-turn for 2022/23, advised by budget holders as of 31 December 2022 is an overspend against the revised budget of £0.392m.

Some of the provisions from 2021/22 were carried forward due to reprofiling and alignment of budget. Where applicable these have been incorporated into relevant budgets and form part of the revised budget as approved by Full Council in February 2023.

The residual projected overspend of £0.392m, in the main is due to the anticipated impact of price inflation for energy costs, increased cost of goods and services, pressures in regeneration and planning and pressures in services due to rising volumes in the number of homeless and rough sleeper placements, which are explored further below. The additional cost of the April 2022 pay award agreed recently is £437k and is incorporated into Service revised budgets.

2.2 At the time of preparing this report, more detailed work on business rates shared benefits and retention value was taking place. Any further adjustments required as a result of this work will be reflected in the final accounts report.

Inflation is currently (December 2022) at over 10% and the Bank of England recently (February 2023) increased base rates by 1% to 4%, the 10th successive increase and the highest level since 2008, impacting the cost of borrowing and mortgage interest rates.

The impact on consumer spending power, and bad debts is uncertain especially on income targets in areas such as Tourism, hospitality and Culture which are still recovering from the economic impact of Covid19 pandemic.

By setting aside targeted reserves at the 2021/22-year end, the council has been able to create greater financial resilience and additional capacity to bring into position £1.602m of one off funds to support the 2022/23 shortfall. This provision enables the authority to further develop and extend its recovery and stabilisation programme in order to mitigate inflationary impacts as follow:

- Tourism and Culture has been supported from £755k of one-off funds from earmarked reserves
- Service Delivery has been supported by £280k grant reserves.
- Planning have required reserves of £204k to afford the local plan which is required every 4 years.
- £90k of better care fund (BCF), £3k community environment partnership and £20k carry forward to fund litter and dog waste bins have been brought forward to support the service and bottom line; and
- £250k to support increased energy costs are shown in the position.

In addition, a £400k contribution from reserves to meet inflationary and other pressures in Regeneration and Planning will be subject to final account adjustments.

The budget includes savings targets of £3.294m, which have been incorporated to the relevant service.

Key variances are set out in the following table:

2.3 Corporate Services favourable variation £3,708:

Corporate Services	Revised Budget 2022-23	Internal Adjustments	Projected Outturn Including Internal Adjustments	Projected Variance at year end (Quarter 3)
	£	£	£	£
Corporate Management Team	77,939	0	81,800	3,861
Business Planning and Performance	510,345	0	615,954	105,609
Financial Services	768,747	0	771,100	2,353
Corporate Finance	525,669	0	623,550	97,881
Human Resources	379,690	0	434,500	54,810
Business Transformation	1,328,254	0	1,310,805	(17,449)
Legal and Local Democracy	938,572	0	987,800	49,228
Local Land Charges	(85,750)	0	(85,750)	0
Internal Adjustments	0	(300,000)	(300,000)	(300,000)
Corporate Services	4,443,467	(300,000)	4,439,759	(3,708)

Corporate Services are showing a net favourable variation of £4k due to:

- Business Planning and Performance adverse variation £106k mainly due to a newly created role to be offset by procurement savings at year end.
- Corporate Finance adverse variation £98k due to additional insurance premium costs £103k and bank and brokerage charges £74k offset by savings on deleted post and pensions £79k.
- Human Resources £55k – additional occupational health contract usage costs £28k and training costs £54k offset by savings in salary costs £27k.
- Savings of £17k on Business transformation which now includes ICT
- Legal and Democratic services £49k mainly due to a newly created role £38k and additional staff costs £11k.

Please note in addition to internal adjustments of £300k to be actioned at year-end, there is a small carry forward of £3k for the community environment Partnership included in the revised budget.

2.4 Service Delivery, projected overspend £312,812:

Service Delivery	Revised Budget 2022-23	Internal Adjustments	Projected Outturn Including Internal Adjustments	Projected Variance at year end (Quarter 3)
	£	£	£	£
Director of Service Delivery	295,214	0	309,750	14,536
Customer First Retention Team	1,032,309	0	1,823,450	791,141
Neighbourhood First	2,078,103	0	2,396,002	317,898
Environment First	4,426,483	0	4,403,602	(22,881)
Homes First	900,241	0	1,262,359	362,118
Internal Adjustments	0	(1,150,000)	(1,150,000)	(1,150,000)
Service Delivery	8,732,350	(1,150,000)	9,045,163	312,812

The service is predicting overspends against staff costs, and pressure with cost of placements for homeless, details of which are shown below. These will be partially reduced through internal adjustments at year-end:-

Customer First Retention Team adverse variation of £791k

- The majority, £1,001k, is due to rising volumes in the number of Homeless placements (Statutory and Rough Sleeper – projected at 254) and the impact on housing benefit payments. There is a projected shortfall in Housing Benefit Overpayment income of £71k which is offset in part (£274k) by an increase in the subsidy receivable on Private Tenant housing benefit.
- £156k relates to agency and staff costs in the Income, Maximisation & Welfare and Regulatory Service Teams
- £37k Shortfall in Summons Income
- Bereavement Services adverse variation of £147k due to a reduction in crematorium income.
- the above will be offset by £750k carried forward Better Care Funding.

Neighbourhood First adverse variation of £318k

- Neighbourhood First Team and Devonshire Grounds staffing costs £279k
- Town Hall & College Road Security & Repairs Maintenance costs £137k
- £117k mainly due to Ash die back & Cliff Watch costs.
- Additional car park income (£93k)
- The above pressures will be offset by Tourism and Culture savings.

Homes First adverse variation of £362k:

- Increased cost of rough sleeper placements of £337k partially offset by (£109k) new Homeless Prevention Winter Top Up grant funding and a (£280k) contribution from Reserves.
- Increased use of homeless spot purchase accommodation £70k
- Increased cost of agency and staffing £267k
- Cost of compensation and legal costs £30k
- Cost of Wellbeing Service £42k

Please note the above position includes £20k of carry forward from 2021-22 which is to fund litter and dog waste bins, an allocation of £90k of Better Care Fund (BCF) carried forward from previous year, a contribution from grant of £280k.

2.5 Regeneration and Planning projected overspend of £66,750

Regeneration and Planning	Revised Budget 2022-23	Internal Adjustments	Projected Outturn Including Internal Adjustments	Projected Variance at year end (Quarter 3)
	£	£	£	£
Director of Regeneration & Planning	42,229	0	46,406	4,177
LDC EHL Rechargeable Salaries	0	0	0	0
Head of Commerical Business and Property	43,441	0	44,870	1,429
Planning	613,031	0	829,922	216,891
Estates and Property	(1,097,282)	0	(431,327)	665,955
Housing Delivery	78,375	0	127,618	49,243
Regeneration	221,850	0	192,906	(28,944)
Internal Adjustments	0	(842,000)	(842,000)	(842,000)
Regeneration and Planning	(98,355)	(842,000)	(31,605)	66,750

Regeneration and Planning is anticipating significant pressures within its service delivery, mainly due to the economic climate and high inflation levels, particularly on energy costs. The main variations are listed below and these will be mainly reduced through internal adjustments at year-end:-

Planning adverse variation of £217k:

- Additional Consultancy costs for local plan 2 £103k
- Planning appeal costs £40k,
- Salary and consultancy pressure £112k
- Mitigated by staff saving in Policy team £38k.

Estates and Property adverse variation of £666k:

- Corporate landlord £127k pressure due to increased energy costs.
- Pressures of £380k against vacant properties within investment properties significantly made up of: £376k B&Q rent refund an increase of £183k from Q2. The rent pressure on the rest of the properties, vacant or partial occupied amounts to £362k, £92k rates on empty properties, £76k on electric, repairs, specialist, and legal fees, offset by £400k contribution from reserves.
- Farms and Lands letting £45k pressures includes reduced lettings income and increased maintenance costs.
- Housing Delivery adverse variation of £49k due to staffing costs £75k, energy cost £13k partly offset by joint venture income £33k.
- Regeneration: £29k service savings.

Please note in addition to £204k of reserves to fund the local plan, there is a £250k transfer of gas costs to Sovereign Centre and a transfer from reserves of £650k to meet increased energy costs and other pressures.

Tourism and Culture projected underspend of £30,977

Tourism and Culture	Revised Budget 2022-23	Internal Adjustments	Projected Outturn Including Internal Adjustments	Projected Variance at year end (Quarter 3)
	£	£	£	£
Towner	420,400	0	420,400	0
Tourism and Culture	1,040,217	0	1,030,525	(9,692)
Events	226,296	0	234,600	8,304
Theatres	408,633	0	271,600	(137,033)
Sports Delivery	679,619	0	131,200	(548,420)
Seafront	57,337	0	21,201	(36,136)
Internal Adjustments	0	692,000	692,000	692,000
Tourism and Culture	2,832,502	692,000	2,801,526	(30,977)

The Sovereign Centre and the Congress Theatre have largely improved their performance from that reported previously which means there is no requirement for funding from reserves and these will be subject to internal adjustments at year-end.

The savings target of £500k for VAT exemption is delayed and alternative options are in place to compensate against this delay.

Tourism and Culture favourable variation £9k:-

- Catering increase in salary related costs £213k
- The Pavilion Income shortfall £61k
- Heritage and Tourist Information Services adverse staff related costs £117k
- Conferences favourable income generation £84k
- Other minor favourable variances £15k
- Contribution from reserves £301k

Theatres favourable variance of £137k:

- Congress Theatre and show account projected income surplus of £128k.
- Various Theatre favourable variance £31k
- Devonshire Park Theatre reduced audiences £152k
- Staffing pressures £157k,
- Welcome Building reduced letting income £45k
- Contribution from reserves £332k

Sports Delivery favourable variance of £548k due to better than anticipated increase in membership at the Sovereign Centre generating fee income significantly above budget.

Seafront £36k favourable variance is due to ice-cream sales no achievable income of £30k, the closure of Redoubt Event with £23k of increased costs and bandstand £7k offset by increased income of £96k for Beach Huts and deckchairs.

2.6 Other Operating Income & Expenditure, Capital Financing and Reserves

Other Operating Income, Capital Financing & Financing including Reserve movements	Revised Budget 2022-23	Internal Adjustments	Projected Outturn Including Internal Adjustments	Projected Variance at year end (Quarter 3)
	£	£		£
Contingencies	250,000	0	0	(250,000)
Precepts and Levies	237,450	0	249,000	11,550
Other Operating Income & Expenditure	487,450	0	249,000	(238,450)
Capital Financing	2,103,400	0	750,300	(1,353,100)
Transfers from Reserves	(1,602,622)	1,600,000	(2,622)	1,600,000
Financing	(16,898,192)	0	(16,859,404)	38,788
Total Financing	(18,500,814)	1,600,000	(16,862,026)	1,638,788

Contingencies positive variation of £250k

- this budget has no commitments against it and has been fully released to support the bottom line.

Capital Financing positive variation of £1,353k

- external interest payments on loans are projected to save £587k when compared to the budget which is consistent with previous years.
- the recent increase in interest rates will result in additional interest receivable on investments by £155k.
- following their review, the Treasury Management advisors, Link Group, have advised that minimum revenue provision (MRP) can be reduced to nil in 2022-23 generating a saving of £611k

Financing including Transfer from Reserves adverse variation of £39k

- Please note the transfer from reserves and carry forwards of £1,602k have been incorporated into relevant service budgets and form part of Service revised budgets.
- Financing BR pool share lower than anticipated £124k offset by an increase in grants of £86k.

3 Housing Revenue Account (HRA)

3.1 The performance on the HRA for quarter 3 is as follows:

The original budget was set at a net £3.093m including a revenue contribution to HRA capital programme of £2.934m, which is fully funded from reserves. The budget was increased by net £0.355m, also funded by reserves, resulting in a revised budget of £3.448m as approved by Full Council in February 2023.

The overall forecasted net position in comparison to the revised budget on the HRA, at quarter 3, is a balanced position.

HRA Summary Quarter 3	Original Budget £000's	Revised Budget £000's	Projected Outturn £000's	Q3 Variance £000's
Income	(16,355)	(16,311)	(16,311)	
Expenditure	14,797	15,415	15,391	(24)
Capital Financing	1,717	1,616	1,640	24
Contribution to Capital Expenditure	2,934	2,728	2,728	0
Total	3,093	3,448	3,448	0

- There are, however, pressures of £79k on management fee and £24k on interest income receivable being lower than anticipated. This is offset in full by savings of 103k on supervision and management costs.
- The work undertaken to inform the delivery of the capital programme including HRA projects has concluded. The outcome is a reduction of £0.206m in the projected revenue contribution to capital to £2.728m.

Further details can be found at Appendix 1

4.0 Collection Fund

4.1 The Collection Fund records all the income from Council Tax and Business Rates and its allocation to precepting authorities.

4.2 The Collection fund for the year is as follows:

	Council Tax £'000	Business Rates £'000
Actual Balance 1 April 2022 - (Surplus) / Deficit	(890)	12,450
(Recovery) / Distribution of Prior Year Deficit or Surplus	908	(9,952)
Total Collectable Income for year*	(78,581)	(32,076)
Payments to Preceptors	76,440	34,202
Write offs, provisions for bad debts and appeals	1,094	305
Estimated Balance 31 March 2023 – (Surplus) / Deficit	(1,029)	4,929
Allocated to:		
Central Government	-	2,465
East Sussex County Council	(755)	443
Eastbourne Borough Council	(121)	1,972
Sussex Police & Crime Commissioner	(107)	-
East Sussex Fire Authority	(46)	49
Total	(1,029)	4,929

* This represents the latest total amount of income due for the year and allows for changes as a result of discounts, exemptions and reliefs, as well as changes in the Council Tax base and Business Rate yield.

4.3 Government regulations determine how payments to preceptors and the recovery or distribution of a prior year deficit or surplus are allocated.

4.4 Council Tax has a forecast surplus for the year of £1.029m as at Q3 December (£1.119m Q2 September). The Council's share of the estimated surplus is £121k (£0.133m Q2). With the cost of living crisis and the country facing a longer recession, bad debt provisions are currently under review and will be updated at Q4.

4.5 Business Rates has a forecast deficit for the year of £4.929m as at Q3 December (£4.118m Q2 September). The Council's share of the estimated deficit is £1.972m (£1.647m Q2). Section 31 grant from central government is received as compensation for some additional reliefs provided.

4.6 The estimated year end positions for Council Tax and Business Rates, used for 2023/24 budget setting, were formalised and agreed in January 2023.

5 Capital Expenditure

5.1 Capital Expenditure – Housing Revenue Account (HRA)

The table below shows a revised HRA capital budget for the year of £12.9m, with expenditure at the end of quarter 3 of £8.8m. Details of the capital programme are in **Appendix 2**.

HRA CAPITAL PROGRAMME	Original Budget 2022/23	Revised Budget 2022/23	Actual Spend Q3 2022/23	Variance to Budget
	£'000	£'000	£'000	£'000
Construction of Dwellings	11,784	7,723	5,027	(2,696)
Improvements to Stock	5,816	4,816	3,367	(1,449)
Adaptations	450	450	464	14
Sustainability Initiatives Pilot	160	-	-	-
Total HRA	18,210	12,989	8,858	(4,131)

5.2 Capital Expenditure – General Fund

The table below shows a General Fund revised capital budget for the year of £11.4m, with expenditure at the end of quarter 3 (Q3) of £3.5m. The Revised Budget is updated for ongoing projects carried over from the previous financial year and projects that will not be completed in 2022/23 and have been re-profiled to 2023/24 and later years. Details of the capital programme are in **Appendix 2**.

GENERAL FUND CAPITAL PROGRAMME	Original Budget 2022/23	Revised Budget 2022/23	Actual Spend Q3 2022/23	Variance to Budget
	£'000	£'000	£'000	£'000
Loans to Housing Companies	1,460	1,638	565	(1,073)
Community Services	2,145	3,178	1,072	(2,106)
Tourism & Leisure	150	198	164	(34)
Corporate Services	935	1,443	338	(1,105)
Regeneration	8,817	2,431	457	(1,974)
Asset Management	3,765	2,554	907	(1,647)
Total General Fund	17,272	11,442	3,503	(7,939)

5.3 At the end of Quarter 3, both the HRA and General Fund spend against the 2022/23 revised budget was very low. It is possible that further project expenditure could be deferred to 2023/24 and their total project budget reprofiled. Project team leaders are required to review scheme progress on an ongoing basis throughout the year and advise where there are significant revisions. The programme is under continuous review by the Capital Programme Overview Board (CPOB).

5.4 As per previous monitoring reports, Members are reminded that the construction sector is under pressure from rising prices for materials and labour shortages. It should be noted that the year-end forecasts have been provided against a backdrop of economic uncertainty, regarding supply chain challenges, building cost inflation and other factors outside of the control of those delivering the projects. Consequently, whilst based on best known information at Q3, there are likely to be changes to forecasts in future monitoring reports.

6 Treasury Management

- 6.1 The Annual Treasury Management and Prudential Indicators were approved by Cabinet and Council in February.

Annual Investment Strategy

The Treasury Management Strategy Statement (TMSS) for 2022/23 which includes the Annual Investment Strategy, was approved by the Full Council on Wednesday, 9 February 2022. It sets out the Council's investment priorities as being:

- Security (of capital);
- Liquidity;
- Yield.

Approved limits within the Annual Investment Strategy were not breached during the period ending 31 December 2022, except for the balance held with Lloyds Bank, which exceeded the £5m limit for 2 days (11 days Q2) during the period.

- 6.2 The Council's debt and investment position is managed by treasury staff within Financial Services in order to ensure adequate liquidity for revenue and capital activities, security for investments and to manage risks within all treasury management activities.

6.3 Investments - Fixed Term Deposits

The table below shows the fixed term deposits which have matured between 1 October to 31 December 2022, in maturity date order. It is important to note that the table includes sums re-invested.

Counterparty	Date From	Date To	Days	Principal £'000	Int. Rate %	Long-term rating
DMO	03/10/2022	18/10/2022	15	3,000	1.95	*
DMO	07/10/2022	18/10/2022	11	3,500	1.95	*
DMO	01/11/2022	22/11/2022	21	4,500	2.46	*
DMO	07/11/2022	21/11/2022	14	2,500	2.65	*
DMO	30/11/2022	20/12/2022	20	9,000	2.88	*
DMO	05/12/2022	19/12/2022	14	2,000	2.94	*
DMO	15/12/2022	19/12/2022	4	3,000	3.20	*

**UK Government body and therefore not subject to credit rating*

6.4 Investments - Deposit Accounts

In addition to the fixed term deposits, the Council has made use of the following interest-bearing accounts in the period covered by this report, with the average amount held being £2.37m (£2.56m Q2) generating interest of approximately £14,000 (£7,000 Q2).

	Balance at 31 Dec 2022 £'000	Average balance £'000	Interest rate %
Lloyds Current Account	629	1,592	0.01
Lloyds Call Account	10	1,761	0.40
Santander Reserve Account	5,000	3,769	1.36

6.5 Borrowing

In taking borrowing decision, the Council carefully considered achieving best value, the risk of having to borrow at higher rates at a later date, the carrying cost of the difference between interest paid on such debt and interest received from investing funds which would be surplus until used, and that the Council could ensure the security of such funds placed on temporary investment.

- **Rescheduling** – no debt rescheduling was carried out during the quarter as there was no financial benefit to the Council.
- **Repayment** – none between 1 October and 31 December 2022

The Council has not borrowed more than, or in advance of its needs, purely in order to profit from the investment of the extra sums borrowed. No new loans were drawn down from PWLB (Public Works Loan Board) during the quarter to fund the net unfinanced capital expenditure and/or to replace maturing loans. Various temporary loans were taken to cover cash flow requirements. All loans drawn were for fixed rate as detailed within the table below.

Lender – Temporary Debt	£'000	Start Date	End Date	Rate
Loans held:				%
West Midlands Combined Authority	10,000	21/01/2022	20/01/2023	0.25
Hyndburn BC	2,000	28/02/2022	27/02/2023	0.70
Northern Ireland Housing Executive	10,000	20/06/2022	19/06/2023	1.20
West Midlands Combined Authority	5,000	23/05/2022	09/05/2023	1.20
West Midlands Combined Authority	10,000	25/07/2022	27/06/2023	1.80
Tendring DC	5,000	01/11/2022	01/08/2023	3.90
Northern Ireland Housing Executive	10,000	29/11/2022	28/04/2023	4.00
Loans repaid:				
Solihull MBC	5,000	20/09/2022	20/12/2022	2.35

6.6 Interest Rate Forecast

The Council has appointed Link Group as its treasury advisor and part of their service is to assist the Council to formulate a view on interest rates. The PWLB rate forecasts below are based on the Certainty Rate (the standard rate minus 20 basis points (bps)) which has been accessible to most authorities since 1st November 2012.

The latest forecast, made on 19th December, sets out a view that both short and long-dated interest rates will be elevated for some little while, as the Bank of England seeks to squeeze inflation out of the economy, whilst the government is also providing a limited package of fiscal loosening to try and protect households and businesses from the ravages of ultra-high wholesale gas and electricity prices. PWLB rates reflect a less elevated yield curve than prevailed under the Truss/Kwarteng government, and the 17th of November Autumn Statement made clear the government's priority is the establishment and maintenance of fiscal rectitude. In addition, the MPC has tightened short-term interest rates with a view to trying to slow the economy sufficiently to keep the secondary effects of inflation – as measured by wage rises – under control.

Links current and previous PWLB rate forecasts below are based on the Certainty Rate (the standard rate minus 20 bps) which has been accessible to most authorities.

Link Group Interest Rate View 19.12.22													
	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25
BANK RATE	3.50	4.25	4.50	4.50	4.50	4.00	3.75	3.50	3.25	3.00	2.75	2.50	2.50
3 month ave earnings	3.60	4.30	4.50	4.50	4.50	4.00	3.80	3.30	3.00	3.00	2.80	2.50	2.50
6 month ave earnings	4.20	4.50	4.60	4.50	4.20	4.10	3.90	3.40	3.10	3.00	2.90	2.60	2.60
12 month ave earnings	4.70	4.70	4.70	4.50	4.30	4.20	4.00	3.50	3.20	3.10	3.00	2.70	2.70
5 yr PWLB	4.20	4.20	4.20	4.10	4.00	3.90	3.80	3.60	3.50	3.40	3.30	3.20	3.10
10 yr PWLB	4.30	4.40	4.40	4.30	4.10	4.00	3.90	3.80	3.60	3.50	3.40	3.30	3.30
25 yr PWLB	4.60	4.60	4.60	4.50	4.40	4.20	4.10	4.00	3.90	3.70	3.60	3.50	3.50
50 yr PWLB	4.30	4.30	4.30	4.20	4.10	3.90	3.80	3.70	3.60	3.50	3.30	3.20	3.20

Link Group Interest Rate View 08.11.22													
	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25
BANK RATE	3.50	4.25	4.50	4.50	4.50	4.00	3.75	3.50	3.25	3.00	2.75	2.50	2.50
3 month ave earnings	3.60	4.30	4.50	4.50	4.50	4.00	3.80	3.30	3.00	3.00	2.80	2.50	2.50
6 month ave earnings	4.20	4.50	4.60	4.50	4.20	4.10	3.90	3.40	3.10	3.00	2.90	2.60	2.60
12 month ave earnings	4.70	4.70	4.70	4.50	4.30	4.20	4.00	3.50	3.20	3.10	3.00	2.70	2.70
5 yr PWLB	4.30	4.30	4.20	4.10	4.00	3.90	3.80	3.60	3.50	3.40	3.30	3.20	3.10
10 yr PWLB	4.50	4.50	4.40	4.30	4.20	4.00	3.90	3.70	3.60	3.50	3.40	3.30	3.20
25 yr PWLB	4.70	4.70	4.60	4.50	4.40	4.30	4.10	4.00	3.90	3.70	3.60	3.50	3.50
50 yr PWLB	4.30	4.40	4.30	4.20	4.10	4.00	3.80	3.70	3.60	3.40	3.30	3.20	3.20

- LIBOR and LIBID rates ceased at the end of 2021. In a continuation of previous forecasts, Link money market yield forecasts are based on expected average earnings by local authorities for 3 to 12 months.
- Links forecasts for average earnings are averages i.e., rates offered by individual banks may differ significantly from these averages, reflecting their different needs for borrowing short-term cash at any one point in time.

6.7 Economic Background

The third quarter of 2022/23 saw:

- A 0.5% month on month rise in GDP in October, mostly driven by the reversal of bank holiday effects;
- Signs of economic activity losing momentum as households increased their savings;
- CPI inflation fall to 10.7% in November after peaking at 11.1% in October;
- A small loosening in the labour market which pushed the unemployment rate up to 3.7% in October;
- Interest rates rise by 125 bps over Q4 2022, taking Bank Rate to 3.50%;
- Reduced volatility in UK financial markets but a waning in global risk appetite.

7 Appendices

- 7.1
 - Appendix 1 – Housing Revenue Account
 - Appendix 2 – Capital Programme

This page is intentionally left blank

EBC Housing Revenue Account 2022/23 - Q3

HRA 2022/23	Original Budget £000's	Revised Budget £000's	Estimated Outturn £000's	Q3 Variance at Year End £000's
INCOME				
Gross Rents	(15,268)	(14,993)	(14,993)	0
Charges for Services	(1,087)	(1,318)	(1,318)	0
GROSS INCOME	(16,355)	(16,311)	(16,311)	0
EXPENDITURE				
Management Fee	8,077	8,133	8,212	79
Supervision and Management	1,930	1,817	1,714	(103)
Provision for Doubtful Debts	212	137	137	0
Depreciation	4,548	5,313	5,313	0
Debt Management Costs		15	15	0
GROSS EXPENDITURE	14,767	15,415	15,391	(24)
NET COST OF HRA SERVICES	(1,588)	(896)	(920)	(24)
Loan Charges - Interest	1,720	1,653	1,653	0
Interest Receivable	(3)	(37)	(13)	24
NET OPERATING SURPLUS	129	720	720	0
Contribution to Capital Expenditure	2,934	2,728	2,728	0
Contingency	30	0	0	0
HRA (SURPLUS) / DEFICIT	3,093	3,448	3,448	0

HOUSING REVENUE ACCOUNT WORKING BALANCE	Original Budget	Revised Budget	Projected Outturn
Working Balance at 1 April (Surplus) or Deficit for the year	(4,884)	(4,884)	(4,884)
Working Balance at 31 March	3,093	3,448	3,448
	(1,791)	(1,436)	(1,436)

This page is intentionally left blank

APPENDIX 2

Scheme	Original Budget 2022/23 £000	Revised Budget 2022/23 £000	Actual Spend Q3 2022/23 £000	Variance to Budget £000
HOUSING REVENUE ACCOUNT				
Major Works	5,816	4,816	3,367	(1,449)
Sustainability Initiatives Pilot	160	-	-	-
Disabled Adaptations	450	450	464	14
New Build	8,419	6,012	4,112	(1,900)
Acquisitions	3,365	1,711	915	(796)
Total HRA	18,210	12,989	8,858	(4,131)
GENERAL FUND				
Other Housing				
EHIC Loans	492	62	36	(26)
AH - Credit facility	-	-	-	-
AH - 183 Langney Rd	468	711	131	(580)
AH - Victoria Mansion	500	865	398	(467)
AH - Street Acquisitions (Affordable)	-	-	-	-
Total Other Housing	1,460	1,638	565	(1,073)
COMMUNITY SERVICES				
Disabled Facilities Grants	1,200	1,856	485	(1,371)
BEST Grant (housing initiatives)	-	15	-	(15)
Coast Defences Beach Management	300	595	393	(202)
Cycling Strategy	41	-	-	-
Play Area Sovereign Harbour	-	-	-	-
Refurbishment of Public Facilities	50	-	-	-
Langney Cemetery - Road Improvements	30	-	-	-
Ocklynge Cemetery - Road Improvements	15	-	-	-
Crematorium - Road Improvements	15	15	1	(14)
Crematorium - Cesspit Replacement	37	36	17	(19)
Crematorium - Chapel Improvements	120	90	70	(20)
Changing Places	-	77	7	(70)
SEESL Loan	73	254	-	(254)
Waste & Recycling Equipment	198	174	99	(75)
5 Fleet Vans	66	66	-	(66)
Total Community Services	2,145	3,178	1,072	(2,106)
TOURISM & LEISURE				
Sovereign Centre	150	198	164	(34)
Total Tourism & Leisure	150	198	164	(34)
CORPORATE SERVICES				
IT - Block Allocation	150	234	172	(62)
Contingency	250	230	-	(230)
Recovery & Stabilisation	435	959	163	(796)
JTP Finance Transformation	100	-	-	-
Sculpture	-	20	3	(17)
Total Corporate Services	935	1,443	338	(1,105)

APPENDIX 2

Scheme	Original Budget 2022/23 £000	Revised Budget 2022/23 £000	Actual Spend Q3 2022/23 £000	Variance to Budget £000
REGENERATION (Levelling Up Fund)				
Black Robin Farm	3,780	847	139	(708)
Towner Centenary Project	674	429	74	(355)
Victoria Place Pedestrianisation	1,917	716	-	(716)
Retail Refurbishment	2,446	344	244	(100)
Shinewater	-	80	-	(80)
UK Shared Prosperity Fund	-	15	-	(15)
Total Regeneration	8,817	2,431	457	(1,974)
Asset Management				
Winter Garden	1,500	101	41	(60)
Dev Park Theatre (H&S)	-	83	54	(29)
Victoria Mansions Commercial	-	71	71	-
Congress Theatre Roof	275	300	2	(298)
Bandstand & Promenade Renovations	750	771	270	(501)
EDGC Improvements	-	25	25	-
Seafront Lighting	200	305	192	(113)
Leisure Estate	250	250	-	(250)
Food Street	-	41	64	23
Asset Value Improvement Fund	300	-	-	-
Redoubt - new mains supply for café and Fort	50	50	-	(50)
Town Hall	50	50	32	(18)
The Point Improvements	30	30	13	(17)
Stage Door - fire upgrade	20	20	-	(20)
ILTC - Improvements	-	64	2	(62)
Towner Improvements	150	149	52	(97)
Fort Fun	40	40	28	(12)
1 Grove Road	50	50	61	11
Beachy Head Public Conveniences Roof	-	12	-	(12)
Asset Management - Block Allocation	100	142	-	(142)
Total Asset Management	3,765	2,554	907	(1,647)
Total General Fund	17,272	11,442	3,503	(7,939)
Total HRA & General Fund	35,482	24,431	12,361	(12,070)

Agenda Item 8

Report to:	Cabinet
Date:	14 March 2023
Title:	Eastbourne & Lewes Community Safety Partnership – Annual Report (Eastbourne)
Report of:	Tim Whelan, Director of Service Delivery
Cabinet member:	Councillor Peter Diplock, Cabinet member for disabilities and community safety
Ward(s):	All
Purpose of report:	To enable Cabinet to consider the 2022/23 performance of the Eastbourne & Lewes Community Safety Partnership (E&LCSP).
Decision type:	Non-key
Officer recommendation(s):	That Cabinet note the achievements and activities of the Eastbourne & Lewes Community Safety Partnership in 2022/23.
Reasons for recommendations:	For Cabinet to consider progress on delivery of the current Community Safety Plan.
Contact Officer(s):	Name: Oliver Jones. Post: Lead, Housing, Homelessness & Community Safety. E-mail: Oliver.Jones@lewes-eastbourne.gov.uk. Telephone number: 01323 415 464.

1. Introduction

- 1.1. Community Safety Partnerships (CSPs) were established under the Crime and Disorder Act 1998, which set out a statutory requirement for specified public service authorities to meet regularly to discuss ways of reducing crime and disorder, address incidences of anti-social behaviour, and minimise re-offending in their local area.
- 1.2. Key members of the Eastbourne & Lewes Community Safety Partnership (E&LCSP) include; Sussex Police; East Sussex Fire & Rescue Authority; the Sussex Police & Crime Commissioner; NHS clinical commissioning groups; and East Sussex County Council. Membership can be extended to other key local and voluntary partners as appropriate. Lewes District and Eastbourne Borough Councils play a key role in supporting the work of the CSP, by acting as the secretariat, co-ordinating agreed strategic plans, and reporting performance. The respective portfolio holders from each Council co-chair Partnership meetings.

- 1.3. Lewes & Eastbourne CSPs have been working on a joint basis for the past five years, and in February 2019 the Sussex Police and Crime Commissioner formally endorsed their merger (a legal requirement). The merger helped align the work of the CSP with Sussex Police's district boundaries and provided efficiency savings that allow more of the Commissioner's budget to be allocated to front line priorities. Cabinet should note that scope is left within the plans to ensure that priorities reflect the issues of concern in each Council area, such as road safety in Lewes and supporting the street community in Eastbourne. A budget allocated by the Sussex Police Crime Commissioner remains ring fenced for use in the Borough.
- 1.4. A strategic planning meeting of the E&LCSP takes place every quarter, whilst the Eastbourne Joint Action Group (EJAG) meets regularly to identify local issues and risks across the town. EJAG escalates issues to the strategy group as appropriate. Portfolio holders and senior Council officers routinely attend the County level community safety forum (the East Sussex Safer Communities Partnership) to address issues such as domestic abuse, organised crime and county lines, at a strategic level.

2. Annual Plan 2022/23

- 2.1. CSPs have a statutory duty to set out a plan and monitor progress. The latest plan was approved by the Partnership in July 2022, following a review that considered recent crime and anti-social behaviour trends, residents views, and issues of national concern, such as violence against women and girls and the impact that the cost of living crisis may have on patterns of crime and anti-social behaviour. It also took into account the wider strategic priorities of the Police & Crime Commissioner (PCC) and the Safer East Sussex Team, who support the work of the County Council.
- 2.2. The review recommended that the headline priorities of the plan remain unchanged, as they remained well placed to tackle the Borough's current challenges. Some of the more targeted goals in the plan were updated to reflect the specific types of anti-social behaviour (ASB) that residents were most concerned about, and help address partners increasing concerns about online crime, fraud and harassment. As a result, the six priorities addressed by the Partnership in 2022/23 remained as follows:
 - Promoting safe & welcoming spaces to reduce the incidence of crime & ASB.
 - Tackling the incidence of hate crime, domestic & sexual abuse.
 - Reducing the incidence of serious violence & knife crime.
 - Addressing the impact of organised crime on local communities.
 - Lowering levels of anti-social driving on the Borough's roads.
 - Supporting the street community and addressing related ASB.
- 2.3. CSPs are awarded an annual grant by the PCC, based on a formula that takes account of population density and an analysis of local levels of crime. A review of funding was last carried out by the Sussex Police & Crime Commissioner in 2019, resulting in an increased allocation of £48,547. The level of funding received during this current financial year remained unchanged.

3. Crime and incident trends

- 3.1. An analysis of latest data shows that for the year to December 2022, 9,484 crimes were reported across the whole of Eastbourne, a rise of 9.5% when compared to the same point in time last year. This trend reflects increased activity across both the commercial and night-time economy, now that almost a year has passed since Covid-19 restrictions were fully lifted. This increase can be seen in recorded crime trends nationally.
- 3.2. Once other incidents are taken into account, such as those reports of anti-social behaviour (ASB), domestic abuse and hate, that are not classified as crimes, the increase (8.4%) is slightly lower. This is accounted for by a significant fall in the number of recorded ASB incidents, which dropped by 48%, (1,813 incidents). This trend reflects a fall from the high levels of ASB recorded during periods of lockdown, when figures reflected real time increases as a result of more neighbour disputes and youth driven ASB, as well as a significant number of lockdown breaches recorded under ASB categories.
- 3.3. The rising trend was reflected across the most commonly reported types of crime, including robbery, theft and vehicle offences, with levels of acquisitive crime \uparrow 13%. An increase in the recorded level of shoplifting (\uparrow 19%) may also reflect cost of living pressures. Levels of burglary bucked this trend. They fell during the pandemic and also fell year on year (\downarrow 11%) reflecting targeted work by local neighbourhood policing teams and the fact that many people are still working from home. There have also been increases in public order offences (\uparrow 17%) and public place violent crime (\uparrow 14%), again reflected increasing activity in the night-time economy. However, it is important to stress that the number of recorded incidents of knife crime (68) serious violence (81) remain relatively low, though clearly they remain a key concern.
- 3.4. Levels of reported domestic abuse (crime & incidents) fell slightly (\downarrow 5%), although the number of overall reports remained high (2,800 incidents). Overall, levels of reported hate crime remain stable (up slightly at \uparrow 2%), although there were larger increases in reports relating to religion (up \uparrow 69% - 22 reports), sexuality (up \uparrow 31% - 67 reports), and race (up \uparrow 7%), which remains the highest reporting category (191 reports).
- 3.5. The Borough continues to be a relatively low crime area. The most recent figures from the Government's benchmark 'Most Similar [Crime] Group'¹ (which compares Eastbourne with fourteen other local authority areas - September 2022) shows that, with a rate of 90 crimes per 1000 people, it is one of the three lowest. This level is well below the group average of 111 crimes per 1000 people.
- 3.6. These trends have set the tone for the work of the partnership across the last year, which has supported a range of initiatives that have helped; address anti-

¹ 'Most Similar Groups' are districts / boroughs that have been found to be leading comparators based on an analysis of those demographic, social and economic characteristics which most relate to crime.

social behaviour; support organisations tackling domestic abuse; respond to increasing levels of serious and violent crime; support the local street community; and address safety on local roads. Key highlights, activities and achievements across these priorities are set out below.

Priority 1. Promoting safe & welcoming spaces that reduce the incidence of crime & ASB - through:

- Continuing to work with multi-agency partners to help create safe spaces for women and girls, by reducing the risks present in and around the night-time economy. This work includes promoting initiatives funded by the Government's *Safer Streets* programme, working in close collaboration with local police to support operations promoting engagement with licenced premises, raise awareness of drink spiking, and reduce the harms associated with drug and alcohol use. To support this the partnership awarded a funding package to Eastbourne Street Pastors, who continue to assist vulnerable people on all weekend nights of the year.
- Administering the Joint Action Group (JAG), which meets monthly to discuss local crime issues, identify local hotspots of ASB, and agree solutions. Approved funding this year has delivered new CCTV to improve the security of buildings, supported Eastbourne Neighbourhood Watch to re-establish activity after the pandemic, and purchased equipment for local youth groups.
- Funding the replacement of four CCTV cameras in Seaside Road, Terminus Road and along the seafront, to rectify recurrent fault and improve imaging. CCTV across the town viewed 7,000 emergency and priority incidents across the year, around 10% of which were actively resolved whilst being viewed live by incident room operatives at Sussex Police's control centre.
- Working with Sussex Police to support *Operation Blitz*, the local initiative targeted at tackling anti-social behaviour across the Borough. A recent refresh of the operation has added in weekday patrols targeted at identified hotspot locations and during busy periods, such as the school holidays. Over the past year the operation has helped address numerous incidents of ASB and co-ordinated the activities of police, youth outreach services Neighbourhood and Homes First Council officers, to help tackle local issues.
- Completing works to upgrade lighting in Gildredge Park, improving the safety of residents and schoolchildren who use the route daily. The project was funded by a successful bid to the *Safer Streets 3* programme.
- Supporting the Council's Neighbourhood and Environment First teams' work to keep public spaces across the Borough clean, tidy, and free from rubbish. In the year to date (April to November) the teams dealt with over 950 reports of fly-tipping, graffiti, rubbish, and abandoned vehicles. The teams employ a range of monitoring and enforcement activities, including warnings, fixed penalty notices, prosecutions, and the deployment of CCTV. In addition the partnership has funded ten litter picking kits to help support the activities of local voluntary 'clean-up' groups.

Priority 2. Tackling the incidence of hate crime, domestic & sexual abuse - through:

- Participating in strategic initiatives to address the incidence of domestic abuse. This work involves contributing to the development of joint needs assessments and implementing the two key action plans that set out to improve support services, and increase the availability of specialist accommodation in which to re-house victims. A separate stream of work, supported by the *Safer Streets* fund is delivering awareness campaigns, bystander training, and education programmes focussed on promoting healthy relationships to young people.
- Directly funding projects offering support through programmes delivering; security adaptations that allow victims able to stay in their existing home feel safer; community arts sessions focussed on improving the confidence of hate crime, domestic and sexual abuse victims; and a sports rehabilitation programme targeted at NHS referrals who have diagnosed mental health conditions, likely to increase their risk of experiencing abuse.
- Supporting the Homes First team, who have employed a dedicated specialist advisor role to establish best practice across the housing management and housing needs teams, when responding to reports and supporting victims. This work will undertake a programme of assessment against the Domestic Abuse Housing Alliance (DAHA) standard, a standard backed by the leading sector specialist organisation supporting housing providers in this field. Meanwhile, alongside other districts & boroughs, the team continue to provide short-stay respite accommodation, to cater for the urgent re-housing needs of local domestic abuse victims.
- Contributing to a fund that pays the cost of Domestic Homicide Reviews in East Sussex. These reviews undertake detailed assessments of the circumstances surrounding individual cases, and apply insights and key learning points to the processes and practices of the relevant agencies involved, to help reduce future risk. There are currently five reviews being considered by County's Safer Communities Board, which both Council Member and Officer representatives attend.

Priority 3. Reducing the incidence of serious violence - through:

- Participating in the Violence Reduction Unit, a Sussex Police and County led task force, co-ordinating a strategic approach to tackling serious violence across East Sussex. Work in Eastbourne continues to address issues in identified 'harm hotspots' across Devonshire Ward and the town centre, principally through increased levels of patrol activity, victim and perpetrator profiling. A recent analysis of local crime trends showed that this is having a beneficial effect. This work has been supplemented by a new project setting out to understand the drivers of serious and other crime in Devonshire Ward, funded by a £10,000 award from the most recent round of the *Safer Streets* fund. The project has employed a Community Development Worker to engage with the local community and is currently gathering evidence. It runs to March 2024.

- Preparing for the implementation of a new (statutory) *Serious Violence Duty*. This requires community safety partnerships to draw together local strategic needs assessments that identify patterns of serious violence and explore its causes. Once established, local action plans must be agreed and put in place before the end of January 2024. The Partnership is working with Sussex Police, the Safer East Sussex Team and, other districts and boroughs to develop a response, which we anticipate will cover the whole of East Sussex.
- Supporting activities to reduce knife crime, which include Sussex Police's *Operation Safety*, that drives a range of local awareness and enforcement initiatives to help keep residents safe from knife-related harm. These include incident led patrols, social media campaigns, community engagement, knife sweeps, test purchasing and much more. It runs side by side with the *kNOW Knives* programme delivered by ESCC's Targeted Youth Service. This programme runs prevention sessions that raise awareness of the risks of knife carrying, discuss the related topic of exploitation, and examine the myths and fears surrounding knife crime and gang culture.
- Sponsoring Eastbourne Youth Radio's annual broadcast, an established initiative that engages young people to deliver a week-long programme of 'on air' programmes, that discuss a range of topics including mental health and wellbeing, knife crime and bullying.
- Approving a recent bid from the Eastbourne Business Crime Partnership (EBCG) to deliver a new *Night-time Marshall* service in the town centre. The principle role of the marshalls will be to prevent vulnerable persons becoming victims of crime, help licenced premises control incidents, and support the management of taxi ranks. The service will be deployed every Friday and Saturday throughout the year, and is supported by Sussex Police, who are providing match funding. The plan is to run the service for a full twelve months, to allow sufficient time to evaluate the impact and, if proved worthwhile, identify sustainable funding sources. The service will complement the other investments in additional night-time economy patrols targeting the safety of women and upgraded town centre CCTV.

Priority 4. Addressing the impact of organised crime on local communities - by:

- Contributing to the *Serious & Organised Crime Partnership*, a police-led collaboration, set up to tackle serious crimes that are being systematically carried out by organised groups. The partnership has an operational focus, identifying specific crimes that present a high level of harm to local residents, then sharing information and intelligence to help disrupt these.
- Directly funding organisations that deliver programmes engaging and supporting young people, many of whom are at risk of being drawn into anti-social behaviour and more serious crime. This year these have supported YMCA run youth projects and the local fire cadet service, who run programmes designed to boost confidence, improve self-esteem, and develop new skills.

- Supporting the work of Sussex Police's *Discovery* team, who co-ordinate operations that tackle modern slavery, exploitation, and human trafficking. Partners, including the Council's Homes First, licencing, benefits and democratic services teams routinely work with *Discovery* to source information on residents and businesses, verify intelligence, and on some occasions accompany visits. Over forty council officers received an update and briefing from the *Discovery* team in January. Raising awareness in this way helps disrupt the activities of organised crime groups who set out to exploit vulnerable persons, often forced to work in local restaurants, nail bars, and brothels across the Borough.
- Raising awareness of scams, most recently by addressing the current risks posed by organised criminals seeking to fraudulently exploit funds offering residents financial help with the cost of living. To help tackle this Council websites provide clear warnings and links to support organisations such as *Get Safe Online*, whilst the Partnership has recently funded a series of advertisements on *Seahaven FM* that promote the current help on offer, but caution residents to remain alert to fraud.

Priority 5. Supporting the street community and addressing related ASB - through:

- Continuing to support the work of the Rough Sleeper Initiative, who provide comprehensive support and outreach services. Their activities identify rough sleepers and connect with local services, including referrals to an in-house team of health, social care, substance misuse & housing professionals.
- Providing a new round of funding to support the re-establishment of the weekend day shelter run by the Kingdom Way Trust, which has been up and running at new premises on Seaside Road since the summer. The service provides refreshments and a warm safe space, supporting up to 50 members of the street community every Saturday and Sunday.

Priority 6 - Lowering levels of anti-social driving on the Borough's roads - through:

- Pushing through plans to implement a new *Public Place Protection Order* (PSPO) focussed on addressing the incidence of anti-social driving in specified areas of the town. The PSPO, which covers roads leading up to Beachy Head, seafront parades and in Sovereign Harbour, is targeted at addressing specific issues such as speeding, aggressive driving, illegal manoeuvres, racing, and excess noise from vehicles. The order is enforced by Sussex Police on behalf of the Council.
- This year the partnership has supported bids, also sponsored by East Sussex Fire & Rescue Service, that set out to reduce the harm caused by road traffic collisions. The first, Biker Down, is a programme targeted at raising awareness of how first response care should be administered to victims of motorcycle collisions, whilst the second has funded the purchase of resuscitation dummies, to support first aid education sessions in local schools and colleges.

- 3.7. A summary of the annual income and expenditure for Eastbourne's Partnership budget is set out in appendix 1. The budget has been fully utilised this year and has provided funding to a range of community groups, voluntary organisations and statutory agencies, in line with all six of the 2022/23 priorities. Where possible opportunities have been taken to draw on match funding to help optimise the impact of the grant.

4. Consultation

- 4.1. An ongoing process of engagement is in place to help assess and evaluate the success of projects and other measures supported by the Partnership. Over the past year this has involved key operational representatives, including those from Sussex Police, East Sussex Fire & Rescue, and the Safer East Sussex team. They meet regularly to consider the implications of issues raised by the Eastbourne Joint Action Group, analyse crime trends, and respond to emerging risks.

5. Corporate Plan & Council Policies

- 5.1. The objectives of the E&LCSP continue to be in line with those set out in the Council's Corporate Plan, which commits to delivering resilient, healthy, and engaged communities, by employing strategies to help reduce the incidence and fear of crime, tackle anti-social behaviour and work to minimise re-offending. Measures taken to reduce environmental crime and improve road safety raise the quality of the local area for all local residents, visitors, and businesses.

6. Business case

- 6.1. The annual CSP plan sets out the approach that the Council, along with other partners, will take to reduce crime and disorder, anti-social behaviour, and re-offending across their local area. The current plan identifies six clear priorities, agreed with partners, that will help address local issues. The next plan is due to be approved by the Partnership in early Spring 2023.

7. Financial appraisal

- 7.1. There are no direct financial implications for the Council arising from the recommendations set out in this report. However, a summary of the current income and expenditure account, managed by the Council on behalf of the Partnership is provided in Appendix 1. *Head of Financial Planning consulted 23/02/2023.*

8. Legal implications.

- 8.1. This report sets out how the Council has complied, and will continue to comply with its duties under section 6 of the Crime and Disorder Act 1998 and the Crime and Disorder (Formulation and Implementation of Strategy) Regulations 2007. *Lawyer consulted: 22/02/2023 - Legal ref: 011849-EBC-OD.*

9. Risk management implications

- 9.1 The annual Community Safety Plan incorporates a review of high level risks associated with the delivery of CSP activities. These include risks relating to, maintaining adherence to the statutory duties set out in the Crime & Disorder Act 1998, partner attendance, and funding. It also looks at how current issues, such as the cost of living crisis, might impact crime trends. The risk review provides an assessment of the likelihood, impact and severity of each risk and assigns ratings accordingly, alongside accompanying mitigations.

10. Equality analysis

- 10.1. This report provides an update on progress in meeting the objectives set out in the current Community Safety Plan and as such does not contain proposals or specific recommendations. As such there are no direct impacts on the public or employees, so no Equality and Fairness Analysis is associated with this report.

11. Environmental impact analysis

- 11.1. There are no direct environmental impact implications for the Council arising from the recommendations set out in this report.

12. Appendices.

- 12.1. Appendix 1 – Eastbourne CSP - Income & Expenditure 2022/23

13. Background papers.

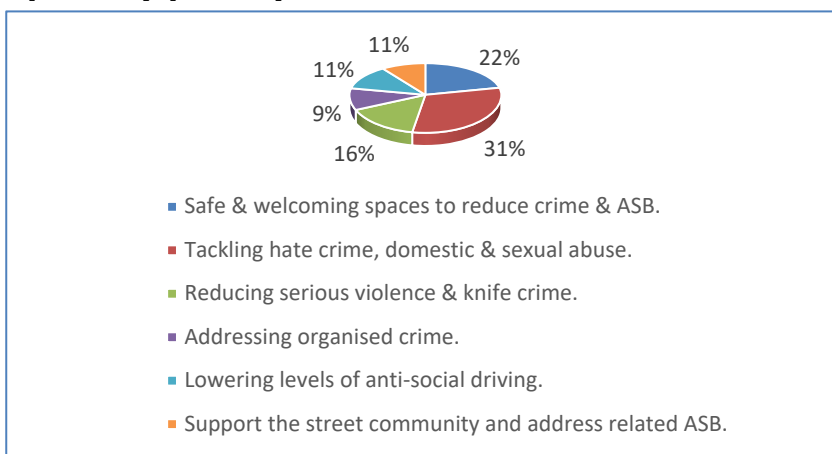
- 13.1. The following background paper is associated with this report - Eastbourne & Lewes Community Safety Plan.

Appendix 1 - Eastbourne CSP – Income & Expenditure 2022/23

Spend by project

Income	£ Amount
2022/23 Grant - Police & Crime Commissioner	£48,544.19
Other income - Accruals / refunds 2021/22	£11,311.00
ESCC contribution from Serious Violence fund	£1,000.00
Income - Total	£60,858.19
Project / funded programme	£ Paid / requisitioned
CCTV renewals EBC town centre - The Sussex PCC	£11,817.21
Night Marshalls - Sussex Police / BCRP	£7,000.00
Weekend street comm. provision - Kingdom Way Trust	£6,500.00
Support with costs - Eastbourne Street Pastors	£5,000.00
Sports Rehab for MH referrals - Defiant Sports	£4,944.00
Creative workshops DA/Hate victims - Compass Arts	£4,825.00
Anti-Social driving PSPO signage install - Costin	£3,981.45
Domestic Homicide Review fee - ESCC	£3,000.00
DA support scheme - Change Grow Live	£2,000.00
Re-start bid - Eastbourne Neighbourhood Watch	£1,799.00
Anti-Social Driving PSPO signage - Signtek	£1,756.08
Lighting upgrade Gildredge Park - Costain	£1,727.12
Willingdon Community Centre CCTV - SCDA	£1,000.00
Fraud / cost of living ads - Seahaven FM	£978.75
Community Litter Picking kits - Environment Fist	£930.00
Fire Cadet equipment - ESFRS	£902.50
Biker Down - ESFRS	£879.00
Eastbourne Youth Radio - Educ. Business Partnership	£490.00
Resuscitation manakins - ESFRS	£407.03
Alley gate repair - Milhams	£60.00
Domain hosting - Eastbourne Neighbourhood Watch	£18.00
Expenditure - Total	£60,015.14
Balance (Credit)	(£840.05)

Spend by priority



Agenda Item 9

Report to:	Cabinet
Date:	14 March 2023
Title:	Eastbourne Local Plan
Report of:	Ian Fitzpatrick, Deputy Chief Executive and Director of Regeneration & Planning
Cabinet member:	Councillor Colin Swansborough, Cabinet Member for Climate Change, Heritage Assets, Place Services and Special Projects
Ward(s):	All
Purpose of report:	To provide a summary of the plan-making process, identify the main issues arising from the recent public consultation, and outline the next steps in the preparation of the Eastbourne Local Plan.
Decision type:	Key
Officer recommendation(s):	(1) That Cabinet notes the summary of the plan-making process that is outlined in the report (2) The Cabinet notes the risks in delaying the preparation of a ‘sound’ local plan (3) That Cabinet notes the initial summary of the main issues arising from the Growth Strategy consultation (4) That Cabinet note the Full Council agreement that the Fisherman’s Green site should be withdrawn from the Growth Strategy as the site is no longer available (5) That Cabinet agree that any further public consultation into the Eastbourne Local Plan is paused until all evidence on potential allocation sites is sought, available and assessed. (6) That Cabinet agree to receive the Regulation 19 ‘Proposed Submission’ draft local plan late 2023, early 2024.
Reasons for recommendations:	To receive and complete the required evidence base and to enable work to continue in the background on the

preparation of the Eastbourne Local Plan.

Contact Officer(s): **Name:** Leigh Palmer
 Post title: Head of Planning
 E-mail: leigh.palmer@lewes-eastbourne.gov.uk
 Telephone number: 01323 415215

1 Introduction

1.1 The National Planning Policy Framework 2021 (NPPF) requires local planning authorities to prepare succinct and up-to-date plans that provide a positive vision for the future of their area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings (para 15).

1.2 Eastbourne Borough Council has commenced the preparation of a new Local Plan to replace the existing local plan, which is now considered 'out of date' in accordance with national planning policy. A timetable for the preparation of the new Local Plan was provided in the Eastbourne Local Development Scheme 2022-2025, which was adopted by Full Council in November 2022.

1.3 Following the conclusion of a public consultation on the Growth Strategy undertaken in the preparation of the local plan, this report seeks to outline the process involved in preparing the local plan, including the setting of a housing requirement figure, provides an update on the main issues that were raised in the Growth Strategy consultation, outlines the next steps in preparing the Eastbourne Local Plan, and identifies the potential implications for not following the plan-making process.

1.4 The plan-making process is on-going with significant work still to do.

Currently, there is no robust evidence to justify a decision in planning terms to exclude any sites identified in the Growth Strategy from further consideration, with the exception of Fisherman's Green where there is evidence that it is no longer available.

For clarity all remaining sites which include Pevensey Levels, Priory Road, Sovereign Harbour, and the Brighton University recreation sites will continue to be reviewed and assessed when further evidence is received.

2 Background

2.1 The Planning and Compulsory Purchase Act 2004 (as amended) requires that local planning authorities set out the authority's policies relating to the development and land use in their area through a local plan. It also requires that

in preparing the local plan, local planning authorities must have regard to national policies and must have them independently examined in order to assess whether the local plan is sound.

- 2.2 The Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended) builds on the statutory framework in the 2004 Act by setting out the procedure to be followed by local planning authorities in relation to the preparation of local plans, including stages of consultation, who to consult with and what documents should be made available at each stage.
- 2.3 The NPPF sets out the Government's planning policies and how these should be applied, including what should be taken into account and addressed in the preparation of the local plan, and the tests of soundness that the local plan needs to meet through the examination process. A series of Planning Practice Guidance (PPG) is also provided by the Government to add further context to the NPPF on a range of different topics.
- 2.4 Producing a local plan is one of the most important undertakings for a local authority. Local plans set out the long-term vision and strategy that shapes future development over a 20-year period. They include policies to guide decisions on the location, amount and type of development that the area needs, whilst also protecting the natural and historic environment and addressing the challenge of climate change.
- 2.5 The local plan is critical to the day-to-day decisions on planning application that the Council takes as the local planning authority. It also enables future needs for infrastructure to be planned appropriately and ensures that the cumulative impacts of development over the plan period are properly assessed.

3 Current Position

- 3.1 The Eastbourne Core Strategy is the current local plan that contains the current strategic policies for the Eastbourne local planning authority area (i.e. the Borough excluding the South Downs National Park). It was adopted in February 2013 following Public Examination by a Planning Inspector in May 2012. The Core Strategy sets out the Council's spatial vision for Eastbourne up to 2027, and the primary land use objectives and strategic policies that will deliver it.
- 3.2 The NPPF (para 33) requires that local planning authorities undertake a review of their local plans at least once every five years from adoption, to ensure that policies remain relevant and effectively address the needs of the local community.
- 3.3 A review of the Core Strategy in 2018 at its five-year anniversary determined that the Core Strategy cannot be considered to be up to date due to the under-delivery of housing against the housing requirement set out in the plan, an

increase in the housing need calculated through the Local Housing Need standard method, and the lack of a five-year housing land supply.

3.4 Local plans that are out of date make managing development difficult and can result in unplanned development being permitted where it is not possible to demonstrate a 5-year housing land supply. This is due to the NPPF's 'presumption in favour of sustainable development' (para 11), which applies to the determination of planning applications in cases where policies most important for determining the application are out-of-date. This usually means granting permission unless:

- i. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

3.5 A Local Development Scheme (LDS) was prepared to set out a timetable for the preparation of a new local plan that will provide up-to-date strategic policies that set out a vision and a framework for the future development of the area and address needs and opportunities in relation to housing, the economy, community facilities and infrastructure, as well as a basis for conserving and enhancing the natural and historic environment, mitigating and adapting to climate change, and achieving well designed places.

3.6 The NPPF (para 31) confirms that Local Plans must be underpinned by relevant and up-to-date evidence, which should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals. Sustainability Appraisal and Habitats Regulations Assessment also form an integral part of the plan making process. These help to ensure negative environmental impacts are avoided, and policies and proposals deliver development in a sustainable manner.

3.7 Evidence gathering to support the preparation has been on-going. To date, the evidence base includes:

- Eastbourne Land Availability Assessment (October 2022)
- Eastbourne Windfall Assessment (October 2022)
- Assessment of Residential Densities in Eastbourne (October 2021)
- Eastbourne and Wealden Economy and Employment Study (April 2022)
- Eastbourne and South Wealden Strategic Flood Risk Assessment (Level 1) (September 2022)
- East Sussex Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment (May 2022)

- Eastbourne Local Plan Shared Transport Evidence Base (STEB): Interim Assessment and Mitigation Strategy

3.8 As the first stage of public consultation on the new local plan, Eastbourne's Direction of Travel: Issues & Options for the new Local Plan was published in November 2019, which invited comment on the main issues that the Local Plan should address and on potential options for addressing those issues.

3.9 In November 2022, a 'Growth Strategy' was published for public consultation. This was informed by representations made to the Issues & Options consultation, as well as technical evidence studies and initial discussions with stakeholders including infrastructure providers.

4 Housing Requirement Figure

4.1 One of the main roles of the local plan is to identify the number of homes that should be delivered within the area. This housing requirement figure is determined by the local planning authority, working with local communities, through the plan-making process. It should be established in the context of the requirements of national planning policy and based on evidence, which means that a housing target cannot be set unilaterally by the local planning authority outside of the plan-making process.

4.2 The NPPF (para 11) requires that local plans should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:

- i. the application of policies in the NPPF that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

4.3 Objectively assessed need for housing is the number of additional homes that would be needed based on predicted demographics changes, migration and household formation rates, without taking into account any constraints or land availability issues that may impact the number of homes that can actually be delivered. The assessment of housing need is the first step in the process of deciding how many homes need to be planned for.

4.4 The NPPF (para 61) confirms that to determine the minimum number of homes needed, a local housing need assessment should be conducted using the standard method set out in national planning guidance. The standard method uses a formula to identify the minimum number of homes expected to be planned for based on household growth projections and affordability data. For

Eastbourne, this results in a local housing need of 738 homes per year. PPG¹ confirms that the standard method identifies a minimum annual housing need figure, and does not produce a housing requirement figure.

- 4.5 It is for the plan-making process to test whether there are reasons why it may be appropriate to plan for a different level of housing provision, for example where there are significant strategic constraints to development that would justify a lower level of provision. The PPG² confirms that constraints that may impact the level of development should be considered through the assessment of the suitability, availability and achievability of sites. This assessment is undertaken through the Land Availability Assessment and the Sustainability Appraisal process, which provides the key evidence that justifies the number of homes that can realistically be delivered.
- 4.6 A proposed housing requirement will eventually be identified in the 'Proposed Submission' draft local plan, following the course of the plan-making process and based on the evidence gathered. This will then be subject to an Examination in Public and scrutiny from a Planning Inspector before it is finally confirmed on the adoption of the local plan.

5 Growth Strategy

- 5.1 In November 2022, Cabinet made the decision to publish the Eastbourne Local Plan Growth Strategy for public consultation between 11th November 2022 and 20th January 2023. This consultation was undertaken under Regulation 18 of the Town & Country Planning (Local Planning) (England) Regulation 2012 (as amended) and consultation was conducted in accordance with the Council's adopted Statement of Community Involvement (2019).
- 5.2 The purpose of this consultation was to enable the local community to be part of the discussion regarding the level of housing and employment growth that could be accommodated in Eastbourne and where it might be located.
- 5.3 The Growth Strategy clearly identified that it was not a consultation on a draft local plan. It was consulting on the key components that would inform a draft local plan, including the potential scale and location of housing and employment growth, to allow the local community to provide their views so that these can be considered at the next stage in the preparation of the Local Plan.
- 5.4 As the NPPF identifies that housing need should be 'a minimum' for the number of homes provided, all sites with potential for development were identified and

¹ [Housing and economic development needs, Paragraph: 002 Reference ID: 2a-002-20190220](#)

² [Housing and economic land availability assessment, Paragraph: 002 Reference ID: 3-002-20190722](#)

subject to an initial assessment against the policies in the NPPF that protect areas or assets of particular importance (NPPF, para 11b). Sites that were not affected by these constraints were used to inform the potential level and locations for growth identified in the Growth Strategy.

- 5.5 This initial assessment of land availability and how sites are affected by constraints indicated that there are strong reasons as identified in NPPF (para 11b) why the local housing need of 738 homes per year cannot be met. Based on this initial assessment, the Growth Strategy indicated a potential capacity to accommodate 6,401 homes over the plan period (2019-2039), which is equivalent to 320 homes per year – less than half of the housing need – with 80% of these homes being on previously developed ‘brownfield’ sites. It is important to note that this number is not the proposed housing target, but an indication of what a target could be, in order to enable the local community to be part of the discussion regarding how many homes should be delivered in the town.
- 5.6 The Growth Strategy also identified a potential capacity to accommodate 53,000 sqm of new employment floorspace, against an objectively assessed need for employment space of 76,000 sqm.
- 5.7 The number of ‘key development sites’ were identified as locations where the most significant development could take place, and comments were invited to clarify whether there are further issues and constraints that need to be considered in determining if these sites should be considered ‘developable’ and allocated in the draft local plan. This will lead to further evidence gathering to enable more detailed assessment of these sites.

6 Consultation

- 6.1 The public consultation on the Growth Strategy received 644 direct responses and three petitions – two petitions, signed by 1,598 people at the close of the consultation period (5,811 people as at 24th February 2023) and 18 people respectively, relating to the development of the Fisherman’s Green site, and one further petition, signed by 93 people, relating to development in Summerdown.
- 6.2 Of the 644 responses, 432 responses (67%) commented on Fisherman’s Green. These responses identified a number of potential issues associated with any potential development at Fisherman’s Green, including (but not limited to): the loss of tennis courts, the loss of car parking, the loss of community facilities, the loss of businesses, issues associated with current and future flood risk, and the impact of development on the character of the seafront.
- 6.3 Of the other key development sites identified in the Growth Strategy, 51 responses commented on the University of Brighton site at Hillbrow on Denton Road, 47 responses commented on Land at Southbourne, 46 responses

commented on Land off Pevensey Bay Road, 43 responses commented on Land at Tutts Barn Lane and 42 responses commented on Land at East Langney Levels.

- 6.4 In relation to the level of growth proposed, there were a significant number of comments relating to the impact of new development on infrastructure, a number of concerns raised about the impact of development on 'greenfield' sites particularly in relation to flooding and ecology, and there was some concern about the impact of taller buildings on the character of the town. However, there was general acknowledgement of the need to provide new homes and support given to the number of 'brownfield' sites identified.
- 6.5 Detailed analysis of the consultation responses is on-going, and a summary of the main issues raised and how these have been addressed will be published alongside the 'Proposed Submission' draft local plan.

7 Next Steps

- 7.1 Following the conclusion of the Growth Strategy consultation, all representations will be considered in the preparation of the draft local plan, with further evidence gathering work being undertaken in response to some of the comments. This will include identifying where changes may be justified to the levels and locations of growth and detailed site assessment work to identify allocations for the draft local plan.
- 7.2 In December 2022, the Government published a consultation on 'Levelling-up and Regeneration Bill: reforms to national planning policy', which seeks views on the proposed approach to updating the current NPPF. This, alongside the statement made by the Secretary of State for Levelling Up, Housing and Communities in the House of Common on Monday 20th February 2023, has resulted in some uncertainty around future national planning policy in relation to plan-making. These changes will need to be considered and their impact on the local plan assessed once they have been implemented, anticipated for spring 2023.
- 7.3 Once the draft local plan (known as the Proposed Submission) has been prepared, it will be considered by both Cabinet and Full Council before being published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and being subject to a further round of public consultation.
- 7.4 Following this, the local plan will be submitted to the Secretary of State for independent examination by a Government appointed Planning Inspector. Through the examination process, the Council will need to demonstrate that the local plan has been prepared in accordance with legal and procedural requirements and that it is 'sound' according to the tests set out in the NPPF.

Only when the Inspector has found the plan to be sound can be formally adopted by the Council.

- 7.5 Therefore, through the next stages of the preparation of the local plan, it will be important that forethought is given to the examination process and the likely requirements of the Planning Inspector so as to prepare the local plan with the legislative requirements and tests of soundness in mind.
- 7.6 An important part of the local plan preparation that will be tested at the examination is that it is based on robust evidence. The evidence gathering process continues throughout the plan making process, and further evidence will be required to support the preparation of the draft local plan, including the identification and assessment of sites.
- 7.7 It is noted that Full Council motion on Wednesday 22nd February has confirmed that the Council owned Fisherman's Green site is not considered to be available for development. This means that the site does not meet the definition of 'developable' in the NPPF and as such won't be considered further for allocation for housing development in the Proposed Submission draft local plan.
- 7.8 The consultation has highlighted issues with other sites that were identified in the Growth Strategy consultation. Further evidence is required on a range of issues, including (but not limited to) flood risk, biodiversity and landscape impacts, so that sites can be reassessed in light of these issues to determine whether they should still be considered 'developable'.
- 7.9 The plan-making process is on-going with significant work to gather sufficient evidence for the removal of other sensitive sites.
- 7.10 Cabinet and Full Council will have the opportunity to decide on the inclusion of these sites in the 'Proposed Submission' local plan at Regulation 19 stage once all of the evidence and information has been gathered and presented. The current LDS anticipates that this will be by the end of 2023.

8 Implications and Risks

- 8.1 The implications of making decisions on the local plan outside of the plan-making process, such as unilaterally setting a housing requirement figure or excluding sites from consideration without evidence, is that there is a significant risk that the local plan could fail at examination due to not following legal and procedural requirements and failing the 'positively prepared' and 'consistent with national policy' tests of soundness (NPPF, para 35).
- 8.2 If at examination the Inspector considers that local plan is likely to be found unsound, they could require changes to be made to the plan or direct the Council to withdraw the plan from examination, which would mean restarting the

process and result in significant delays to the adoption of a new local plan. This could mean that the evidence gathered to support the local plan may become out of date and need to be reviewed and updated at significant cost.

- 8.3 Delays in adopting a new local plan would prolong the period that the local plan is out of date and is therefore unable to demonstrate a five-year housing land supply. This means that policies in the existing Local Plan will be given less weight in the determination of planning applications and at appeals, with decisions on development proposals having to be made in the context of the 'presumption in favour of sustainable development' in the NPPF (para 11). As a consequence, the Borough would be more vulnerable to speculative planning applications, including for development on any 'excluded' sites, which would be determined under the NPPF's presumption in the absence of an up-to-date plan.
- 8.4 Further delays in adopting a new local plan will also mean that the Council would not have an overall strategy for how it wants to manage growth and change. This would prolong uncertainty over the amount and location of future development, which could have negative impacts on communities and compromise the realistic planning of new and improved infrastructure to accommodate the growth that would be permitted in the absence of an up-to-date local plan.
- 8.5 It would also delay the adoption of up-to-date policies that can be used to address issues such as energy efficiency in new development, affordable housing provision, concentration of Houses in Multiple Occupation, and the extent of the Tourist Accommodation Area.
- 8.6 The local plan will also have a role to play in helping the Council meet its climate neutral ambitions, and the new local plan would be expected to have specific policies to address this. A delay in the Local Plan may therefore compromise the Council's objective of being a carbon neutral town by 2030.
- 8.7 The Government do have powers available to them through section 27 of the Planning and Compulsory Purchase Act 2004 (as amended) to intervene in the Council local plan-making process if the Secretary of State thinks that the local planning authority are failing or omitting to do anything it is necessary for them to do in connection with the preparation, revision or adoption of a development plan document. However, these powers are very rarely used so this is not seen as a significant risk at the current time.
- 8.8 The current understanding is that there are no other formal penalties or sanctions that could be imposed by the Government at the current time for not having an up-to-date local plan. However, the application of the NPPF's presumption in favour of sustainable development and a limited ability to defend refusal of planning permission at appeal as a result of not having an up-to-date

local plan is seen as a considerable risk.

9 Corporate plan and council policies

9.1 The Eastbourne Borough Council Corporate Plan 2022-2026 identifies a key priority to regenerate and deliver housing through agreeing a new Local Plan that sets delivery targets that meet local housing needs; and identifying sustainable locations for development.

9.2 The Local Plan will also assist in delivering a number of priorities set out in the Council's Corporate Plan, including:

- delivering new homes;
- transitioning to the delivery of new carbon neutral & environmentally friendly homes
- helping to maintain the heritage environment;
- encouraging cycling and using public transport more through improved infrastructure,
- enhancing the biodiversity of public and open spaces; and
- efficient processing of planning applications.

10 Financial appraisal

10.1 There are no direct financial implications relating to this report.

11 Legal implications

11.1 The development plan is at the heart of the planning system with a requirement set in law that planning decisions must be taken in line with the development plan unless material considerations indicate otherwise. Section 19 Planning and Compulsory Purchase Act 2004 sets out specific matters to which the local planning authority must have regard when preparing a local plan and the Town and Country Planning (Local Planning) (England) Regulations 2012 prescribe the general form, content and the process to follow when seeking to adopt a local plan. Most importantly, during the independent examination of a draft local plan, the planning inspector must assess whether the local plan has been prepared in line with the relevant legal requirements (including the duty to cooperate) and whether it meets the tests of 'soundness' contained in the National Planning Policy Framework.

Legal Implications Provided 27.02.23 JCS IKEN Ref 011860

12 Risk management implications

12.1 The risk management implications are identified in Section 8

13 Equality analysis

- 13.1 It is not considered that an Equalities and Fairness Analysis is required for this report. The new Local Plan itself will need to undergo an equalities and fairness analysis, and this will be undertaken during the preparation of the plan.

14 Environmental sustainability implications

- 14.1 The environmental sustainability implications are identified in Section 8

15 Background papers

The background papers used in compiling this report were as follows:

- Planning and Compulsory Purchase Act 2004 - <https://www.legislation.gov.uk/ukpga/2004/5>
- Town & Country Planning (Local Planning) (England) Regulations 2012 (as amended) - <http://www.legislation.gov.uk/uksi/2012/767/made>
- National Planning Policy Framework (2021) - <https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- Planning Practice Guidance - <https://www.gov.uk/government/collections/planning-practice-guidance>
- Eastbourne Core Strategy Local Plan 2006-2027 – <https://www.lewes-eastbourne.gov.uk/planning-policy/eastbourne-core-strategy/>
- Eastbourne Local Development Scheme - <https://www.lewes-eastbourne.gov.uk/planning-policy/local-development-scheme/>
- Eastbourne's Direction of Travel - Issues and Options for the Eastbourne Local Plan (2019) - <https://www.lewes-eastbourne.gov.uk/planning-policy/new-eastbourne-local-plan-2018-2038/>
- Eastbourne Local Plan Growth Strategy Consultation - https://planningpolicyconsult.lewes-eastbourne.gov.uk/ELP_GS/consultationHome
- Levelling-up and Regeneration Bill: reforms to national planning policy - <https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy>