

Cabinet

1 November 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 Stephen Holt (Chair); Councillors Margaret Bannister (Deputy-Chair)
Peter Diplock, Robin Maxted, Jim Murray and Colin Swansborough**

Quorum: 3

Published: Tuesday, 24 October 2023

Agenda

1 Minutes of the meeting held on 20 September 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 Appointments

The Leader of the Council to report on any changes in responsibility for Cabinet members.

8 Stability and Growth Programme (Pages 11 - 24)

Report of Chief Executive

Lead Cabinet member: Councillor Stephen Holt

9 Updated and Aligned Scheme of Delegation to Officers (Pages 25 - 88)

Report of Monitoring Officer
Lead Cabinet member: Councillor Stephen Holt

10 Housing Benefit War Pension and Armed Forces Compensation Policy (Pages 89 - 92)

Report of Director of Service Delivery
Lead Cabinet member: Councillor Robin Maxted

11 Future options for delivery of council housing services in Eastbourne (Pages 93 - 104)

Report of Chief Executive
Lead Cabinet member: Councillor Peter Diplock

Information for the public

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Information for Councillors

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Working in partnership with **Eastbourne Homes**

Cabinet

Minutes of meeting held in Court Room at Eastbourne Town Hall, Grove Road, BN21 4UG on 20 September 2023 at 6.00 pm.

Present:

Councillor Stephen Holt (Chair).

Councillors Margaret Bannister (Deputy-Chair), Peter Diplock, Robin Maxted, Jim Murray and Colin Swansborough.

Officers in attendance:

Robert Cottrill (Chief Executive), Homira Javadi (Director of Finance and Performance (Section 151 Officer)), Ian Fitzpatrick (Deputy Chief Executive and Director of Regeneration and Planning), Becky Cooke (Director of Tourism, Culture and Organisational Development), Simon Russell (Head of Democratic Services and Monitoring Officer), Kate Slattery (Head of Legal Services), Luke Dreeling (Performance Lead), Nathan Haffenden (Head of Development, Investment and Delivery), Steven Houchin (Interim Deputy Chief Finance Officer (Corporate Finance)), Lynn Ingram (Interim Head of Financial Planning) and Sarah Lawrence (Committee Team Manager).

Also in attendance:

Councillor Penny di Cara (Opposition Deputy Leader), Councillor Nigel Goodyear (Shadow Cabinet member), Councillor Kshama Shore OBE (Shadow Cabinet member and Chair of Scrutiny Committee), Councillor David Small (Shadow Cabinet member) and Councillor Robert Smart (Opposition Leader).

15 Minutes of the meeting held on 19 July 2023

The minutes of the meeting held on 19 July 2023 were submitted and approved and the Chair was authorised to sign them as a correct record.

16 Apologies for absence

None were reported.

17 Declaration of members' interests

None were declared.

18 Assurance Review follow up - CIPFA (Chartered Institute of Finance and Accountancy) Rapid Finance Review

The Cabinet considered the report of the Director of Finance and Performance, updating them on the results of the recent review undertaken by Chartered Institute of Public Finance and Accountancy (CIPFA) and associated

recommendations.

Visiting member, Councillor Smart, addressed the Cabinet on the item. He queried the validity of the report, due to the reporting of the Council's short-term debt management position. Councillor Holt responded and strongly refuted the claims and reported that all information requested as part of the independent review had been provided.

Reference was made to the letter received from the Parliamentary Under Secretary of State for Local Government and Building Safety, Lee Rowley MP, which thanked officers for their assistance and the Council for their willingness to engage openly with the review team. The letter praised the positive progress that the Council had made to become more financially sustainable since its previous assurance review in 2021. The report acknowledged that the review had found no major areas of concern and much to commend. The Council's debt restructuring plan, instead of long-term borrowing was based on the most efficient financing option and this had been positively reflected on by CIPFA and other independent bodies.

Councillor Holt referenced the ongoing challenges affecting local authorities, driven by the cost-of-living challenges, high inflation and continued increase in costs associated with homelessness. Councillor Holt advised that he was inviting council leaders, Local Government Association and DLUC to an emergency summit, to look cross-party at how to positively resolve the national issue.

Resolved (Non-key decision):

To note the report, and to note that actions to respond to the recommendations would be addressed within the Stability and Growth programme.

Reason for decision:

The assurance review, and the subsequent follow up review referred to in this report, have been necessary as a requirement of the Council accessing Government Exceptional Financial Support.

19 Corporate performance - quarter 1 - 2023/24

The Cabinet considered the report of the Director of Finance and Performance, considering the Council's progress and performance in respect of service areas for the first quarter of the year (April-June 2023), as shown at Appendix 1 to the report.

Commentary on those key performance indicators performing below target expectations were detailed in the report. Reference was made to the solution sprint outcomes this quarter, as detailed at section 3 of the report, which included the delivery of a 'tackling the crisis' housing/homelessness workshop between housing colleagues from Lewes, Eastbourne and Hastings.

Resolved (Non-key decision):

To note progress and performance for quarter 1 2023/24.

Reason for decision:

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

20 Revenue and Capital Financial Monitoring Report Quarter 1 2023-24

The Cabinet considered the report of the Director of Finance and Performance, providing an assessment of the Council's financial performance against its approved 2023-24 budget, incorporating key financial risks, issues and opportunities identified since 1 April 2023 for the General Fund and the Housing Revenue Account (HRA).

The report detailed a forecast outturn position for 2023-24 of £2.348k, as detailed at Table 1 to the report. It was reiterated that this was an initial assessment and further monitoring would be undertaken over the coming months. The main underlying pressures included the underlying levels of inflation and increased interest costs affecting contracts, operations and running costs, increase in homelessness and the use of expensive nightly purchased temporary accommodation, increased number of planning appeals and budget pressures associated with establishment restructures. Work was already underway on mitigating options for the potential overspend.

Resolved (Non-key decision):

(1) To note the forecast outturn position for 2023-24 and associated risks.

(2) To delegate authority to the Director of Finance and Performance and the portfolio holder for finance to apply the required budget virements to support effective management of the overall budget.

(3) To note Appendix 1 and 2 to the report.

Reason for decision:

To update members on the financial position of the Council and ensure that the Authority complies with its financial regulations.

21 Housing delivery and asset update

The Cabinet considered the report of the Deputy Chief Executive and Director of Regeneration and Planning, providing an update on the housing development and delivery programme. This included proposals to identify new opportunities to further the delivery of council housing, requirements to revise existing budget allocations to support delivery and recommendations to dispose of garage sites to generate new income.

Eastbourne was one of just a third of English councils that had built new social housing in each year of the last five financial years, according to government figures. Thanks were also expressed to government for their release of additional grant funding opportunities that the Council had been able to secure and welcomed further opportunities. Further details were contained within the report.

Recommended to Full Council (Budget and policy framework)

(1) To approve an increase of £2.41m to the existing new build and acquisitions budget within the 2023/24 HRA Capital Programme, totalling a new budget of £10.81m, to facilitate and be funded by new government grants, subject to Full Council approval.

Resolved (Key decision):

(2) To note the progress of the housing development and delivery programme as set out at Appendix 1 to the report.

(3) To support the progression of the initial phase of sites identified within the Housing Revenue Account (HRA) from the internal Asset Review to be taken through the feasibility and due diligence processes, utilising existing budgets and delegations.

(4) To approve a variation of £150k for the Fort Lane development in accordance with the Financial Procedure Rules, totalling a new scheme budget of £3.15m, financed within the capacity of the existing approved 2023/24 HRA Capital Programme.

(5) To approve the disposal of Council-owned garage sites as set out within Appendix 2 (Exempt) to the report, subject to a full business case, and with the capital receipts ring-fenced to support the HRA Business Plan and future capital schemes for housing.

(6) To authorise the Director of Regeneration and Planning, in consultation with the Director of Finance and Performance (S151 Officer) and Lead Member for Housing and Planning, to take all necessary actions to progress all recommendations including business cases, budget allocations, negotiation and agreement of terms, award of contract(s), and authorising the formal execution of all related documentation.

Reason for decisions:

(1) To provide Cabinet with an update on the growing housing development and delivery programme.

(2) To progress the development of new Council homes across the borough, maximising brownfield sites to enable new affordable housing opportunities.

(3) To ratify HRA Capital Programme budgets to support the delivery and purchase of new homes.

(4) To rationalise the HRA, making best use of assets and resources, and generating income to support future housing schemes.

Notes: (1) Appendix 2 remained exempt. (2) Exempt information reason 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

The meeting ended at 6.31 pm

Councillor Stephen Holt (Chair)

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Report to:	Cabinet
Date:	1 November 2023
Title:	Stability and Growth Programme
Report of:	Robert Cottrill, Chief Executive
Cabinet member:	Councillor Stephen Holt, Leader of the Council and Chair of Cabinet (Community Strategy, Local Strategic Partnership, the Corporate Plan, Performance and Staff)
Ward(s):	All
Purpose of report:	To update cabinet on the Stability and Growth Programme
Decision type:	Non key
Officer recommendation(s):	Cabinet is recommended to note the report and agree in principle support to the proposed areas for savings set out at para 2.18, subject to further Cabinet decisions or delegated authority as appropriate.
Reasons for recommendations:	The Stability and Growth programme will work to drive improvement and efficiency, in line with the needs of the organisation, and also the recommendations made by the Assurance Reviews and the Local Government Association (LGA) Peer Challenge.
Contact Officer(s):	Name: Jo Harper Post title: Head of business Planning and Performance E-mail: jo.harper@lewes-eastbourne.gov.uk Telephone number: 07925 893201

1 Introduction

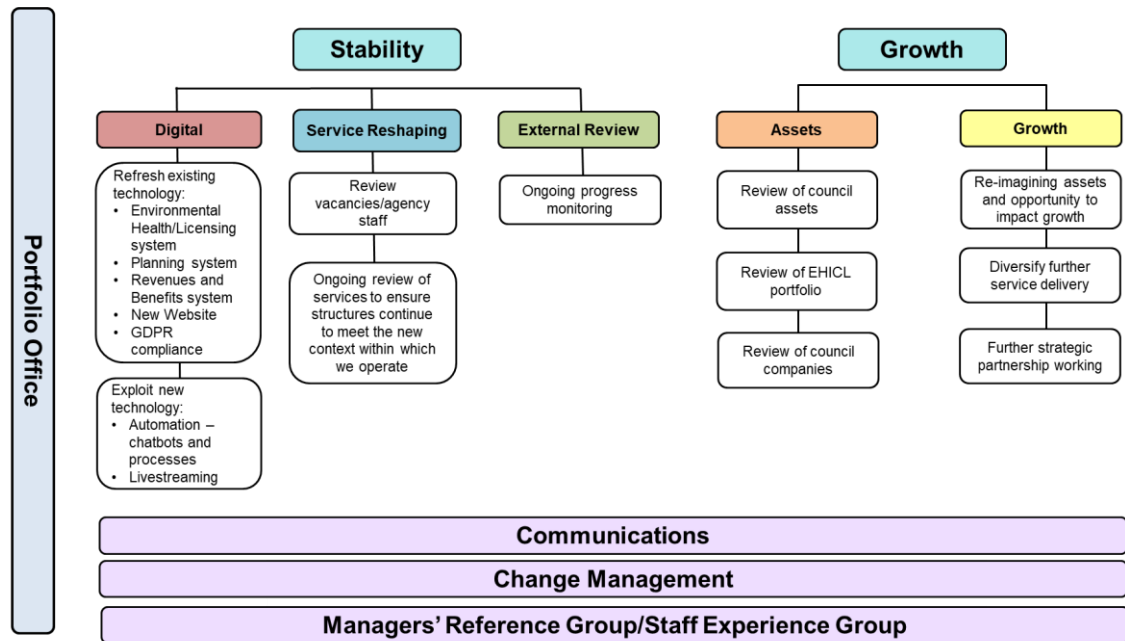
- 1.1 The covid pandemic, subsequent economic downturn and the ongoing cost of living crisis all put significant strain on the finances of the council. Building on its success in mitigating and managing the financial impacts of the pandemic, in response to the ongoing and deepening cost of living challenges, the council has extended its Stabilisation programme to monitor and address those challenges and to ensure the council remains on a stable financial footing. At its last meeting in July 2023, Cabinet agreed the continuation and further development of its previous transformation programme, with a new title of Stability and Growth.
- 1.2 This Stability and Growth Programme has been developed with a great deal of urgency over the last couple of months, with the aim of delivering significant savings both in the current financial year (2023/24) and for the 2024/25 financial

year, and beyond. Alongside this, the programme is working to ensure the council continues to respond to, and act on, external inspections and reviews. All this is being achieved while continuing with an ambitious programme of technological development to aid efficiency.

2 Stability and Growth

2.1 As was agreed at the July Cabinet meeting, the Stability and Growth Programme is made up of 5 pillars;

2.2



2.3 Stability

Under the 'stability' part of the programme, the council has continued to make good progress with its *digital transformation* work.

- Following the success of the next generation chatbot being launched on the website and on limited council phonelines in 2022, the next phase of the project is commencing to add the chatbot onto more council phone lines. This will provide customers with increased choice in when and how they interact with the council and access services.
- Projects to replace legacy IT systems for key service areas (eg. revenues and benefits, environmental health and licensing) are progressing well and, once implemented, will improve the customer experience through increased self-service, and will deliver efficiencies for the colleagues providing these services.
- The work to explore a preferred provider and solution to replace the current planning system will reach a decision point over the coming weeks. Once a decision has been made, the project will move into its implementation phase and the full benefits appraisal will be completed.
- The project to replace the council's website is underway and engagement opportunities for customers, members and staff will be shared shortly. The

new website will improve the digital offer for those who wish to engage with the council electronically.

- 2.4 *Service reshaping* also forms an important part of the stability work, where changes in service structures will help to achieve budget efficiencies. The table below at para 2.16 sets out the expected savings to be achieved through this part of the programme.
- 2.5 The final part of the stability work has focused on the two *external reviews* recently provided to the council. The first of these, the LGA Peer Challenge, made suggestions for 13 areas of improvement. Good progress has been made to address these, as can be seen at appendix 1 of this report.
- 2.6 The second set of recommendations arose from a more recent, government commissioned Assurance Review, entitled a Rapid Finance Review. This was undertaken by the Chartered Institute of Finance and Accountancy (CIPFA) and followed a previous, more substantive review in 2020. The 2020 review arose as a result of the council receiving Exceptional Financial Support (EFS) following the pandemic. This follow up review was much lighter-touch in nature, given the council's success in addressing the issues of the earlier review. Only four recommendations were made and a report setting these out was received by Cabinet in September this year. A summary of those recommendations, and progress to address them, is set out at appendix 2.
- 2.7 Growth
- The 'growth' elements of the programme have also been progressing well. The council's *assets* have been under regular review by the council's Strategic Property Board. The purpose of these reviews has been to ensure that the council only retains assets where there is a clear strategic or financial purpose for doing so, and that expenditure in relation to asset management is proportionate and adds value. As is referenced in appendix 2, an updated Asset Strategy will be presented to Cabinet in December providing more information on this matter.
- 2.8 Amongst those assets that are currently being assessed is the council-owned golf course. Alternative operating models are currently under active consideration, with an aspiration to move away from the asset operating on a deficit, as is currently the case. Further work needs to be undertaken, however, to determine the most desirable way forward.
- 2.9 The second element of the growth workstream is around the future of the Eastbourne Housing Investment Company (EHICL). This council owned company has been very successful in developing a portfolio of properties in the town let for both commercial and residential purposes. In line with both the assurance review and the LGA Peer Challenge recommendations, the best options for the future of this company are currently under review.
- 2.10 Also under review are the future possible options for Eastbourne Homes Limited (EHL). Found elsewhere on this agenda is a fuller report on this matter.

2.11 A key element of the *growth* pillar is the work being done to move to a more sustainable form of ownership for different aspects of the council's tourism and leisure operations. This pillar has three main elements;

- a) The transfer of the Devonshire Park Theatres to a Local Authority Controlled Company (agreed by Cabinet in February 2023)
- b) The transfer of the Sovereign Leisure Centre and associated leisure services to Wave Active (agreed by Cabinet in July 2023), and
- c) The transfer of conference and hospitality services at Devonshire Park to a commercial operator (agreed by Cabinet in July 2023).

All three of these changes will result in removal of public subsidy, enabling the services to operate without cost to council tax payers and making a significant contribution to achieving the council's efficiency targets for 2024/25.

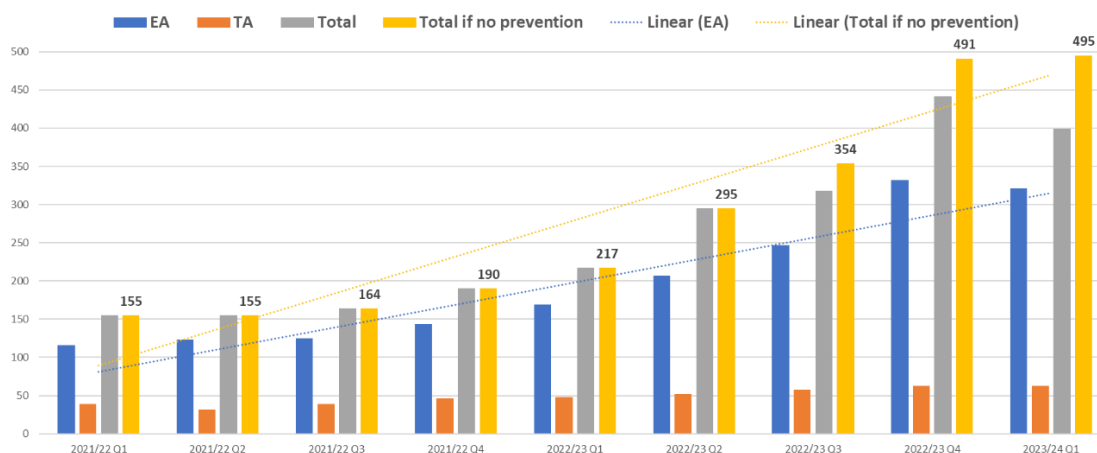
2.12 Following Eastbourne's success in securing Levelling Up funding from government, three programmes are being delivered which all contribute strongly to the growth aspirations of this part of the programme;

- Victoria Place – plans are in place to make Victoria Place a pedestrianised area between the seafront and Seaside. This will provide an improved public realm and an enhanced streetscape which will support a range of local businesses along this section of Terminus Road. The scheme is expected to be completed in Spring 2025.
- Towner Centenary – an ambitious programme of activities is being delivered throughout 2023, increasing the value of tourism to the town. This has included,
 - Investment to the top floor of the gallery ahead of the internationally recognised Turner prize exhibition.
 - A programme of legacy public artworks produced in collaboration with communities in the Langney and Devonshire wards.
 - A new restaurant and bar, called 'Light', with much improved catering facilities.
- Black Robin Farm – this project will deliver a world class culture and education centre at the former dairy farm, set on the Downs above the town, connecting the South Downs National Park with the Town Centre and Seafront, including,
 - Much needed creative industry workspace.
 - Gallery space to expand the Towner creative programmes.
 - A showcasing space for regional talent.
 - A learning and education centre prioritising arts, the environment and heritage.
 - Catering and events facilities.
 - Facilities for walkers and cyclists.

2.13 Homelessness crisis

Emerging pressures around homelessness are causing significant concern. The cost-of-living crisis has significantly increased demand for a range of key services. This includes, significantly, the number of people presenting to the Council as homeless in recent months, placing extra demands on the statutory response that the Council must make. These pressures are being driven by the impact of inflation and higher interest rates on the private rented sector, which are driving higher rents at a time when tenants are also experiencing rises to their general cost-of-living, resulting in higher rent arrears and more evictions.

2.14 At the same time as this, the supply of homes is being reduced as landlords choose to not re-let their homes due to less favourable market conditions. Higher levels of re-possession are now starting to become apparent amongst homeowners, further contributing to the level of demand being experienced nationally, and by other local authorities in East Sussex. Following chart provides an overview of temporary and Emergency accommodation for the council:



2.15 The low rate at which the Local Housing Allowance (LHA) is paid is causing particular problems for those lower income households in receipt of welfare benefits, placing an increasing proportion of private rented accommodation out of their reach. It is no coincidence that, those districts and boroughs in East Sussex where the gaps between LHA and rents charged are the highest, such as Eastbourne and Hastings, are those seeing the greatest homelessness pressures.

2.16 In response to these pressures on 31 October the council co-hosted, jointly with the District Councils' Network, an emergency homelessness summit. This event outlined the adverse impacts, both financial and social, of the unprecedented temporary accommodation use nationwide. It highlighted that the situation in Eastbourne, like many other is both critical and unsustainable.

2.17 Savings targets

The purpose of the Stability and Growth Programme is two-fold – to enable efficiencies and savings within the council, whilst also moving the council and

the borough to a position of financial strength which enables growth and diversification in the longer term.

- 2.18 To enable the council to address these housing challenges, alongside others associated with the current financial climate, the cost of living crisis and inflationary pressures, a savings target of around £3.4m has been set for the Stability and Growth programme in 2024/25. The table below sets out a summary of the savings that have been identified to date to address the shortfall.

Pillar	Item	Saving target (£'000)
Digital	Savings from system alignment	180
Service reshaping	Savings from organisational efficiency, managing demand and additional income recovery	472
Assets	Asset reviews, transfers and disposals	1,200
Growth	Ownership transfers to reduce public subsidy	1,500
TOTAL		3,352

3 Outcome expected and performance management

- 3.1 The Stability and Growth Programme is monitored and overseen by a cross party member Board, comprising Cllrs Holt, Maxted and Small. In addition there will continue to be regular reports to Cabinet to update on progress.

4 Consultation

- 4.1 The Stability and Growth principles have underpinned the development of the new corporate plan for 2024 – 2028, which is currently out for consultation. This will be subject to formal consideration by Cabinet and Council in February 2024.
- 4.2 In addition, where changes are agreed by the Stability and Growth programme which have specific implications for staff, relevant formal consultation is undertaken in a timely way to enable staff views to be taken on board.

5 Financial appraisal

- 5.1 The council continues to face significant financial uncertainty for the Medium Term Financial Strategy (MTFS) planning period, covering the financial years 2024/25 to 2027/28. The uncertainty relating to future government financial settlements is exacerbated by the ongoing impact of national macroeconomic uncertainties of high levels of inflation, wage inflation, high interest rates as well ongoing and significant structural fiscal challenges.

More locally the council will continue to face significant and unavoidable budget pressures relating to the regional impact of the cost-of-living crisis, unprecedented financial pressures on homelessness services, managing increased demand for key services, future pay awards to council employees, the National Living Wage uplifts and waste pressures.

Initial MTFS forecasts at this stage indicate a significant budget gap next year and the need for additional savings to be identified for 2024/25. The council may therefore be in the unenviable position of having to utilise some reserves to balance its budget next year. Whilst the council can utilise some earmarked reserves to help balance the budgets in the short-term, the use of reserves to balance the budget is not a sustainable position and is only recommended where there is a need for a temporary injection of resources to allow for more sustainable budget solutions to be developed.

The council is committed to strong financial governance and getting value for money whilst ensuring that any council tax increases are justified and affordable. To ensure the 2024/25 budget and MTFS can be developed effectively, and savings targets delivered in time to produce a balanced budget senior officers have in recent months undertaken a review of growth items and identified opportunities to realise financial efficiencies in council departments. In addition, a fundamental review of the council's capital programme is also underway prioritising those projects that are funded by external grant funding or using capital receipts and earmarked reserves. Projects that are funded by borrowing are likely to be curtailed and rephased into future years, aligned with an accelerated asset disposal plan and rebalancing of the council's debt structure.

The Stability and Growth Programme already mentioned in this paper, designed to identify, and develop further saving opportunities will continue through 2024/25 and in future years.

The Treasury Autumn Statement which will likely include funding decisions impacting the council has been delayed until late November, as such it is prudent that the next iteration of the councils Medium Term Financial Strategy is presented to Cabinet in December taking into account the local impact of announcements made in the Autumn Statement.

6 Legal implications

- 6.1 Legal advice has been taken, and will continue to be taken, in respect of specific actions arising from the recommendation contained in this report and to support the activities of the Stability and Growth programme.

In relation to the savings items identified at paragraph 2.16, legal advice will be critical to ensure that all legislative requirements including in relation to procurement and best value are complied with in taking forward the savings proposals.

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7 Risk management implications

- 7.1 The risks within the Stability and Growth programme are regularly assessed and managed as part of programme/project management activities. The identification and management of significant risks in relation to the programme will be reported, along with mitigation plans to address them, as appropriate.

8 Equality analysis

- 8.1 An Equality & Fairness Analysis was undertaken on the Recovery and Stabilisation programme. The outcome of this was reported to Cabinet in 2021. With the move to the new Stability and Growth programme, additional screening of new proposals will now be undertaken on particular workstreams as required.

9 Environmental sustainability implications

- 9.1 The proposals in this report do not adversely impact on the council's long-term carbon reduction aims, as set out in the EBC Climate Emergency Strategy.

10 Appendices

- Appendix 1 – LGA Peer Challenge recommendations
- Appendix 2 – CIPFA Rapid Finance Review recommendations

11 Background papers

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

- [Stability and Growth Programme \(lewes-eastbourne.gov.uk\)](https://www.lewes-eastbourne.gov.uk/stability-and-growth-programme)
- [Assurance Review follow up - CIPFA \(Chartered Institute of Finance and Accountancy\) Rapid Finance Review \(lewes-eastbourne.gov.uk\)](https://www.lewes-eastbourne.gov.uk/assurance-review-follow-up-cipfa)

LGA Peer Challenge Recommendations

	Recommendation	Action to date	Status
1	Re-consider staffing structures, job titles, and pay. Align resources to core business and key priorities, supporting and developing staff with more training opportunities including apprenticeships.	All staff have been reminded of the variety of training and development opportunities that are available to them. We continue to review job titles and job descriptions.	Complete
2	Consideration is being given to the development of strategies around key priority areas such as tourism and economic development, involving middle management in such development.	In line with the recommendations of the Assurance Review follow up received in August 2023, strategy documents will be produced for Tourism and for Property by December 2023.	On track
3	Invest in improved ICT (including mobile working solutions), back-office systems, and automation, with a focus on service delivery to ensure tools are fit for purpose.	Continue to review and align ICT systems - through the Digital Transformation programme. A range of projects are in progress to update the ICT systems used by the councils e.g. replacing revenues/benefits with single system by the end of 2023. Project to replace the 2 Planning systems with single system will move into its implementation phase following a Cabinet decision in November 2023. The Artificial Intelligence and robotics project is maximising benefits of existing technology and exploring opportunities for further automation. We will now use the councils' chatbot - ELLIS - on more of the councils' phone lines which will help customers access the support they need around the clock and will enable Customer Advisors to prioritise those with the greatest need. This phase of the project will commence in autumn 2023.	On track
4	The peer challenge team strongly recommends revising the members allowance from the very low base in time for the new municipal term, taking onboard the views on the Independent Panels	Prior to the May Elections, EBC reviewed the recommendations from the IRP and rejected it, subject to a fresh review being undertaken in 2023 (given the length of time since the original review was undertaken). A new review of allowances by an IRP will be undertaken in October/November across EBC/LDC. The new recommendations will then be considered by Full Council. Any increase in allowances is ultimately determined by the elected members.	On track
5	Improve cross-department communications and joint working. Create	This has been discussed at Senior Managers Forum and ideas will continue to be sought. An All staff conference has also been scheduled for	On track

	Recommendation	Action to date	Status
	opportunities for staff to meet in person and across teams	the end of November and the Staff Experience and Managers' Reference Groups have been involved in determining the theme for the conference. The new Hub was launched in August 2023, improving content and access to information about different teams/service areas.	
6	Continue to closely monitor the finances and consider a longer-term approach to financial planning.	A new fully integrated business and financial planning process has been devised and is being delivered this year, addressing both revenue and capital requirements in a joined-up way. Training for Senior Managers Forum was delivered in June. The Medium Term Financial plan also now shows a detailed 4 year position more strongly than previously.	On track
7	More use of financial scenarios to evaluate the impact of inflationary pressures, cost of living and increased borrowing costs.	Officers considering this as part of their decision-making; a) in cabinet reports, by building it into the finance section and b) in business plans/capital bids for future years.	On track
8	Undertake an asset review to ensure assets contribute and align to core services, key priorities and have a demonstrable value. Re-evaluate the cost of upcoming projects and returns on investment.	Group established to review key assets. First meeting held August 23, second meeting in Sept 23. The work of this group will inform the assets workstream as part of the Stability and Growth programme.	On track
9	Demonstrate commitment to the key corporate priority of sustainability and carbon neutrality by assigning a suitable budget to ensure delivery.	£500,000 allocated in HRA to sustainability. Revenue spend – the current sustainability programme has diversified the work between a wider group of officers. A green consultancy team has been established to progress carbon reduction initiatives. The revised Corporate Plans will also focus on this area. Through the Business and Financial Planning process, we are considering what our priorities will be for 2024/25 and beyond.	On track
10	Housing Delivery Tests have not been met and the Local Plans are still under development and have been delayed due to external issues. Addressing this needs to be a priority so the councils retain control over the local planning and place making, which will be essential to meet their ambitious goals.	Ongoing with Local Plan production - next consultation to take place in Spring 2024.	On track
11	Ongoing evaluation of investments, commercial activities, and the capital programme in the current	The need for a commercial strategy/framework has been superseded following receipt of the assurance review follow up report. In light on this an asset strategy will be produced which will	On track

	Recommendation	Action to date	Status
	challenging economic context	include reference to commercial activity. This is scheduled for completion by December 2023.	
12	Conduct a self-assessment against the CIPFA assurance review to help the organisation move forward	Self assessment completed. Follow up review undertaken April 2023, with report received August 2023.	Complete
13	Continued work on financial resilience focussing on adequacy of reserves	Covered within budget papers for 23/24. Demonstrates how R&S will ensure we have ability to maintain our reserves.	Complete

CIPFA Rapid Finance Review recommendations

	Recommendation	Action to date	Status
1	Robust and deliverable improvement plan		
a	The Plan, which must continue to be subject to robust performance management and assessment, should face periodic review and refreshment, perhaps whenever there is a major revision to the Medium Term Financial Strategy (MTFS), to ensure its ongoing relevance and adaptation to changing priorities	Plan was updated significantly in July 2023 (Cabinet report) to encapsulate Stability and Growth agenda following May 2023 election. This alignment between key corporate documents will continue as is evidenced in the MTFS found elsewhere the agenda for this meeting.	On track
b	Governance of the Plan should also be reviewed periodically, with the relationships between its oversight and other governance arrangements (for capital and assets, for example) vigilantly monitored. This will help preserve the mutually supportive interplay between initiatives, which currently relies significantly on senior officer efforts	Governance arrangements were reviewed and ratified as part of Cabinet report in July 2023. Periodic review of governance will continue.	On track
c	The prominence accorded to the Plan in other strategic documents, such as the Corporate Plan, should be retained and built upon. For example, there should be as many explicit linkages as possible between the Plan and the MTFS	The title 'Stability and Growth' will be given to the new corporate plan when it is adopted in Feb 2024, in recognition of the central importance of the Stability and Growth Programme to the council. Work will be undertaken to align the Plan and MTFS as the 2024/25 budget is developed.	On track
2	Address reliance on tourism and leisure income		
	Set out objectives on tourism, income, and economic diversification in an overarching strategy.	Strategy to be developed during the autumn of 2023 and will be submitted to Cabinet for consideration on 13 December.	On track
3	Address risks to financial stability		
a	Continue to avoid complacency about savings targets and maintain a prudential and risk-averse posture on spending.	Continue to actively seek and identify saving opportunities through the Stability & Growth Strategy. Utilise existing strategies to identify and reduce unnecessary spend (e.g. Capital Programme Oversight Board)	On track
b	Satisfy member interest in debt and treasury management through suitable briefings on principles and practice.	Review existing key reports to widen member awareness of debt and treasury management principles, continue to utilise training opportunities via council treasury management consultants	On track
c	Redouble efforts on partnership and collaboration, to enhance council resource base.	Review existing partnership arrangements including fundamental	On track

	Recommendation	Action to date	Status
		review of existing recharging agreement between EBC & LDC	
d	Examine broader financial resilience. Build on the initial Assurance Review with work to investigate the council's budget management expertise at operational level.	Undertake a review of existing financial services structure to identify and enhance key specialist roles within the team. Broaden existing recruitment methodology to increase the success rate of ongoing recruitment campaigns	On track
4	Generation of additional capital receipts		
	Produce a thorough, integrated, and strategic approach to property.	A group started in August 2023 to fundamentally review each council owned asset, as a precursor to preparing a property strategy in the autumn of 2023. This will be submitted for sign off by Cabinet on 13 December 2023.	On track

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Report to:	Cabinet
Date:	1 November 2023
Title:	Updating and Alignment of Scheme of Delegations to Officers
Report of:	Simon Russell, Monitoring Officer
Cabinet member:	Councillor Stephen Holt, Leader of the Council and Chair of Cabinet (Community Strategy, Local Strategic Partnership, the Corporate Plan, Performance and Staff)
Ward(s):	All
Purpose of report:	To set out the need for an updated and aligned Scheme, and to outline key amendments
Decision type:	Key decision
Officer recommendation(s):	(1) To consider the draft updated and aligned Scheme at Appendix 1 and approve all executive delegations. (2) To refer its approval to full Council for noting.
Reasons for recommendations:	Eastbourne's existing Scheme has not been fully updated since 2015, leading to lack of clarity over certain officer powers and difficulty with implementation.
Contact Officer(s):	Name: Oliver Dixon Post title: Lawyer and Data Protection Officer E-mail: oliver.dixon@lewes-eastbourne.gov.uk Telephone number: 01323 415881

1 Introduction

- 1.1 The Council's Scheme of Delegations to Officers forms part of the constitution and sets out the substance and extent of powers delegated by the executive and full Council to each of the directors, the Monitoring Officer and Head of Legal Services. These delegations relate to officers' operational powers to perform their routine day to day functions.
- 1.2 Additionally, the Scheme delegates powers to Proper Officers, namely those officers designated under local government legislation to perform 'proper officer' functions.

- 1.3 Since the Joint Transformation Programme in 2015, the Council (EBC) and Lewes District Council (LDC) have continued to operate under individual Schemes. The presentation and scope of each one is drafted differently.
- 1.4 This differing approach, in addition to the absence of a much needed update, has led to inconsistencies at corporate level where directors acting across both authorities have sought clarity over the nature and extent of their delegated powers. Equally, references to 'Proper Officer' legislation require a refresh to ensure only current law is cited.

- 1.5 Whilst updating and alignment is the overriding objective, two individual Schemes will remain, since EBC retains exclusive functions relating to—
Eastbourne Homes, Devonshire Park culture and tourism, and the Eastbourne Downs Golf Club.

For ease of reference, these are highlighted in blue in the draft Scheme.

LDC retains exclusive functions relating to—

- (i) its development management functions on behalf of South Downs National Park Authority, and
- (ii) its management of Code of Conduct matters in relation to parish councils.

- 1.6 The two Schemes will in all other respects be identical in presentation and content, enabling officers to interpret and apply their powers correctly and consistently across their entire service responsibility and both authorities' geographical areas.

2 Drafting and consultation to date

- 2.1 The Monitoring Officer prepared initial drafts, which he referred to the Corporate Management Team on 14 June 2023 and to the Senior Managers Forum for comment. Their recommended amendments were reflected in a revised draft.
- 2.2 The Eastbourne Constitution Working Group (CWG) met on 23 June 2023 to review the Eastbourne draft Scheme. CWG is a cross-party advisory body with a remit to consider proposed amendments to the constitution and make recommendations to Audit and Governance Committee.
- 2.3 At their meeting, CWG commented on the draft in detail. This included comments about item B44 (the power to place officers at the disposal of other authorities) and C11 (power to manage cultural functions at Devonshire Park). The resulting amendments to these sections are shown in Appendix 1 in tracked format. With these changes in place, the Group was happy to support the draft and refer it to the Council's Audit and Governance Committee.
- 2.4 Since CWG's meeting in June, officers have made minor presentational improvements to the draft, for example listing the Director of Service Delivery's powers as consecutive entries on the Contents list, and adopting a systematic

numbering protocol throughout the document. These are included in the tracked changes in Appendix 1.

2.5 At its meeting on 5 October 2023, the Audit and Governance Committee – in its capacity to consider proposed governance amendments – reviewed the latest version of the draft.

2.6 The only amendment the Committee requested was to the Director of Finance and Performance treasury management powers. In relation to the powers specified in item C42(iv) and (vii), the limitation in column 4 would now read “In the event of the Director of Finance and Performance wishing to depart in any material aspect from the main principles of CIPFA’s Code of Practice, the reasons **must** [*not should*] be disclosed in a report to Cabinet.”

2.7 On reviewing the latest draft, officers have identified that the Director of Service Delivery’s delegated powers to exercise the Council’s functions relating to homeless persons (at row C27) should be amplified to expressly include the power to carry out or to arrange to carry out homelessness reviews under Part VII of the Housing Act 1996. Row C27 has been amended accordingly.

3 Proposal

3.1 Cabinet is invited to accept the Audit and Governance Committee’s recommendation to approve the delegation of all executive functions listed in the draft Scheme at Appendix 1.

3.2 All functions in the Scheme are executive delegations except those marked with a ‘C’ suffix in the first column; these are Council functions and for approval by full Council only.

3.3 Subject to –

- (i) Cabinet approving the executive delegations, and full Council approving the Council functions at its meeting on 15 November 2023; and
- (ii) Lewes District Council’s Cabinet and full Council taking the same steps for its Scheme,

both authorities’ revised Schemes will come into force once the directors’ existing sub-delegations are aligned to the new parent Schemes.

3.4 Part A3 paragraphs (v) and (vi) authorise officers with powers conferred on them by the Schemes to delegate those powers further to another officer under a process known as sub-delegation. Paragraphs (vii) and (viii) set out the conditions under which sub-delegations may operate.

3.5 Sub-delegation alignment by the Council’s legal team should be complete by the end of December, allowing the revised Schemes to take effect from 1 January 2024.

4 Summary of Key Changes

4.1 Layout

- Contents list added for ease of reference
- Scheme opens with principles of interpretation (A) followed by delegations to all chief officers (B), and then to specified chief officers (C).
- Annex A summarises the remits of each chief officer
- Delegations to Director of Service Delivery now listed sequentially
- Consistent numbering protocol applied throughout

4.2 Content amendment

- All references to legislation checked and updated where necessary.
- Repealed legislation is deleted
- Chief Officers' titles and remits updated
- Obsolete powers removed
- Urgency powers added
- Limitations to exercise of Chief Executive's powers to take urgent action, now requiring pre-notification to the Leader or Deputy Leader where reasonably practicable
- Chief Officers' powers to determine staff matters at item B43 require consultation with the Director of Tourism, Culture and Organisational Development for the functions listed in the Limitations column
- Clarification of Chief Finance Officer's treasury management powers
- Clarification added to the Director of Regeneration and Planning's planning functions
- Clarification of Assets of Community Value review powers conferred on Head of Legal Services

5 Outcome expected and performance management

5.1 An aligned and updated Scheme should ensure lawful, valid and consistent decision making by directors, the Monitoring Officer and Head of Legal Services across both authority areas.

5.2 The Monitoring Officer has authority to make minor administrative amendments (such as job title and statute updates) and may at any time refer substantive amendments to the Council's Constitution Working Group for consideration and referral to Audit and Governance Committee.

6 Consultation

6.1 Consultation arrangements are summarised in part 2 above.

7 Corporate plan and council policies

7.1 An updated and aligned Scheme will support all elements of the Council's corporate plan, as each director, the Monitoring Officer and Head of Legal

Services will have clear, lawful and consistent reference point for delegated decision-making.

8 Business case and alternative option(s) considered

8.1 The Council is under a legal duty to include in its constitution a list of powers exercisable by officers. See further at paragraph 10.

9 Financial appraisal

9.1 The cost of updating and managing an updated set of Schemes can be met by the revenue budgets of the Legal and Democratic Services teams.

10 Legal implications

10.1 Section 9P (1) of the Local Government Act 2000 requires a council operating executive arrangements to prepare and keep up to date a constitution which contains (amongst other things) “such information as the Secretary of State may direct.” Under the Local Government Act 2000 (Constitution) Direction 2000, the Secretary of State directed that councils must include in their constitution–

- a. a description of those powers of the **executive** which are exercisable by an officer of the local authority, stating the title of the officer by whom each of the powers so specified is exercisable; and
- b. a description of those powers of the **council** which are exercisable by an officer of the local authority stating the title of the officer by whom each of the powers so specified is for exercisable.

10.2 Apart from the record needing to list all powers delegated to specified officers, the document format is not prescribed by statute or common law. It is in the interests of council members, officers and the public, however, that the Scheme is clear and concise. It should also be prefaced by a set of principles as to how the Scheme operates (including arrangements for amending and adding to the Scheme as necessary from time to time) and guidelines by which it should be interpreted.

10.3 Section 100G(4) of the Local Government Act 1972 and section 9P(3) of the Local Government Act 2000 require that local authorities make a copy of its constitution available for inspection by members of the public at all reasonable hours. The council satisfies this obligation by publishing its constitution on its website.

10.4 The distinction between executive and council functions is specified in the Local Authorities (Functions and Responsibilities) Regulations 2000.

10.5 The Cabinet has authority to approve amendments to executive delegations. It should report its approval to full Council for noting only.

11 Risk Management implications

- 11.1 An aligned and updated Scheme provides a sound and proper basis on which directors can exercise powers on a delegated basis. It is no longer tenable for directors to rely on the current Scheme, given its many references to obsolete job titles, repealed legislation and lack of consistency across the shared LDC-EBC areas.
- 11.2 Officer decisions made without proper authority could provide an affected party with grounds to apply for a judicial review.

12 Equality analysis

- 12.1 This proposal will have a positive impact on all staff, including staff with protected characteristics, as it will provide senior officers with a lawful and therefore robust decision-making protocol across both authorities. Subsequently, the risk of a decision being challenged for lack of legitimate power conferred on the decision-maker is minimised.

13 Appendices

- 13.1 Appendix 1 – proposed Scheme of Delegations to Officers, aligned and updated.

14 Background papers

- 14.1 The background papers used in compiling this report were as follows:
- Eastbourne Borough Council’s current Scheme of Delegations [Microsoft Word - part 3_D \(Responsibility for Functions\) \(Section D - Scheme of delegations\) \(Updated April 2023\) \(lewes-eastbourne.gov.uk\)](#)
 - Lewes District Council’s current Scheme of Delegations [Microsoft Word - Constitution_Part9_T \(Scheme of Delegation\) \(June 2021\) \(lewes-eastbourne.gov.uk\)](#)
 - List of functions reserved to full Council [Microsoft Word - part 2 \(Articles of the Constitution\) \(Dec 2020\) \(lewes-eastbourne.gov.uk\)](#)
[EBC Constitution Part 3B \(lewes-eastbourne.gov.uk\)](#)



Part 9

Scheme of Delegations to Officers and Proper Officer List

EASTBOURNE BOROUGH COUNCIL

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A – General Principles

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- C57 - C82: Director of Regeneration and Planning
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- C104 - C106: Monitoring Officer

D – Proper and/or Authorised Officer Functions

E – Specific authorisations for Court

F – Authorisation to enter land or premises

Annex A – Chief Officers' and Monitoring Officer's Areas of Responsibility

A General Principles

A1. Statutory authority permitting the Council to delegate the discharge of its functions to an officer is provided by:

- The Local Government Act 1972, section 101(a), in respect of **non-executive** functions. The power to decide which of these functions are to be delegated to an officer resides with full Council or, where full Council has authorised a committee to discharge any function, with that Committee.
- The Local Government Act 2000, section 9E(2)(b), in respect of **executive** functions. The power to decide which executive functions are to be delegated to an officer is in the sole gift of the Leader or, where the Leader has authorised the Cabinet or a Cabinet Member to discharge any function, in the gift of the Cabinet or Cabinet Member as applicable.

The Proper Officer appointments are made under the relevant provisions of section D of this scheme.

An officer or other person is authorised to exercise such powers as are shown in the Scheme of Delegations including those reasonably applied or incidental to the matters specified in respect of the functions of the Council. Functions, matters, powers, authorisations, delegations, duties and responsibilities etc. within the scheme shall be construed in a broad and inclusive fashion.

A2. For the purposes of this scheme:

If the post of an officer to whom a function is delegated (or to which he/she has been appointed as a Proper Officer) is vacant, or if the post-holder is absent through sickness, on leave (of whatever type), or otherwise unavailable, then unless the Council otherwise decides:

- i) In the case of the Chief Executive, the delegation shall be exercisable by the Deputy Chief Executive, a formally-appointed Acting Chief Executive (to include an Interim Chief Executive) or any one of the Chief Officers (as defined below).
- ii) In the case of a Chief Officer the delegation shall be exercisable by the Chief Executive or another Chief Officer.
- iii) In the case of the Officer who carries the role of a Section 151 Officer, the delegation shall be exercisable by the Deputy Section 151 Officer in relation to matters under Section 151 of the Local Government Act 1972.

- iv) In the case of the Officer who carries the role of Monitoring Officer, the delegation shall be exercisable by the Deputy Monitoring Officer in relation to matters which are the responsibility of the Monitoring Officer.
- v) In the case of a Head of Service, the delegation shall be exercisable by the Chief Executive, Deputy Chief Executive or a Director or a Head of Service sub-delegated to in writing by one of these officers, provided that the officer exercising the delegation has the requisite professional qualification, where such is required (e.g. planning).

A3. Where decisions are taken by officers under delegated powers the following conditions and rules shall apply:

- i) Powers shall be exercised in accordance with the Council's Constitution (including budgetary, financial and contractual procedural rules), in accordance with professional advice and, if appropriate, from the relevant lead service officer, in accordance with the Council's approved Policy Framework and other approved plans and policies and also with regard to all relevant legislative provisions.
- ii) Any Officer exercising a delegation, except in cases of emergency, shall only do so:
 - a) in accordance with the relevant policies and procedure of the Council, and
 - b) where provision has been made for any expenditure within the relevant budget.
- iii) In cases of emergency an Officer may, if justified by all of the circumstances, exercise delegations in a manner which is not in accordance with Council policies or procedures and/or where provision has not been made in any budget. A written record of the reasons for deviating from the policies and procedure and/or expenditure without a relevant budget must be made and kept.
- iv) The Officer exercising such power shall give effect to any resolution or decision of the Council, Leader, Cabinet, Cabinet Member or a Committee upon any matter of principle or policy in relation to the functions concerned.
- v) Where an Officer is authorised to take a decision or exercise a function either directly or by virtue of the provisions relating to absence detailed in paragraph A2 above, he/she may authorise any other officer specifically or generally to take such action as is necessary to implement that decision or exercise that function either in the name of the Officer so delegating or in the sub-delegate's own name.
- vi) Officers carrying delegations under this Scheme of Delegations, while retaining the delegation themselves, may also, in writing, further delegate the authority to exercise the delegation to another officer, although final responsibility for the actions taken under any such sub-delegation will remain with the original delegator. Officers entrusted with such sub-

delegations may, with the written agreement of the relevant Director or Assistant Director, further delegate the authority.

- vii) Any sub-delegation is to be recorded in writing.
- viii) A copy of any sub-delegation or its revocation shall be provided to the Head of Democratic Services within five working days. The Head of Democratic Services shall maintain a central register of sub-delegations and the current list of sub-delegations shall be shown on the intranet and be available to Members and Officers.
- ix) An Officer may be required under this Scheme of Delegations to Officers to exercise a delegation after consultation with the Leader, a Cabinet Member or other nominated Councillors. Any sub-delegation or further sub-delegation of the original delegation will retain any original consultation requirement. The Officer dealing with a matter shall also arrange for any inter-departmental consultation that may be required.
- x) Where an Officer is authorised to take decisions, action to implement such decisions shall be taken in the name of (but not necessarily personally by) that Officer.
- xi) Any Officer to whom a delegation or sub-delegation is given may waive his/her right to exercise the delegation or sub-delegation and refer the matter back to the Council, the Leader, the Cabinet, the Individual Cabinet Member or to the relevant Committee or the original delegate for a decision.
- xii) Where an Officer is taking a decision which could attract legal liability to the Council, he/she shall consider whether or not the nature of the decision justifies it being taken in consultation with the Head of Legal Services to the Council (e.g. termination of a contract).
- xiii) Each delegated power includes authority, after consultation with the Council's senior legal officer, for:
 - (a) the prosecution, defence, institution of or appearance in any legal or other proceedings in any Court, inquiry or tribunal or before any similar body; and
 - (b) the conduct of any such proceedings. All legal proceedings shall be undertaken under the name of the Council's senior legal officer.
- xiv) Any decision which has financial implications other than those budgeted for shall be taken in consultation with the Council's Director of Finance and Performance.

- xv) Unless specifically stated, no delegation authorises the taking of decisions as to whether or not simple cautions (as a punishment) should be administered to defendants or legal action should be taken by or on behalf of the Council.
- xvi) Subject to any express provision or instruction from the Council, the Leader, the Cabinet or other decision-making body of the Council to the contrary, any power to approve or deal also includes the power to refuse and the power to impose appropriate conditions.
- xvii) Decisions taken under delegated powers may need to be recorded. Rule 13 of the Access to Information Procedure Rules shall apply in respect of any key decision taken by an Officer under delegated authority of the Leader or the Cabinet. An Officer exercising a delegated power shall, where necessary, append a note to the record of his/her decision detailing the steps taken to inform/consult with the Leader/Cabinet Members/Councillors and the responses received. In accordance with regulation 13(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and regulation 7 of the Openness of Local Government Bodies Regulations 2014, where a written statement of executive and non-executive officer decisions must be recorded, it is published as soon as reasonably practicable after a decision has been made.
- xviii) This Scheme of Delegation should be read in conjunction with any of the Council's business plans. These set out the general priorities for the Council's activities and are agreed by the Council on an annual basis. Chief Officers are delegated to carry out the activities described in these plans, with overview by the Council carried out through its performance management and budget monitoring framework.

A4. Other matters

- i) Those Officers designated as proper officers, authorised officers, appropriate person or any other statutory description of officer listed in Section D shall exercise the powers and have the responsibilities attributed to them by legislation.
- ii) The Chief Executive, Deputy Chief Executive, Directors and the Director of Finance and Performance may appoint any appropriate officer to be a proper officer, authorised officer, appropriate person or any other statutory description of officer in respect of any legislation and written confirmation of such appointment shall be conclusive evidence of its application in particular cases.

- iii) In the event that a post to which a delegation is given ceases to exist and its responsibilities are transferred to another post temporarily or permanently, then the delegations given under this scheme shall be exercisable by the post to which the responsibilities have been transferred. There should be written confirmation of the change in responsibilities from the Chief Executive, which shall be provided to the Head of Democratic Services to be retained with the central copy of the Scheme of Delegations and sub-delegations.
- iv) An Officer acting up to or seconded to a post on which delegations have been bestowed in accordance with this Scheme of Delegations shall be able to exercise those delegations in the same way as the original postholder.

A5. Interpretation

Term	Definition
Act, Order or other legal provision	Any reference to an Act, Order or other legal provision shall include a reference to any modification or re-enactment thereof and any reference to any Directive, Act, Order or other legal provision shall include any Regulations, Orders, Rules, Instruments, Directions, Statutory Guidance or other legal provision made thereunder.
Chief Officer	The Chief Executive and any of the Directors.
Consultation	Consultation shall mean seeking the comments of the person(s) to be consulted with. Consultation shall not mean obtaining the consent of the person(s) to be consulted with. A written record of the consultation shall be retained by the officer managing the exercise.
The Council	Shall include the Council, the Leader, the Cabinet, an Individual Cabinet Member or a Committee.
Emergency	Circumstances where action is necessary immediately and where inaction may lead to a loss of life, injury to a person or animal or damage to or loss of property.
The Planning Acts	The Town and Country Planning Act 1990, the Town and Country Planning Act 2008, the Planning (Listed Building and Conservation Areas) Act 1990, and the Planning (Hazardous Substances) Act 1990; and, in respect of them all, any amendments as may be made from time to time and any regulations and orders made pursuant to the same.
In writing	When applied to a sub-delegation, further sub-delegation or the cancellation of such a sub-delegation or further sub-delegation from this Scheme of Delegations, “in writing” shall be taken to include email, whether or not by specific reference to the elements of the scheme within such an email, or by a combination of general sub-delegation and attachment to the email of part or parts of this Scheme. As provided at A3(vii) above, the Head of Democratic Services shall be responsible for maintaining an up to date register of such sub-delegations, further sub-delegations or retractions of such delegations and sub-delegations, which shall be available to view on the Council’s Intranet.

A6. Abbreviations

Post	Abbreviation
Chief Executive (and Head of Paid Service)	CE
Director of Regeneration and Planning	DRP
Director of Service Delivery	DSD
Director of Finance and Performance	DFP
Director of Tourism, Culture and Organisational Development	DTCOD
Head of Legal Services	HLS
Head of Democratic Services	HDS
Head of Elections and Local Land Charges	HE & LLC

Act / Regulation or Order	Abbreviation
Planning (Listed Buildings and Conservation Areas) Act 1990	P(LB&CA)A
Town and Country Planning Act 1990	TCPA
Town and Country Planning (Control of Advertisement) Regulations 1992	TCP(CA) Regs
Town and Country Planning (General Permitted Development) Order 2015	GPDO

B Delegations to all Chief Officers

Subject to the foregoing, there are delegated to the Chief Officers those matters detailed in column 2 below, subject to any consultation requirements set out in column 3 and any limitations listed in column 4 below. Chief Officers can make any decision that can be made by a Head of Service or other Officer.

General:

No.	Delegation	Consultees	Limitations
B1.	To manage the functions for which they are responsible as set out in Annex A .		
B2.	To make consequential amendments to any policy, strategy, consultation or similar document and sign notices, other than legal notices, arising from any decision of the Council.		
B3.	To respond to consultations.	Relevant Cabinet Member	
B4.	To dispose of lost or uncollected property.		
B5.	To procure goods and services in accordance with Contract Procedure Rules.	DFP	
B6.	To exercise powers under Section 1 of the Localism Act 2011 (the general power of competence) in respect of the functions for which they are responsible as set out in Annex A .		
B7.	To exercise powers and determine all matters relating to the supply of goods and services to other local authorities and public bodies in respect of the functions for which they are responsible as set out in Annex A .	DFP	

No.	Delegation	Consultees	Limitations
B8.	To carry out the 'Proper Officer' and "authorised Officer" functions as identified in the list set out in Section D below.		
<u>B9.</u>	To carry out minor development for which planning permission is not required.		
<u>B10.</u>	To authorise Officers to carry out inspections, take samples, enter premises, form opinions and take any other necessary action as may be required by law or in accordance with the Council's functions and policies in relation to the functions for which they are responsible.		

Contracts:

No.	Delegation	Consultees	Limitations
<u>B11.</u>	To do all matters in relation to the letting of contracts.		In accordance with Contract Procedure Rules
<u>B12.</u>	To invite and accept tenders received on any matter in accordance with Contract Procedure Rules.		<u>In accordance with Contract Procedure Rules</u>
<u>B13.</u>	To sign contracts on behalf of the Council.		In accordance with Contract Procedure Rules

Financial:

No.	Delegation	Consultees	Limitations
<u>B14.</u>	To manage budgets allocated to the functions for which they are responsible as set out in Annex A, including authority to incur expenditure, and enter into contracts, on items included in the approved Revenue Estimates or Capital Programme except where the Council has placed a reservation on any such item.		In accordance with Financial Procedure Rules and Contract Procedure Rules
B15.	To implement the substance and conditions of a grant provided by the government under s.31 of the Local Government Act 2003.		
<u>B16.</u>	To provide business grants under government schemes.		
<u>B17.</u>	To write off amounts as irrecoverable.	DFP/Relevant Cabinet Member	In accordance with Financial Procedure Rules
<u>B18.</u>	To determine grant applications in relation to the functions for which they are responsible as set out in Annex A.		(NB this delegation does not relate to the award of grants to Voluntary sector organisations)
<u>B19.</u> C	To vary, in exceptional circumstances, annual fixed fees and charges, subject to any relevant Council policies.	Relevant Cabinet Member	
<u>B20.</u> C	To determine charges for the use of relevant services and events not covered by the annual review of fees and charges.	Relevant Cabinet Member	

No.	Delegation	Consultees	Limitations
B21.	To take any action authorised by Financial Procedure Rules.		
B22	To submit bids for the Council to receive grants etc from outside bodies in accordance with the functions of the Council.	DFP	

Assets:

No.	Delegation	Consultees	Limitations
B23.	Disposal of surplus / redundant moveable assets (i.e. not land or buildings).		Not to include any item that may be considered to be of historical significance, interest or value.

Data Protection and Freedom of Information:

No.	Delegation	Consultees	Limitations
B24.	Respond to requests under Data Protection and Freedom of Information legislation, the latter comprising the Freedom of Information Act 2000 and Environmental Information Regulations 2004.		

Emergency Powers:

No.	Delegation	Consultees	Limitations
B25.	To take any action necessary with regard to the Council's Emergency Planning functions, as required under the Civil Contingencies Act 2004 and the Council's other emergency plans. including authority to incur expenditure.		

Land:

No.	Delegation	Consultees	Limitations
<u>B26.</u>	In accordance with Council policies, to manage land, property and other assets allocated to the functions for which they are responsible.		

Health and Safety:

No.	Delegation	Consultees	Limitations
B27.	To exercise all powers, functions, duties and responsibilities of the Council with regard to Health & Safety.		

Equalities:

No.	Delegation	Consultees	Limitations
B28.	To exercise all powers, functions, duties and responsibilities of the Council with regard to equalities.		

Legal:

No.	Delegation	Consultees	Limitations
B29.	To make application for warrants of entry to land or property under the provisions of any legislation, other than warrants for possession of land or property, in relation to functions for which the Chief Officer is responsible.	Where practicable, with the HLS	

No.	Delegation	Consultees	Limitations
<u>B30.</u>	After consultation with the Head of Legal Services, (i) to prosecute, defend, commence or appear in any legal or other proceedings in any Court, inquiry or tribunal or before any similar body; and (ii) to conduct any such proceedings. All legal proceedings shall be undertaken under the name of the Head of Legal Services.		
<u>B31.</u>	To sign, issue and serve all notices required by statute or otherwise to be given by the Council and all necessary advertisements.		

Regulatory:

No.	Delegation	Consultees	Limitations
<u>B32.</u>	To issue fixed penalty notices where permitted by statute in relation to the functions for which they are responsible.		
<u>B33.</u>	The grant, review, renewal and cancellation of authorisations under the Regulation of Investigatory Powers Act 2000 (RIPA) and Investigatory Powers Act 2016, in accordance with the Council's surveillance and communications data acquisition policies.		Applies to RIPA authorising officers only.
<u>B34.</u>	The making of ex gratia payments in cases of maladministration.	DFP	

Licences, notices etc.

No.	Delegation	Consultees	Limitations
<u>B35.</u> C	The determination of any application for permissions, consents or licences or for registration within the functions for which he/she is responsible.		Except where they are reserved to Council, the Leader, the Cabinet, a Cabinet Member or Committee.
<u>B36.</u> C	The issue and service of any notice or requisition for information concerned with matters within the functions for which he/she are responsible.		
<u>B37.</u> C	The carrying out of works in default following non-compliance with any notice concerned with matters within the functions for which the/she are responsible.		
<u>B38.</u>	The management of any internal appeal, challenge or objection process against or in support of any of the Council's decisions, other than before a court or tribunal.		
<u>B39.</u>	The incurring of expenditure on the reception and entertainment by way of official courtesy of persons representative of or connected with local government or other public services whether inside or outside the United Kingdom.		To maximum of £2000.

Planning:

No.	Delegation	Consultees	Limitations
<u>B40.</u>	To make application for all consents required in relation to planning permission in respect of Council land or property in relation to the functions for which they are responsible as set out in Annex A .		

Regulation etc:

No.	Delegation	Consultees	Limitations
<u>B41.</u>	To make application for all consents required in relation to Building Regulation Approval in respect of Council land or property in relation to the functions for which they are responsible as set out in Annex A .		

Staffing:

No.	Delegation	Consultees	Limitations
<u>B42.</u>	To determine and take action in relation to all staff matters relating to permanent and temporary staff below Chief Officer level, allocated to the functions for which they are responsible.		Ill health retirement only in consultation with relevant Cabinet Member. In respect of applications for ill health retirement, and applications from former employees to have their LGPS pensions released on compassionate or exceptional grounds, directors may proceed only in consultation with DTCOD and Council appointed Occupational Health Team.
<u>B43.</u>	To appoint officers as ‘Authorised Officers’, ‘Inspectors’, ‘Proper Officers’ or similar and to undertake enforcement functions excluding the issuing or defending of legal proceedings in respect of functions for which the officer is responsible.		
<u>B44.</u>	In accordance with section 113(1) of the Local Government Act 1972, to place officers at the disposal of other local authorities.	The individual officer(s) to whom the disposal applies	Where the disposal relates to a high profile matter or one of strategic importance, the Chief Officer should give due consideration to consulting the relevant Cabinet member.

C Delegations to Specific Chief Officers

Subject to the foregoing, there are delegated to the Officers listed below those matters detailed in column 2 subject to any consultation requirements in column 3 and any limitations in column 4.

No.	Scope of Delegations
C1.	<p>Chief Officers and Head of Legal Services shall exercise the following powers or may authorise suitably experienced or qualified officers who shall have, save for any consultation requirements and limitations listed, the range of powers set out below. The powers referred to shall not include the following:</p> <ul style="list-style-type: none"> a) Powers where an individual officer is required by law to hold a relevant qualification and he/she does not hold that qualification. b) Powers which fall outside the individual’s actual authority as determined by his/her post or are not covered by the authorisation issued by or on behalf of the delegating Officer. c) Any situation where an individual Officer is prevented, for whatever proper reason, from exercising such power. d) Powers to determine whether or not civil or criminal proceedings should be issued once evidence to support the issue of such proceedings is available save as set out below in respect of cautions and administrative penalties. e) Powers to authorise civil or criminal proceedings.

Chief Executive:

No	Function	Consultation	Limitation
C2. C	The taking of any action required in connection with the organisation or holding of neighbourhood, parish, district, county, general elections or referenda.		
C3.	To take urgent action on behalf of the Council.		<p>The Leader or Deputy Leader will be kept informed if they are available. This power may be exercised only where all efforts, so far as reasonably practicable, have been made to inform the Leader or Deputy Leader in advance.</p> <p>Where it is not practicable to inform the Leader or Deputy Leader in advance, the Chief Executive should do so at the earliest feasible time thereafter.</p> <p>For the purposes of this delegation, “urgent action” means action that needs to be taken immediately or in a very short timescale to meet operational needs and cannot reasonably be deferred to allow the normal decision making process.</p>
C4.	The grant and supervision of exemptions from political restriction.	HLS	
C5.	To maintain a register of politically restricted posts and ancillary matters.	HLS / HDS	
C6.	To convene and cancel meetings of the Council, the Leader, the Cabinet, Cabinet Members, Committees and all other Council bodies.	HLS / HDS	
C3D.	To manage, including the authority to agree usage (and, where appropriate, agree temporarily reduced charges		The management of Eastbourne Downs Golf Club is delegated to the Director of Tourism, Culture and

	for usage where such reduction is in the financial and/or overall interests of the Council) and, in partnership with the Director of Regeneration & Planning, to maintain all the parks, pleasure grounds, gardens, open spaces, commons, recreational facilities, museums, nature reserves and allotments within the Council's control.		Organisational Development.
C3E.	All matters relating to pleasure boats, boatman's licences, fisherman's agreements and all such other matters related to the Council's powers and duties in relation to the coast, rivers and harbours.		

Chief Officers other than the Chief Executive:

No	Function	Consultation	Limitation
C7.	In the absence of the Chief Executive, to take urgent action on behalf of the Council.		The Leader or Deputy Leader will be kept informed, if they are available.

Director of Tourism, Culture and Organisational Development:

No	Function	Consultation	Limitation
C8.	To confirm the appointment of staff on the satisfactory completion of probationary period.	Relevant Chief Officer.	
C9.	To implement the Council's pay and grading procedure.	DFP.	
C10.	To implement any nationally agreed pay settlements.	DFP.	
C11.	To exercise the Council's functions relating to the provision and management of cultural facilities and activities, including but not limited to the provision of hospitality and catering. In this paragraph, "cultural facilities" include The Congress Theatre, Devonshire Park Theatre, The Welcome Building, Winter Garden		

No	Function	Consultation	Limitation
	The Stage Door and the Bandstand. ¹		
C11A.	To manage the Council's functions relating the provision and management of The Stage Door pub.		
C11B.	To exercise the Council's functions relating to the provision and management of the International Tennis Centre at Devonshire Park.		
C11C.	To exercise the Council's functions relating to the provision and management of the Eastbourne Downs Golf Club.		

Director of Service Delivery:

No	Function	Consultation	Limitation
C12.	To make payments of housing and Council Tax or similar benefits.		
C13.	To take all necessary actions including legal enforcement relating to the demand, collection and the recovery of Council Tax, Rates and any other local levy or collected taxes.		
C14.	To determine entitlement to mandatory or discretionary rate relief.	Relevant Cabinet Member	

¹ Text highlighted in blue indicates a function unique to Eastbourne Borough Council

No	Function	Consultation	Limitation
C15.	To serve on the Valuation Officer notice of objection to any proposals for alteration of the Valuation List.		
C16.	To make proposals for the alteration of the Valuation List or for inclusion of particular properties in the Valuation List.		
C17.	To sign off Valuation Agreements.		
C18.	To determine any applications for Housing, Council Tax or similar benefits.		
C19.	To determine and take all action in relation to the management and maintenance of the Council's housing accommodation including the letting, transfer, exchange and repossession of dwellings, garages, open spaces and parking spaces. To determine and where appropriate give consent for alterations or extensions to former Council houses and flats.		
C20.	<p>In relation to all and any council owned housing properties:</p> <p>(i) to acquire or dispose of land, and to grant and/or modify leases, easements, licences and way-leaves of, in, or over such properties, in accordance with the limits specified in paragraphs C1 a) to e) above.</p> <p>(ii) To vary the terms and conditions of, or negotiate the surrender of, leases and licences.</p> <p>(iii) To determine as landowner or landlord, applications for licences, consents and permissions in respect of</p>	Where any value exceeds the limits specified in paragraphs a) to e), the DSD may exercise the powers referred to in C20(i) but only after consulting with the	<p>a) Where the payment from the other party does not exceed £50,000 (£25,000 for amenity land); or</p> <p>b) where the payment to the other party does not exceed £50,000;</p> <p>c) where the annual rent does not exceed £25,000 (except for a rent review); or</p> <p>d) where the lease term of the property does not exceed 10 years; or</p> <p>e) if an easement or way-leave, the annual fee does not exceed £1,000.</p>

No	Function	Consultation	Limitation
	properties.	relevant cabinet portfolio holder.	
<u>C21.</u>	To make the necessary application for permission to dispose of 5 or more HRA assets direct to the Secretary of State.		
<u>C22.</u>	To investigate allegations of council tax benefit fraud.		
<u>C23.</u>	To determine whether or not a simple caution or administrative penalty should be administered following an investigation into an alleged criminal offence	HLS	There must be a full admission. It must be a first offence. It must be in the public interest. It must be a minor matter. It must not be a complex fraud or attempted fraud.
<u>C24.</u>	To administer simple cautions and administrative penalties, following determination in accordance with paragraph <u>C23</u> above.		
<u>C25.</u>	To implement the Council's policies regarding Community Safety and the reduction of crime and disorder.		
<u>C26.</u>	To take appropriate enforcement action in relation to – (i) any Council byelaw; and (ii) any anti-social behaviour regulated by the Council under powers conferred by the Anti-social Behaviour, Police and Crime Act 2014, such enforcement to include the issuing of fixed penalty notices.		
<u>C27.</u>	To exercise the Council's functions relating to homeless persons. <u>This includes the power to carry out and/or arrange for</u>		

No	Function	Consultation	Limitation
	<u>the carrying out of homelessness reviews in accordance with Part VII of the Housing Act 1996. The Director of Service Delivery may carry out such reviews personally or may instruct another council officer to carry out such a review or may instruct a third party individual or body to carry out such a review on his/her behalf. A third party individual or body may be instructed to carry out such a review by the Director of Service Delivery personally or by a council officer acting on his/her behalf.</u>		
C28.	To determine applications for appropriate Housing Grants and the taking of all steps concerned with certification of payment of the same.		
C28A.	To cast any vote the Council may have at General Meetings of Eastbourne Homes Ltd.		
C29.	To devise, manage and maintain the Housing Register maintained by the Council under the relevant statutory provisions in accordance with the Council's Housing Allocations Policy.		
C30.	To nominate people on the Council's Housing Register to properties managed by Homes First (on behalf of Eastbourne Homes Ltd) and the Registered Social Landlords in accordance with the Council's allocations policy.		
C31.	To exercise the Council's regulatory and any associated management functions in relation to fitness and standards of housing and residential accommodation.		
C32.	To exercise the Council's regulatory and any associated		

No	Function	Consultation	Limitation
	management functions in relation to houses in multiple occupation and private housing.		
<u>C33.</u>	To exercise all the Council's functions in relation to cremations, burials and all bereavement-related services.		
<u>C34.</u>	To collect, remove, recycle and dispose of waste and fly tipping waste to ESCC's nominated Waste Disposal Authority (WDA) site.		
<u>C35.</u>	To collect, remove, recycle and dispose of litter to ESCC's nominated WDA site.		
<u>C36.</u>	To authorise revisions to charges in relation to the following "charged for" services: Garden Waste, Trade Waste, Bulky Waste, as well as replacement bin provision.		

Director of Service Delivery:

No	Function	Consultation	Limitation
<u>C37.</u>	<u>To manage, including the authority to agree usage (and, where appropriate, agree temporarily reduced charges for usage where such reduction is in the financial and/or overall interests of the Council) and, to maintain all the parks, pleasure grounds, gardens, open spaces, commons, recreational facilities, museums, nature reserves and allotments within the Council's control.</u>		
<u>C38.</u>	<u>All matters relating to pleasure boats, boatman's</u>		

No	Function	Consultation	Limitation
<u>C</u>	<u>licences, fisherman’s agreements and all such other matters related to the Council’s powers and duties in relation to the coast, rivers and harbours.</u>		
<u>C39.</u> <u>C</u>	<p><u>Regulatory functions.</u></p> <p><u>To exercise all the regulatory and any associated management functions for which the Council has responsibility, including but not limited to the following:</u></p> <ul style="list-style-type: none"> a. <u>Amenities on the highway.</u> b. <u>Animal welfare and control</u> c. <u>Caravan Sites</u> d. <u>Environmental protection</u> e. <u>Fitness and Standards of Housing</u> f. <u>Food Safety and Hygiene</u> g. <u>Gambling</u> h. <u>Gaming permits</u> i. <u>Hackney Carriages and Drivers</u> j. <u>Health and Safety at Work</u> k. <u>Houses in Multiple Occupation and Private Housing.</u> l. <u>House to house collections</u> m. <u>Highway management</u> n. <u>Licensable activities under the Licensing Act 2003</u> o. <u>Lotteries</u> p. <u>Markets</u> q. <u>Motor Salvage Operators</u> r. <u>Pest Control</u> s. <u>Leisure Boats</u> t. <u>Private Hire Vehicles drivers and operators</u> 		

No	Function	Consultation	Limitation
	<ul style="list-style-type: none"> u. Public Health v. Public Safety w. Registration Plates x. Residential Accommodation y. Scrap metal dealers z. Shops and Sunday trading aa. Street Collections bb. Street Trading cc. Water and Sewerage dd. Street Closures ee. Cremations, Burials and all Bereavement-related services. 		
C40. C	All matters relating to the investigation and prosecution of matters under the Health & Safety at Work legislation.	HLS	Using duly appointed inspectors as appropriate.
C41. C	To issue and serve notices pursuant to the Building Act 1984 and Building Regulations and to carry out works in default.		

Director of Finance and Performance (Section 151 Officer):

No	Function	Consultation	Limitation
C42.	In respect of Treasury Management: (i) to arrange the borrowing of money authorised by the Council and manage the Council's debt in accordance with any guidelines laid down by the Council, but this authority does not extend to matters other than the strict		

No	Function	Consultation	Limitation
	<p>management of debt and does not include (for the sake of illustration only) other measures, such as interest rate swaps, any financial arrangements which are based on notional amounts of debt, or any speculative proposals of any kind;</p> <p>(ii) to borrow by way of bank overdraft from the Council’s current bankers, in accordance with the Treasury Management Strategy and any other relevant Council budgetary policy, subject to annual review by the bank and the Relevant Cabinet Member;</p> <p>(iii) to manage the investment of the funds of the Council but not in equities or any investment of a speculative nature;</p> <p>(iv) to implement and monitor a treasury management policy statement setting out the matters detailed in CIPFA’s Code of Practice on Treasury Management in Local Authorities;</p> <p>(v) to have control of all money in the hands of the Council and to manage the Council’s banking arrangements;</p> <p>(vi) to report, at or before the start of the financial year, to the Cabinet on the strategy for treasury management it is proposed to adopt for the coming financial year;</p>	<p>Relevant Cabinet Member</p>	<p>In the event of the Director of Finance and Performance wishing to depart in any material respect from the main principles of CIPFA’s Code of Practice, the reasons should<u>must</u> be disclosed in a report to Cabinet.</p>

No	Function	Consultation	Limitation
C	<p>(vii) to take all executive decisions on borrowing, investment or financing and to act in accordance with CIPFA's Code of Practice on Treasury Management in Local Authorities; and</p> <p>(viii) to report to the Cabinet not less than twice in each financial year on the activities of the treasury management operation and on the exercise of delegated treasury management powers. One such report shall comprise an annual report on treasury management for presentation by 30 September of the succeeding financial year.</p> <p>(ix) quarterly reporting to the Audit Committees on treasury management activities and performance.</p>		<p>In the event of the Director of Finance and Performance wishing to depart in any material respect from the main principles of CIPFA's Code of Practice, the reasons should<u>must</u> be disclosed in a report to Cabinet.</p>
C <u>43</u> .	<p>To deal with all matters relating to the Council's insurances including without limitation:</p> <p>(i) the authorisation of the payment of increased premiums as necessary, subject to any general direction of the Cabinet or the Council, and to a report being made to the Cabinet upon the matter of insurance generally from time to time;</p> <p>(ii) the making of payments into the insurance fund.</p> <p>(iii) the making of payments in respect of any claims where the Council's insurers may be involved.</p>		
C <u>44</u> .	<p>To administer the functions of the Council under the Local Government and Finance Act 1992 and</p>		

No	Function	Consultation	Limitation
	<p>regulations made thereunder in connection with the collection and enforcement of the Council Tax including, without limitation, the Council's functions regarding:</p> <p>(i) determinations as to persons to be disregarded for the purposes of discount under Section 11(5) and Schedule 1 to the Act;</p> <p>(ii) the administration etc of the Council Tax under regulations made pursuant to Section 14(1) and Schedule 2 to the Act;</p> <p>(iii) the imposition of penalties under Section 14(2) and Schedule 3 to the Act;</p> <p>(iv) the enforcement of the Council Tax under regulations made pursuant to Section 14(3) and Schedule 4 to the Act;</p> <p>(v) the administration of and making determinations under legislation relating to Council Tax benefits and reductions; and</p> <p>(vi) the authorisation of officers to levy distress on behalf of the Council pursuant to regulation 45 of the Council Tax (Administration and Enforcement) Regulations 1992</p>		
C45.	To invest available funds on appropriate terms and in accordance with the Council's investment strategy.		
C46.	Where annual contributions have been made to specific		

No	Function	Consultation	Limitation
	reserves for either repairs and maintenance to land and buildings and facilities or replacement of equipment, vehicles, plant and transport, to incur the expenditure, subject to there being sufficient funds available to meet the expenditure.		
C47.	With the approval of the Chief Executive, to roll forward specified amounts within the revenue budget between financial years where it has not been possible to incur the expenditure within the approved financial year and where the appropriate budget is not overspent and the purpose of the expenditure is to remain the same. Any amounts rolled forward shall be reported to the next meeting of the Cabinet.		
C48.	To administer the Council's functions in relation to the collection of non-domestic rates in accordance with the Local Government Act 1988 and all relevant regulations made thereunder.		
C49.	To exercise determinations, discretionary powers and all functions contained under the Social Security and Housing Benefit Act 1982 including any regulations and amendments thereto and any subsequent relevant legislation.		
C50.	To maintain an adequate and effective Internal Audit Service and to be responsible for staff engaged in financial and key business plan target performance management work		
C51.	To make payment of any sums due from the Council.		

No	Function	Consultation	Limitation
C52.	To make repayments to the Council's Pension Fund from those reserves earmarked for pension's contribution.		
C53.	To write off debts in accordance with the Council's Financial Procedure Rules.		
C54.	To investigate and report upon any allegations of fraud or dishonesty.		
C55.	For the purposes of the Regulation of Investigatory Powers Act 2000 (RIPA), the Investigatory Powers Act 2016 (IPA) and associated codes of practice, to perform all functions required of the Council's RIPA Monitoring Officer.	HLS in their capacity as Senior Responsible Officer for the Council's functions under RIPA and IPA	
C56.	Functions relating to: <ul style="list-style-type: none"> (i) preparation and updating of the <u>Medium Term Financial Strategy</u> (ii) preparation of the Councils' annual budget proposal for consideration by Cabinet (iii) invoicing of debtors (iv) preparation of proposed fees and charges for consideration by Licensing Committee and Cabinet (v) calculation of Council Tax Base and setting of 		

No	Function	Consultation	Limitation
	<p>precepts</p> <p>(vi) responsibility for financial reporting including the preparation of annual report and accounts relating to both Councils and their trading companies</p> <p>(vii) the financing of the Capital Programme;</p> <p>(viii) any other services allocated to the Director of Finance and Performance by the Chief Executive.</p> <p>(ix) quarterly reporting to Cabinet and audit committees on revenue and capital budget performance and forecast</p>		

Director of Regeneration and Planning:

No	Function	Consultation	Limitation
	Planning		
C57. C	<p>To determine applications for planning permission, to vary planning permission, listed building consent, express consent to display advertisements, hazardous substances consent and footpath diversions pursuant to the Planning Acts, including:</p> <p>i) development specified in the GPDO where express planning permission is required by reason of limitations or conditions by that order;</p>		<p>The delegation shall not be exercised in relation to:</p> <p>a) applications for development which significantly conflicts materially with adopted policy, unless to refuse.</p> <p>b) applications requiring the Secretary of State to be notified under the Town and Country (Development Plans and Consultations)(Departures) Direction 2009, unless to refuse.</p>

No	Function	Consultation	Limitation
	<p>ii) determinations in connection with prior notification procedure under T&CP (General Permitted Development) Order; and</p> <p>iii) [not applicable]</p> <p>(iv) reserved matters as defined in article 2 of the Town and Country Planning (Development Management Procedure (England) Order 2015.</p>		<p>(c) applications materially affecting ancient monuments, and sites of special scientific interest, unless to refuse.</p> <p>d) where the application has been made by an elected member (or their spouse/partner) of the Council; or any direct employee (or their spouse/partner) of Lewes District Council or Eastbourne Borough Council.</p> <p>e) where the Senior Specialist Advisor dealing with the matter considers that the application should be dealt with by the Committee.</p> <p>f) where a member of the Council not more than 28 days after the validation of an application requests the matter be determined by committee and that this request is based on material planning grounds and in the view of the Senior Specialist Advisor has the potential to lead to a substantive/sustainable reason(s) for refusal.</p> <p>g) [not applicable]</p> <p>h) where a substantial number of objections have been received on material planning grounds and in the view of the Senior Specialist Advisor have the potential to lead to a substantive/sustainable reason(s) for refusal and these objections are in opposition (contrary) to the officer’s recommendation.</p>

No	Function	Consultation	Limitation
<u>C58.</u> C	To negotiate the terms of and authorise section 106 planning obligations, to include applications to vary existing obligations and to determine all requests for approval made pursuant to these obligations.		Unless a Member of the Council not more than 28 days after the validation of an application to vary an existing section 106 obligation requests the matter be determined by committee and that this request is formed by material planning grounds and in the view of the Senior Specialist Advisor have the potential to lead to a substantive/sustainable reason(s) for refusal.
<u>C59.</u> C	To discharge applications for consent pursuant to the conditions and limitations imposed under the Planning Acts.		
<u>C60.</u> C	To determine applications for lawful development certificates (Town and Country Planning Act 1990, sections 191 and 192).	HLS in respect of section 191 applications (existing use)	
<u>C61.</u> C	To give, make and confirm any order or direction under the Planning Acts.	HLS	
<u>C62.</u> C	To issue, serve, modify and withdraw any notice under the Planning Acts, to include all types of planning enforcement activity and to carry out works in default.	HLS in respect of enforcement notices and temporary stop notices	
<u>C63.</u> C	The issue and service of a requisition for information on planning matters under the Local Government (Miscellaneous Provisions) Act 1976		

No	Function	Consultation	Limitation
	Trees		
<u>C64.</u> C	To make and confirm Tree Preservation Orders with or without modification (and associated applications for consent for works) and to deal with notification of works to trees in conservation areas.		Not to confirm Tree Preservation Orders if there are any objections, unless the objection(s) are not based on valid planning grounds and in the view of the Senior Specialist Advisor in consultation with the Chair of Planning Committee do not have the potential to lead to a substantive/sustainable reason(s) not to confirm the Order.
<u>C65.</u> C	To determine applications and to take any action under the Anti-Social Behaviour Act (2003) Part 8 (High Hedges).		
	Planning Policy		
<u>C66.</u> C	To determine the Council's stance in respect of and respond to consultation and opinions sought concerning cross boundary and neighbouring authority planning matters, and ESCC and the South Downs National Park Authority planning applications.	Chair of Planning Committee	
<u>C67.</u> C	To exercise all powers and duties under the Community Infrastructure Levy regulations, to include the determination of any applications for discretionary or exceptional circumstances relief from liability.		
	Building Control		
<u>C68.</u> C	To issue, serve, modify and withdraw any notice under the Building Act 1984, including in respect of ruinous and dilapidated buildings and neglected sites		

No	Function	Consultation	Limitation
	(section 79).		
	Other Planning <u>Regulatory</u> Functions		
C69. C	All matters relating to the Planning (Hazardous Substances) Act 1990.		
C70. C	To issue and serve notices and take any further regulatory action where required, including enforcement in consultation with the HLS, under planning, environmental and other relevant legislation applicable to the Council as local planning authority .		Action must have regard to the Council's Regulatory Services Enforcement Policy
C71.	To exercise the Council's powers in respect of water supply, sewerage and drainage, including land drainage.		
C72.	All matters relating to the naming and numbering of streets.	Relevant Cabinet Member and Ward Cllrs	
C73. C	To exercise the Council's powers affecting the design or maintenance of highways.		
C74.	All matters relating to coastal and dredging licence applications.		Such development must be permitted by a General Permitted Development Order or have been granted planning permission.
C75.	To maintain, in partnership with the Chief Executive, the parks, pleasure grounds, gardens, open spaces, commons, recreational facilities, museums, galleries,		

No	Function	Consultation	Limitation
	nature reserves and allotments within the Council's control. [Deleted]		
<u>C76.</u>	All matters relating to on and off-street parking.	Relevant Cabinet Member	
<u>C77.</u>	To manage the improvement, refurbishment and maintenance of the Council's non-housing property portfolio where not specifically the responsibility of other officers, this to include all tasks related to new build provision.		
<u>C78.</u>	To acquire land in connection with the Council's functions and to grant and/or modify leases, easements, licences and way-leaves of, in, or over buildings or land in connection with the Council's functions.		
<u>C79.</u>	To dispose of land in connection with the Council's functions and to grant and/or modify leases, easements, licences and way-leaves of, in, or over buildings or land in connection with the Council's functions.		
<u>C80.</u>	To vary the terms and conditions of, or negotiate the surrender of, leases and licences.		
<u>C81.</u>	To determine as landowner or landlord applications for licences, consents and permissions in respect of the Council's buildings or land.		
<u>C82.</u>	To determine asset of community value nominations		

No	Function	Consultation	Limitation
	and/or applications for compensation, pursuant to sections 87 to 108 of the Localism Act 2011 and the Assets of Community Value (England) Regulations 2012; and to review successful nominations on receipt of a valid request made under section 92 of the Act.		

DRAFT

Head of Legal Services:

No	Function	Consultation	Limitation
C83.	<p>Legal Proceedings:</p> <p>a) To determine what, if any, legal action should be taken following any investigation into a criminal matter.</p> <p>b) To institute, prosecute or terminate any proceedings which the Council is empowered to undertake in or before any Court, Tribunal, Inquiry or by way of Fixed Penalty Notice.</p> <p>c) To defend or settle any proceedings brought against the Council.</p> <p>d) To take any action incidental or inclusive to or which would facilitate any action under this paragraph, including instruction of Counsel and appearance in any Court, or any Inquiry, Tribunal or other forum on behalf of the Council.</p> <p>e) To advise the relevant Chief Officer who is contemplating administering a formal caution to a person that has admitted an offence.</p> <p>f) To determine whether or not any legal proceedings should be taken in any particular case or set of circumstances.</p>		Except in relation to Health & Safety at Work in relation to a), b), c) and f).
C84.	To appoint and instruct external legal service providers where necessary, by reason of technical or specialist competence, rights of audience, resource availability or otherwise.		
C85.	To settle any claims where the Council's Insurers may be involved.	DFP	

No	Function	Consultation	Limitation
C86.	To negotiate and enter into planning or other agreements regulating or controlling the use of development of land.		
C87.	To make minor amendments in planning or other agreements regulating or controlling the use or development of land.		
C88.	To issue, serve, modify, or withdraw any enforcement action or notices under the Planning Acts, the Building Acts, the Environmental Protection Acts and any other such regulatory legislation enforced by the Council etc.		
C89.	To carry out or authorise the carrying out of works in default under any statutory provisions including but not limited to notices concerning ruinous and dilapidated buildings and neglected sites (Building Act 1984, Section 79).		
C90.	To give, make and confirm any Order or Direction under the Planning Acts including Tree Preservation Orders (and associated applications for consent for works) and notification of works to trees in conservation areas.		Not to confirm if there are any objections
C91.	To seal any document.	Relevant <u>Chief Officer</u>	
C92.	To negotiate and agree the terms of any contract.		
C93.	To sign any contract on behalf of the Council.		
C94.	To authorise the attendance of officers at Court under any statutory provision.		

No	Function	Consultation	Limitation
C95.	To authorise service of any statutory requisition for information as to interests in land.		
C96.	To execute any legal document on behalf of the Council.		
C97.	All matters relating to consultations with Sussex Police and other bodies in relation to anti-social behaviour.		
C98.	All matters relating to the consecration of land.		
C99.	To issue, serve, suspend or withdraw any notices in respect of any matter for which the Council has power to act.		
C100.	To carry out any and all functions of Senior Responsible Officer in connection with Part 2 of the Regulation of Investigatory Powers Act 2000, Part 3 of the Investigatory Powers Act 2016 and any related secondary legislation, as specified by the codes of practice issued under those Acts.		
C101.	<p>To exercise the following functions for the management and administration of assets of community value (ACV) pursuant to Part 5, chapter 3, of the Localism Act 2011 and associated secondary legislation:</p> <ol style="list-style-type: none"> 1. Toto conduct reviews of the Council's decisions to include land/buildings in the Council's ACV list; 2. Toto conduct reviews of the Council's decisions in respect of ACV owners' claims for compensation; and <p>Toto put in place all necessary procedures and</p>		

No	Function	Consultation	Limitation
	processes to support the functions numbered 1 and 2 above.		
C102.	To take all and any measures necessary to exercise high standards of client care, regulatory compliance relevant to the solicitors profession, and practice management, whether by applying for and maintaining a recognised legal practice mark such as Lexcel or by adopting equivalent standards.		
C103.	To formulate and implement a general undertakings policy and an undertakings policy for property transactions, to enable legally qualified members of the Legal Practice to give undertakings on behalf of the Council in appropriate circumstances and subject to any limitations or other controls set out in the policies.		

Monitoring Officer (MO):

No	Function	Consultation	Limitation
C104.	Pursuant to sections 28(6) and (7) of the Localism Act 2011, to decide, in relation to members of the Council, whether to investigate allegations that a member has failed to comply with the Code of Conduct.	Independent Persons appointed by the Council.	
C105.	Establish, maintain and publish the register of interests in accordance section 29(1) of the Localism Act 2011.		

No	Function	Consultation	Limitation
C106.	To grant dispensations for relief of interest restrictions	Independent Persons appointed by the Council if appropriate.	

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D Proper and/or Authorised Officer Functions

No	Act	Function	Officer	Deputy
D1.	All legislation prior to 1 st April 1972	Proper Officer in relation to references to Treasurer or Borough Treasurer	DFP	DDFP
D2.	All legislation prior to 1 st April 1972	Proper Officer in relation to declarations and certificates with regard to securities	DFP	DDFP

Local Government Act 1972:

No	Act	Function	Officer	Deputy
D3.	Section 83(3)	Declarations of acceptance of office of Councillors	CE	HDS
D4	Section 84(1)(a)	Receipt of resignations of Councillors	CE	HDS
D5.	Section 88(2)	Convene a meeting of the Council to fill a vacancy of Chair of the Council	CE	HDS
D6.	Section 89(1)(b)	Receive from electors Notices of Casual Vacancies of Councillors	CE	HE & LLC
D7.	n/a			
D8.	Section 100B(2)	Excluding from the public reports which are not likely to be considered in open session	HLS	HDS
D9.	Section 100C(2)	Where part or the whole of the report has been exempt the Proper Officer shall make a written summary of the proceedings or a part to provide a record without disclosing the exempt information	HLS / HDS	
D10.	Section 100D	Compilation of list of background documents	Director or actual author of report for Director	

No	Act	Function	Officer	Deputy
D11.	Section 100F(2)	Deciding whether documents for inspection contain exempt information under relevant paragraph of Schedule 12A which are not required to be open to inspection by Members of the Council	HLS / HDS	
D12.	Section 115(2)	For receipt of monies due to the Council from Officers	DFP	
D13.	Section 146(1)(a)	Statutory Declaration regarding change of name of the Authority in connection with the Companies Act 2006.	HLS	
D14.	Section 191(2)	Applications under the Ordnance Survey Act 1841	DSD	
D15.	Section 210	In respect of powers with regard to charities	HLS	
D16.	Section 225	Deposit of documents in accordance with Standing Orders of either House of Parliament, Enactment or Statutory Instrument	HLS	
D17.	Section 229	To certify photographic copies of documents to be a true copy.	HLS	
D18.	Section 234	To sign notices, orders or other documents authorised or required by or under any enactment.	HLS	
D20.	Section 238	Certification of printed copies of Byelaws	HLS	
D21.	Section 248	To keep roll of persons admitted to the Freedom of the Borough	CE	HDS
D22.	Parts IV and Schedule 12	Signing and serving of summonses to attend meetings of the Council.	CE	HDS
D23.	Schedule 14 Paragraph 25(7)	To certify copies of resolutions applying or disapplying provisions of the Public Health Act 1875 to 1925	HLS	

Local Government Miscellaneous Provisions Act 1976:

No	Act	Function	Officer	Deputy
D24.	Section 41	To certify copies of resolutions, orders, reports or minutes of the Council or any predecessor authority	CE	HLS

Local Government & Housing Act 1989:

No	Act	Function	Officer	Deputy
D25.	Section 2	To receive a list of politically restricted posts	CE	DCE
D26.	Section 4	Designation as Head of Paid Service	CE	DCE
D27.	Section 5	Designation as Monitoring Officer	HDS	HLS

Representation of the People Act 1983:

No	Act	Function	Officer	Deputy
D28.	Sections 8 and 52	Appointed as Electoral Registration Officer (s. 8). Power to appoint Deputy Registration Officer (s. 52).	CE	HE & LLC
D28A	Section 28(1)(a)	Acting Returning Officer for Parliamentary elections	HE & LLC	
D29.	Section 35(1)	Returning Officer at Borough Elections	CE (appointed by the Council when post-holder changes)	HE & LLC
D30.	Not applicable			
D31.	Sections 82 and 89	To receive declaration of election expenses and holding of documents for public inspection	CE	HE & LLC

Local Government (Committees and Political Groups) Regulations 1990:

No	Regulation	Function	Officer	Deputy
D32.	Regulation 8	Receipt of Notice of Political Groups	CE	DCE
D33.	Regulation 10	Receipt of Notice of cessation of membership of Political Group	CE	DCE
D34.	Regulation 13	To accept wishes of Political Groups in respect of proportionality	CE	DCE
D35.	Regulation 14	To notify Political Groups of allocations	CE	DCE

Local Government Act 1974:

No	Act	Function	Officer	Deputy
D37.	Part 3	Local Government Ombudsman	CE	HLS

Local Authorities (Referendum) (Petitions and Directions) Regulations 2000:

No	Regulation	Function	Officer	Deputy
D39.	All	Proper Officer function	CE	HLS / HE & LLC

Local Authorities (Conduct of Referendums) (England) Regulations 2007:

No	Regulation	Function	Officer	Deputy
D40.	All	Proper Officer function	CE	DCE / HE & LLC

The Neighbourhood Planning (Referendums) Regulations 2012

No	Regulation	Function	Officer	Deputy
D40A	Regulation 9	To be the Counting Officer for Referendums	HE & LLC	

Public Health Act 1936

No	Act	Function	Officer	Deputy
D41.	Section 79	Removal of noxious matter	DSD	
D42.	Section 84	Verminous Articles	DSD	
D43.	Section 85	Verminous People	DSD	

National Assistance Act 1948:

No	Act	Function	Officer	Deputy
D44.	Section 47	Removal of people in need	DSD	Officers of Health Authority etc authorised under S 113 (1A) of the Local Gov Act 1972

Public Health Act 1961:

No	Act	Function	Officer	Deputy
D45.	Section 37	Verminous Articles	DSD	

Public Health (Control of Disease) Act 1984

No	Act	Function	Officer	Deputy
D46.	Whole Act	Infectious Diseases and Dead Bodies	DSD	

Public Health (Infectious Diseases) Regulations 1988

No	Regulation	Function	Officer	Deputy
D47.	All	Infectious Diseases	DSD	

Food Safety Act 1990

No	Act	Function	Officer	Deputy
D48.	All	Food Safety	DSD	

Police Reform and Social Responsibility Act 2011

No	Act	Function	Officer	Deputy
D49.	Section 54	Local Returning Officer for Police and Crime Commissioner elections	HE & LLC	

Any other legislative provisions for which arrangements are not specifically made under this Scheme of Delegations:

No	Act	Function	Officer	Deputy
D50.	All	Proper/Authorised etc. Officer functions or similar	CE	DCE

E Specific authorisations for Court

E1 Officers authorised to represent the Council in Court etc:

- A. Every solicitor, barrister or legal executive employed or engaged by the Council shall be authorised to appear on its behalf before any Court, Tribunal or other Hearing before which they have a Right of Audience and to exercise the powers given by the relevant professional body.
- B. The following post holders are authorised to appear on behalf of the Council and to conduct proceedings in court and these are additional to the powers delegated by the Scheme of Delegation to Officers and the rights to appear in Court given to solicitors, barristers and legal executives:
- a. pursuant to the Local Government Act 1972 section 223 and the County Courts Act 1984 section 60 (in respect of possession matters) and for any purpose for which the Council is empowered to authorise Officers to appear on its behalf:
 - (i) Legal Assistants
 - (ii) Trainee Solicitors
 - (iii) Other suitably experienced and/or qualified Officers specifically authorised in writing so to appear by the Head of Legal Services.
 - b. pursuant to the Local Government Act 1972 section 223 in respect of rating or council tax matters:
 - (i) The Director of Service Delivery
 - (ii) Officers of the Council authorised in writing so to appear by the Director of Service Delivery
 - c. pursuant to Part I of the Health and Safety at Work etc Act 1974
 - (i) Director of Service Delivery
 - (ii) Officers of the Council so authorised in writing to appear by the Director of Service Delivery and/or in accordance with the legislation.
 - d. pursuant to the Insolvency Rules 1986 Part 9 (examination of persons concerning company and individual insolvency)
 - (i) The Director of Service Delivery
 - (ii) Officers of the Council so authorised in writing to appear by the Director of Service Delivery

F Authorisation to enter land or premises

F1 General:

- a. This authorisation authorises those Officers named in paragraphs 2-7 to enter land or premises for or in connection with their duties and pursuant to the functions mentioned.
- b. The authority to enter land or premises shall be exercisable subject to any statutory constraints.
- c. A reference to any Act shall include reference to any amendment or re-enactment and any subordinate legislation.
- d. In the event that a post ceases to exist or the name of the post is changed or the responsibilities of that post are transferred to another post temporarily or permanently then the authority given by this authorisation shall be exercisable by the officer in whose area of responsibility the previous responsibilities now reside.
- e. The right to enter given by paragraphs 2-7 below shall extend to the exercise of the power to make inspections, to provide samples and to examine and seize goods as and if appropriate.
- f. A person authorised to enter land may take with him or her or such other persons and equipment as may be necessary.
- g. This authorisation entitles the person authorised to enter land to seek a warrant to enter.
- h. The authorisation of an Officer to enter land shall be taken as this appointment of that Officer among other things for that purpose.

F2 All purposes:

- a. Chief Executive
- b. Deputy Chief Executive
- c. Directors
- d. Director of Finance and Performance
- e. Operational Lead – Emergency Planning

F3 Environmental Health, Housing etc

The following are authorised to enter land or premises for the following function:

No	Function	Officer	Deputy
a.	Animal Welfare and Control	Director of Service Delivery and Director of Regeneration & Planning and such other Officers as shall be delegated to in writing by them from time to time	
b.	Caravan Sites	Director of Service Delivery and Director of Regeneration & Planning and such other Officers as shall be delegated to in writing by them from time to time	
c.	Environmental Protection	Director of Service Delivery and Director of Regeneration & Planning and such other Officers as shall be delegated to in writing by them from time to time	
d.	Food Safety and Hygiene	Director of Service Delivery and Director of Regeneration & Planning and such other Officers as shall be delegated to in writing by them from time to time	
e.	Health and Safety at Work	Director of Service Delivery and Director of Regeneration & Planning and such other Officers as shall be delegated to in writing by them from time to time	
f.	Housing	Director of Service Delivery and Director of Regeneration & Planning and such other Officers as shall be delegated to in writing by them from time to time.	
g.	Licensing Act 2003	Director of Service Delivery and Director of Regeneration & Planning and such other Officers as shall be delegated to in writing by them from time to time.	
h.	Pest Control	Director of Service Delivery and Director of Regeneration & Planning and such other Officers as shall be delegated to in writing by them from time to time.	
i.	Public Health	Director of Service Delivery and Director of Regeneration & Planning and such other Officers as shall be delegated to in writing by them from time to time.	

No	Function	Officer	Deputy
j.	Public Safety	Director of Service Delivery and Director of Regeneration & Planning and such other Officers as shall be delegated to in writing by them from time to time.	
k.	Scrap Metal Dealers	Director of Service Delivery and Director of Regeneration & Planning and such other Officers as shall be delegated to in writing by them from time to time.	
l.	Shop Acts	Director of Service Delivery and Director of Regeneration & Planning and such other Officers as shall be delegated to in writing by them from time to time.	
m.	Street Trading	Director of Service Delivery and Director of Regeneration & Planning and such other Officers as shall be delegated to in writing by them from time to time.	
n.	Sunday Trading	Director of Service Delivery and Director of Regeneration & Planning and such other Officers as shall be delegated to in writing by them from time to time.	
o.	Public Health	Director of Service Delivery and Director of Regeneration & Planning and such other Officers as shall be delegated to in writing by them from time to time.	
<u>po.</u>	Environmental Protection	Director of Service Delivery and Director of Regeneration & Planning and such other Officers as shall be delegated to in writing by them from time to time.	
<u>qp.</u>	Gambling Act 2005	Director of Service Delivery and Director of Regeneration & Planning and such other Officers as shall be delegated to in writing by them from time to time.	
<u>rq.</u>	Street Closures	Director of Service Delivery and Director of Regeneration & Planning and such other Officers as shall be delegated to in writing by them from time to time.	
<u>sr.</u>	Cremations and Burials	Director of Service Delivery and Director of Regeneration & Planning and such other Officers as shall be delegated to in writing by them from time to time.	

F4 Planning

The following are authorised to enter land or premises for the following function:

No	Function	Officer	Deputy
a.	The Town and Country Planning Act 1990, Sections 178, 196A, 196B, 214B, 214C, 324 and 325A	Director of Regeneration and Planning and such other Officers as shall be delegated to in writing by him/her from time to time	
aa	Order made under the Plant Health Act 1967, including but not limited to those relating to Dutch Elm Disease	Director of Regeneration and Planning and such other Officers as shall be delegated to in writing by him/her from time to time	
b.	Planning (Listed Buildings and Conservation Areas) Act 1990, Section 88 and 88A	Director of Regeneration and Planning and such Officers as may be delegated to in writing by him/her from time to time	
c.	Planning (Hazardous Substances) Act 1990, Section 36, 36A, 36B and 36C	Director of Regeneration and Planning and such Officers as may be delegated to in writing by him/her from time to time	
d.	Anti-Social Behaviour Act 2003, Part 8, sections 74 and 77(5)	Director of Regeneration and Planning and such Officers as may be delegated to in writing by him/her from time to time	
e.	Local Government (Miscellaneous Provisions) Act 1976, sections 23 and 24	Director of Regeneration and Planning and such other Officers as shall be delegated to in writing by him/her from time to time.	
f.	Hedgerows Regulations 1997, regulations 12 and 13	Director of Regeneration and Planning and such other Officers as shall be delegated to in writing by him/her from time to time.	
g.	Community Infrastructure Levy Regulations 2010, regulation 109	Director of Regeneration and Planning and such other Officers as shall be delegated to in writing by him/her from time to time.	

F5 Building Control

The following are authorised to enter land or premises pursuant to the following power:

No	Function	Officer	Deputy
a.	Building Act 1984, section 95	The Director of Regeneration and Planning and such Officers as may be delegated to in writing by him/her from time to time.	

F6 Local Taxation

The following are authorised to enter land or premises pursuant to the following power:

No	Function	Officer	Deputy
a.	Collection of Local Taxes	The Director of Service Delivery and such Officers as may be delegated to in writing by him/her from time to time	

F7 Land Drainage and Sewerage Undertaking

The following are authorised to enter land or premises pursuant to the following function:

No	Function	Officer	Deputy
a.	Water Industry Act 1991	The Director of Service Delivery and Director of Regeneration and Planning and such Officers as may be delegated to in writing by them from time to time.	
b.	Land Drainage Act 1991	The Director of Service Delivery and Director of Regeneration and Planning and such Officers as may be delegated to in writing by them from time to time.	

ANNEX A**Chief Officers' and Monitoring Officer's areas of responsibility:**

Chief Executive (and Head of Paid Service)	<i>Strategic leadership and the delivery of quality services. Legal and Democratic Services, Member Services, devolution and governance. Information and communications technology (ICT).</i>
Director of Service Delivery	<i>Service delivery, including but not limited to Customer First, Neighbourhood First, Environment First, Homes First, Eastbourne Homes Ltd, bereavement services and waste services. Business improvement and transformation.</i>
Director of Regeneration & Planning	<i>Planning First (planning policy and development control), property development, regeneration, energy and sustainability, Corporate Plan, procurement, asset management, strategic partnerships, voluntary sector, community engagement, community safety, community grants, youth strategy and equality.</i>
Director of Tourism, Culture and Organisational Development	<i>Human Resources, organisational development, Chief Executive's Office, internal and external communications, information management, and civil contingencies. Employee health and safety policy and procedure.</i> <i>Tourism, events, marketing, sports, seafront, cultural centre and the Devonshire Park facilities</i>
Director of Finance and Performance (Section 151 officer)	<i>Accountancy, internal audit, counter-fraud, purchasing and payments, general income & system support, business planning and performance.</i>
Monitoring Officer	<i>The assurance that all actions and decisions taken by the Officers and Members of the Council are lawful and that the interests of the Council are legally protected and enhanced. All arrangements related to the maintenance and promotion of high standards of conduct among Councillors and arrangements for dealing with complaints about Councillor conduct.</i>

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Report to:	Cabinet
Date:	1 November 2023
Title:	Housing Benefit War Pension and Armed Forces Compensation Policy
Report of:	Tim Whelan, Director of Service Delivery
Cabinet member:	Councillor Robin Maxted, Lead Member for Finance and Resources
Ward(s):	All
Purpose of report:	To gain Cabinet's recommendation to Full Council for the disregarding, in the assessment of Housing Benefit, War Pension and Armed Forces Compensation income above the statutory disregard.
Decision type:	Budget and Policy Framework
Officer recommendation(s):	Cabinet recommend to Full Council the disregarding in full of War Pensions income and the Armed Forces Compensation income above the statutory disregard in the assessment of Housing Benefit.
Reasons for recommendations:	As set out in the report.
Contact Officer(s):	Name: Bill McCafferty Post title: Lead for Income Maximisation and Welfare E-mail: bill.mccafferty@lewes-eastbourne.gov.uk Telephone number: (01323) 415171

1 Introduction

- 1.1 The Housing Benefit Regulations 2006 make provision for the first £10.00 of income from War Widows (Widowers)/War Disablement Pension and the Armed Forces Compensation Scheme to be disregarded in any benefit assessment. The cost of this disregard is fully reimbursed to the Council.
- 1.2 The Social Security Administration Act 1992 gives the Council discretion to disregard any amount it chooses in addition to the statutory provision. The Council has taken advantage of this provision and fully disregarded income claimants receive from the War Widows (Widowers)/War Disablement Pension and the Armed Forces Compensation Schemes.

2 Proposal

- 2.1 That Cabinet recommend to Full Council the continued support to our veterans by disregarding in full any amounts above the statutory disregard.

3 Outcome expected and performance management

- 3.1 That Veterans continue to receive additional support with their housing costs in recognition of the service they provided to the country.

4 Consultation

- 4.1 No consultation has taken place as the policy has been in place for several years.

5 Corporate plan and council policies

- 5.1 This report supports the Council's commitment to the Armed Forces Covenant.

6 Business case and alternative option(s) considered

- 6.1 There is an option to not disregard part or all of the income above the statutory disregard. However, this would lead to adverse publicity from the Armed Forces Community and not be in keeping with the Council's commitment to the Armed Forces Covenant.

7 Financial appraisal

- 7.1 The additional housing benefit awarded in 2021/22 due to the application of the policy was £13,700 across seven claims. The mechanics of the housing benefit subsidy claim meant that the actual cost to the Council was £3,425. The pre-audited expenditure in 2022/23 shows an expenditure of £13,212 with a cost to the Council of £3,303. The 2022/23 figures may change slightly following the audit.

8 Legal implications

- 8.1 The provision in paragraph 1.1 above is specified in regulation 40(2) and paragraph 15 of Schedule 5 to the Housing Benefit Regulations 2006.
- 8.2 The discretionary provision in paragraph 1.2 above is specified in section 134(8) of the Social Security Administration Act 1992.

Date of legal input: 22.08.23

Legal ref: 012336-JOINT-OD

9 Risk management implications

- 9.1 There is a risk that the cost to the Council could increase. The service will regularly monitor expenditure and report to finance and the Portfolio holder any significant rises.

10 Equality analysis

- 10.1 The disregard of War widows and war compensation payments, when assessing someone's income for Housing benefit, will have a positive impact on veterans. This means the policy will have a positive impact on people with disabilities, people of working age as well as older residents.

11 Environmental sustainability implications

- 11.1 There are no environmental sustainability implications arising from this report.

12 Appendices

- None

13 Background papers

- None

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Report to:	Cabinet
Date:	1 November 2023
Title:	Future options for delivery of council housing services in Eastbourne
Report of:	Robert Cottrill, Chief Executive
Cabinet member:	Councillor Peter Diplock, Cabinet Member for Housing and Planning
Ward(s):	All
Purpose of report:	To seek Cabinet's agreement to undertaking a consultation exercise with the tenants of Eastbourne Homes Limited (EHL) with regard to the future delivery of housing services.
Decision type:	Key Decision
Officer recommendation(s):	<ol style="list-style-type: none">(1) To note and endorse the conclusions drawn by the project team following the high-level internal assessment process (set out at appendix 1).(2) To note that the options presented may offer a better opportunity to respond to revised national regulatory and legislative requirements.(3) To note that any decision around the future of housing management will require a thorough consultation and engagement exercise with all tenants and stakeholders before the Council is in a position to change the service delivery model.(4) To approve a consultation and engagement exercise with EHL tenants and leaseholders, in line with the proposals set out in the report.
Reasons for recommendations:	To enable a consultation exercise to be undertaken to inform future options for delivery of housing services.
Contact Officer(s):	Name: Gary Hall Post title: Head of Homes First E-mail: gary.hall@lewes-eastbourne.gov.uk Telephone number: 07892757193

1 Introduction

- 1.1 This report sets out the conclusions drawn following a high-level assessment of alternative housing management models for the homes currently managed by Eastbourne Homes Limited (EHL).

- 1.2 The contents of this report links to the Council's Corporate Plan 2022-2026 Housing & Development theme; We will work alongside residents to deliver decent, safe and well managed housing, meeting the needs of residents by investing in our homes, creating communities that work, helping our tenants with their energy bills as we take steps to make council homes more environmentally sustainable, and responding to homelessness and housing needs through maximizing the provision of new affordable housing.

2 Background

- 2.1 The current arrangements with EHL date back to 2005. Under these arrangements, the Council remains the owner of the housing stock and therefore the legal landlord but EHL are responsible for the management of the housing stock. This arrangement is currently governed by a 20-year management agreement, which runs from 2015-2035, with a break clause every 5 years. The next break clause is in 2025 when a review would usually take place. Due to the rapidly changing context within which housing services are operating, CMT convened a staff project team to undertake a high-level internal review to determine the most appropriate approach to delivering these services in future years.

- 2.2 A range of factors have driven and shaped the project team's considerations:

- Changes to the regulation of social housing and feedback from the Regulator of Social Housing (RSH), through the Council's engagement in Consumer Regulation Testing Pilot, which recommended that we consider whether current arrangements represent the optimal way to deliver for tenants.
- Increased focus on the performance of all local authorities as providers of social housing.
- Significant financial pressures facing the Housing Revenue Account (HRA) caused by rent reductions and cap, coupled with the cost of living crisis and the significant supply chain and cost pressures as a result of increased inflation.
- Vulnerability of EHL in light of the above financial pressures,
- The absence of clear policy drivers for local authorities to support the continued delivery of housing services via Arms Length Management Organisations (ALMOs), which has contributed to a significant number of local authorities now bringing delivery back in-house.

3 Rational for proposal

New Regulatory and Legislative Requirements

- 3.1 The RSH already has oversight of local authorities as housing providers through the operation of four consumer standards covering the quality of homes, neighbourhoods, tenancy and tenant engagement and empowerment. The current approach is being replaced by a new regulatory framework, including a return to pro-active inspections on a rolling, four-yearly basis through the Social Housing (Regulation) Act, which gained Royal Assent in July 2023 and includes

a series of new consumer standards, currently subject to consultation for implementation from April 2024.

- 3.2 A national set of standards called Tenant Satisfaction Measures (TSMs) has already been introduced and local authorities are required to collect both tenant feedback and business intelligence in respect of these measures and report performance to the RSH from the Summer of 2024.
- 3.3 Concurrently, the Building Safety Act 2022 introduced a Building Safety Regulator, together with the introduction of significant additional obligations around the safety and condition of tall buildings and buildings that house vulnerable residents. The Housing Ombudsman also provides regular reports setting out themes identified in service failure (e.g. damp and mould).
- 3.4 These regulatory and legislative requirements sit with the Council and its executive and will require a more robust future governance to enable elected members and senior officers to gain assurance that all statutory duties and regulatory standards are being complied with.
- 3.5 Performance
The changes in the regulatory framework set out above will increase focus on the Council's performance as a provider of social housing. For 2023-24, the following performance metrics have been agreed with the Board of EHL. These metrics cover all the RSHs TSMs along with a number of measures of operational significance in the delivery of effective housing management services.

Measures to be reported against through tenant satisfaction survey:

- TP01 Housing: Overall Satisfaction
- TP02 Percentage of tenants satisfied with repairs
- TP03 Satisfaction with time taken to complete most recent repair
- TP04 Tenant Satisfaction that their home is well maintained
- TP05 Tenant Satisfaction that their home is safe
- TP06 Satisfaction that the landlord listens to tenant views and acts upon them
- TP07 Satisfaction that the landlord keeps tenants informed about the things that matter to them
- TP08 Agreement that the landlord treats tenants fairly and with respect
- TP09 Satisfaction with the landlord's approach to handling complaints
- TP10 Satisfaction that the landlord keeps communal areas clean and well maintained
- TP11 Satisfaction that the landlord makes a positive contribution to neighbourhoods
- TP12 Satisfaction with the landlords approach to handling ASB

Measures to be reported against through business intelligence/systems data:

- CH01a Number of complaints relative to size (Landlord Services) Stage One

- CH01b Number of complaints relative to size (Landlord Services) Stage Two
- CH02a Complaints responded to within Complaint Handling Code timescales (Stage One)
- CH02b Complaints responded to within the Complaint Handling Code timescales (Stage 2)
- NM01a ASB Cases opened per 1000 Homes
- NM01b ASB cases that involve hate incidents per 1000 homes
- RP01 Homes that do not meet the Decent Homes Standard
- RP02a Repairs completed within target timescales (Non-Emergency)
- RP02b Repairs completed within target timescales (Emergency)
- BS01 Gas safety checks
- BS02 Fire safety checks (% FRA completed)
- BS03 Asbestos Safety Checks
- BS04 Water Safety Checks
- BS05 Lift Safety Checks
- BS06_Percentage of homes with a valid Electrical Safety Checks
- HF07 Average time post assessment for completion of aids and adaptations YTD: Minor
- HF08 Average time post assessment for completion of aids and adaptations YTD: Major
- HF14 Rent arrears of current tenants (expressed as a % of rent debit)
- HF16 Average void relet time key to key (month & YTD)
- HF16a Average void time (without exceptions)

3.6 Financial Position of the HRA

The financial position of the HRA is challenging. Following four years of Government imposed rent reductions between 2016-17 and 2019-20, significant inflationary pressures were experienced in 2022/23, mainly related to repairs and maintenance/void reinstatements, utilities costs and staff pay awards.

- 3.7 As a result of these challenges, capital budgets are restricted to the point that only works to meet statutory health and safety regulations and Decent Homes are possible. Stock condition data identifies the need for £48Million investment over the next 5 years, with a 30 year forecast of £300Million, however funding for major works is currently set at just £5M per year over the next 3 years.
- 3.8 Tough decisions are already being made in respect of investment expenditure, however, given that rents will likely continue to be subject to a rent cap in future years, savings are required from all areas of expenditure to ensure the financial pressures faced by the HRA are mitigated as far as possible, and that resources are made available to improve the stock to minimise onward impact on revenue budgets (repairs costs).
- 3.9 The risks associated with these financial pressures, included contract and labour inflationary pressures impacting on repairs and maintenance budgets during 2022-23. EHL is a small organisation making it vulnerable to continued market volatility. Whilst the risks might not be fully mitigated through in-house delivery, closer cost control/management and less complex governance arrangements,

along with achieving a small cashable saving means EBC are better able to manage the risks through in-house delivery.

3.10 National Housing Crises

Emerging pressures around homelessness are causing significant concern. The cost-of-living crisis has significantly increased the number of people presenting to the Council as homeless in recent months, placing extra demands on the statutory response that the Council must make. These pressures are being driven by the impact of inflation and higher interest rates on the private rented sector, which are driving higher rents at a time when tenants are also experiencing rises to their general cost-of-living, resulting in higher rent arrears and more evictions. At the same time the supply of homes is being reduced as landlords choose to not re-let their homes due to less favourable market conditions. Higher levels of re-possession are now starting to become apparent amongst homeowners, further contributing to the level of demand being experienced nationally, and by other local authorities in East Sussex.

3.11 The low rate at which the Local Housing Allowance (LHA) is paid is causing particular problems for those lower income households in receipt of welfare benefits, placing an increasing proportion of private rented accommodation out of their reach. It is no coincidence that, those districts and boroughs in East Sussex where the gaps between LHA and rents charged are the highest, such as Eastbourne and Hastings, are those seeing the greatest homelessness pressures.

3.12 Bringing the statutory housing function fully together with the management of the Council's own stock has the potential to improve overall resilience of the Council's response to the housing crises through improved and more efficient decision-making and development of stronger strategic and operational resilience.

3.13 Policy Framework

The original rationale for the creation of ALMOs was the delivery of the Decent Homes Standard – a technical standard for social (council) housing introduced by government – and the promise of significant funding for ALMOs that achieved an inspection rating of 'good'. EHL was set up for this reason and achieved the necessary inspection rating that led to the award of significant funding to upgrade properties in the Borough to the Decent Homes Standard.

3.14 This route to funding no longer exists, and many local authorities have now taken their ALMOs back in-house. At its peak, there were 69 ALMOs managing over 55% of the total council housing stock in England, however, there now remain just over 20 ALMOs this number is decreasing year on year. Currently, the following local authorities are in the process of bringing their ALMO back in-house: Bury, Lewisham Newcastle and Tower Hamlets.

3.15 Previously, a consideration of future options for the management of council housing would have included:

- Potential repurposing of EHL to become a registered provider
- Establishment of a new provider
- Transfer of the housing stock to an existing provider.

It is worth noting that Government has not published a Housing Transfer Manual since 2014 (covering the period to 2016), signifying a lack of current support for this option and there is no obvious funding mechanism other than borrowing which could support stock transfer. Additionally, given that many existing providers are struggling to meet the costs of their existing compliance responsibilities it is likely that the Council would be required to offer payment with transfer to contribute towards investment costs.

3.16 These options have therefore been discounted for consideration.

3.17 Options identified

In view of the above, CMT were asked to agree the establishment of a Project Team to consider 3 options for the future management of council housing services.

3.18 The Project Team have undertaken a high-level assessment of the options, the results of which are set out in Appendix 1. The following criteria was used to assess each of the options:

1. Could it improve outcomes for tenants?

This is a priority for the Council, and the new regulatory standards make it clear that service outcomes for tenants is the priority across all aspects of the new regulatory framework.

2. Could it improve quality of homes?

Could it provide an opportunity to improve building safety and improve services? The new regulatory standard makes it clear that the Landlord is responsible for building safety. The Council has an ambition to ensure that all residents live in a decent and affordable home and expects its own homes to set the standard expected of other providers in the Borough.

3. Does it contribute to Council priorities and values?

This includes the stated aim to deliver decent, safe and well managed housing, meeting the needs of residents by investing in our homes, creating communities that work, helping our tenants with their energy bills as we take steps to make council homes more environmentally sustainable, and responding to homelessness and housing needs through maximizing the provision of new affordable housing.

4. Does it deliver better value for money?

The demands on the HRA are increasing. Therefore, it is important to provide as efficient service as possible to increase the resources available to improve the housing stock.

5. Does it improve accountability to tenants and the Council?

The new regulatory standards make it clear that tenants should be given a stronger voice in how their homes are managed and the Council's recent participation in the RSHs Consumer Regulation Testing Pilot

highlighted a need to consider whether the current model included a risk to democratic accountability.

4 Outcome

- 4.1 The high-level assessment (Appendix 1) highlights in-house delivery as the option most likely to deliver the greatest benefit to both the Council and its tenants.
- 4.2 In keeping with government guidance, a full appraisal involving engagement with tenants and leaseholders and a test of opinion should be carried out before a decision is made by cabinet. Cabinet is recommended to approve a consultation and engagement exercise with EHL tenants and leaseholders, highlighting the key messages set out in this report and seeking their views and providing an opportunity to feedback any areas of consideration which they feel might have been missed through the high-level assessment.

5 Consultation and engagement

5.1 With tenants and leaseholders

Government guidance, states that any change in housing management services should be subject to a test of opinion. The guidance also states that any review of future options should be transparent, tenants should have the opportunity to be fully engaged in the process, be included in any project group leading the work and be allowed to scrutinise the Council's process. It is appropriate that Leaseholders also be consulted and for them to have the opportunity to give their views, but it should be noted that under the government guidance it is the tenant view that is paramount.

- 5.2 The new regulatory framework requires that a stronger voice be given to tenants. The review provides an opportunity to go further than the minimum required by using a range of methods to engage and develop a stronger voice for tenants and leaseholders. This could be developed into a longer-term approach to give further empowerment to residents.
- 5.3 It is proposed that consultation and engagement with tenants and leaseholders be carried out over the final quarter of 2023-24. If Cabinet agrees with the officer recommendation to consider bringing housing management back into the Council, the key messages contained within this report will form the basis of consultation and engagement. Tenants and Leaseholders will be asked for their views and to provide feedback in relation to any areas which they feel have not been considered by the high-level assessment.
- 5.4 The exercise would also seek tenants' views on their priorities for future investment, tenant engagement and how their homes and estates should be managed and shape the future of their management service. Subject to the decision of Cabinet, this can include a 'test of opinion' of whether they wish to see their home managed by the Council. This would enable Officers and Cabinet to reconsider the preferred option in light of tenant feedback i.e. should a strong view against bringing housing management back in-house be expressed.

5.5 The EBC engagement and consultation exercise will be developed with Residents Voice and EHL and seek to use the existing engagement structures as much as possible, this could include:

- Residents Voice fulfilling the role of a steering group of 'involved tenants' which will include those already involved (including members of the Virtual 300) and other residents who may want to become involved.
- A series of roadshows/pop-up events to promote the survey and obtain feedback.
- Attendance at existing events such as retirement housing forum and social events in retirement housing schemes.
- An online/telephone/paper survey
- Social media awareness-raising campaign
- Early data analysis to identify gaps in feedback from particular groups
- A targeted 'door knocking' exercise to ensure contact with seldom heard groups and under-represented tenants.

5.6 The Council must review and consider all responses to the consultation before making any decision on changes to the housing management arrangements.

5.7 With Government

Whilst Secretary of State approval is no longer required in respect of the contents of this report, the Department of Levelling Up, Housing and Communities will need to be informed.

5.8 With Staff

Whilst EHL employees TUPE transferred back into the Council in 2017, it will be vital to ensure that throughout any future process, and in addition to the comprehensive engagement exercise with tenants and leaseholders, staff are kept informed. An internal communications plan will be developed for this purpose.

5.9 With partners

Partners communications will be incorporated into the above communications plan.

6 Business case and alternative option(s) considered

6.1 As detailed in the main body of the report.

7 Financial appraisal

7.1 The outcome of the high-level assessment into the future delivery of housing services in the council highlights in-house delivery as the option most likely to deliver the greatest benefit to both the Council and its tenants. Transferring housing management from Eastbourne Homes Limited to Eastbourne Borough Council offers opportunities for efficiencies and cost avoidance. These could come from reducing the cost of governance and by integrating services and allowing further alignment with other housing services provided by Lewes and

Eastbourne Councils. Savings would initially be offset by one-off costs associated with the engagement of tenants and leaseholders and any additional professional fees required to successfully implement the transfer of housing services and will be captured as part of the ongoing review of the Council's Medium Term Financial Strategy.

8 Legal implications

- 8.1 As set out elsewhere in this report, tenants will be consulted on the possible changes to the housing management arrangements in accordance with section 105 of the Housing Act 1985 and the outcome of the consultation will be reported to Cabinet in due course.

The legal implications are generally dealt with in the main body of the report.

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9 Risk management implications

- 9.1 The main risks associated with these proposals are set out at section 3 of the report. Should the council not proceed with the engagement and consultation proposed within the report then the opportunity to achieve an early resolution to this issue would be missed, requiring current arrangements to continue until 2025 when the next scheduled review is due to take place.

10 Equality analysis

- 10.1 A full equality analysis is required for this piece of work. This will be undertaken as part of the engagement and consultation activities outlined in this report. The importance of giving all tenants and leaseholders a full and equal opportunity to participate and engage in the consultation process is fully recognised.

11 Environmental sustainability implications

- 11.1 This report contains no direct sustainability implications. Whatever the outcome of the review, the council will continue to prioritise its commitment to carbon reduction and environmental sustainability wherever possible. Opportunities to increase the sustainability of the housing stock will continue, alongside investigating suitable funding options.

12 Appendices

- Appendix 1: High-level assessment of options

13 Background papers

None

Appendix 1: High-level assessment of options

Option	Pros	Cons	Recommendation
No change (Retain EHL)	<ul style="list-style-type: none"> • Continuity in a time of challenges • Brand recognition and perceived quality of that brand and outcomes for tenants • Good lines of accountability for staff to Board and committees-transparent and structured • Avoids disruption 	<ul style="list-style-type: none"> • Confusion of regulatory accountability – some change is needed to clienting arrangements. • The Council already carries this risk through complex governance arrangements and the RSH recommended reviewing whether these arrangements are the best way to deliver outcomes for residents. • Additional resources/focus will be needed at EBC to respond to the new legislative and regulatory environment. • Operational and financial efficiencies are not achieved. • Continued activity for staff around the work to bring budgets, systems and lines of accountability together. • Continued fracture of Housing services and alignment of issues i.e. statutory housing functions fall outside board remit. • EHL holding a financial risk that it is too small/vulnerable to sustain. • EBC/EHL separated lines of accountability limiting transparency for staff and tenants. 	Keep under review for full appraisal through tenant consultation.
Change or refine roles and responsibilities (e.g. return repairs and maintenance services to in-house management)	<ul style="list-style-type: none"> • Puts key aspect of risk in the place most able to manage/mitigate it • Still gives the Board some oversight in housing management. 	<ul style="list-style-type: none"> • Further confusion of governance, systems and accountability. • Fractured lines of accountability - members/board would only get half the story. 	Recommend discounting this option.

Option	Pros	Cons	Recommendation
		<ul style="list-style-type: none"> • Confusion for tenants - difficult to see how outcomes would be improved. • Would not necessarily deliver VFM. • Board role would be limited - areas of challenge in housing as set out above would sit outside their remit, leaving little else of consequence. • Quality of homes would sit outside Board remit creating potential for regulatory oversight to be diminished. 	
Bring responsibility for all aspects of housing management back in-house	<ul style="list-style-type: none"> • Potential to streamline, align and strengthen governance and accountability inline with changing legislative and regulatory environment. This could include retention of current expertise in an 'Advisory Board' capacity. • Operational and financial efficiencies/VFM gains. • Improve EBC engagement with residents. • Achieve closer strategic and operational alignment. • Least disruptive option to services and residents as no staff transfer is required. • Most cost of change (staff and ways of working transfer) has already been absorbed in 2017. 	<ul style="list-style-type: none"> • Loss of much respected EHL brand • Further change for tenants and staff during time of challenges • Risk of reduced tenant influence through loss of Board members.* • Risk of loss of specialist expertise (Board).* <p>*Can be mitigated through the establishment of an 'Advisory Board'</p>	Keep under review for full appraisal through tenant consultation.

Option	Pros	Cons	Recommendation
	<ul style="list-style-type: none"><li data-bbox="555 204 1077 308">• Efficiency gains from reduction in servicing EHL can be used to enhance service delivery.		