

Cabinet

20 March 2024



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, 12 March 2024

Agenda

1 Minutes of the meeting held on 7 February 2024 (Pages 5 - 12)

2 Apologies for absence

3 Declaration of members' interests (Please see note at end of agenda)

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 Stability and Growth Programme Update (Pages 13 - 20)

Report of Chief Executive
Lead Cabinet member: Councillor Stephen Holt

8 Eastbourne and Lewes Community Safety Partnership - Annual Report (Eastbourne) (Pages 21 - 32)

Report of Deputy Chief Executive and Director of Regeneration and Planning
Lead Cabinet member: Councillor Margaret Bannister

- 9 Corporate performance - Quarter 3 - 2023/24 (Pages 33 - 44)**
Report of Director of Finance and Performance
Lead Cabinet member: Councillor Stephen Holt
- 10 Revenue and Capital Financial Monitoring Report - Quarter 3 - 2023-24 (Pages 45 - 62)**
Report of Director of Finance and Performance
Lead Cabinet member: Councillor Robin Maxted
- 11 Options on the future model for the management and maintenance of Eastbourne Council Housing (Pages 63 - 76)**
Report of Chief Executive
Lead Cabinet member: Councillor Peter Diplock
- 12 Off-Street Car Parking Enforcement (Pages 77 - 80)**
Report of Deputy Chief Executive and Director of Regeneration and Planning
Lead Cabinet members: Councillors Margaret Bannister and Colin Swansborough
- 13 Local Employment and Training Supplementary Planning Document (SPD) (Pages 81 - 112)**
Report of Deputy Chief Executive and Director of Regeneration and Planning
Lead Cabinet member: Councillor Peter Diplock
- 14 Eastbourne Community Infrastructure Levy NCIL Governance Review (Pages 113 - 126)**
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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If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation).

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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 7 February 2024 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), Steven Houchin (Interim Deputy Chief Finance Officer (Corporate Finance)), Lynn Ingram (Interim Head of Financial Planning), Bill McCafferty (Lead for Income Maximisation and Welfare) and Ross Sutton (Head of Financial Reporting).

Also in attendance:

Councillor Penny di Cara (Opposition Deputy Leader), Councillor Christina Ewbank (Chair of Audit and Governance Committee), Councillor David Small (Shadow Cabinet member) and Councillor Robert Smart (Opposition Leader).

42 Minutes of the meeting held on 13 December 2023

The minutes of the meeting held on 13 December 2023 were submitted and approved and the Chair was authorised to sign them as a correct record.

43 Apologies for absence

None were reported.

44 Declaration of members' interests

Councillor Holt declared a disclosable pecuniary interest in agenda item 12 (Your Eastbourne Business Improvement District Renewal proposal 2024/25), as the matter concerned his employer. He withdrew from the room and took no part in the discussion or vote on the item. Councillor Bannister chaired the meeting for the duration of the item.

Councillor Bannister declared a personal interest in agenda item 12 (Your Eastbourne Business Improvement District Renewal proposal 2024/25), as she had occasionally done voluntary work for Eastbourne BID. She remained in the

room and voted on the item.

45 General fund budget 2024/25 and capital programme

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

Thanks were expressed to officers for their work in producing the report and for their ongoing discussions with the Department of Levelling Up Housing & Communities (DLUHC).

Since publication of the report, the Cabinet reported that DLUHC had rejected its application for additional Council Tax setting powers above 2.99%, detailed as Option C in the report. This would therefore be withdrawn as an option to be recommended to Full Council. The Council were still to be notified of its request for Exceptional Financial Support.

A minor correction to the proposed fees and charges, set out at Appendix 6 was reported in relation to annual green waste fees. The corrected figure would be uploaded following the meeting, ahead of Full Council consideration.

Officers had also been informed of a late change to the forecast used to establish the potential business rate deficit, as part of the government return called NNDR1. Due to several last-minute appeal applications by business rate payers, the level of provision for appeals may increase.

The Scrutiny Committee at its meeting on 5 February 2024, considered the report and made the following comment for Cabinet's consideration:

- **That the Scrutiny Committee endorse the Cabinet's work in continuing to lobby the Government to support local councils through exceptional financial challenges and exploring all funding options.**

Cabinet acknowledged and expressed its thanks to the Scrutiny Committee for the comment.

Recommended to Full Council (Budget and policy framework):

(1) Continue to lobby the UK Government for additional funding in recognition of the exceptional financial pressures placed on Local Councils in tackling the cost of homelessness, which in Eastbourne is projected to be £4.9m for 23/24 to pay for temporary accommodation.

- a) In this circumstance, EBC Council Tax would increase for a Band D property to 2.99% and deliver £3.8m of savings over two years as per previous MTFS and reporting. This is Eastbourne Borough

Councils preferred option.

- b) Our preference is that the Government recognise the extreme pressures placed on Councils of all political persuasions, and agrees, as they have done with social care, to provide exceptional, emergency support to Councils to cover the costs of EA/TA in the Budget.
- c) However, in appreciation that this may be unlikely, the Council have put forward other alternatives as we continue dialogue with DLHUC to provide support for this authority.

(2) To give delegated authority to the Section 151 Officer and Chief Executive in consultation with the Leader of the Council and the Cabinet Member for Finance to approve one of the following options in respect to the General Fund Budget 2024/25 dependent on the outcome of the Councils application to the Department of Levelling Up Housing & Communities for Exceptional Financial Support.

- a) Option A is based on Department of Levelling Up Housing & Communities recognising and directly funding the increased number of homelessness and temporary accommodation placements activity from 2023/24 onwards (Appendices 1A, 2A, 3A & 4A).
- b) Option B which assumes the acceptance of Exceptional Financial Support by Department of Levelling Up Housing & Communities but does not include additional Council Tax setting powers over and above the existing pre-referendum limit of 2.99% (Appendices 1B, 2B, 3B & 4B).
- d) Option D which assumes the refusal of Exceptional Financial Support by Department of Levelling Up Housing & Communities (Appendices 1D, 2D, 3D & 4D).

(3) To give delegated authority to the Section 151 Officer and Chief executive in consultation with the Leader of the Council and the Cabinet Member for Finance to approve an increase in the Council Tax for Eastbourne Borough Council dependent on the options described above.

- a) Option A, B & D- An increase of 2.99% resulting in a gross Band D charge of £277.74 for 2024/25 an increase of £8.06 per annum.

(4) The revised General Fund & Housing Revenue Account Capital Programme 2024/25 as set out at Appendix 5 to the report.

(5) The rates of Fees and Charges proposed within Appendix 5 to apply from 1 April 2024 and to implement changes to statutory fees and charges for services shown within Appendix 5 as and when notified by Government.

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

Reason for decisions:

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

46 Treasury Management Strategy, Investment Strategy, Capital Strategy and Prudential Indicators 2024/25

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

Recommended to Full Council (Budget and policy framework):

(1) To approve the Treasury Management Strategy and Annual Investment Strategy for 2024/25 as set out in Appendix A;

(2) To approve the Minimum Revenue Provision Policy Statement 2024/25 (Appendix A);

(3) To approve the Prudential and Treasury Indicators 2024/25 to 2026/27 (Appendix A);

(4) To approve the Capital Strategy 2024/25 (Appendix B).

Reason for decisions:

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

47 Housing Revenue Account (HRA) Revenue Budget and Rent Setting 2024/25 and HRA Capital Programme 2023-28

The Cabinet considered the report of the Director of Finance and Performance, asking it to agree and recommend to Full Council, the detailed Housing Revenue Account (HRA) budget proposals, rent levels, service charges and heating costs for 2024/25, and the HRA Capital Programme 2023-28.

In response to a question, officers advised that they would update Cabinet with regards to any impact on proposals as a result of the Government's announcement on Local Housing Allowance rates.

Recommended to Full Council (Budget and policy framework):

(1) The HRA budget for 2024/25 and revised 2023/24 budget as set out at Appendix 1 to the report.

(2) That social and affordable rents (including Shared Ownership) are increased by 7.7% with effect from 1st April 2024 in line with government policy.

(3) That, with effect from 1 April 2024, when social-rented properties are relet to new tenants, the applicable rent will be increased by 5% above target rent.

(4) That the revised service charges as set out in paragraphs 2.3 to 2.6 of the report are implemented with effect from 1st April 2024.

(5) That Garage rents are increased by 6.7%.

(6) To grant delegated authority to the Chief Executive, in consultation with the Cabinet Portfolio holder for Finance and Resources and the Chief Finance Officer to finalise Eastbourne Homes' Management Fees and Delivery Plans for both 2023/24 and 2024/25.

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

(8) To note that £871.5k of Major Works expenditure is shown in the Capital Programme in 2024/25 and 2025/26 to improve EPC ratings in HRA properties, this expenditure being the subject of a Government grant bid to secure 50% match-funding.

Reason for decisions:

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

48 Local Council Tax Reduction Scheme 2024/25

The Cabinet considered the report of the Chief Executive, asking for its recommendation to Full Council that the 2023/24 Local Council Tax Reduction (LCTR) Scheme is adopted as the 2024/25 scheme and to seek Cabinet's approval to commence the statutory consultation process the Council needs to follow in order to make changes to the current LCTR scheme.

It was advised that discussions were ongoing with the local voluntary sector on how best to utilise the Exceptional Hardship Scheme and work would continue on exploring opportunities to supplement that fund further.

Recommended to Full Council (Budget and policy framework):

(1) Cabinet recommend to Full Council that the 2023/24 Local Council Tax Reduction Scheme is adopted as the 2024/25 scheme.

(2) Subject to Full Council approval Cabinet grants the Chief Executive delegated authority:

(a) to implement the Scheme, such delegated authority to include any measures necessary for or incidental to its management and administration; and

(b) if necessary, and in accordance with paragraph 2.3, to amend the Scheme in consultation with the Cabinet Member for Finance and Resources

(3) That the Exceptional Hardship Scheme continues in 2024/25 subject to funds being available.

(4) That an initial £25,000 be added to the Exceptional Hardship Scheme with this coming from the additional income raised from changes to Council Tax Discounts and Exemptions.

Resolved (Key decision):

(5) That Cabinet with the objective of implementing a revised Local Council Tax Reduction Scheme in future years:

(a) authorise the Chief Finance Officer to enter into consultation with the major precepting authorities.

(b) authorise the Chief Executive to produce a draft scheme that calculates a Council Tax Reduction of 100% of a person's council tax liability, removes the Minimum-Income Floor for the self-employed and removes the £5.00 minimum award.

(c) on completion of the consultation and drafting authorised under (a) and (b) above, authorise the Chief Executive to consult with other interested parties.

Reason for decisions:

The Council must review the scheme each year and adopt a scheme for the coming year.

49 Corporate Plan 2024 - 2028

The Cabinet considered the report of the Chief Executive, asking it to consider and recommend the draft Corporate Plan 2024-2028 to Full Council for adoption.

Thanks were expressed to those that engaged in the consultation process.

Resolved (Key decision):

(1) To consider the Corporate Plan.

(2) That any final minor amendments arising from the consultation responses

be delegated for amendment to the Chief Executive, in consultation with the Leader, and

Recommended to Full Council (Budget and policy framework):

(3) That full council adopt the Plan as its overarching corporate policy document for the next 4 years.

Reason for decisions:

To enable the Council to set out its strategic vision, objectives and priority projects for the next four years and provide a firm basis for forward planning and performance management.

50 Your Eastbourne Business Improvement District Renewal proposal 2024/25

The Cabinet considered the report of the Chief Executive, outlining the process for Your Eastbourne Business Improvement District (BID) to carry out a ballot in July 2024.

(N.B: Councillor Holt declared a disclosable pecuniary interest in this item and withdrew from the room whilst the item was considered. Councillor Bannister chaired the meeting for the duration of this item. Councillor Bannister declared a personal interest in this item and remained in the room and voted on the item.)

Resolved (Key decision):

(1) To approve the BID ballot and the Council's Returning Officer (as 'ballot holder') to proceed with the ballot.

(2) To give the Director of Finance and Performance delegated authority to vote in the ballot on behalf of the Council.

(3) To give the Director of Finance and Performance delegated authority to approve the BID proposal and Operating agreement.

(4) To agree the expected costs of the ballot (c.£5,485) will be met by the Council.

(5) To agree that the Council will pay the estimated annual BID levy cost (c.£10,197) for Council owned properties within the BID boundary.

(6) To note that the Council's reasonable costs of collecting the levy and the associated financial management costs will be recoverable from the BID levy monies.

(7) To note that the Council's Returning Officer is permitted to delegate his responsibilities to others and that he has engaged the services of Civica to

undertake the ballot on his behalf.

Reason for decisions:

To set out the specific role of the Council and its responsibilities in relation to the ballot and to note and agree the associated costs of the ballot as well as the ongoing administration of the BID levy.

The meeting ended at 6.28 pm

Councillor Stephen Holt (Chair)

Report to:	Cabinet
Date:	20 March 2024
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:	Key
Officer recommendation(s):	Cabinet is recommended to note the report and delegate authority to the Chief Executive and the Deputy Chief Executive and Director of Regeneration and Planning, in consultation with the Leader and Portfolio Holder, to deliver additional savings in council service areas once the budget reviews are completed.
Reasons for recommendations:	The Stability and Growth programme works 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 Peer Challenge.
Contact Officer:	Name: Jo Harper Post title: Head of Business Planning and Performance E-mail: jo.harper@lewes-eastbourne.gov.uk Telephone number: 07925 893201

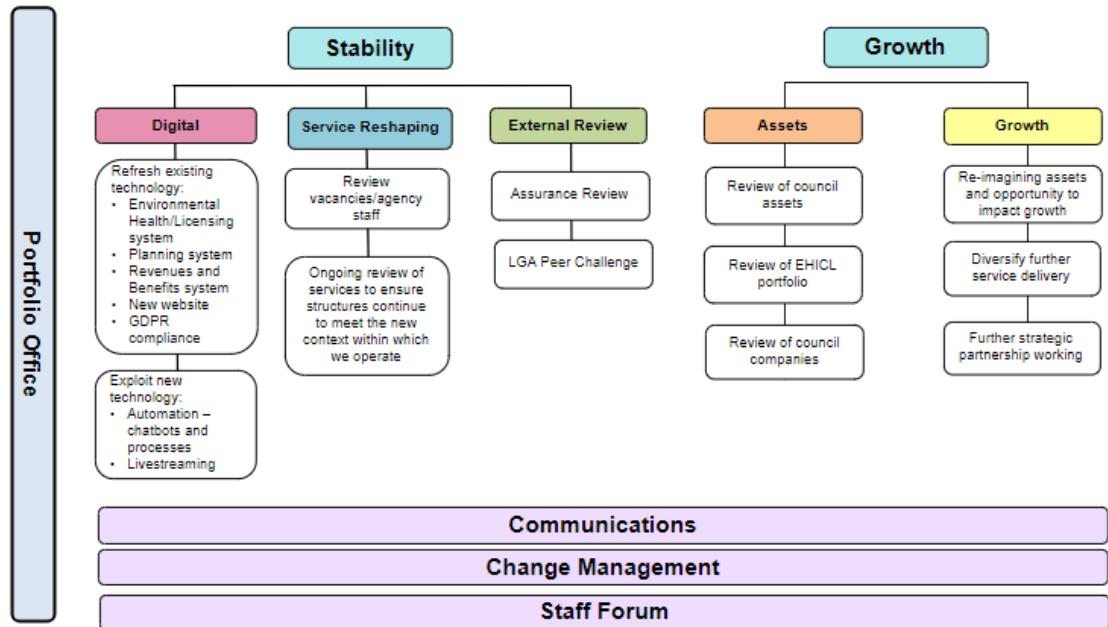
1 Introduction

- 1.1 The Stability and Growth Programme has, over the past year, delivered significant savings for the council, helping to address the financial challenges currently being faced. A summary of this was included in the budget report presented to Cabinet in February. This work will continue into 2024/25 and beyond, with this report providing a regular update on the programme and key work areas for the coming months.

2 Stability and Growth

2.1 In July 2023, Cabinet agreed the Stability and Growth Programme (S&G), which would build on the council's previous efficiencies achieved through the Recovery and Stabilisation programme. The S&G 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.

- At the end of 2023, the council commenced work to launch a new IT system, as part of its programme of replacing legacy systems for key services, for the management of revenues and benefits activities. Work has continued into 2024 to further embed the system, to address the issues that are inherent with the implementation of a new system for such a complex area of work and to prepare for the key, annual business activity of annual billing. Once fully implemented, the new system will improve the customer experience through increased self-service, and will deliver efficiencies for the colleagues working in this service area.
- 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 to add the chatbot onto more council phone lines completed last month. At the time of writing this report, the system expansion had only just been implemented, but the early indications are that the customer and organisational benefits will be delivered, as planned. A further update will be provided in the next S&G programme Cabinet paper.
- Over the last Quarter, a new project to identify the council's future requirements for a workflow platform and customer relationship and document management system has commenced. Due to the scale of complexity of the current system, this will be a longer-term piece of work which will likely conclude in 2027. Further detail will be provided as this project develops.

- 2.4 As part of the **Service reshaping** pillar, a number of savings have been made during 2023/24. Efficiencies have been achieved, for example, through;
- New mailroom equipment
 - Increased biodiversity in council parks and gardens
 - A merger of the seafront and events team management
 - Other management realignment
- Increases in income have also been achieved, for example, through;
- Undertaking legal and public relations work for other agencies
 - Improving our income recovery activities
 - Ensuring our garden waste service charge is in line with other councils.
- 2.5 A comprehensive review of service areas and the budgetary requirements to deliver current service levels is being undertaken with a view to reduce spend and deliver further savings. The Neighbourhood First budget is the first to be reviewed in this way, and this work is currently taking place. Delegated authority, in consultation with Cabinet members, is being sought to facilitate delivery of savings identified through this options appraisal in as timely a manner as possible. If Cabinet approves this approach, full updates will be provided in future Stability and Growth updates.
- 2.6 The council has also worked with Eastbourne Homes Ltd (EHL) to review the way in which its housing stock is managed. A report elsewhere on this agenda sets out the recommendations arising from that review and recent tenant consultation exercise.
- 2.7 In 2024/25 we will continue to find ways to increase efficiency within our services through this programme.
- 2.8 The final part of the stability work has focused on the two **external reviews** recently received by the council. The first of these, the LGA Peer Challenge, was undertaken jointly with Lewes District Council. This made suggestions for 13 areas of improvement. Good progress has been made to address these issues, as can be seen at Appendix 1 of this report. It is expected that at some point in 2024 the LGA will return to undertake a follow up assessment.
- 2.9 The second set of recommendations arose from a more recent government-commissioned Rapid Finance Review. This follow up review was a much lighter-touch revisit following the previous Assurance Review undertaken in 2021. Given the council's success in addressing the issues of the earlier review this review resulted in only 4 recommendations for the council.
- 2.10 The four recommendations have all subsequently been addressed. Two of these related to new strategies being produced. A new Corporate Property and Assets Strategy was adopted by Cabinet in December 2023. A Tourism Diversification Strategy is currently being drafted and will be considered a future meeting of Cabinet. The third recommendation related to the continuing activities and central role of the Stability and Growth Programme in helping to address the council's financial challenges. This report demonstrates how that programme is continuing to drive the council's savings and efficiency work.

2.11 The final recommendation focused on the council continuing to address risks to its financial stability which it is doing through its Stability & Growth Programme which has identified savings totalling £3.451m to be delivered throughout the years 24/25 to 26/27.

2.12 Growth

The **growth** part of the S&G programme has focused on how the council's assets can best serve the future needs of the organisation, and how ways of working can be re-imagined and diversified to ensure the robustness of future delivery.

2.13 In considering its **assets**, the council has undertaken a comprehensive review across its stock and determined which assets should be retained, and which would be more suitable for disposal. A Corporate Property and Assets Strategy setting out a rationale for this was agreed by Cabinet in December 2023, in line with the CIPFA Rapid Finance Review recommendations (see para 2.10).

2.14 In line with the Strategy, the council has disposed of a number of properties in the past year including garage sites and other sites surplus to council requirements resulting in capital receipts of £1.3m to date. In addition, it was decided alternative operating models would be considered for Eastbourne Downs Golf Club. This process is currently underway with a number of potential alternative providers expressing an interest in the future running of the site.

2.15 As was explained to Cabinet in November 2023, the **growth** pillar is focused on the work being done to move to a more sustainable form of governance for different aspects of the council's tourism and leisure operations. This pillar has three main elements:

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

All three of these changes will result in reduction in public subsidy, making a significant contribution to achieving the council's efficiency targets for 2024/25. All three projects are progressing well and the expected savings are on track for delivery over the next year.

3 **Delivery of savings**

3.1 Central to the Stability and Growth programme has been the identification of a comprehensive savings programme. A number of significant savings were delivered in 2023/24 and more are scheduled for 2024/25 and beyond.

3.2 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 resilience to enable growth and diversification in the longer term.

- 3.3 The table below sets out a summary of the savings that have been identified to date split into the four of the five pillars identified earlier in this report.

Pillar	Item	Saving target (£'000)
Digital	Savings from system alignment	180
Service reshaping	Savings from organisational efficiency, managing demand and additional income recovery	1,121
Assets	Asset reviews, transfers and disposals	850
Growth	Ownership transfers to reduce public subsidy	1,300
TOTAL		3,451

4 Outcome expected and performance management

- 4.1 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.

5 Consultation

- 5.1 The Stability and Growth principles have underpinned the development of the new corporate plan for 2024–2028, which was adopted by Full Council last month. 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.

6 Financial appraisal

- 6.1 The Stability and Growth Programme has, over the past year, delivered significant savings for the council. The programme has identified savings totalling £3.451m to be delivered throughout the years 23/24 to 25/26 to move the council and the borough to a position of financial resilience which would enable growth and diversification in the longer term.
- 6.2 However, this is set within the context of extreme financial challenges for the council. This is no more vividly illustrated than the ongoing impact of wider government policy on the increased cost of providing homelessness and temporary accommodation placements. The impact of this, despite all the efforts described within this report is a projected overspend in 2023/24 of c£4.3m.
- 6.3 The council continues to lobby the UK Government for additional funding in recognition of the exceptional financial pressures placed on local councils in tackling the cost of homelessness, which has resulted in the council's reluctant application for Exceptional Financial Support.

7 Legal implications

- 7.1 Legal advice has and will be taken to support the activities of the Stability and Growth programme. *[Iken ref]-EBC-KS 20 February 2024*

8 Risk management implications

- 8.1 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.

9 Equality analysis

- 9.1 An Equality & Fairness Analysis was undertaken on the Recovery and Stabilisation programme, the outcome of which was reported to Cabinet in 2021. As the Stability and Growth Programme represents a continuation of this approach, additional analysis is only required where there are specific changes that impact directly on staff or on service delivery. In these instances, specific analyses are undertaken as required.

10 Environmental sustainability implications

- 10.1 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.

11 Appendices

- 11.1
- Appendix 1 – LGA Peer Challenge recommendations

12 Background papers

- 12.1 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)
 - <https://democracy.lewes-eastbourne.gov.uk/documents/s30082/Stability%20and%20Growth%20Programme.pdf>
 - [Assurance Review follow up - CIPFA \(Chartered Institute of Finance and Accountancy\) Rapid Finance Review \(lewes-eastbourne.gov.uk\)](#)

LGA Peer Challenge Recommendations

	Recommendation	Action	Progress
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.	Assistant Director posts have been established to provide additional resilience/capacity, subject to further review later this year. 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, a new corporate property and assets strategy was adopted by Cabinet in December 2023. A tourism diversification strategy is due to for adoption in March 2024.	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 of the Stability & Growth portfolio. A range of projects are in progress to update the ICT systems used by the councils e.g. replacing revenues/benefits with single system - the implementation commenced in December 2023. Project to replace the two Planning systems with single system. The automation project maximising benefits of existing technology and explore opportunities for further automation, resulted in an expansion of the system on our phonelines in February 2024.	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.	Complete. EBC considered and approved the recommendations of the IRP at its meeting in November 2023, resulting in an increase. A new Members' Allowances scheme will be in effect from 1 April 2024.	Complete
5	Improve cross-department communications and joint working. Create opportunities for staff to meet in person and across MS Teams.	An all staff conference took place in November 2023 hosting the majority of our workforce over 2 days and a further event will be held in Spring 2024 for those who missed this event.	On track
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 used this year, addressing both revenue and capital requirements in a joined-up way. Training for Senior Managers Forum was delivered at the outset. The Medium Term Financial plan also now shows a detailed 4 year position more strongly than previously.	Complete

	Recommendation	Action	Progress
7	More use of financial scenarios to evaluate the impact of inflationary pressures, cost of living and increased borrowing costs.	Has been considered and awareness created at the Senior Managers Forum to ensure relevant data/info are provided writing future reports and business plans.	Complete
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.	The capital programme now only contains items which address health and safety issues or which help us to maintain financial stability. A further review of assets which may be disposed of in the longer term is continuing to take place and progress is reported through to Strategic Property Board.	On track
9	Demonstrate commitment to the key corporate priority of sustainability and carbon neutrality by assigning a suitable budget to ensure delivery.	Budgets across the green consultancy team, homes first, the property and develop teams and the corporate sustainability function all contain budgets which help to deliver sustainability objectives.	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.	Work has progressed on the EBC Local Plan. This is subject to budget decisions to determine future options.	On track
11	Ongoing evaluation of investments, commercial activities, and the capital programme in the current challenging economic context.	The Corporate Property and Assets Strategy adopted in December 2023 has helped to provide a strategic oversight for this work. The Capital Programme Overview Board continues to ensure the programme is tightly monitored and limited in line with the current economic situation.	On track
12	Conduct a self-assessment against the CIPFA assurance review to help the organisation move forward.	Completed.	Complete
13	Continued work on financial resilience focussing on adequacy of reserves.	Continues to be a central consideration, with the Stability and Growth Programme being central to tackling current issues.	On track

Agenda Item 8

Report to:	Cabinet
Date:	20 March 2024
Title:	Eastbourne & Lewes Community Safety Partnership – Annual Report (Eastbourne)
Report of:	Ian Fitzpatrick, Deputy Chief Executive and Director of Regeneration and Planning
Cabinet member:	Councillor Margaret Bannister, Cabinet Portfolio Holder for Tourism, Leisure, Accessibility and Community Safety
Ward(s):	All
Purpose of report:	To enable Cabinet to consider the 2023/24 performance of the Eastbourne & Lewes Community Safety Partnership (E&L CSP).
Decision type:	Non-key
Officer recommendation(s):	That Cabinet note the achievements and activities of the E&L CSP in 2023/24.
Reasons for recommendations:	For Cabinet to consider progress on delivery of the current Community Safety Plan.
Contact Officer(s):	Name: Oliver Jones. Post: Lead, Housing, Homelessness & Community Safety. E-mail: Oliver.Jones@lewes-eastbourne.gov.uk. Telephone number: 01323 415 464.

1. Introduction

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

- 1.3. Lewes & Eastbourne CSPs have worked on a joint basis since their merger was formally ratified by the Police & Crime Commissioner in 2019, although scope is left within the business priorities to reflect the issues of concern in each Council area, such as road safety in Lewes and supporting the street community in Eastbourne. A budget allocated by the Sussex Police Crime Commissioner remains ring fenced for use in the Borough.
- 1.4. A strategic planning meeting of the E&L CSP takes place every quarter, whilst the Eastbourne Joint Action Group (EJAG) meets monthly to identify local issues and risks across the town. Portfolio holders and senior Council officers routinely attend the County level community safety forum (the East Sussex Safer Communities Board) to address issues such as domestic abuse, organised crime and county lines, at a strategic level.

2. Annual Plan 2023/24

- 2.1. CSPs have a statutory duty to set out a plan and monitor progress. The latest plan was approved by the Partnership in July 2023, following a review that considered recent crime and anti-social behaviour trends, residents views, and issues of national concern, such as the impact that the cost-of-living crisis may have on patterns of crime and anti-social behaviour. It also considered the wider strategic priorities of the Police & Crime Commissioner (PCC) and the Safer East Sussex Team, who support the work of the County Council.
- 2.2. The review recommended that the headline priorities of the plan were unchanged, as they remained well placed to tackle the Borough's current challenges. As a result, the six priorities addressed by the Partnership in 2023/24 remained as follows:
 - Promoting safe & welcoming spaces to reduce the incidence of crime & ASB.
 - Tackling the incidence of hate crime, domestic & sexual abuse.
 - Reducing the incidence of serious violence & knife crime.
 - Addressing the impact of organised crime on local communities.
 - Lowering levels of anti-social driving on the Borough's roads.
 - Supporting the street community and addressing related ASB.
- 2.3. CSPs are awarded an annual grant by the PCC, based on a formula that takes account of population density and an analysis of local levels of crime. A review of funding was last carried out by the Sussex Police & Crime Commissioner in 2019, resulting in an increased allocation of £48,547. The level of funding received during this current financial year remained unchanged.

3. Crime and incident trends

- 3.1. An analysis of the latest data shows that for the year to December 2023, 11,057 crimes were reported across Eastbourne's police district, a rise of 16.8% when compared to last year. This trend is largely accounted for by increases in reported levels of acquisitive crime, notably reports of shoplifting (1919 crimes) which is an increase of 196%, and to a lesser extent burglary (321 crimes), an increase of 20%. The cost of living, increased activity of organised crime groups

and more opportunities for crime as residents return to working at the office are all likely factors, although a proportion of the increase in shoplifting reports is due to partnership work encouraging retailers to log reports in a more consistent manner. Sussex Police and the local Business Crime Reduction Partnership (BCRP) are working together to understand the issues at hand and put in place remedies by working even more closely with local retailers and deploying operations targeting prolific offenders.

- 3.2. The rising trends in crime were reflected across the most commonly reported types of crime with criminal damage (1003 reports) \uparrow 15% and public place violence against the person (1754 reports) \uparrow 6%, although violence against the person in a non-public place (2296 reports) fell slightly, \downarrow 2%. Whilst it is recognised that all crimes have a significant impact on victims, the majority of these incidents were not categorised as serious crimes by the police and levels of serious violence (93 reports) and knife crime (57 reports) remain low in the town. There were no reported gun crimes or homicides in the town in the year to December.
- 3.3. A summary of reported crimes by type comparing the twelve months to December 2022 and 2023 is set out in appendix 1. It should be noted that reported crime categories are not mutually exclusive and that some crimes will be marked against more than one. So, for example, many of the shoplifting reports will be recorded against both *theft* and *shoplifting*, accounting for the significant increases seen in both.
- 3.4. Once other incidents which are not categorised as crimes are taken into account, such as those reports of anti-social behaviour (ASB), domestic abuse and hate incidents, the increase in overall reports (12.4%) is slightly lower. This is accounted for by falls in the number of recorded ASB reports, which dropped by 1.2%, (1,791 incidents) and domestic violence incidents (854), which reduced by 6.7%.
- 3.5. Levels of reported domestic abuse (crime & incidents) fell slightly (\downarrow 4%), although the number of overall reports remained high (2,240 reports). Overall, levels of reported hate crime and incidents remain stable (up slightly at \uparrow 1.4%), although reports relating to race increased (race related crime \uparrow 31% and race incidents \uparrow 15%) and continued to be the highest reported category. Reports relating to religion, sexuality and other hate incidents fell.
- 3.6. Overall, the Borough continues to be a relatively low crime area. The most recent figures from the Government's benchmark 'Most Similar [Crime] Group'¹, which compares Eastbourne with eleven other local authority areas (September 2023) shows that, with a rate of 99 crimes per 1000 people, it is one of the two lowest. This level is well below the group average of 116 crimes per 1000 people. Figures for the benchmark group are set out in appendix 2.

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

- 3.7. These trends have set the tone for the work of the partnership across the last year, which has supported a range of initiatives that have helped; address anti-social behaviour; support organisations tackling domestic abuse; respond to increasing levels of serious and violent crime; support the local street community; and address safety on local roads. Key highlights, activities and achievements across these priorities are set out below.

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

- Funding *Best Bar None*, an industry recognised business accreditation scheme which assesses licenced premises against venue management, customer service and community safety standards. The partnership funded a successful launch for the new scheme, which signed up nine town centre venues, a mix of bars, restaurants, and hotels, who completed the accreditation process over the summer. The businesses fared well against the assessment criteria, though a number were required to make improvements to policies and practices around the use of door searches, emergency evacuation plans, and their use of CCTV, to help obtain full accreditation. Businesses are now being signed up for accreditation in 2024.
- Supporting a Sussex Police led campaign of engagement and enforcement activity targeting prolific shoplifters in Eastbourne town centre, first undertaken as part of the national Safer Business Action Week. As a follow up undercover officers now undertake regular covert operations helping to protect those local businesses most impacted by shoplifting, issuing Community Protection Notices to identified offenders, and targeting Criminal Behaviour Orders at repeat offenders. The local BCRP is actively working alongside the police to encourage all retailers to report offences via the DISC reporting system or direct to the local neighbourhood policing team.
- Managing the replacement of Eastbourne Town Centre's analogue CCTV network with new digitally enabled cameras, digital video recorders and Wi-Fi enabled transmission. The new system, scheduled to go live on the 1st of April, will provide improved imagery, remote access for Sussex Police HQ and put future proof technology in place for the coming years.
- Working with Sussex Police to support *Operation Blitz*, the local initiative targeted at tackling anti-social behaviour across the Borough. Over the past year the operation has helped address numerous incidents of ASB and co-ordinated the activities of police, youth outreach services, Neighbourhood First and Homes First council officers, to help tackle identified local issues.
- Identifying local hotspots of crime and dis-order, such as an alley way to the rear of the Langham Hotel on Eastbourne seafront, in the vicinity of which there have been 29 reports of drug use and drug dealing, and a further 17 reports related to anti-social behaviour. The scene has been assessed and the local policing team have worked with local residents to secure funding for new alley gates that will permanently restrict access to the area. This solution will complement similar measures delivered to the areas using Safer Street 1 funding in 2020.

- Supporting the Council's Neighbourhood & Environment First teams work to keep public spaces across the Borough clean, tidy, and free from rubbish. In the year to date (April to December) the teams dealt with over 580 reports of fly-tipping, graffiti, rubbish, and abandoned vehicles. The teams employ a range of monitoring and enforcement activities, including warnings, fixed penalty notices, prosecutions, and the deployment of mobile CCTV.

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

- Taking part in strategic initiatives to address the incidence of domestic abuse. This work involves contributing to the development of joint needs assessments and implementing the two key action plans that set out to improve support services and increase the availability of specialist accommodation in which to re-house victims.
- Directly funding projects offering support through programmes delivering yoga and breathing rehabilitation therapy sessions, targeted at referrals from the local domestic abuse survivors' network. The yoga sessions are run by an organisation called Unity, who have been running successful sessions in Lewes for a number of years, whilst Brighton's Women's Centre will be organising the breathing therapy sessions in the town. The programmes will provide 190 places for local women from across the Borough, delivering exercises that help participants to overcome adversity, improve their resilience, and regain control of their lives.
- Continuing to drive forward best practice in managing domestic abuse across the Council, led by Homes First co-ordinated work to assess policies and practice against the Domestic Abuse Housing Alliance (DAHA) standard, an initiative backed by the leading sector specialist organisation supporting housing providers in this field. In moving toward obtaining full accreditation over the past year, this programme of work has launched new Homes First and staff domestic abuse policies, refreshed the staff DA awareness course in line with recommendation suggested by the DAHA team, and added a new resource to the Council's website, providing comprehensive list of local and national agencies that can provide support to victims.
- Contributing to a fund that pays the cost of Domestic Homicide Reviews in East Sussex. These reviews undertake detailed assessments of the circumstances surrounding individual cases and apply insights and key learning points to the processes and practices of the relevant agencies involved, to help reduce future risk.
- Supporting BourneThisWay, an organisation forming an alliance of LGBTQ+ support groups across the town, who are working on developing a new pledge. An associated campaign will ask local businesses and organisations to display the pledge within their premises and/or on their website, to help create and identify safe spaces for the LGBTQ+ community in the Eastbourne area.

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

- Supporting activities to reduce knife crime, which include Sussex Police's *Operation Safety*, that drives a range of local awareness and enforcement activities targeted at keeping residents safe from knife-related harm. These include incident led patrols, social media campaigns, community engagement, knife sweeps, test purchasing and much more. It runs side by side with the *kNOw Knives* programme delivered by ESCC's Targeted Youth Service. This programme runs prevention sessions in local schools that raise awareness of the risks of knife carrying, discuss the related topic of exploitation, and examine the myths surrounding knife crime and gang culture.
- Sponsoring Eastbourne Youth Radio's annual broadcast, an established initiative that engages young people to deliver a week-long programme of 'on air' programmes, that discuss a range of topics including the risks of exploitation, online safety, knife crime and bullying.
- Working alongside the local Business Crime Reduction Partnership to support the new *Night-time Marshall* service in the town centre. The principal role of the marshalls will be to prevent vulnerable persons becoming victims of crime, help licenced premises control incidents, and support the management of taxi ranks. The service, which started operating this February, will be deployed every Friday and Saturday throughout the year, and is supported by funding awarded by Sussex Police and the Government's Safer Streets 5 fund.

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

- Contributing to the *Serious & Organised Crime Partnership*, a police-led collaboration, set up to tackle serious crimes that are being systematically carried out by organised groups. The partnership has an operational focus, identifying specific crimes that present a high level of harm to local residents, then sharing information and intelligence to help disrupt these.
- Directly funding organisations that deliver programmes engaging and supporting young people, many of whom are at risk of being drawn into anti-social behaviour and more serious crime. This year these included supporting music production workshops run by Audio Active in Devonshire Ward, funding towards material and staffing costs for a new youth club offer to operate out of St. Elisabeth's church in Old Town, and replacement uniforms and equipment for the fire cadet service, who run programmes designed to boost confidence and improve the self-esteem of local young people.
- Participating in the Violence Reduction Unit, a Sussex Police and County led task force, co-ordinating a strategic approach to tackling serious violence across East Sussex. Work in Eastbourne continues to address issues in identified 'harm hotspots' across Devonshire Ward and the town centre, principally through increased levels of patrol activity, victim and perpetrator

profiling. Across the year a dedicated project worker, employed through 3VA, focussed on developing links between statutory partners and representatives from the local community. As part of this work a *grass roots network* meeting was established to bring local agencies together to identify and explore issues, which continues to meet on a bi-monthly basis.

- Supporting the work of Sussex Police's *Discovery* team, who co-ordinate operations that tackle modern slavery, exploitation, and human trafficking. Partners, including the Council's Homes First, licencing, benefits and democratic services teams routinely work with *Discovery* to source information on residents and businesses, verify intelligence, and on some occasions accompany visits.

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

- Continuing to support the work of the Rough Sleeper Initiative, who provide comprehensive support and outreach services. Their activities identify rough sleepers and connect with local services, including referrals to an in-house team of health, social care, substance misuse & housing professionals.

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

- Overseeing implementation of the new *Public Place Protection Order* (PSPO) focussed on addressing the incidence of anti-social driving in specified areas of the town. The PSPO, which covers roads leading up to Beachy Head, seafront parades and in Sovereign Harbour, is targeted at addressing specific issues such as speeding, aggressive driving, illegal manoeuvres, racing, and excess noise from vehicles. The order, active between March and October each year, is enforced by Sussex Police on behalf of the Council. In 2023, the first year of its operation, they issued 15 fixed penalty notices citing a variety of breaches including speeding, wheel spins dangerous manoeuvres and vehicle noise. This year enforcement is planned to focus on a number of targeted campaigns.
- Funding the purchase of three radar 'speedwatch kits and safety equipment to meet the demands of local residents wishing to set up community Speedwatch groups. The distribution of the kits is co-ordinated by the *Sussex Safer Roads Partnership*, who will also provide training to the new volunteer groups.

- 3.8. A summary of the annual income and expenditure for Eastbourne's Partnership budget is set out in appendix 3. During the first three quarters of the year just over 80% of the available grant (£40,179) has been allocated to a range of community groups, voluntary organisations, and statutory agencies. Where possible opportunities have been taken to draw on match funding to help optimise the impact of the grant. A pipeline of projects is in place which should ensure that the budget is fully utilised by the end of this financial year.

4. Consultation

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

5. Corporate Plan & Council Policies

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

6. Business case

- 6.1. The annual CSP plan sets out the approach that the Council, along with other partners, will take to reduce crime and disorder, anti-social behaviour, and re-offending across their local area. The current plan identifies six clear priorities, agreed with partners, that will help address local issues. The next plan is due to be approved by the Partnership in the Spring of 2024.

7. Financial appraisal

- 7.1. As the partnership is wholly grant funded there are no direct financial implications for the Council arising from the activities set out in this report. However, a summary of the current income and expenditure account, managed by the Council on behalf of the Partnership is provided in Appendix 1. *Interim Deputy Chief Finance Office consulted.*

8. Legal implications.

- 8.1. This report sets out how the Council has complied, and will continue to comply with its duties under section 6 of the Crime and Disorder Act 1998 and the Crime and Disorder (Formulation and Implementation of Strategy) Regulations 2007. *Lawyer consulted: 14/02/24 - Legal ref: 012766-JOINT-KS.*

9. Risk management implications

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

10. Equality analysis

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

11. Environmental impact analysis

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

12. Appendices.

- 12.1. Appendix 1 – Eastbourne CSP - Income & Expenditure 2023/24
Appendix 2 – ‘Most Similar Crime Group’ benchmark Data, June 2023
Appendix 3 - Eastbourne CSP – Income & Expenditure 2023/24

13. Background papers.

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

Appendix 1 – Crime reports, twelve months to December 2023

Eastbourne	Year to Dec 22	Year to Dec 23	Diff	% change
Count all occurrence numbers	12128	13636	1508	12.4%
Total Crime	9469	11057	1588	16.8%
Criminal damage	872	1003	131	15.0%
Arson	60	53	-7	-11.7%
Rape	143	140	-3	-2.1%
Other sexual offences	268	319	51	19.0%
Possession of drugs	223	270	47	21.1%
Trafficking of drugs	39	65	26	66.7%
Burglary	268	321	53	19.8%
Theft	1591	2850	1259	79.1%
Shoplifting	647	1919	1272	196.6%
Serious organised acquisitive crime / fraud	1997	3183	1186	59.4%
Vehicle offences (theft of / from a vehicle)	420	460	40	9.5%
Violence against the person (VAP) in a public place	1656	1754	98	5.9%
Violence against the person (non-public place)	2341	2296	-45	-1.9%
Possession of weapons	127	154	27	21.3%
Robbery	87	114	27	31.0%
Serious violent crime	81	93	12	14.8%
Knife crime	67	59	-8	-11.9%
Gun crime	0	0	0	n/a
Homicide	1	0	-1	-100.0%
ASB - Personal	140	126	-14	-10.0%
ASB - Nuisance	1560	1558	-2	-0.1%
ASB - Environmental	113	107	-6	-5.3%
Total ASB	1813	1791	-22	-1.2%
Domestic violence crimes	1415	1386	-29	-2.0%
Domestic violence incidents	915	854	-61	-6.7%
Racist crime	113	148	35	31.0%
Race	193	222	29	15.0%
Sexuality	58	39	-19	-32.8%
Gender	9	14	5	55.6%
religion	22	18	-4	-18.2%
Disabilist	36	42	6	16.7%
Other	34	22	-12	-35.3%
Stalking and harassment	1130	975	-155	-13.7%

Appendix 2 – ‘Most Similar Crime Group’ benchmark Data, June 2023

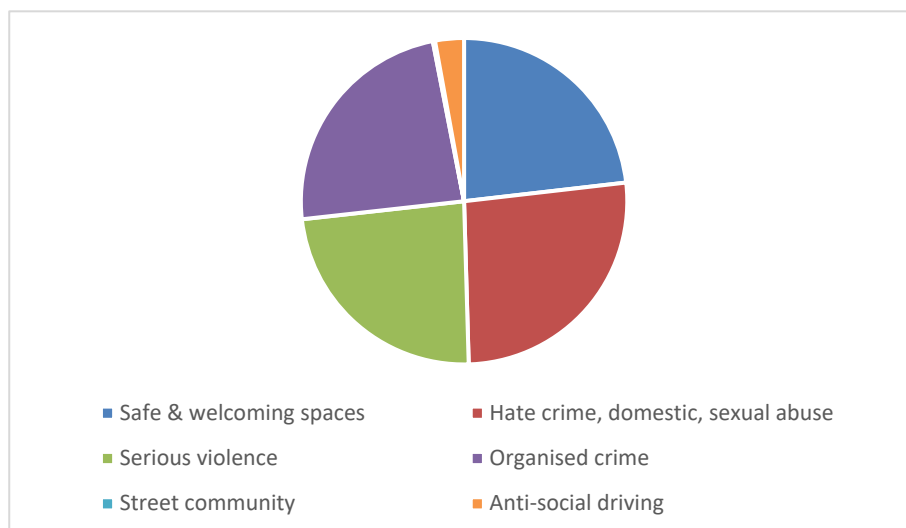
Community Safety Partnership Area	Crimes / 1000 residents - June 2023
North Tyneside	88
Eastbourne	99
Ipswich	103
Cardiff	108
Southend-on-Sea	109
Sheffield	112
Preston	114
Derby	116
Gloucester	123
Leeds	140
Lincoln	141
Southampton	143
Group average	116.3

Appendix 3 - Eastbourne CSP – Income & Expenditure 2023/24

Spend by project

Grant	2023/24 PCC Allocation	£48,544.19
Other income	Accruals / refunds 2022/23	£840.05
Other income		£0.00
Total income	Total income	£49,384.24
Bid	Organisation	£
EBC Regulatory Services / Sussex Police	Best Bar None	£2,500.00
Gildregde Park Light maintenance	Safer Streets	£331.48
Eastbourne Youth Radio	Eastbourne Education Business Partnership	£490.00
Southern Rail	Banner to support safety sessions	£91.94
ESCC	Contribution to Domestic Homicide Reviews	£2,313.20
Unity CIC	Nurture Projects - Eastbourne	£3,500.00
Seahaven FM	Ad campaign	£525.00
ESFRS	Cadet Equipment	£1,944.00
Audio Active	Beats & bars	£8,592.00
Sussex Police	Redoubt alley way	£6,300.00
Sussex Police	Speedwatch equipment	£1,059.72
Brighton Womens Centre	Emotional wellbeing support	£2,532.00
St Elisabeths Church	Youth club / worker support	£8,000.00
Bournethisway	Hate crime (homophobic) awareness campaign	£2,000.00
	Total spent	£40,179.34
	Remaining funds	£9,204.90
	Remaining accounting for pipeline	-£9,274.60
	Total spent as a % budget	81%
	Total - pipeline as a % budget	119%
Pipeline bids 2023/24	EASTBOURNE	£Est
Warming Up the Homeless (WUTH)	Prison release housing support	£1,802.50
EBC	Youth club support	£4,932.00
Shinewater Youth Club	Equipment fund (subject to MH bid success)	£2,000.00
BCRP	Nightwatch Radios	£1,745.00
Eastbourne Borough Council	Private Sector Mediation Services - 5 referrals	£8,000.00
Total		£18,479.50

Spend by priority



Agenda Item 9

Body:	Cabinet
Date:	20 March 2024
Subject:	Corporate Performance Quarter 3 2023-24
Report of:	Homira Javadi, Director of Finance and Performance
Cabinet member:	Councillor Stephen Holt, Leader of the Council (Community Strategy, Local Strategic Partnership, the Corporate Plan, Performance and Staff)
Ward(s):	All
Purpose of the report:	To consider the council's progress and performance in respect of service areas for the Third Quarter of the year (July-September 2023) as shown in Appendix 1
Decision type:	Non Key
Recommendation:	To note progress and performance for Quarter 3 2023/24
Reasons for recommendations:	To enable Cabinet members to consider specific aspects of the Council's progress and performance.
Contact:	Luke Dreeling: Performance Lead Tel: 07525 351757 or email: luke.dreeling@lewes-eastbourne.gov.uk

1.0 Introduction

- 1.1 The council has an annual cycle for the preparation, implementation and monitoring of its business plans and budgets. This cycle enables us regularly to review the council's work, and the targets it sets for performance, to ensure these continue to reflect customer needs and council aspirations.
- 1.2 It is important to monitor and assess progress and performance on a regular basis, to ensure the council continues to deliver priority outcomes and excellent services to its customers and communities.
- 1.3 Appendix 1 of this report sets out details of the key performance indicators for the third quarter of 2023/24 (September to October) .

2.0 Solution Sprints

- 2.1 The Solution Sprint (SS) review into Out of Hours (OOH) provision and Incident Liaison Officer (ILO) activity concluded this Quarter, culminating in a report with options and recommendations for associated service improvement. The report was considered by the new CMT lead for business continuity, and the next steps

were planned. Options and recommendations with regards to OOH service resilience, capacity and consistency are now being taken forward. As previously reported, a 'Smartsheet' has been set up whereby ILO and OOH colleagues can log incidents online and direct from their mobiles. This new data continues to help paint a better picture of demand, so that associated responses and allocation of resources can be more data driven and evidence based.

Other notable SS activity this Quarter included the completion of a sprint with Housing First colleagues, resulting in an improved process for reporting and collating key data with regards to tackling domestic violence and abuse. Associated good practice in collating this information has been shared with and applauded by a number of our partners. Work is nearing conclusion on another 'Smartsheet' solution to assist Green Consultancy colleagues track performance and report progress. Parallel work has also been completed in producing a similar 'Smartsheet' solution to capture, track and report on corporate sustainability and net zero commitments. Where appropriate, take up will follow the conclusion of the Sustainability Strategy refresh. Quarter 4 will include a review of SS activity at year end, taking stock, lessons learned and associated direction of travel for the new financial year.

3.0 Appendix 1 Review

3.1 Within Appendix 1 we have 27 PIs, this quarter we have had: 13 PIs achieve target, 2 slightly below target, 7 below target, 4 Data only points, 1 PI Not applicable. We have 13 positive trends and 11 negative trends from Q2 to Q3

4 Financial appraisal

4.1 Project and performance monitoring and reporting arrangements are contained within existing estimates. Corporate performance information should also be considered alongside the Council's financial update as there is a clear link between performance and budgets/resources.

4.2 All the financial implications are contained within the body of the report.

5.0 Legal implications

5.1 Comment from the Legal Services Team is not necessary for this routine monitoring report.

6.0 Equality analysis

6.1 The equality implications of individual decisions relating to the projects/services covered in this report are addressed within other relevant Council reports or as part of programmed equality analysis.

7.0 Conclusion

7.1 This report provides an overview of performance against the authority's priority actions and indicators for 2023-24.

Appendices

- Appendix 1- Portfolio Progress and Performance Report (Quarter 3 2023/24)









Background Papers:

The Background Paper used in compiling this report were as follows:

- Corporate Plan 2020/24 <https://www.lewes-eastbourne.gov.uk/about-the-councils/corporate-plans/>













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Eastbourne Borough Council Corporate Performance Report Q3 2023-24




















Key			
	Performance that is at or above target Project is on track		Performance that is below target Projects that are not expected to be completed in time or within requirements
	Project has been completed, been discontinued or is on hold		Performance that is slightly below target but is within an acceptable tolerance Projects : where there are issues causing significant delay, changes to planned activities, scale, cost pressures or risks
	Direction of travel on performance indicator : improving performance		Direction of travel on performance indicator : declining performance
	Direction of travel on performance indicator : no change		Data with no performance target







KPIs

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KPI Description	Annual Target 2023/24	Q2 2022/23	Q3 2023/24				Latest Note
		Value	Value	Target	Status	Short Trend	
1. Finance: Percentage of Council Tax collected during the year - Eastbourne	96.80%	54.82%	80.63%	81.90%			<p>Q3 2022/23 for comparison: 81.45%</p> <p>What happened: Q3 performance is slightly below the target due to the system migration, as the system was closed down for a short period of time.</p> <p>What was learned/changed: Recovery action was suspended in Q3 for this reason but has now restarted. The new revenues and benefits system also went live during Q3.</p>
2. Finance: Percentage of Business Rates collected during the year - Eastbourne	97%	54.86%	81.49	81.10%			<p>Q3 2022/23 for comparison: 81.28%</p> <p>Collection is 0.39% above target this quarter and remains on track</p>
3. Benefits: Average days to process new claims for housing/council tax benefit	22	19	43.29	22			<p>What happened: During Q3 the migration and implementation of the new revenues and benefits system was undertaken. During this time the team prioritised the daily review of new claims being received and prepared them for the system when it became available.</p> <p>What was learned/changed: The team continue to investigate trends into claims that have taken longer than anticipated to process. New claims are a priority activity and continue to be prioritised to bring the number of days to process down.</p>
4. Benefits: Average days to process change of circs (housing/council tax benefit)	6	7	19.94	6			<p>What happened: During Q3 the migration and implementation of the new revenues and benefits system was undertaken. During this time the team prioritised the daily review of changes in circumstances being received and prepared them for the system when it became available.</p> <p>What was learned/changed: Changes in circumstance alongside new claims are a priority activity and continue to be prioritised to bring the number of days to process down.</p>
5. Customers: Average time taken to answer calls (minutes)	Data Only	04:39	02:44	Data Only			<p>What happened: Customer contact saw an improvement of 1mins 5sec from Q2. Call volume did slightly drop for the quarter, however we have continued to experience calls of a complex nature.</p> <p>What was learned/changed: During the Q3 we saw 2 members of staff leave and had 7 new starters join the team, who are all progressing well with their training and likely to be handling contact on their own shortly. Further recruitment has taken place where we see an additional 2 advisors join the team in January and an additional interview round taking place in early February to fill out remaining 2.5FTE vacancies. The expansion of our Artificial Intelligence, ELLIS, on our phones has progressed well during Q3 where during the start of Quarter four we will be completing some final user acceptance testing before ELLIS is deployed onto our live environment and phones. This will also see an overall time-reduction and improvement of our telephony system which will enable our residents and customers to reach the correct team seamlessly should ELLIS find the enquiry too complex to assist.</p>
6. Customers: Telephone calls graded as high quality under the call monitoring scheme	90%	84%	86%	90%			<p>What happened: Q3 saw the team reaching an overall score of 86% - classed as 'Great' – which was a 2% positive increase when compared to Q2</p>

KPI Description	Annual Target 2023/24	Q2 2022/23	Q3 2023/24				Latest Note
		Value	Value	Target	Status	Short Trend	
							<p>What was learned/changed: During the Q3 all advisors who had joined us since March 2023 had a training review to check their understanding and ensure there were no gaps in their knowledge – this resulted in a series of 1-2-1 and classroom-based training sessions, Team meetings were also held in order to re-cap some of the areas requiring improvement.</p> <p>Our future focus will be on ensuring that all team members, both new and experienced, are fully confident with our garden waste renewal process and Annual Council Tax Billing. We anticipate high levels of contact coming in Q4.</p>
7. Customers: Customer complaints logged at stage 1 resolved within 10 working days	100%	48%	45%	100%			<p>What happened: Q3 saw a reduction in overall complaints, which is in line with the yearly trends, however an increase in Q4 is likely, as in previous years. The top 3 service areas for complaints remains to be Homes First repairs Council Tax and Waste and Recycling. Homes First had a challenging period with unavoidable periods of sickness, staff changes and contractor delays which increased complaints.</p> <p>What was learned/changed: Some service areas performed particularly well, making good use of monitoring systems to track complaint deadlines and taking on board the ombudsman guidance of closing complaints on time. We are working to see other areas follow this good practice. The recent reporting of KPIs has given teams a clear indication of their performance. The highest performing teams have increased their complaints closed on time by 35%, to achieve 100% closed on time in Q3.</p>
8. Customers: Customer complaints logged at stage 2 resolved within 20 working days	100%	58%	24%	100%			Please see above commentary
9. Customers: The number of corporate complaints upheld at stage 1 and stage 2	Data only	36	28	Data only			<p>Stage 1 Upheld complaints: Total Complaints 166 Upheld 23, Partially Upheld 22</p> <p>Stage 2 Upheld Complaints: Total Complaints 19 Upheld 3, Partially Upheld 3</p>
10. Customers: The number of corporate complaints received at stage 1 and stage 2	Data only	185	140	Data only			Please see above commentary
11. Housing: Number of households living in emergency (nightly paid) accommodation	Data only	310	292	Data only			We have again seen improvement quarter on quarter, with 18 fewer households in emergency accommodation this quarter.
12. Customers: Number of people registering for our email service (GovDelivery)	1,800	1,075	1029	450			PI remains significantly ahead of target
13. Customers: Percentage of local searches that are returned within 10 working days of receipt	80%	100%	100%	80%			Q3 performance above target. All of the 173 local searches were returned within 10 working days.
14. Growth: Town centre vacant retail business space	11.02%	6.92%	7.35%	11.02%			2023/24 remains above the national vacancy rate of 13.8%.
15. Housing: Average void relet time key to key (month & YTD)	20.0	29.6	26.2	20.0			What happened: The target has not been met for this quarter, however there we have seen an improvement.

KPI Description	Annual Target 2023/24	Q2 2022/23	Q3 2023/24				Latest Note
		Value	Value	Target	Status	Short Trend	
							<p>This improvement was positively impacted by The Glenn (New Development) where the whole Team worked together to meet very tight deadlines.</p> <p>What was learned/changed: We will use recommendations from the Tenant Security Review and our Internal Auditors to look to improve performance.</p> <p>We will also be taking a constant management review of tenant and property processes, to ensure for timely solutions.</p>
16. Housing: DFGs - Time taken from council receiving a fully complete application to the council approving the grant	14 days	3 days	5 days	14 days			Performance remains above target.
17. Housing: Number of Licensed HMO's Inspected per Quarter	48 (12 Quarterly)	27	17	12			Performance remains above target
18. Housing: Rent arrears of current tenants (expressed as a percentage of rent debit)	3%	3.4%	3.79%	4%			Arrears have achieved target by 0.21%, maintaining the positive performance from Q2.
19. Planning: Increase the percentage of Major Planning Applications processed within 13 weeks	60%	100%		60%			No applications received within quarter
20. Increase the percentage of minor planning applications processed within 8 weeks	70%	70%	80%	70%			Performance remains above target
21. Increase the percentage of other planning applications processed within 8 weeks	70%	90%	81%	70%			Performance remains above target
22. Recycling & Waste: % Container Deliveries on Time (SLA)	99%	100%	100%	99%			Q3 sees another great quarter with 100% maintained from Q2.
23. Recycling & Waste: Missed Assisted Collections	1%	0.25%	0.18%	1%			Q3 is within target and an improvement on Q2 (0.25%)
24. Recycling & Waste: Number of missed bins (per 100,000)	100	39	33	100			<p>This quarter sees a decrease in the number of missed bins (39) compared to the previous quarter (39) and remains within target.</p> <ul style="list-style-type: none"> • Oct = 26 • Nov = 42 • Dec = 30 • Qrt average = 33

KPI Description	Annual Target 2023/24	Q2 2022/23	Q3 2023/24				Latest Note
		Value	Value	Target	Status	Short Trend	
25. Recycling & Waste: Percentage of household waste sent for reuse, recycling and composting	45.00%	38.90%	38.90%	45.00%			<p>Holding figure until data from ESCC is available</p> <p>Q2 (38.90%) sees slight drop in performance against the previous Q1 (41.65%). However we have seen an improvement on Q2 2022/23.</p> <p>Q2 2022/23 for comparison: 37.48%</p>
26. Recycling & Waste: Total number of reported fly-tipping incidents	480	248	113	120			<p>Reported incidents breakdown: Oct 89, Nov 3 and Dec 21.</p> <p>Hotspot ward: Devonshire Ward</p> <p>Primary waste types: Household Items (eg furniture)</p> <p>Volume type: Car boot load or less</p> <p>Neighbourhood First teams work with residents, landlords and property owners through our Educate, Remind, Enforce (ERE) methods, to reduce anti-social behaviours regarding waste.</p> <p>We are investing the figures for November, as the value is far lower than previous months.</p>
27. Staff: Average days lost per FTE employee due to sickness (J)	8.0 days	1.99 days	2.32 days	2.0 days			<p>Sickness levels have increased for this quarter, but we do remain on track for our 8.0 day target for the full year.</p> <p>HR Business Partners continue to support managers in managing any attendance issues that arise.</p>

Devolved ward budget scheme 2023/2024 – Summary by ward to end of Quarter 3 (1 October – 31 December 2023)

Ward	Project	Description	Project Spend to Date
Devonshire	Basketball court improvements	Relining of basketball courts at Fisherman's Green.	£750.00
	Leaf Hall community kitchen	To buy a soup blender for Leaf Hall community kitchen	£250.00
	Seaside Community Hub	Support for community fridge project.	£400.00
Total spend to end of Quarter 3			£1,400.00
Hampden Park	Art exhibition at St Mary's church	Art exhibition about loss, at St Mary's church, with St Peter's church.	£200.00
	Volunteer t-shirts for Willingdon Trees Centre	To provide logo t-shirts for use by volunteer team at events on behalf of the community centre at Willingdon Trees	£444.00
Total spend to end of Quarter 3			£644.00
Langney			
Total spend to end of Quarter 3			£.00
Meads	Holding Space education programme	To support Holding Space with its work to help parents and carers of children with mental health issues.	£500.00
	Defibrillator at Collington Close	To provide a new defibrillator at Collington Close site managed by Eastbourne Area Community First Responders	£400.00
	360 Camera for Vision for Eastbourne	To help Vision for Eastbourne buy a 360 camera, with 2 years accidental damage insurance, for use by community groups.	£471.00
	Meads Magic community event	To support community Christmas event, Meads Magic.	£500.00
Total spend to end of Quarter 3			£1,871.00
Old Town	Friends of Ocklynge Cemetery	To support work of the Friends of Ocklynge cemetery	£100.00
	Water valve for refill station	Funding for valve to automatically shut off water supply in the event of accident or vandalism.	£150.00
	St Elisabeth's boxing club	Funding to provide equipment for St Elisabeth's boxing club.	£300.00
	Wednesday Run club	Promotion activities for the Wednesday Run club and its different events for adults and children.	£100.00

Devolved ward budget scheme 2023/2024 – Summary by ward to end of Quarter 3 (1 October – 31 December 2023)

Ward	Project	Description	Project Spend to Date
	Treebourne wildflower meadow	To buy seeds to create a wildflower meadow with Ocklynge school.	£240.00
Total spend to end of Quarter 3			£890.00
Ratton	Defibrillator x 2 for Eastbourne First Responders	To provide two defibrillators to Eastbourne Area Community First Responders	£1,300.00
Total spend to end of Quarter 3			£1,300.00
St Anthony's			
Total spend to end of Quarter 3			£.00
Sovereign	Balance bikes for Haven School	To buy 5 balance bikes, to encourage outdoor activity and future interest in cycle riding.	£500.00
Total spend to end of Quarter 3			£500.00
Upperton	Holding Space	To support the work of Holding Space charity, which helps families with children with mental health issues.	£250.00
	JPK Project's garden	Funds to help registered charity, the JPK Project, create a communal garden for residential development for people with learning difficulties.	£500.00
	Friends of Ocklynge Cemetery	To support the work of the Friends of Ocklynge Cemetery.	£200.00
	Rooted Community Food children's allotment with Blackberry Buzzard CIC	To develop a children's allotment	£510.00
Total spend to end of Quarter 3			£1,460.00

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Number of schemes to end of Quarter 3	20
All wards total spend to end of Quarter 3	£8,065.00

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Report to:	Cabinet
Date:	20 March 2024
Title:	Revenue and Capital Financial Monitoring Report - Quarter 3 2023-24
Report of:	Homira Javadi, Director of Finance and Performance
Cabinet member:	Councillor Robin Maxted, Cabinet member for Finance and Resources
Ward(s):	All
Purpose of report:	The report provides 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)
Decision type:	Non-Key
Officer recommendation(s):	It is recommended that the Cabinet: <ul style="list-style-type: none">i) Note the forecast outturn position for 2023-24 and associated risks.ii) 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.iii) Approve the additional release of £17,000 from the HRA to support the allocation of twelve HRA properties to support Emergency & Temporary Accommodation pressures.iv) Note Appendix 1 and 2
Reasons for recommendations:	To update members on the financial position of the Council and ensure that the Authority complies with its financial regulations.
Contact Officer(s):	Name: Homira Javadi Post title: Director of Finance and Performance E-mail: homira.javadi@lewes-eastbourne.gov.uk Telephone number: 01323 485512

1. Introduction

- 1.1. Eastbourne Borough Council provides a range of services to residents and businesses across the area including the collection and disposal of waste, housing, and support for the homeless, leisure and community wellbeing, planning and tourism and culture activities.
- 1.2. However, the Council, alongside many other local authorities and organisations across the nation, has seen a significant impact on its finances originating from external factors beyond its control. The recent exercise to construct the Medium-Term Financial Strategy for 2024-25 through to 2027-28 has further highlighted pressures facing the council's finances. The main drivers of these cost pressures are highlighted below:
 - The higher interest rates affecting our ability to fund Capital Expenditure.
 - Inflationary and cost of living pressures impacting on the now agreed pay award for 2023-24, the net cost of borrowing, contract inflation and energy costs.
 - Demand led and inflationary pressures within housing and temporary accommodation for homelessness.
 - The lack of clarity over Government funding for local government particularly around business rates and a long-term settlement to enable planning over the medium term.
- 1.3. As a result of these externally driven financial challenges, Corporate Management Teams continue to be focused on reducing the cost-of-service delivery in their areas to support the Council to forecast spend closer in line with the budget, while ensuring that services are still delivered and that there is not a corresponding reduction in service provision.

2. General Fund

- 2.1. The forecast outturn position for 2023-24 on 31st December 2023 is an overspend of **£3.99m** as shown in Table 1. This shows a worsened position of £0.022m from that reported at Q2.
- 2.2. The position at Q3 follows our usual review of budgets and likely expenditure. The position will continue to be analysed and monitored over the coming months to achieve a plan of expenditure and funding aligning by the year end.
- 2.3. Base budgets have been adjusted by £0.581m to reflect the movement of the pay award from the central contingency held for the purpose so this quarters tables also show the revised budget against which the forecast is compared.
- 2.4. The initial main underlying pressures which directorates are seeking to mitigate are as follows:
 - Underlying levels of inflation and increased interest costs affecting contracts, operations, running costs and the cost of borrowing to fund the capital programme. **£1.4m above budget**

- Increase in homelessness provision. **£2.4m above budget. This is a £4.6m spend above the existing provision of £2.2m.**
- Significant pressure on the Neighbourhood First Service. **£0.4m above budget.**
- Tourism and Enterprise now forecasting an increased overspend of **£0.396k** in Q3 leading to an overall forecast of **£0.566m** overspend. This relates to Theatres underperforming.

2.5. Work continues to identify financial options with Government, as well as scrutiny of our current and aspirational Capital Programme and in reviewing service spend across the organisation to try and mitigate the budget gap which is currently forecast to continue into 2024/25.

2.6. The detailed forecast variations against budget are set out from Section 3.

Table 1: Quarter 3 Forecast Outturn 2023-24 by Directorate

Directorate	Net Budget	Revised Net Budget	Forecast Net Spend	Forecast variance	Q2 variance	Q3/Q2 change in forecast	variance %
£'000							
Corporate Services	4,820	4,969	5,121	152	281	(129)	3%
Service Delivery	8,139	8,386	11,393	3,007	3,439	(432)	37%
Regeneration & Planning	(56)	22	(372)	(394)	(294)	(100)	0%
Tourism & Enterprise	2,037	2,144	2,710	566	170	396	28%
Cost of Services	14,940	15,521	18,851	3,330	3,596	(266)	68%
Technical/Centrally Controlled Budgets	3,033	2,452	3,859	1,407	1,119	289	46%
Total Budgeted Expenditure	17,973	17,973	22,711	4,738	4,715	24	26%
Less Funding	(17,973)	(17,973)	(18,723)	(750)	(750)	(0)	4%
Net Position 2023-24	0	0	3,987	3,987	3,965	22	22%

2.6 The report reflects the position on 31st December 2023.

2.7 Services are aware of the pressures and as trying to pull back spending in their areas.

3.0 Homelessness and Temporary Accommodation

3.1 The largest and most disproportionate pressure the Council currently faces is the numbers and costs of those seeking emergency or temporary accommodation. Within Eastbourne Council, there is a current projected net overspend against budget of £2.7m to meet the current costs of providing homeless support and housing.

3.2 In addition, the council is utilising some of its Eastbourne Housing Investment portfolio (EHICL) to reduce costs. The estimated net cost of this approach is c.£600k.

3.3 The costs arising for the Council in both responding to the increased numbers and in putting in processes and resources to attempt to successfully manage the

numbers down are also considerable. We will work to quantify these figures during Q3.

- 3.4 The Council had supported approximately 120 households during the previous year and had budgeted to support 150 households in 2023/24.

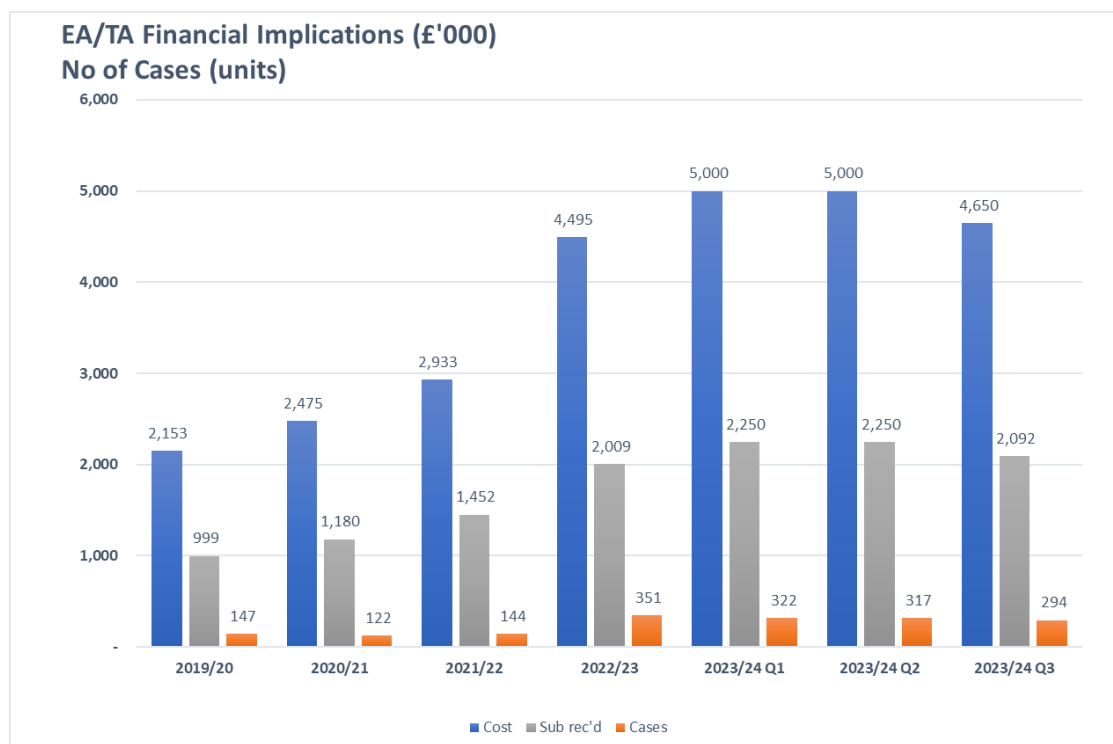
The current demand (*first 2 weeks of January*) is 294 households (excluding 39 EHICL placements) in emergency accommodation which is an improvement from the Q2 position which was 317 and reflects the considerable resources being used to attempt to manage the situation. Realistically though, the service is working hard to reduce the numbers but is likely to achieve a move on rate of only 2 households per 4-week period if current circumstances remain the same. The pressure will certainly continue for several years.

- 3.5 The costs of this unprecedented pressure are spread over many council service areas. The table below shows what has been quantified.

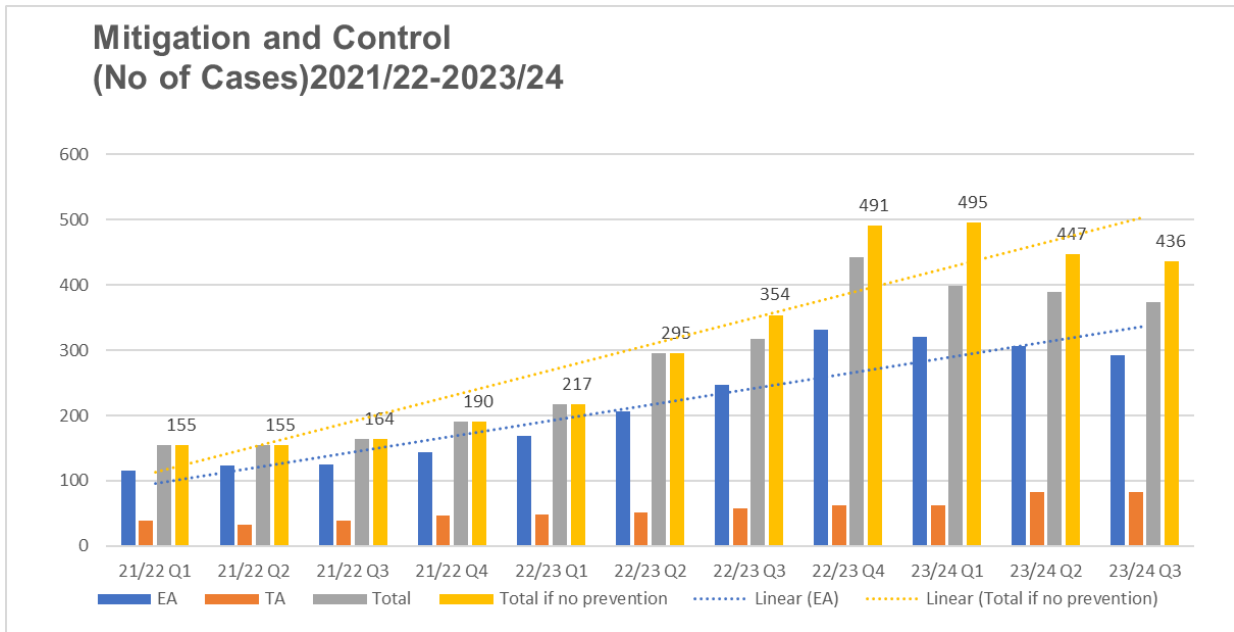
EBC Costs	2021/22	2022/23	2023/24
Costs of placements	£3.3m	£5.8m	£6.6m
Housing Benefit Receipts	(£2.7m)	(£4.3m)	(£5.5m)
Subsidy	£1.5m	£2.6m	£3.5m
Total	£2.1m	£4.1m	£4.6m

EHICL Costs			2023/24
Net costs of 39 placements			£0.6m
Total			£0.6k

The graph below shows the EBC costs, cases and projected subsidies based on current figures.



The graph below demonstrates the rise in numbers and the effects of the considerable efforts and resources used to control the situation to current levels.



Financial Overview by Directorate

This section of the report provides an update on the forecast variations against the 2023-24 budget focused on individual Directorates.

4.0 Corporate Services

The Corporate Services Directorate delivers services including human resources, financial services and performance, corporate management team, business transformation and legal and democracy support.

Table 2: Corporate services 2023-24

Corporate Services Q3 Forecast Outturn	Net Budget	Revised Net Budget	Forecast Net Spend	Forecast variance	Q2 variance	Q3/Q2 change in forecast	variance %
	£'000						
Finance	1,404	1,453	1,767	313	385	(72)	22%
Corporate Management Team	(143)	(137)	(42)	94	67	27	-66%
Business Transformation	1,488	1,537	1,371	(167)	(68)	(99)	-11%
Business Planning and Performance	445	449	459	10	(39)	49	2%
Human Resources	377	391	365	(27)	(25)	(2)	-7%
Legal and Local Democracy	1,305	1,371	1,297	(74)	(24)	(50)	-6%
Local Land Charges	(57)	(97)	(95)	2	(15)	17	
Net Position	4,820	4,969	5,121	152	281	(129)	3%

4.1 The Directorate is forecasting an outturn position of **£152k overspend**.

4.2 **This is an improvement of (£129k)** since the Q2 exercise.

- 4.3 **Finance £313k overspend**- In common with many other local authorities, Finance has struggled to recruit to key posts on a permanent basis. Savings from permanent vacant posts are currently partially offsetting interim costs. The service conducted a successful recruitment campaign with seven posts permanently recruited to and five having started. The reduction this quarter is because there had been an assumption that the new starters would start earlier but notice periods were longer than expected.
- 4.4 The forecast includes £100k overspend on insurance costs due to higher premiums.
- 4.5 **Corporate Management Team £94k overspend** – The forecast spend relates to Health & Safety cost which has previously been recharged to other services.
- 4.6 **Business Transformation (IT) (£167k underspend)** Salary expenditure within the team have been reviewed and where applicable capitalised.
- 4.7 **Legal and Local Democracy (£74k underspend)** – Actual Local Election expenditure has been available this quarter which has led to a reduction of expenditure forecast for the year.
- 4.8 There are various minor changes to other Corporate Services area.

5.0 Service Delivery

The Service Delivery Directorate delivers services including housing and support to the homeless, waste, and environmental services and maximisation and welfare and regulatory service teams.

Table 3 Service Delivery

Service Delivery Q3 Forecast Outturn	Net Budget	Revised Net Budget	Forecast Net Spend	Forecast variance	Q2 variance	Q3/Q2 change in forecast	variance %
	£'000						
Customer First	829	843	3,468	2,625	2,961	(336)	317%
Director of Service Delivery	15	17	27	10	14	(4)	65%
Neighbourhood First	1,895	2,021	2,421	400	421	(21)	21%
Environment First	4,916	4,918	4,916	(2)	(99)	97	0%
Homes First	484	586	560	(26)	142	(168)	-5%
Net Position	8,139	8,386	11,393	3,007	3,439	(432)	37%

- 5.1 The Directorate is forecasting an **overspend of £3.007m. This is an improved position of £0.432m** since the Q2 monitoring exercise.
- 5.2 **Customer First £2.6m overspend** - There is a total current projected general fund overspend of £2.4m (net accommodation and subsidy loss projection £4.6m against a budgeted provision of £2.2m) to meet the current costs of providing homeless support and housing. The Council had supported approximately 120 households during recent years and had budgeted to support only 150 households. (current demand 294 see section 3.0). The forecast has reduced by £300k since Q2.

Bereavement Services £200k net overspend - are forecasting a £200k income loss compared to target. At Q3 the number of cremations has fallen by 11% compared to

2022-23 when the service also under recovered on income. This relates to a reduction in National death rate figures plus increased competition from neighbouring authorities.

The Customer First Team are forecasting an overspend of £300k relating to implementation costs of the new NEC Revenues and Benefits System (net of HB grant funding used for this purpose). This area will be reviewed to identify capitalised elements as part of the final accounts processes.

5.3 Neighbourhood First £400k forecast overspend.

A targeted review of the Neighbourhood First area continues with savings of over £250k identified so far. The next imminent stage of review is for car parking. In 2023/24 the service will overspend but provision has been made in the 2024/25 budget to support the service and together with planned savings in the area are expected to contribute to a balanced forecast position for 2024/25. Contingency funding of £279k has been allocated in 23/24 to bring the overspend down to £400k this year.

The overspends related to

- a reduction in Town Hall Letting Income
- Increased Maintenance costs in the Town Hall
- Devonshire Park Grounds Maintenance costs salary overspends.
- Cleaning costs for Public Conveniences.

5.4 **Homes First** is forecasting an underspend of (£26k), a reduction of £168k since Q2. This relates to Housing Prevention Reserve funding of £72k plus £65k from the Community Housing Fund which are offsetting some of the directorates overspend.

6.0 Regeneration and Planning

The Regeneration and Planning Directorate delivers services including estates and property, estate management and regeneration and planning activity across the geographical borough area.

Table 4 Regeneration and Planning

Regeneration & Planning Q3 Forecast Outturn	Net Budget	Revised Net Budget	Forecast Net Spend	Forecast variance	Q2 variance	Q3/Q2 change in forecast	variance %
	£'000						
Director of Regeneration and Planning	42	45	58	13	18	(5)	32%
Estates and Property	(829)	(817)	(1,385)	(569)	(497)	(72)	69%
Head of Commercial Business and Property	25	27	30	3	46	(43)	11%
Housing Delivery Team	78	90	85	(5)	45	(50)	-6%
Planning	407	450	678	228	358	(130)	56%
Regeneration	221	226	161	(65)	(264)	199	
Net Position	(56)	22	(372)	(394)	(294)	(100)	

6.1 The Directorate is reporting a forecast outturn position of (£394k) underspend subject to year-end recharge review. This is an improved position of (£100k) over Q2.

- 6.2 Estates and Property (£569k) underspend – as well as forecasts reducing on fuel and utilities reflecting the overall national drop in energy prices. The recharges including those to Tourism and the Sovereign Centre will be reviewed as part of the final accounts' arrangements.
- 6.3 Head of Commercial Business and Properties £3k overspend. This is an improved forecast over Q2 as recharges to the HRA had not previously been forecast.
- 6.4 Housing Delivery Team (£5k) underspend– Capital expenditure rules have been examined and the service is expecting to transfer £50k of staff salaries from the General Fund to Capital.
- 6.5 Planning - £228k forecast overspend (a reduction of £130k since Q2) due to high levels of agency staff and procurement of Specialist Consultancy advice to support Planning Applications. The Head of Planning post vacancy has led to a reduced overspend plus an increase in development fees are forecast.
- 6.6 Regeneration (£65k) underspend – Grant funding for Regeneration projects identified earlier in year.

7.0 Tourism and Culture

The Tourism and Culture Directorate delivers a range of cultural activities across the area including the Devonshire Quarter, leisure, and sporting facilities as well as ongoing and one-off yearly events and productions.

Table 5 Tourism and Culture

Tourism & Culture Q3 Forecast Outturn	Net Budget	Revised Net Budget	Forecast Net Spend	Forecast variance	Q2 variance	Q3/Q2 change in forecast	variance %
	£'000						
Towner	420	420	415	(6)	4	(10)	-1%
Events	225	212	353	140	41	99	62%
Seafront	56	67	111	43	70	(27)	77%
Sports Delivery	606	626	574	(53)	(38)	(15)	-9%
Theatres	32	138	417	279	10	269	867%
Tourism and Culture	697	679	841	162	83	79	23%
Net Position	2,037	2,144	2,710	566	170	396	27.8%

- 7.1 Subject to final accounts review of recharges, the Directorate is forecasting an outturn position of £566k overspent.
- 7.2 Events – are forecasting a **£140k overspend** (an increase of £99k). This is due to increases to staff salaries plus additional staff to run events and under-recovery of income targets of £35k.
- 7.3 Seafront £43k overspend – The service has pulled back again this quarter showing a partial impact in 23/24 of Voluntary Redundancies.
- 7.4 Sports Delivery (£53k underspend) - An underspend continues to be forecast. Sports delivery is a combination of the dry sites run by Wave Leisure, we recharge

most of the cost to back to them except premises insurance, payment to contractor and variation of contract, the Sovereign centre is also part of Sports Delivery. The underspend is due to staff cost and membership fee adjustments.

7.5 **Theatres – are forecasting a £279k overspend** (an increase of £269k). This is due to reduced forecast for income some of which may be due to timing. A more accurate fig will be produced at outturn.

7.6 **Tourism and Culture is projecting an overspend of £162k** which is an increase of £79k from their Q2 forecast. The overspend is due to a combination of storage costs, wages costs and underachieved income from Heritage activities.

8.0 Technical and Central Controlled Budgets

Technical and centrally controlled budgets include the treasury budgets, capital financing and contingency budgets. This area will also include any Council wide corporate cross cutting issues and/or opportunities.

Table 6 Technical/Centrally controlled.

Technical/Centrally Controlled Budgets Q3 Forecast Outturn	Net Budget	Revised Net Budget	Forecast Net Spend	Forecast variance	Q2 variance	Q3/Q2 change in forecast	variance %
	£'000						
Contingencies	794	213	279	66	(213)	279	8%
Levies	237	237	237	0	0	0	0%
Capital Financing	1,352	1,352	2,740	1,388	1,378	10	103%
Minimum Revenue Provision	649	649	603	(46)	(46)	(0)	-7%
Net Position	3,033	2,452	3,859	1,407	1,119	289	46%

8.1 Contingencies - The Council will be releasing its provision for contingency to offset the expected higher utility costs and to support service pressures being experienced during this year. £279k is being utilised to support the Neighbourhood First Service in 2023/24.

8.2 The pay award for 2023/24 plus an additional £99k (for the higher than anticipated pay award) has been distributed to services.

8.3 Levies are expected to be as budget.

8.4 Capital financing costs **£1.4m overspend** are showing a minor movement this quarter.

8.5 Further updates and will be provided to Cabinet as the year progresses and as financial monitoring is reported.

9.0 Housing Revenue Account (HRA)

The Housing Revenue Account is a ring-fenced account used to manage the Council's housing stock. The costs of managing and maintaining the properties, collecting rents and meeting the interest cost of monies borrowed to pay for investment in the housing stock are all charged to the housing revenue account.

Table 7: HRA 2023-24

EHB Housing Revenue Account	Base Budget	Revised Budget	Forecast Net Spend	Q3 Forecast variance	Q2 variance	Q3/Q2 change in forecast	variance %
	£'000						
Dwelling Rents	(15,830)	(15,854)	(15,826)	28	40	(12)	0%
Non-Dwelling Rents	(355)	(354)	(356)	(2)	14	(16)	1%
Charges for services	(1,378)	(1,378)	(1,769)	(391)	0	(391)	28%
GROSS INCOME	(17,563)	(17,586)	(17,951)	(365)	54	(419)	2%
Management Fee	8,436	8,818	8,818	0	0	0	0%
Supervision and Management	1,748	1,656	1,721	65	(87)	152	4%
Doubtful Debt provision	145	612	613	1	0	1	1%
Depreciation	5,518	5,346	5,346	0	(172)	172	0%
Debt management cost	16	31	31	0	16	(16)	0%
GROSS EXPENDITURE	15,863	16,463	16,529	66	(243)	309	0%
NET COST OF HRA SERVICES	(1,700)	(1,123)	(1,422)	(299)	(189)	(110)	18%
Loan Charges- Interest	1,781	1,724	1,724	0	43	(43)	0%
Interest receivable	(57)	(308)	(308)	0	(95)	95	0%
NET OPERATING COST	24	293	(6)	(299)	(241)	(58)	
Contribution to Capital Expenditure	0	1,431	1,431	0	0	0	
HRA (SURPLUS) DEFICIT	24	1,724	1,425	(299)	(241)	(58)	

- 9.1 The Housing Revenue Account is reporting a forecast outturn position of £299k underspend, which is the third reported outturn projection reported for financial year 2023-24 compared to the revised budget.
- 9.2 The additional income forecast for Service Charges of £391k is the recovery of contract and energy inflationary increases in 2022-23.
- 9.3 Supervision and Management is reporting a forecast overspend of £65k due to a decrease in void turnaround resulting in Council Tax charges whilst the service manages the demand of Repairs & Maintenance pressures.

HRA Working Balances Forecast

	Base Budget	Revised Budget	Forecast Net Spend
	£000		
Working Balance at 1st April 2023	(2,713)	(2,713)	(2,713)
(Surplus) or Deficit for the year	24	1,724	1,425
Working Balance at 31st March 2024	(2,689)	(989)	(989)

10.0 Release of Void Properties to Support TA/EA

- 10.1 In supporting the TA/EA issues highlighted in section 3 of the report. Twelve void properties have been identified that can be brought back to the HRA in the current financial year and be utilised to help mitigate the pressure against TA/EA costs.
- 10.2 The additional cost of bring the properties back into use (£67,000) will be incurred in the first instance by Eastbourne Homes Ltd (EHL). However, as this work has not been factored into the EHL's existing work plan, cabinet are asked to support the underwriting of those cost of up to a maximum of £67,000 to ensure that EHL are able meet the total costs within their existing budget.
- 10.3 The average weekly cost of housing a family in temporary accommodation is £414. This equates to £65,000 per quarter. In supporting the reallocation of these properties to TA/EA, individual and families would be placed in an assured shorthold tenancy paying an average rent of £90.22 per week. This equates approx. £14,000 per quarter in additional rent income resulting in an overall net saving to the council of £79,000 excluding any service charge income that may also be due.
- 10.4 As some of the properties were built using Government subsidy (under its RSAP and NSAP schemes), the Council will not be able to claim a proportion of the revenue subsidy available if the properties are not tenanted. The latest HRA analysis shows that a sufficient underspend is now predicted to enable the underwriting to occur.
- 10.5 Approval for £50,000 of this spend will be sought from the S151 and Portfolio Holder for Finance as per their delegated powers. Cabinet is therefore asked to approve the additional cost of £17,000 as per the Councils Financial Regulations.

10.6 Capital Expenditure - General Fund

- 10.7 The table below shows a revised GF capital budget for the year of £20.8m and reflects the recent review of the GF Capital Programme that was undertaken as part of the 2024/25 budget setting process. The 2023/24 revised budget was approved by Cabinet on 7 February 2024.
- 10.8 The revised capital budget reflects an overall reduction against the original budget of £28.0m primarily due to reduction in the Regeneration programme. Projects in this area are linked to the councils Levelling Up, Town Deal and Future High Street grants schemes.
- 10.9 The forecast for the year at Q3 is £13.3m, a reduction of £7.5m on the revised budget. GF projects that will not be completed in 2023/24 will also been re-profiled to 2024/25 and later years. Actual expenditure at the end of quarter was £10.5m. Details of the capital programme are in **Appendix 1**.

Table 8: General Fund Capital Programme Summary Table 2023-24

GENERAL FUND CAPITAL PROGRAMME	Original Budget 2023-24	Revised Budget 2023-24	Forecast Outturn 2023-24	Variance to Revised Budget	Actual Spend Q3 2023/24
	£'000	£'000	£'000	£'000	£'000
Housing Support & Disabled Facility Grants	1,200	2,247	2,247	0	624
Loans to Housing Companies	751	890	864	-26	0
Total General Fund Housing	1,951	3,137	3,111	-26	624
Digital Transformation	0	1214	939	-275	145
Regeneration	19,237	10,798	4,776	-6,022	1,576
Asset Management	3,660	2,133	1,602	-531	1,010
Service Delivery	2,592	3,266	2,683	-583	1,430
Information Technology	170	263	227	-36	82
Corporate	400	0	0	0	0
Total General Fund	26,059	17,674	10,228	-7,446	4,242

10.10 Capital Expenditure – HRA

10.11 The table below shows a revised HRA capital budget for the year of £17.1 m and reflects the recent review of the HRA 30-year business plan that was undertaken as part of the 2024/25 budget setting process. The 2023/24 revised budget was approved by Cabinet on 7 February 2024.

10.12 The revised capital budget reflects an overall increase against the original budget of £3.6m due to an increase in investment in the acquisition of new dwelling and an increase to the major repairs budget for the year. This is offset by a reduction in New Build budget.

10.13 The overall spend as at the end of Q3 was £8.8m with projected forecast spend for the year at Q3 of £14.1m an underspend of £3m against the revised budget. Projects that will not be completed in 2023/24 and will be re-profiled to 2024/25 and later years. Details of the capital programme are in **Appendix 1**.

Table 9: HRA Capital Programme Summary Table 2023-24

HRA CAPITAL PROGRAMME	Original Budget 2023-24	Revised Budget 2023-24	Forecast Outturn 2023-24	Variance to Revised Budget	Actual Spend Q3 2023/24
	£'000	£'000	£'000	£'000	£'000
Major Works	5,000	5,880	4,950	-930	1,815
Disabled Adaptations	450	450	450	0	556
New Build	6,688	4,992	5,009	17	3,579
Acquisitions	1,453	5,819	3,700	-2,119	2,832
Total HRA	13,591	17,141	14,109	-3,032	8,782

11.8 At the end of quarter 3, both the HRA and General Fund spend against the 2023/24 revised budget has increased. However significant challenges remain in the construction sector which continues to be under pressure from rising prices for materials and labour shortages. The year-end forecasts are provided against a

backdrop of economic uncertainty, regarding supply chain challenges, building cost inflation and other factors outside of the control of those delivering the projects.

11.9 Project budget holders and managers are required to review scheme progress on an ongoing basis throughout the year and advise where there are significant revisions. The programme is under continuous review by the Capital Programme Overview Board, which is reflected by the recent reductions in the overall revised budget.

11.10 Schemes that have been deferred and are funded from additional borrowing (rather than from capital grants, capital receipts or revenue) will impact on the projected cost of borrowing and minimum revenue provision (MRP).

11.0 Funding

The Council's net service budget is funded from Council Tax, Business Rates income, Government grants and reserves. A breakdown of the funding budget is detailed below.

Table 10 Funding

Financing Budgets Q3 Forecast Outturn	Net Budget	Revised Net Budget	Forecast Net Spend	Forecast variance	Q2 variance	Q3/Q2 change in forecast	variance %
	£'000						
Council Tax Income	(9,639)	(9,639)	(9,639)	(0)	0	(0)	0%
Grants and Contributions	(4,431)	(4,431)	(4,834)	(403)	(403)	0	9%
Business Rates Income	(2,564)	(2,564)	(2,911)	(347)	(347)	0	14%
Transfer from Reserves	(1,339)	(1,339)	(1,339)	0	0	0	0%
Net Position	(17,973)	(17,973)	(18,723)	(750)	(750)	(0)	4%

11.0 The Council is still forecasting an over-recovery of income totalling £750k position for the year in at Quarter 3.

13.0 Financial appraisal

13.1 The forecast outturn position for 2023-24 is an overspend of £3.99m reflecting the position as of 31 December 2023.

13.2 During this year, savings and reduction plans have been progressed together with options for additional financial support requested of Government. We expect our current financial pressures to continue into 2024-25 but also expect the impacts of our savings and reduction plans to offset some of this pressure and report an improved position in the first quarter's forecast. Work will continue to mitigate and address this years projected outturn position.

13.3 The capital programme and new scheme proposals will also continue to be reviewed prior to the Outturn position being confirmed, with particular emphasis on the prior year slippage that is routinely added to the Original Budget to ensure that only those amounts required are allocated within the revised Capital Programme going forward.

14.0 Legal implications

14.1 There are no legal implications arising directly from this report.

15.0 Risk management implications

15.1 There are no risk management implications arising directly from this report.

16.0 Equality analysis

16.1 There are no environmental sustainability implications arising directly from this report.

17.0 Appendices

Appendix 1 - EBC Capital Programme Monitoring Q2 2023-24

Appendix 2 – Glossary of Terms

EBC CAPITAL PROGRAMME 2023/24 (Appendix 1)	Original Programme 2023-24 £	Revised Programme 2023-24 £	Forecast Outturn 2023-24 £	Actual YTD Spend as at Q3 2023-24 £	Forecast Variance Against Revised Budget
HOUSING REVENUE ACCOUNT					
Major Works	5,000,000	5,880,000	4,950,000	1,814,859	930,000
Disabled Adaptations	450,000	450,000	450,000	556,000	-
New Build	6,688,000	4,992,130	5,009,130	3,579,106	17,000
Acquisitions	1,453,000	5,818,870	3,700,038	2,831,855	2,118,832
Total HRA	13,591,000	17,141,000	14,109,168	8,781,821	3,031,832
General Fund Housing					
Disabled Facilities Grants	1,200,000	2,232,470	2,232,470	622,284	-
BEST Grant (housing initiatives)	-	14,530	14,530	1,941	-
Total General Fund Housing	1,200,000	2,247,000	2,247,000	624,225	-
Loans to Housing Companies					
EHIC - 24 Acacia Road	-	26,000	-	-	26,000
EHIC - Elm Park Mansions	416,000	-	-	-	-
EHIC - Gowland Court	50,000	-	-	-	-
AH - Credit facility	35,000	35,000	35,000	-	-
AH - Loan 183 Langney Rd	-	112,000	112,000	-	-
AH - Loan Victoria Mansion	-	200,000	200,000	-	-
AH - RTB Grant Victoria Mansion	-	267,000	267,000	-	-
AH - Street Acquisitions (Affordable)	250,000	250,000	250,000	-	-
Total Other Housing	751,000	890,000	864,000	-	26,000
Total HRA & GF Housing	15,542,000	20,278,000	17,220,168	9,406,046	3,057,832
REGENERATION					
Black Robin Farm	10,056,757	4,670,000	1,202,599	299,236	3,467,401
Towner Centenary Project	219,000	671,000	182,165	182,165	488,835
Victoria Place Pedestrianisation	5,508,630	4,383,000	1,896,547	-	2,486,453
Shinewater Playground & Tree Planting	-	80,000	80,000	-	-
Retail Refurbishment	1,830,000	295,000	951,725	749,275	656,725
UK Shared Prosperity Fund	333,000	3,000	3,000	14,532	-
E4 Edeal Enterprise Agency	-	20,000	20,000	-	-
E8 SDNPA	-	45,000	45,000	-	-
Shinewater Toilets & Kiosk (UKSPF)	190,000	-	15,000	-	15,000
Winter Garden	850,000	81,000	130,435	81,120	49,435
Leisure Estate	250,000	250,000	250,000	250,000	-
Asset Value Improvement Fund	-	300,000	-	-	300,000
Total Regeneration	19,237,387	10,798,000	4,776,471	1,576,329	6,021,529
Asset Management					
Motcombe Pool	200,000	-	-	-	-
Changing Places	154,000	74,000	103,781	71,949	29,781
Fort Fun - Site Clearance	-	40,000	40,000	-	-
Sovereign Centre - Existing building	150,000	250,000	100,147	182,191	149,853
Dev Park Theatre (H&S)	-	79,000	28,665	-	50,335
Congress Theatre Roof	125,000	279,000	279,055	151,751	55
Redoubt - new mains supply for café and Fort	-	50,000	50,000	72,449	-
ILTC - Fire alarms & Lighting	70,000	-	-	-	-
Town Hall Health & Safety	360,000	360,000	300,000	178,126	60,000
Pavilion Café - metered electrical supply	20,000	42,000	20,000	-	22,000
Bridges at Princes park	91,000	91,000	91,000	-	-
Seafront Railing	30,000	15,000	-	-	15,000
Towner Improvements	-	91,000	87,000	86,727	4,000
EDGC Improvements (Workshop)	-	51,000	50,233	50,233	767
Seafront Lighting	140,000	213,000	125,429	125,429	87,571
Bandstand & Promenade Renovations	125,000	148,000	39,904	39,904	108,096
The Glass House	-	150,000	150,000	-	-
Redoubt incl Colonnade demolition	1,000,000	200,000	25,000	-	175,000
Town Hall	50,000	-	-	-	-
The Point Improvements	30,000	-	10,000	9,155	10,000
Winter Garden Health & Safety	875,000	-	60,000	-	60,000
Chalk Farm - entrance & car park	50,000	-	-	-	-
Hampden Park Community Centre	40,000	-	-	-	-
1 Grove Road	50,000	-	-	-	-
Asset Management - Block Allocation	100,000	-	42,000	42,103	42,000
Total Asset Management	3,660,000	2,133,000	1,602,213	1,010,017	530,787
SERVICE DELIVERY					
Coast Defences Beach Management	300,000	602,000	450,000	19,521	152,000
Cycling Strategy	-	41,000	-	-	41,000
Play Area Sovereign Harbour	-	27,000	-	-	27,000
Refurbishment of Public Facilities	50,000	-	-	-	-
Play Equipment - Palesgate	35,000	35,000	35,000	-	-
Play Equipment - Vancouver Rd	35,000	35,000	35,000	-	-
Crematorium - Chapel Improvements	-	-	2,029	2,029	2,029
SEESL Loan	-	254,000	254,100	-	100
5 Fleet Vans	-	66,000	39,350	32,950	26,650
Waste & Recycling Equipment	150,000	203,000	55,108	55,108	147,892
EBC Mixed/dual waste bin stock	15,000	15,000	14,000	-	1,000
Dog Bin Replacement	32,000	32,000	28,000	-	4,000
Car Park Machines - upgrade to card readers	125,000	125,000	-	-	125,000
Purchase of 4 currently leased vehicles	-	31,000	-	-	31,000
Fleet Re-body (SEESL Loan)	1,770,000	1,800,000	1,770,000	1,320,000	30,000
Digitalisation of Burial Records	50,000	-	-	-	-
Crematorium - new lighting	30,000	-	-	-	-
Total Service Delivery	2,592,000	3,266,000	2,682,587	1,429,608	583,413

EBC CAPITAL PROGRAMME 2023/24 (Appendix 1)	Original Programme 2023-24 £	Revised Programme 2023-24 £	Forecast Outturn 2023-24 £	Actual YTD Spend as at Q3 2023-24 £	Forecast Variance Against Revised Budget
INFORMATION TECHNOLOGY					
IT - Block Allocation	150,000	163,000	127,494	81,922	- 35,506
Laptop Refresh	-	100,000	100,000	-	-
CCTV Enhancements (Dev Park)	20,000	-	-	-	-
Total Information Technology	170,000	263,000	227,494	81,922	- 35,506
DIGITAL TRANSFORMATION					
Transformation Projects Rebase	-	1,214,000	939,000	144,556	- 275,000
Total Digital Transformation	-	1,214,000	939,000	144,556	- 275,000
CORPORATE					
Finance Transformation	150,000	-	-	-	-
Contingency	250,000	-	-	-	-
	400,000	-	-	-	-
TOTAL GENERAL FUND NON HOUSING	26,059,387	17,674,000	10,227,765	4,242,431	- 7,446,235
TOTAL HRA & GF PROGRAMME	41,601,387	37,952,000	27,447,933	13,648,477	- 10,504,067

Glossary

Capital Expenditure	Capital Expenditure is the funds invested in long term assets like buildings, infrastructure, equipment, or technology. The expenditure is significant and provides lasting benefits and are depreciated over time. It contrasts to operating expenditure which are day to day expenditure.
Capital Financing	Capital Financing is how we raise money for to invest in capital projects. It can involve selling assets, borrowing money, using existing balances, and obtaining grants. Borrowing money means interest payments during the life of the loan plus the repayment of loan.
Capital Programme	A strategic plan outlining long term investments in assets like building and technology. It identifies projects and budgets, sets timelines, assesses risks and has approval processes. The plan aligns Capital Expenditure with Corporate Objectives.
Department for Levelling Up Housing and Communities (DHUHC)	The Department for Levelling Up, Housing and Communities, formerly the Ministry for Housing, Communities, and Local Government, is a department of His Majesty's Government responsible for housing, communities, and local government in England and the levelling up policy
Depreciation	An accounting method that allocates the cost of a tangible asset over its useful life. The process matches the cost of the asset with the benefit it provides reflecting its diminishing value over time.
Eastbourne Housing Investment Company Ltd (EHICL)	EHICL is a Council owned housing investment company (HIC) used to develop new homes on Council owned sites and acquire and regenerate existing mixed retail and residential sites.
Financial Regulations	Financial regulations are a set of financial procedures and rules that ensure good financial governance is observed. They include policies, procedures, financial delegation, and approvals and protect both staff and the council from financial misconduct.
General Fund (GF)	The main operating fund used for expenditure such as salaries and the running costs of day-to-day operations.

Grants and Contributions	Financial support received from external sources such as Central Government or developers. They can be for specific projects or more general.
Housing Revenue Account (HRA)	A separate accounting system for local authorities to manage their housing services. It includes rental income, housing related costs and is distinct from the General Fund. The HRA is used for improvements, maintenance and operational expenses related to local-authority owned housing.
Pevensey Levels IDD	Internal drainage boards (IDB) are the public body that manage water levels in an area. These are also internal drainage districts (IDD), where there is a special need for drainage. IDBs undertake works to reduce flood risk to people and property and manage water levels for agricultural and environmental needs within their district. The Council contributes to the costs of the IDD through a special levy payment.
Medium Term Financial Strategy	This Medium-Term Financial Strategy (MTFS) sets out the Council's strategic approach to the management of its finances and provide a framework within which decisions can be made regarding future service provision and council tax levels. It is based on a five-year rolling forecast and is reviewed annually. The MTFS provides the financial context for the Council's financial resource allocation and budget setting processes.
Minimum Revenue Provision (MRP)	An annual provision made to set aside funds for repaying debt associated with Capital Projects. It ensures the gradual allocation of resources to cover debt repayment obligations and is set out in the Prudential Code.
Section 151 Officer	Section 151 of the Local Government Act 1972 requires local authorities to make arrangements for the proper administration of their financial affairs and appoint a S151 Officer, also known as a Chief Financial Officer (CFO), to have responsibility for those arrangements.

Report to:	Cabinet
Date:	20 March 2024
Title:	Options on the future model for the management and maintenance of Eastbourne Council Housing
Report of:	Robert Cottrill, Chief Executive
Cabinet member:	Councillor Peter Diplock, Cabinet Member for Housing and Planning
Ward(s):	All
Purpose of report:	Following public consultation to agree the preferred option for the delivery of Eastbourne Council Housing
Decision type:	Key
Officer recommendation(s):	<p>(1) That Cabinet agree approve the termination of all the existing arrangements between the Council and Eastbourne Homes Limited in respect of the Council's housing service which shall in future be provided and governed directly by the Council.</p> <p>(2) That the Deputy Chief Executive, in consultation with the Monitoring Officer and s151 Officer, and in consultation with the Cabinet Member for Housing and Planning, be given delegated authority to undertake the necessary arrangements to give effect to (1) above including the negotiation and signature of any necessary agreements and the establishment of an advisory body to assist the Council in the governance of its housing service.</p>
Reasons for recommendations:	The consultation feedback clearly demonstrates support for a transition to an in-house governance of housing services.
Contact Officer(s):	Name: Nikki Wickham Post title: Customer Experience and Performance Lead (interim) E-mail: Nikki.wickham@lewes-eastbourne.gov.uk Telephone number: 07816 177992

1 Introduction

- 1.1 In November 2023, Cabinet received a report considering future options for the delivery of council housing services. At that meeting it was agreed that a

consultation exercise with tenants and leaseholders should be undertaken to seek their views, in line with relevant legislation.

- 1.2 This report informs Cabinet on the results of that consultation exercise (appendix 1) and seeks members endorsement of the proposed way forward.

2 Proposal

- 2.1 Members will recall Cabinet's approval in November 2023 to undertake a consultation exercise with tenants of Eastbourne Homes Ltd with regard to the future responsibility for delivering housing services. This proposal followed the conclusion of a high-level internal assessment which noted alternative options offering the Council opportunities to respond to revised national regulatory and legislative requirements.
- 2.2 The consultation has taken place. We are now seeking Cabinet agreement to the officer recommendations to terminate the existing arrangements with Eastbourne Homes Limited and in so doing take back in-house responsibility for the governance of the Council's housing service, and give delegated authority to the Deputy Chief Executive, in consultation with the Monitoring Officer, s151 Officer and in consultation with the Cabinet Member for Housing and Planning to undertake the necessary arrangements.
- 2.3 Subject to members' agreement, officers will then work with the Cabinet Member for Housing and Planning, current Eastbourne Homes Board members and tenants to develop subsidiary governance arrangements which will operate underneath the Council's executive powers. This will include a transitional arrangement whilst the formalities of winding down and dissolving Eastbourne Homes Ltd are finalised.

3 Outcome expected and performance management

- 3.1 The new subsidiary governance arrangements will be advisory enabling Cabinet to make executive decisions based on tenant engagement. This approach supports the new Social Housing Regulatory Code and associated Consumer Standards. The new proposed code of practice stating that '... councillors of registered providers should assure themselves that tenants' views have been actively sought and considered, as part of their decision-making about their organisation's landlord services'.
- 3.2 The new governance arrangements will address the recommendation from the Regulator of Social Housing following their pilot inspection in Eastbourne to review and simplify the governance arrangements, support transparency in the decision making process, a focus on the Tenant Satisfaction Measures and streamline administrative processes.
- 3.3 In addition, the LGA peer challenge in 2022 encouraged the Council to simplify its arrangements with regard to the number of companies it operates.

4 Consultation

- 4.1 The consultation exercise on the proposal to consider future options for the delivery of housing services involved a range of engagement opportunities from online and hard copy surveys, face to face meetings and individual appointments. Notice of these opportunities was provided on the Council's website and in the tenants' newsletter which was sent to all Council housing tenants.
- 4.2 Detailed feedback from the consultation survey is included in appendix 1. Of the 82 respondents, 71% agreed with the proposal to bring governance of Eastbourne Borough Council housing services back into the Council; 23% neither agreed or disagreed and 5% disagreed.

5 Corporate plan and council policies

- 5.1 The corporate plan for 2024 – 2028 expresses the importance of the Council 'needing to ensure regulatory and legislative compliance to ensure the Council owned homes remain at a high standard'. It is considered the approach recommended in this report would help to address this issue whilst also achieving significant efficiencies over time.

6 Financial appraisal

- 6.1 This proposed change will result in a combination of cashable and non-cashable savings to the organisation. Bringing the management services back to the Council creates opportunities for some immediate efficiencies and cost avoidance. These could come from reducing the cost of governance, corporate, finance and by integrating services and are estimated at a minimum of £170k per annum.
- 6.2 There will be one-off costs to manage the process of bringing the service back which are expected to be recovered within two years from the savings generated, after which the cost of running the service will be lower than it would be if Eastbourne Homes continues to provide the service. This saving will be generated within the Housing Revenue Account (HRA).
- 6.3 There will be further opportunities for benefits through sharing and integrating services with the Council. These benefits have not been included in the estimated short-term savings but will be developed as services are transferred to the Council.

7 Legal implications

- 7.1 The current arrangements with Eastbourne Homes Limited date back to 2005. Under these arrangements, the Council remains the owner of the housing stock and therefore the legal landlord, but Eastbourne Homes Limited 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 management functions other than those relating to governance have been sub-contracted back to the Council.

- 7.2 The next break clause under the main agreement is in 2025 but all of the arrangements can be terminated immediately by agreement between the Council and Eastbourne Homes Limited.
- 7.3 Eastbourne Homes limited will be a party to certain contracts relating to the housing service which may need to be terminated or novated to the Council.
- 7.4 There are certain other residual matters that will need to be dealt with before Eastbourne Homes Limited can then be dissolved as a limited company. There will therefore need to be a transitional period between the termination of its arrangements with the Council and its dissolution.
- 7.5 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.

The Council has discharged its obligations to consult under statute and guidance through the consultation referred to in this report.

8 Risk management implications

- 8.1 These proposals recommend the move from an ALMO arrangement to in-house governance of housing services in the future. This move would not create any significant risk to the council, as the workforce in in-house already and therefore there would be minimal staff change involved. In terms of financial risk, this would be reduced by a move to in-house governance, as the overall costs to the council and to the HRA would be reduced.
- The key risks to transferring the management service arrangements are:
- Interruption to continuity of service to residents, which will be avoided by careful planning and communications.
 - While bringing the Almo back in-house may provide greater flexibility and control for the council, uncertainty during the transfer could result in loss of expertise.

9 Equality Analysis

- 9.1 The consultation with tenants and partners supports the transfer of the governance of the housing management service of the Council's housing portfolio back to the Council. Opportunities to comment on the proposal included face to face meetings, personal contacts, written and online surveys. Eastbourne Homes Ltd has no employees and there cannot therefore be any impact on its staff.

There will be an impact on residents providing more opportunities to be involved strategically to influence and monitor service delivery. We will therefore undertake a full Equality and Fairness analysis once the governance arrangements have been finalised and approved to ensure we are clear on the possible impact on residents with protected characteristics. Through training and

mentoring we will support residents to engage with these new opportunities. We will ensure that when tenants' views are actively sought and considered, our engagement continues to be fully accessible, with opportunities to feedback/ engage face to face, online, in writing with copies in large print, easy read upon request for example, listening to residents' preferred way to communicate with us.

10 Environmental sustainability implications

10.1 This report contains no direct sustainability implications.

11 Appendices

- Appendix 1 – Consultation findings

12 Background papers

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

[Agenda for Eastbourne Borough Council Cabinet on Wednesday, 1st November, 2023, 6.00 pm \(lewes-eastbourne.gov.uk\)](#)

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Consultation on management of housing services in Eastbourne



Consultation report | February 2024

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Background

Housing services in Eastbourne are currently managed on behalf of Eastbourne Borough Council (and its housing brand, Homes First) by Eastbourne Homes Limited (EHL), which is an arm's length management organisation (ALMO).

At the time EHL was set up, the council was able to access 'Decent Homes' funding to improve the standard of housing across the borough. It also enabled us to make our housing services more community-focussed and has achieved many positive things over the years. Crucial to this has been the positive impact of the EHL Board and its oversight of the delivery of housing services.

Eastbourne Borough Council has been looking carefully at the pros and cons of continuing the current arrangements of EHL managing our housing, versus bringing

the service back into Eastbourne Borough Council, continuing as part of Homes First.

Eastbourne Borough Council is facing increasing financial pressures, much like many other local authorities across the country. These pressures are due to the cost-of-living crisis, the dramatic increase in homelessness and numbers of people in need of council housing and the increased pressure on Repairs and Maintenance budgets, which have been challenging to manage alongside increased need for investment in our housing stock.

Returning the governance of our housing services to the council would put us in a strong position to respond to these pressures.

Making this change would have no negative impacts for tenants, leaseholders or housing staff but it would provide benefits including greater financial stability and longer-term security of the council's housing services.

The review of the current ALMO arrangement has been informally discussed with tenant representatives and those we have spoken to so far have been supportive of change.

No staff are employed by EHL and the proposal seeks to ensure continuity of service delivery.

In recent years, central government has brought in new laws for how council housing services must be run. These aim to increase service quality and safety for tenants. To make sure we are meeting the new standards we need strong governance for our housing services.

Along-side the financial challenges of the cost-of-living crisis and an increase in homelessness, changes to government housing policies have added further pressure to councils' housing budgets. These include the Government's rent cap. The costs of repairs and maintenance services have also increased significantly. Crucially, the additional funding opportunities for arms-length management organisations, which central Government brought in, no longer exist.

The council would also be able to simplify many of its back-office systems and operations if this change happens.

The proposed changes

From a tenant and leaseholder's perspective there would be no change to the way services are delivered.

The EHL Board - where governance and decision-making currently takes place - would end in its current form.

In place of this there would be two options for governance and tenant involvement.

1. The EHL Board remains in place as an advisory / scrutiny body rather than a decision-making body.
2. The EHL Board is combined with Residents Voice, making this the combined strategic tenant body.

Both options would provide transparency of decision making but the consultation asked whether tenants respondents had a preference between the two options.

How we consulted

We invited comments from housing tenants, residents, partner organisations and other stakeholders on our proposal to bring the governance of our housing services back into the council and the future of the EHL Board and Residents Voice.

We wrote to all existing housing tenants in Eastbourne by including a letter in the regular Tenants Open Voice magazine, giving details of the proposals and consultation.

A page was published on the council website, with comprehensive FAQs and an online survey to help respondents structure their feedback.

Paper copies of the survey were available on request, as were copies of the consultation information in different languages and formats, such as audio and Easy Read.

We promoted the consultation through a press release to the local media, the news section of the council website, an email to our 20,000 news and consultation email alert subscribers. We promoted the consultation repeatedly through the council's social media channels.

The consultation was promoted to council staff through a range of communication channels in the run-up and during the consultation period. This included opportunities to ask questions in person at internal staff events.

In-person engagement

We held a series of events where interested residents could speak to staff about the proposed change.

Sessions took place on:

- **Hampden Park Willingdon Trees Area Panel** at Hampden Park Community Centre on Friday 5 January 2024 from 10am to 12 noon
- **Retirement Housing Forum** on Monday 22 January 2024 - please raise any questions you have with your retirement housing representative in advance of the forum meeting.
- **Residents Voice** at Eastbourne Town Hall on Tuesday 23 January 2024 from 10am to 12.30pm
- **Hampden Park Willingdon Trees Area Panel** at Hampden Park Community Centre on Friday 2nd February 2024 from 10am to 12noon

- **Eastbourne Area Panel** at Eastbourne Town Hall on Tuesday 13 February 2024 from 10.30am to 12.30pm

Members of Eastbourne Borough Council / Homes First attended above meetings to speak about the proposals and answer any questions.

Summary of responses

1. In what capacity are you responding to this consultation?				
Answer Choices			Response Percent	Response Total
1	An Eastbourne Borough Council / Homes First Tenant		88.46%	69
2	An Eastbourne Borough Council / Homes First Leaseholder		6.41%	5
3	A homeowner or private renter in Eastbourne		3.85%	3
4	A partner organisation (please state which one below)		0.00%	0
5	Other (please specify):		1.28%	1
			answered	78
			skipped	4
Other (please specify): (1)				
- Former employee of Eastbourne Borough Council / Eastbourne Homes Ltd				

2. How much do you agree or disagree with the proposal to bring governance of Eastbourne Borough Council housing services back into the council?				
Answer Choices			Response Percent	Response Total
1	Agree		71.43%	55

2. How much do you agree or disagree with the proposal to bring governance of Eastbourne Borough Council housing services back into the council?

2	Neither agree nor disagree		23.38%	18
3	Disagree		5.19%	4
			answered	77
			skipped	5

Do you have any comments on the proposal?

Comment themes:

- Comment about service quality – 5 (comments)
- Agree if it saves money – 4
- Will it lead to improvements in services? – 4
- I don't believe it will make much difference – 2
- Agree with the proposal - 2

3. How much do you agree or disagree with the proposed options for governance and tenant involvement?

Answer Choices	Agree	Neither agree or disagree	Disagree	Don't know	Response Total
The EHL Board remains in place as an advisory / scrutiny body rather than a decision-making body.	19.44% 7	33.33% 12	44.44% 16	2.78% 1	36
The EHL Board is combined with Residents Voice, making this the combined strategic tenant body.	66.67% 48	18.06% 13	8.33% 6	6.94% 5	72
				answered	76
				skipped	6

Do you have any other suggestions or comments on the proposals?

Comment themes:

- Comment about service quality – 3 (comments)
- Further clarity needed on what the new governance arrangements will be - 2
- Disagree with the proposal - 2
- Don't see the value in tenant engagement - 2
- Agree with the proposal - 2

Equality monitoring questions

4. The following questions are about you.				
Answer Choices			Response Percent	Response Total
1	Answer questions about me		74.32%	55
2	Skip the questions about me		25.68%	19
			answered	74
			skipped	8

5. What is your age?				
Answer Choices			Response Percent	Response Total
1	17 or younger		0.00%	0
2	18-20		0.00%	0
3	21-29		0.00%	0
4	30-39		5.17%	3
5	40-49		12.07%	7
6	50-59		22.41%	13
7	60 or older		60.34%	35
			answered	58
			skipped	24

6. Do you have a disability?				
Answer Choices			Response Percent	Response Total
1	Yes		46.55%	27
2	No		46.55%	27
3	Prefer not to say		6.90%	4

6. Do you have a disability?

answered	58
skipped	24

7. What is your Ethnicity?

Answer Choices		Response Percent	Response Total
White			
1	British	87.93%	51
2	Irish	0.00%	0
3	Other	3.45%	2
Asian or Asian British			
4	Indian	0.00%	0
5	Pakistani	0.00%	0
6	Bangladeshi	0.00%	0
7	Any other Asian background	0.00%	0
Mixed			
8	White and Black Caribbean	0.00%	0
9	White and black African	0.00%	0
10	White and Asian	0.00%	0
11	Any other mixed background	0.00%	0
Black or Black British			
12	Caribbean	0.00%	0
13	African	0.00%	0
14	Any other black background	0.00%	0
Other Ethnic Group			
15	Chinese	0.00%	0
16	Any other Ethnic Group	0.00%	0

7. What is your Ethnicity?

17	I do not wish to disclose my ethnic origin	8.62%	5
		answered	58
		skipped	24

8. What is your gender identity?

Answer Choices		Response Percent	Response Total
1	Male	37.93%	22
2	Female	58.62%	34
3	Cisgender	0.00%	0
4	Transgender	0.00%	0
5	Non Binary	1.72%	1
6	Prefer not to say	1.72%	1
7	Other (please specify):	0.00%	0
		answered	58
		skipped	24
Other (please specify): (0)			
No answers found.			

Written responses

In addition to the survey, two leaseholders contacted the council expressing support for the proposed changes.

Report to:	Full Cabinet
Date:	20 March 2024
Title:	Off-Street Car Parking Enforcement
Report of:	Ian Fitzpatrick, Deputy Chief Executive, Director of Regeneration and Planning
Cabinet member:	Councillor Margaret Bannister, Deputy Leader and Cabinet member for tourism, leisure, accessibility and community safety Councillor Colin Swansborough, Cabinet member for enterprise, community spaces and heritage assets
Ward(s):	All
Purpose of report:	To seek approval to explore the options for a move from criminal to civil enforcement of off-street parking regulations in accordance with legislation, government advice and best practice.
Decision type:	Key
Officer recommendation(s):	Cabinet is recommended to authorise officers to explore the options for a move to civil enforcement of off-street parking regulations, and to delegate authority to the Deputy Chief Executive, in consultation with the Cabinet member for tourism, leisure, accessibility and community safety, and the Cabinet member for enterprise, community spaces and heritage assets, to take all necessary actions to implement the enforcement change.
Reasons for recommendations:	The shift from criminal to civil enforcement of off-street parking regulations is consistent with legislation, government advice and best practice across local government, and such an approach would support an improved enforcement regime and the maximum recovery of income for the council.
Contact Officer:	Name: Julie Quanstrom Post title: Head of Neighbourhood First E-mail: Julie.quanstrom@lewes-eastbourne.gov.uk Telephone number: 07881970868

1 Introduction and Background

- 1.1 The Traffic Management Act 2004 introduced a new framework for the enforcement of parking, building upon previous legislation in relation to civil enforcement. The legislation removed the need for parking enforcement claims

to be heard in the courts and the possibility of a criminal record for anyone contravening the regulations.

- 1.2 To bring the legislation into operational effect, within the county, East Sussex County Council (ESCC) applied to the Department for Transport to designate the county for civil enforcement. In 2008, the Civil Enforcement of Parking Contraventions (County of Sussex) (Borough of Eastbourne) Designation Order came into force for on-street parking only. Since this time, there have been two different approaches in operation for car parking enforcement in Eastbourne – on-street parking has been enforced under a civil regime (ESCC) and off-street parking under a criminal regime (EBC).
- 1.3 Consequently, off-street car parking in Eastbourne can currently only operate any parking enforcement under a criminal regime. This means that any unpaid parking tickets which are not paid have to be dealt with via the court system. The criminal enforcement approach for off street parking is considered to be inappropriate, disproportionate and not cost effective for the recovering of a relatively small fine.
- 1.4 A shift from criminal to civil enforcement of off-street parking regulations would enable the following:
 - Compliance with government advice.
 - An operating model consistent with best practice.
 - An approach that would enable increased discipline and compliance with car parking regulations in the borough.
 - Improved recovery of debt for the council.
 - Consistent approach to car parking enforcement across Eastbourne.

2 Proposed Next Steps

- 2.1 Officers seek approval to approach ESCC – as the designated authority responsible for covering on-street parking for Eastbourne – to explore options to amend the existing Designation Order to include off-street parking.
- 2.2 Subject to the initial discussions with ESCC, it is more than likely that the council will need to enter into an agreement with ESCC about the manner of enforcement of off-street parking regulations (the cost of which, if any, will be confirmed as the process progresses). It is proposed that Cabinet delegates authority to the Deputy Chief Executive, in consultation with the Cabinet member for tourism, leisure, accessibility and community safety, and the Cabinet member for enterprise, community spaces and heritage assets, to take all necessary actions to implement the enforcement change.

3 Outcome expected and performance management

- 3.1 Subject to Cabinet's decision and the discussions with ESCC, the council will be managing its off-street parking enforcement under a civil regime as most of the other local authorities already do, and in a more proportionate way that maximises income for the organisation.

4 Consultation

4.1 Discussions will, subject to Cabinet's decision, take place with ESCC.

5 Corporate plan and council policies

5.1 The proposed change set out in this report will enable the council to make the best use of resources and continue with compliance of our enforcement policy. The new approach would also enable the maximum collection of debt which supports the council's Stability and Growth programme objectives.

6 Business case and alternative option(s) considered

6.1 Do nothing and continue with criminal parking enforcement – this approach is not appropriate, proportionate nor financially sustainable.

7 Financial appraisal

7.1 There are no direct financial implications to this report, however it should be noted that a change from criminal to civil enforcement with respect to off-street parking charges will enable the council to become more effective in its pursuit of parking charge notices.

8 Legal implications

8.1 Under the Traffic Management Act 2004, that in this situation, only a county council, may make an application for a Designation Order, so Eastbourne Borough Council cannot make such an application in its own right.

Members are asked to note that once an application is submitted to the Department of Transport, if the application is accepted (and it is expected that it will be accepted) that no Order will come into force for several months.

The Legal section considered this Report on 27 February 2024 (Iken 12413-EBC-MW).

9 Risk management implications

9.1 There are no risk management implications that stem directly from the recommendations in this report.

10 Equality analysis

10.1 There are no equality issues that stem directly from the recommendations in this report.

11 Environmental sustainability implications

11.1 There are no environmental sustainability implications that stem directly from the recommendations in this report.

12 Appendices

12.1 None

13 Background papers

13.1 None

Report to:	Cabinet
Date:	20 March 2024
Title:	Local Employment and Training Supplementary Planning Document
Report of:	Ian Fitzpatrick, Deputy Chief Executive and Director of Regeneration and Planning
Cabinet member:	Councillor Peter Diplock, Cabinet Member for Planning
Ward(s):	All
Purpose of report:	For Members to approve the proposed Local Employment and Training Supplementary Planning Document (SPD) for publication for an eight-week period to receive representations in preparation for formal adoption by Council
Decision type:	Cabinet
Officer recommendation(s):	1) To approve the Local Employment and Training SPD for publication for an 8 week consultation period to receive representations and comments. 2) To delegate authority to the Regeneration Lead in consultation with the Lead Cabinet Member to make minor amendments before the commencement of the representation period.
Reasons for recommendations:	Refresh of policy to reflect changes in employment and training
Contact Officer(s):	Name: Sara Taylor Post title: Regeneration Officer E-mail: sara.taylor@lewes-eastbourne.gov.uk Telephone number: 07932 816647

1 Introduction

- 1.1 Following the adoption of the Local Employment and Training Supplementary Planning Document (SPD) in November 2016 Eastbourne Borough Council is refreshing the policy to reflect adaptations in approach based on implementation of policy since April 2013. The policy will continue to secure local labour agreements as part of development proposals. This SPD will play an important role in helping to secure local employment and training initiatives at both the construction and operational stages of development.

- 1.2 The Local Employment and Training SPD will replace previous adopted policy dated November 2016. The SPD has been tried and tested since adoption and following seven years' implementation demonstrates a need for a refresh.

2 Proposal

- 2.1 Local Plan Steering Group has endorsed and given authority to take the Local Employment and Training SPD to Cabinet for authority to publish for consultation.
- 2.2 The Local Employment and Training SPD, if approved by Cabinet, will be subject to an 8-week consultation period between 6 May 2024 and 29 June 2024 to allow stakeholders and the local community to comment and make representations.

3 Outcome expected and performance management

- 3.1 To ensure continued deliverability, the refreshed SPD will only apply to larger commercial and residential developments. Prescribed thresholds have been set for commercial developments of 1,000 sq m. or more that create 25 jobs or more and those deemed of strategic importance, and residential development that involve ten or more units. At this scale of development, the opportunities for local employment will be significantly greater.
- 3.2 The SPD sets out the types of measures and activities that could be delivered and will be agreed appropriate to the nature and scale of each development.

Members should note that each development will have obligations defined in an S106 agreement. These will vary from site to site dependent on the scale of development, as well as perceived deliverability.

4 Consultation

- 4.1 The Council's approach has been informed by:
- Liaison with other local authorities
 - Participation in the Construction Task Group
 - Extensive use of local labour agreements in Eastbourne Borough Council (since April 2013)
- 4.2 The consultation will be made available online allowing representations to be made electronically via the Council's online consultation portal. The consultation procedure will be in compliance with the Statement of Community Involvement. Comments may also be submitted by email or post.

5 Corporate plan and council policies

- 5.1 This Local Employment and Training SPD has been prepared to provide detail to the Eastbourne Employment Land Local Plan Policy EL1 in order to provide a framework as to how local labour agreements (including employment and

training measures) will be secured and how to maximise local employment opportunities at all phases of the development.

5.2 This policy complies with the Employment Land Local Plan.

6 Business case and alternative option(s) considered

6.1 Officers have considered a range of options for implementing a local labour SPD, these include:

- Continuation of the existing SPD placing hard to achieve construction training obligations
- Alternative initiatives to secure construction apprenticeships and work experience placements.

7 Financial appraisal

7.1 There are no financial implications to the Council as a direct result of this report. The cost of the consultation and publication of the Local Employment and Training SPD will be met from within the service budget. Any other costs associated with the report's recommendations are to be contained within existing department revenue budgets.

8 Legal implications

8.1 106 Agreement

The power of a Local Planning Authority to enter into a planning obligation (also known as a section 106 agreement) with any person interested in land in the area of the local planning authority is contained within Section 106 Town and Country Planning Act 1990 (as amended). Planning obligations are secured by Deed either by way of planning agreements or unilateral undertakings and are required in order to mitigate the impact of the proposed development.

In accordance with the Act, planning obligations:

- May require cash payments to be made;
- Must be registered as a local land charge
- May be enforced against the person entering into it and against any person deriving title from that person; and
- Can be enforced by means of injunction.

Supplementary Planning Document – Consultation

Town & Country Planning (Local Planning) (England) Regulations 2012 prescribes the legal process that must be carried out when the Council is seeking to create a Supplementary Planning Document (SPD). As part of the public consultation the regulations require that the Council prepares a statement setting out:

- (i) the persons the local planning authority consulted when preparing the supplementary planning document;
- (ii) a summary of the main issues raised by those persons; and
- (iii) how those issues have been addressed in the supplementary planning document

This statement must be made available as part of the consultation in accordance with the regulations

Adoption

Once adopted, the SPD will become a development plan document. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 require that the creation of development plan documents is a function of full Council.

Once this is done, the SPD must be made available to the public and a formal adoption statement must be prepared and published in accordance with regulation 11 of the 2012 Regulations.

Legal implications Provided 18.01.24 EBC-JCS 12639

9 Risk management implications

9.1

Risk	Likelihood	Impact	Mitigation
Developer refuses to comply with Local Employment and Training SPD	Low	High	SPD is established policy with no refusal to comply to date
Delay in planning process	Medium	High	To ensure compliance with planning process, employment and training initiatives may be addressed via unilateral undertaking
Additional burden stymies development	Low	High	The proposals remove obligations at the construction phase
Minority groups are not able to access opportunities	Low	High	Officers work with all local stakeholders and groups to maximise awareness of opportunities
Reduced development post Covid-19	High	High	Council support and co-ordination with employment and training initiatives

10 Equality analysis

- 10.1 An Equality & Fairness Analysis has been undertaken on these proposals. This has concluded that education and training programmes and initiatives/activities offered via the local employment and training process address fairness and equality criteria.

11 Environmental sustainability implications

- 11.1 The Council's carbon neutral by 2030 target encourages sustainable economic growth achieved by working with private and public partners on key strategic sites and working with the East Sussex College Group to address skills gaps and employability issues. The SPD seeks to support local businesses to upskill staff in emerging green technologies. The delivery of local training at the Eastbourne Green Hub encourages partnership working and reduces travel. It is considered that the refreshed SPD fits with the Council's carbon neutral target.

12 Appendices

- Appendix 1: Local Employment and Training Supplementary Planning Document
- Appendix 2: Minutes from Local Plan Steering Group Committee, Monday, 18 December 2023

13 Background papers

- Eastbourne Employment Land Local Plan Policy EL1
- Eastbourne Core Strategy Local Plan
- Equality and Fairness Screening

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1.0 Introduction

- 1.1 Eastbourne Borough Council has prepared a Local Employment and Training Supplementary Planning Document (SPD) to assist in securing local labour agreements as part of development proposals. The level of development in Eastbourne in the next decade will create a significant number of jobs and this SPD will play an important role in helping to secure local employment at all stages of development with a focus on the operational phase and creating opportunity for local small and medium enterprises (SMEs). Local labour agreements will also assist in education, training and skills initiatives for local people and SMEs.

What is a Supplementary Planning Document (SPD)?

- 1.2 An SPD is a planning policy document that adds further detail on a policy within a Local Plan. They are used to provide additional information on how a policy should be implemented or what is required to satisfy the policy.
- 1.3 This Local Employment and Training SPD has been prepared to provide detail to the Eastbourne Employment Land Local Plan Policy EL1 and outlines a framework as to how local labour agreements will be secured and how to maximise local employment, training and educational opportunities as well as initiatives for local businesses from the development which, where applicable, will include the first operational phase.
- 1.4 SPDs are material planning considerations in the determination of planning applications and provide additional guidance on matters contained within Local Plans. In respect of this SPD, the Local Plan is the Eastbourne Employment Land Local Plan (ELLP).

Employment Land Local Plan (ELLP)

- 1.5 This SPD is directly linked to the requirements of Policy EL1 (Economy & Employment Land) of the Eastbourne Employment Land Local Plan (ELLP). The ELLP guides job growth and economic development in Eastbourne up to 2027 as well as identifying an appropriate supply of land for future employment development, in order to achieve a sustainable economy and make Eastbourne a town where people want to live and work. The ELLP forms part of the development plan for Eastbourne together with other planning policy documents such as the Eastbourne Core Strategy Local Plan.



- 1.6 The Council and local employment, training and education organisations are committed to working in partnership with the developer and operator(s) in order to maximise the opportunities available. Developers and operators that support this SPD and achieve the measures identified within will be recognised by local residents, business and key stakeholders as major contributors towards the growth and success of the local economy.

- 1.7 The Local Employment and Training SPD was approved for adoption by full Council on Day Month Year following an 8 week consultation period with key stakeholders.

2.0 Strategic Context

2.1 There are national, regional and local strategic policy goals and objectives that provide a strong justification for this document. These policies and objectives are critically important to Eastbourne Borough Council. In summary the key objective is to identify opportunities to improve employment opportunities, training and skills and support small businesses in the town for the future economic growth of the Borough.

National Planning Policy Framework (NPPF)

2.2 A key policy direction of the NPPF is to deliver sustainable development, by building a strong and competitive economy. There is a national commitment to securing economic growth to create jobs and prosperity. The NPPF identified that local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.

Skills East Sussex (SES)

2.3 Skills East Sussex (SES) is the county's strategic body for employment and skills. Its aims are to improve local employment and skills levels to increase economic prosperity in East Sussex. SES has identified six priorities including upskilling the workforce and supporting the unemployed. It also has six priority areas supported by sector-based task groups namely:

- Construction and Civil Engineering
- Creative, Cultural, Digital and Media
- Engineering and Advanced Manufacturing
- Health and Social Care
- Visitor and Cultural Economy
- Agricultural and Environmental

Construction Industry Training Board (CITB)

- 2.4 The CITB are a strong advocate for the construction industry working with Government, employers, local authorities and educational providers to steer training provision. They offer a range of grants and funding for apprenticeships, qualifications and plant test achievements to registered employers.

Eastbourne Core Strategy Local Plan

- 2.5 The Eastbourne Core Strategy Local Plan is the strategic planning policy document for the Borough covering the period 2006 - 2027. A key spatial objective of the Plan is to give support to a strong and growing local economy built on innovation, creativity and entrepreneurship. Within the spatial portrait there is also an appreciation of the need to grow a better skilled labour force in order to realise the town's economic objectives.

Employment Land Local Plan (ELLP)

- 2.6 The ELLP as outlined in paragraph 1.4 is a planning policy document that will guide job growth, economic development, identify employment land supply and the future needs for employment for Eastbourne up to 2027. It identifies the future requirements for employment land in Eastbourne and how the future needs for employment are to be met.
- 2.7 The ELLP has been subject to a number of rounds of consultation and was submitted to the Secretary of State for examination in February 2016. Following examination the inspector concluded that the ELLP provided an appropriate basis for the planning of employment land provisions in the Borough, subject to some modifications and that with the recommended modifications the plan satisfied the requirements of Section 20(5) of the 2004 Act and met the criteria for soundness in the National Planning Policy Framework.
- 2.8 Within the ELLP, Policy EL1 (Economy and Employment Land) identifies the overall strategy for Eastbourne's economy, including where new employment development should be located and what types of development will be supported. This policy forms the foundation of the SPD, and is provided in full overleaf for reference.

Policy EL1 – Economy and Employment Land

Job growth and economic prosperity in Eastbourne will be supported in order to enable the achievement of a sustainable economy and make Eastbourne a town where people want to live and work. This will be achieved by:

- Taking a positive approach that reflects a presumption in favour of sustainable economic development;
- Meeting the requirement for 48,750 sqm (GEA) of additional employment floor space over the plan period through employment development within the Sustainable Centres (Town Centre and Sovereign Harbour) and through maximising the use of land in existing employment locations;
- Promoting development which provides units for new start-up businesses and small enterprises;
- Encouraging key businesses and their supply chains to grow existing specialisms;
- Encouraging development which supports improvements in the local jobs market through creation of additional jobs and employment diversification;
- Seeking local labour agreements on all development of 1,000sqm or more, including change of use, to secure local employment and training measures as part of development proposals; and
- Supporting the Education and Training sector of the Eastbourne economy through a flexible approach to expansion proposals.

2.9 The ELLP identifies that Eastbourne Borough Council will seek to secure local labour agreements and associated contributions on developments of 1,000sqm or more (including change of use) in order to secure local employment and training measures as part of development proposals, with the objective of improving training and skills in the town for the future economic development of the Borough. This will be achieved through Section 106 Agreements (or Unilateral Undertaking) related to specific development proposals, which will secure contributions from development that will support and benefit the local labour market and economy, enabling employment growth, raising skills and giving local people opportunities generated by new developments.

2.10 The ELLP also highlights that a Local Employment and Training SPD will be prepared to guide the implementation of Policy EL1.

3.0 Evidence

- 3.1 This section provides evidence to support the justification and importance of this SPD.
- 3.2 Eastbourne's resident population is 101,600 with 59,500 aged 16 – 64 years (2021)¹. In 2021 all people in employment in Eastbourne totalled 43,827 with 4,175 in construction².
- 3.3 In January 2024 Eastbourne's claimant count aged 16+ was 2,735. As a proportion of claimants per resident population this represented 4.63% for Eastbourne compared with 2.9% for the South East and 3.7% for Great Britain³.
- 3.4 Households of Deprivation dimensions 2021 classifies households by four dimensions of deprivation – employment, education, health and disability, and household overcrowding. Eastbourne has 45,609 households with 19,705 not in any deprived dimension and the remainder 25,904 having at least one dimension of deprivation⁴.
- 3.5 Eastbourne has 3,165 businesses enterprises with 500 in construction. Of the 3,165 businesses, 2,805 are micro with up to 9 employees, 295 are small with 10 to 49 employees, 55 are medium with 50 to 249 employees and 10 are large (250+ employees)⁵.

1 NOMIS, Eastbourne Borough Council Resident Population in 2021

2 East Sussex in Figures, Industry of Employment 2021 Eastbourne (middle layer super output areas)

3 NOMIS, Claimant Count by Age, January 2024

4 East Sussex in Figures, Census Deprivation, Households by deprivation dimensions in 2021 – super output area

5 East Sussex in Figures, Business enterprises by industry group UK SIC(2007), 2009-2023 – districts

and Business enterprises by size of business, 2004-2023 - districts

4.0 Use of Planning Obligations and Section 106 Agreements

- 4.1 Section 106 Agreements can be used to secure planning obligations related to new developments including improving employment opportunities, training and skills. The Government has legislation when a planning obligation can be used. This document complies with Regulation 122 of the Community Infrastructure Levy regulations 2010 (as amended) which requires a planning obligation to be:
- Necessary to make the development acceptable in planning terms
 - Directly related to the development and
 - Fairly and reasonably related in scale and kind to the development.
- 4.2 Where the 3 tests are met on new developments, planning obligations should be used to secure local labour agreements from future developments. This will secure contributions from developments to support and benefit the local labour market and economy, enabling employment growth, raising skills and giving local people opportunities generated via new developments. The contributions will enable targeted support to assist the viability and growth of local small and medium enterprises (SMEs) and associated supply chains.
- 4.3 Specific measures could include training (pre-employment and vocational), apprenticeships, T Levels, upskilling, employment support and advice, interview guarantees and work placements, small scale provision of materials to support construction in connection with fully supervised education and training projects, as well as, business support, training and development to local SMEs and associated supply chain.
- 4.4 Developers will need to discuss measures with the Council and in some instances a financial employment and training contribution may be taken in lieu of the developer providing construction specific measures related to the development.

5.0 Thresholds and Definitions

- 5.1 This SPD will apply to residential and commercial developments, including those of strategic importance to the Council as outlined in the 'Thresholds for Development' detailed below. For residential development this applies to the construction phase, however, if there are operational jobs associated with the residential development, then both the construction and operational stages will apply. For commercial developments this applies to both construction and operational stages. The Council has set the following thresholds:

Thresholds for Development

Commercial – All developments (other than C3/C4 Planning Use Class), including change of use, that create/relate to 1,000 sq m. This also includes developments of strategic importance (eg essential infrastructure, development identified in Council plans and strategy) and all of those that create 25+ jobs.

Residential - Major developments (within C3/C4 Planning Use Class) that involve 10 or more units.

Please note: A local labour agreement will apply if a previously non-qualifying planning application is amended via a Section 73 Application and thereafter meets the above thresholds for development.

6.0 Local Employment and Training Framework

- 6.1 Where proposed developments reach the thresholds for development, the Council will seek a commitment to a local labour agreement detailing employment and training deliverables and a financial contribution.
- 6.2 If there is a commercial end use of the site, a financial contribution will be sought from the developer/landowner and not from the operator, which may or may not be the same. Employment and training measures will be documented in an Employment and Training Plan (ETP); operationally this may or may not be the same entity as the developer/landowner. If the operational phase of the development has multiple operators, separate and appropriate employment and training measures will be negotiated and sought independently with each operator through separate ETP's.
- 6.3 The complexities of multi-site and multi-phase developments are recognised and will be negotiated on a case-by-case basis in order to achieve a balance between meeting the needs of the SPD and the employment and training needs associated with development.
- 6.4 It is intended that the financial contribution will fund the management, co-ordination and delivery of employment, training and career initiatives, educational activities and grant programmes. The funding will also assist co-ordination of recruitment campaigns and pre-employment training for local residents in preparation for vacancies generated by a development.
- 6.5 The Council will work in partnership with developers and/or operators to agree ETPs to deliver measures negotiated in the Section 106 Agreement (or Unilateral Undertaking).

7.0 Local Employment and Training Measures to be Secured

7.1 It is intended that developments could achieve and support the following types of measures and activities:

- NVQ, T Level, industry recognised certified training, qualifications for construction and sectors associated with developments
- Traineeships in conjunction with work experience placements or as a preparatory phase for progression to an apprenticeship
- Apprenticeships
- Work experience placements for those unemployed and those aged 14-18 years in education
- Workshops and projects within educational establishments or on site with students from schools, colleges and universities or the unemployed
- Employability and career events
- Primary and secondary school curriculum activities
- Targeted recruitment and training campaign including promotion of vacancies locally, pre-employment training, work trials and guaranteed interviews
- Job Fairs to promote the construction sector/supply chains and associated sectors and new operational vacancies and opportunities
- Employment, training, upskilling and business support initiatives for local SMEs and associated supply chains
- Local Employment and Training Grants programme

7.2 The Council will use reasonable endeavours to process Section 106 (or Unilateral Undertaking) negotiations and agreements. However, it can be a complicated legal process and ample time needs to be allowed to complete the process. Owners and developers are encouraged to contact the Council at the earliest opportunity and will need to brief their own legal advisors early in the pre-application process.

8.0 Mechanism for Securing Local Employment and Training Measures

- 8.1 At the pre-planning application stage, prospective developers whose development would exceed the thresholds for development are encouraged to contact the Council to discuss a potential local labour agreement and employment and training measures that are appropriate to the size of the proposal. If the planning application is to be approved, the applicant will be required to enter into an agreed Section 106 Agreement (or Unilateral Undertaking) prior to the planning permission being issued.

Employment and Training Plan (ETP)

- 8.2 The Section 106 (or Unilateral Undertaking) measures will seek to ensure that local people can better access job opportunities arising from developments focusing on helping unemployed people back into work, as well as matching motivated and skilled local people to new vacancies. This will include education and training initiatives to ensure people have the appropriate skills for employment.
- 8.3 For the operational phase, developers and occupiers will need to be committed to working with the Council to develop a site specific ETP. The Section 106 (or Unilateral Undertaking) will secure key employment and training measures and the implementation of an approved ETP.
- 8.4 In order to prepare the Section 106 and an ETP, completed Pro-formas (Appendix A and Appendix B, if relevant) will need to be submitted by the developer with the planning application. If the operator is unknown at this stage, the operator will need to repeat the process for the starting workforce as soon as the information is available. Where there are multiple operators, each will be required to complete a Pro-forma.
- 8.5 Following an initial discussion regarding the content of the Pro-forma between the developer, operator and the Council, the Council will respond with a draft ETP for consultation and approval. The ETP will outline the relevant measures to be achieved by whom and when, in order to meet the employment and training requirements for the site. The ETP will also entail tailored support to prepare local unemployed people for recruitment to new vacancies. The development cannot commence until the employment and training monitoring contribution has been paid and the ETP has been approved by the Council.

- 8.6 Following the approval of the ETP the Council will implement, manage and co-ordinate the ETP to ensure that so far as is reasonably practicable the measures are met and regularly monitored. The ETP is valid from commencement of development and will apply to all tenants in the first operational phase of the development.
- 8.7 Where applicable, the developer needs to inform the freeholder or lease holder of the operational ETP, encouraging them to liaise with the Council to discuss, agree and implement the arrangements as set out the site-specific Section 106 Agreement (or Unilateral Undertaking).
- 8.8 On completion of the first operational phase, the operator shall provide the Council with a monitoring form (Appendix C) one month after opening outlining the achievements against the ETP.

Employment and Training Contribution

- 8.9 An employment and training contribution will be required to:
- Fund the monitoring of the Section 106 (or Unilateral Undertaking) obligation and management, co-ordination and delivery of the ETP.
- 8.10 The Council may also seek to negotiate additional contributions if the employment and training requirements identified in the Pro-forma are out of the financial scope of local providers funding arrangements and are greater than the employment and training contribution.
- 8.11 (Contribution towards monitoring and co-ordination equivalent to 7.5 hours a week at £20⁶ per hour (inclusive of on costs) x the length of the development in weeks + 8 weeks) = employment and training contribution

Example:

If the length of the development is 52 weeks

Contribution towards S106 monitoring - £150 x 60 (52 + 8 weeks) = **£9,000**

⁶ Employment and training contribution hourly rate as at April 2024 subject to increase from April 2025 based on all items index figure (September) of the Retail Prices Index published by the Office for National Statistics. Inflation figure to be applied annually thereafter.

Operational Phase

- 8.12 The developer is to inform the operator about the SPD and the site-specific Section 106 Agreement (or Unilateral Undertaking), who needs to complete the Pro-forma (Appendix B) for submission to the Council as soon as possible after they are aware they are taking on the business premises. Occupiers and their personnel departments shall then meet with the Council to discuss the Pro-forma and formulate an ETP – a bespoke, targeted recruitment and training campaign to enable local people to acquire the skills needed to gain employment.
- 8.13 The measures will be negotiated on a case-by-case basis for all appropriate developments and will seek to maximise the outcomes outlined in the section on key activities and measures. Operators are responsible for ensuring apprenticeship, work experience and NVQ training places are created and are responsible for all associated costs.

Monitoring of Operational Phase

- 8.14 Operators to provide monitoring and information to the Council one month after operation on:
- The achievements against the ETP and Section 106 Agreement (or Unilateral Undertaking) obligation via a Monitoring Form (Appendix C)
 - Starting workforce statistics including details of number of local and unemployed residents
 - Any other relevant information as directed by the Council.

Appendices

Appendix A – Pro-forma for Construction Phase

Pro-forma for Construction Phase

Date	
Author	
Job Title	
Developer	
Email Address	
Telephone Number	

Site name	
Main contractor	
End user operator/s	
Estimated build value	
Planned start date To be supported with programme of works for the development Please Note: Start date includes site preparation – investigations, demolition, hoarding, etc	
Planned completion date	

Anticipated new vacancies during construction phase	
Sub contractor tendering opportunities during construction phase List by trade	

Appendix B – Pro-forma for Operational Phase

Pro-forma for Operational Phase

Date	
Author	
Site name	
End user operator	
Planned opening date	

Breakdown - Number of Jobs

Number of jobs (e.g. 2)	Type of Roles (eg Retail Assistant, Health Care Assistant)	Hours (eg 20 hours per week)	Skills, Qualifications and Qualities (eg Customer Care NVQ, retail experience desirable)

Outline your own company's recruitment process and pre-employment training if applicable	
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Ongoing Employment and Training Opportunities

Number of apprentices	
Number of work experience placements for those unemployed	
Number of work experience placements for those aged 14-18 years in education	

Appendix C - Monitoring Form for the Operational Phase

Monitoring Form – Operational Phase

Please complete and submit this form one month from opening and email to regeneration.monitoring@lewes-eastbourne.gov.uk

If you need assistance in completing this form please email above,

Date	
Company name	
Company contact name	
Email Address and Telephone Number	
Total Number of staff employed (including new and existing)	
Number of existing employees on site	
Number of new staff interviewed for employment	
Number of job offers to new employees	
Number of new staff employed who live in Eastbourne	
Number of new staff previously unemployed	

Thank you

Appendix D – Index Linking

The Employment and Training Contribution shall be index linked and varied as necessary by application of the following formula:

$$A = \frac{B \times C}{D}$$

Where:

A is the sum actually payable on the relevant specified date, eg date monitoring fee is due;

B is the original sum specified in the local labour agreement;

C is the inflation index for the month preceding the specified date;

D is the inflation index for the month preceding the date of the signed local labour agreement;

C divided by D is equal to or greater than 1

Please note: Inflation Index means the 'all items' index figure of the Retail Prices Index published by the Office for National Statistics.

Appendix E – Glossary

Term	Definition
C3	Planning Use Class - Residential self-contained unit
C4	Planning Use Class - House in multiple occupation
CSCS	Construction Skills Certificate Scheme
CITB	Construction Industry Training Board
EBC	Eastbourne Borough Council
ESCC	East Sussex County Council
ETP	Employment and Training Plan
NPPF	National Planning Policy Framework
NVQ's	National Vocational Qualifications
Operator	End user of the premises
Section 73 Application	An application under the Town and Country Planning Act 1990 to develop land without complying with a condition previously imposed on a planning permission. If granted, it results in a new planning permission
Section 106 Agreement	A legal agreement with the Council made under the Town and Country Planning Act 1990, s 106 to regulate development or mitigate the impacts of development. It binds the land and is enforceable against successors.
Section 106 Unilateral Undertaking	This is an alternative to a Section 106 Agreement and is made by the landowner and/or developer alone.
SME's	Small and Medium Sized Enterprises
Unemployed	People who are jobless, have been actively seeking work in the past four weeks and are available to start work in the next two weeks; or they are out of work, have found a job, and are waiting to start it in the next two weeks.
Work Experience Placement for those Unemployed	The placements are to support those unemployed claiming a key out-of-work benefit from Jobcentre Plus, gain experience in the workplace to help them find employment. The minimum duration of a work experience placement should be 5 working days.
Work Experience Placement for those aged 14-18 in Education	The work experience placements are to support young people in education. Work placements can support those undertaking related qualifications to the build and operation of the site. The minimum duration of a work experience placement should be 5 working days.



LOCAL PLAN STEERING GROUP

Monday 18th December 2023

6pm, Teams Meeting

MINUTES OF MEETING

<p>Attendees</p> <p>Councillor Diplock (Chair)</p> <p>Councillor Holt</p> <p>Councillor Parker</p> <p>Councillor Swansborough</p> <p>Councillor Smart (substitute for Councillor Di Cara)</p> <p>Matt Hitchen (Senior Planning Policy Officer)</p> <p>Anna Clare (Senior Planning Policy Officer)</p> <p>Emma Kemp (Senior Planning Policy Officer)</p> <p>Nadeem Din (Planning Policy Lead)</p>	<p>Cllr D</p> <p>Cllr H</p> <p>Cllr P</p> <p>Cllr Sw</p> <p>Cllr Sm</p> <p>MH</p> <p>AC</p> <p>EK</p> <p>ND</p>
<p>Apologies</p> <p>Councillor Murray</p> <p>Councillor Di Cara</p>	<p>Cllr M</p> <p>Cllr DC</p>
<p>1. Minutes of Previous Meeting</p> <p>Minutes agreed.</p>	
<p>2. Community Infrastructure Levy (CIL)</p> <p>EK shared a presentation on CIL confirming the details of CIL which has been in place in Eastbourne since 2015, the charging rates, charging area and liability.</p> <p>EK also confirmed the principles around spending of CIL, and the role of the Infrastructure Delivery Plan (IDP) in the process.</p>	<p>Slides of the presentation to be made available on the LPSG Teams Channel.</p>

EK set out the current distribution in Eastbourne of the CIL monies collected is:

- 5% must go into an Administration Fund, for staffing, software, legal advice;
- 15% is the Neighbourhood Fund, as Eastbourne does not **have parish council's, Eastbourne** Borough Council hold the Neighbourhood Fund.
- 80% is Strategic Fund or County Fund.

Total CIL money collected at the moment is £1,050,432.94, which has taken 8 years to build up.

EK confirmed we need to go through a process to look at how we can spend the neighbourhood portion of the money collected.

Cllr D asked why flats are not CIL liable, and what provision is made when amendments are made to planning permissions. EK confirmed that when we started CIL we went through a process to ascertain what is chargeable and at that time that developments of flats were not viable to pay a CIL charge.

Cllr D asked if a review on charging schedule has been done. EK confirmed there is no review of the CIL Charging Schedule at the moment but could as part of the new local plan.

Cllr D asked if there is a provision to force developments to be built out once commenced. EK confirmed if a developer makes a material start on-site then that triggers that permission and the CIL becomes due, if the development is not build it out then the CIL is still due, and **they can't** claim the money back. EK also confirmed that there a process to check applications weekly so amendments and variations to permissions would be picked up in the monitoring process.

Cllr Sm queried the CIL distribution as there is a live project which would like to apply for the funding, and how does CIL relate to S106 payments and Infrastructure levy. EK confirmed the team are currently going through the process of reviewing the options of how we might recognise the areas within Eastbourne and how the Neighbourhood Fund money can be spent. At the next LPSG a presentation of the options will be made and a recommendation will have to go for cabinet for final approval.

<p>Cllr Sm asked why these options were not bought to this local plan steering group. EK confirmed that the options need to be finalised before they can be presented to the group. EK also confirmed that S106 are site specific, where specific infrastructure is required in relation to a particular development S106 is the mechanism to secure that through the planning application. EK confirmed S106 can be used for any infrastructure required to be secured as part of an application such as affordable housing provision, or specific highway works.</p> <p>AC confirmed there is no threshold to an application that can be subject to a S106 but they can only be used to mitigate the impacts of development to make it acceptable in planning terms.</p> <p>Cllr D asked if there was any deadline for the spending of the CIL monies. EK confirmed there is no deadline.</p> <p>Cllr H asked if there were any restrictions on the spending such as number of houses built in that ward resulting in the amount of money spent in that ward. EK confirmed that this forms part of the process at the moment considering options of how spending might be carried out but that spending in the regulations has to be on infrastructure that meets the demands that development has put on the area.</p> <p>Cllr P asked for more detail on the viability and what was considered when flats were determined not to be liable for CIL. EK confirmed the test was in relation to the viability of development, built costs etc at the time.</p> <p>Cllr H thanked EK for the report.</p>	
<p>3. Infrastructure Funding Statement (IFS) 2022/2023</p> <p>EK confirmed the IFS is prepared annually. It's a factual report that reports on the amount we have received, spent and holding as a local authority. It has to be published by the 31 December each year. EK went through the summary report circulated in advance of the meeting (Item 3).</p> <p>EK advised the only amount spent in Eastbourne is the CIL admin, all other amounts are held by EBC.</p>	<p>MH to circulate the finalise IFS prior to publication.</p>

<p>EK confirmed that S106 agreements with monetary contributions signed within the year, and received within the year are also set out in the IFS.</p> <p>Cllr Sm asked if the IFS report was circulated prior to the meeting. EK confirmed that a summary was circulated, the final IFS will be circulated prior to publication.</p> <p>Cllr Sm asked if the report set out the S106 contributions specifically and how are they allocated. EK confirmed the report is not specific about S106 contributions, the monies are allocated to specific projects agreed at the time of the permission.</p> <p>Cllr D asked for clarification on the numbers of affordable housing and type. AC confirmed the 6 units in the IFS are at Cavalry Crescent which is affordable rent and being delivered by Eastbourne Council. Whilst the s106 requires 6 units that is to be policy requirement figure, the site is being delivered as 100% affordable.</p> <p>Cllr D resumed chair of the meeting and thanked for the report.</p>	
<p>4. Annual Monitoring Report 2022/23</p> <p>MH discussed the AMR a factual report that is published on the website at the end of the Year. MH discussed the details of the report and some key figures as circulated (Item 4).</p> <p>Cllr D thanked for the work on the report.</p>	
<p>5. Local Employment and Training Supplementary Planning Document</p> <p>MH confirmed the report is bought to LPSG on behalf of Sara Taylor in the Regeneration Team, this SPD relates to local labour agreements.</p> <p>MH discussed the purpose of the SPD as set out in the report provided (Item 5).</p> <p>MH confirmed that Regeneration want to review the existing SPD given recent experience in relation to construction phase obligations to seek financial contributions to develop a wider range of training opportunities, rather than the onsite obligations which developers are finding harder to implement.</p>	

<p>MH confirmed any feed back will be passed back to Sara Taylor.</p> <p>Cllr D asked when will the public consultation take place. MH confirmed a report would be taken to March cabinet for the authority to publish the consultation. The consultation would take place after this approval. Therefore following the procedure of coming back to cabinet then full council for adoption post consultation in summer time.</p> <p>Cllr P asked is the purpose of the financial payment to subsidise local groups to take on apprentices as there are smaller companies that are approached to take on apprentices but they can't afford to. MH advised that Sara Taylor could be asked to clarify specifically however the understanding is that rather than subsidise businesses it would be used for things like job fairs.</p>	<p>ST to clarify specific requirements for the financial contributions.</p>
<p>6. AOB</p> <p>None</p>	
<p>Date of next meeting:</p> <p>To be agreed</p>	

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Report to:	Cabinet
Date:	20 March 2024
Title:	Community Infrastructure Levy (CIL) Governance Review 2024
Report of:	Robert Cottrill, Chief Executive
Cabinet member:	Councillor Peter Diplock, Cabinet member for housing and planning
Ward(s):	All areas
Purpose of report:	To provide a review and recommendations for updating the CIL Governance Arrangements, particularly in relation to Neighbourhood CIL Spending within Eastbourne Borough.
Decision type:	Key Decision
Officer recommendation(s):	To amend the existing CIL Governance Arrangements previously agreed by Cabinet in July 2015, particularly those relating to Neighbourhood CIL spending, as detailed in this report
Reasons for recommendations:	To allow for a new fairer and transparent spending mechanism for Neighbourhood CIL across the Borough.
Contact Officer(s):	Name: Emma Kemp Post title: Senior Planning Policy Officer E-mail: Emma.Kemp@lewes-eastbourne.gov.uk Telephone number: 01323 415756

1 Introduction

- 1.1 The Community Infrastructure Levy (CIL) was introduced as a mechanism to allow local planning authorities to raise funds from liable developments in order to pay for the infrastructure required to support new development. Eastbourne Borough Council started to implement CIL in 2015, including adopting the decision process for allocating CIL money to infrastructure projects, known as the CIL Governance Arrangements. Eastbourne's CIL Charging Authority Area covers only the part of the Borough that is located outside the South Downs National Park Authority area.

- 1.2 The Community Infrastructure Levy Regulations 2010 (as amended) require that authorities collecting CIL allocate receipts to three spending streams:
- Administrative expenses – up to 5% of receipts
 - Duty to pass CIL to parish councils – minimum 15% of receipts
 - Funding the provision, improvement, replacement, operation of maintenance of infrastructure to support development – up to 80% of receipts.
- 1.3 Where there are no parish councils (such as in Eastbourne), 15% of CIL income is required to be retained by the Council, to be spent within the area of the Council with no parish council. This is referred to as Neighbourhood CIL (NCIL).
- 1.4 Elements of the CIL Governance Arrangements approved in 2015 are now no longer fit for purpose, meaning that there is currently no viable process for spending CIL money allocated into the ‘Neighbourhood’ pot. This report recommends changes to the CIL Governance Arrangements, particularly relating to the Neighbourhood Community Infrastructure Levy pot. This will enable spending of NCIL to take place.

2 Background

- 2.1 Since CIL was implemented in 2015, the Council has collected £1,004,245.02 of CIL money, which has been apportioned between the different pots in line with the CIL Regulations and the Council’s own CIL Governance Arrangements.
- 2.2 Historically, the Council has not opened the CIL pots for spending as the amounts collected in individual years was relatively small. However, it is required under the CIL Regulations to spend the administrative portion. This is applied to part of the cost for the software to implement CIL.
- 2.3 A substantial amount is now consolidated in the NCIL pot to support local infrastructure delivery. The NCIL pot currently contains approximately £153,000.
- 2.4 The existing CIL Governance Arrangements were agreed by Cabinet in July 2015. There are two stages in the operation of the agreed CIL Governance Arrangements:
- a) The distribution of CIL money collected to types of infrastructure funds;
 - b) The decision-making framework to determine who and what infrastructure items receive CIL money.

2.5 Distribution

2.5.1 In terms of distribution, the Governance Arrangements allocate funds into three pots, based on the regulatory requirements:

- 80% of CIL receipts are distributed into the County Council and Other Infrastructure Providers Fund (the 'County Pot'). This should be used to fund new strategic infrastructure or improvements to existing strategic infrastructure which is the responsibility of East Sussex County Council or other external infrastructure providers;
- 15% of CIL receipts are distributed into the Neighbourhood Fund (the 'Neighbourhood Pot'). This which should be used to fund small scale, non-strategic local infrastructure projects and improvements.
- 5% of CIL receipts are distributed into the Administration Fund (the Admin Pot'). This should be used for CIL associated administrative costs.

2.5.2 As the current arrangement for the distribution of CIL money into 'pots' are considered to be fit for purpose and consistent with regulations, **there is no need, at present, to amend the 'Distribution' element of the Governance Arrangements.**

2.6 Decision-making framework

2.6.1 In relation to spending decisions, the current Governance Arrangements identify different processes for awarding CIL money for spending depending on 'pot' type.

2.6.2 For the 'County' pot, the current Governance Arrangements identify that East Sussex County Council (as a provider of strategic infrastructure) and other external infrastructure providers would be invited to bid for CIL funding for their projects. Eastbourne's Cabinet, identified as the CIL Decision Body, is given special remit to ultimately determine which bids should receive CIL funding.

2.6.3 The 'County' pot name is no longer considered to be appropriate as it is not reflective of strategic infrastructure projects from all types of infrastructure providers that should be funded from this pot. Therefore, through the amendments to the Governance Arrangements, **it is recommended that the 'County Pot' name is changed to 'Strategic' pot.**

2.6.4 For the 'Neighbourhood' pot, the current Governance Arrangements identify that a Capital Programme Steering Group will identify neighbourhood projects which could be delivered wholly or partly through CIL monies. This would then be reported directly to Cabinet as the CIL Decision Body for approval.

- 2.6.5 However, it is understood that the identified Capital Programme Steering Group (whose purpose is to identify projects upon which to spend NCIL) no longer exists in its original form. In addition, the process for engagement with communities through it is not clear. Therefore, it is considered that this is not a viable forum for deciding NCIL spending.
- 2.6.6 The NCIL pot has now increased to a meaningful amount that would enable spend. To enable this spend, the Governance Arrangements for the NCIL need to be updated to provide a viable and compliant process for spending NCIL.
- 2.6.7 There are clear requirements which the Council must take into account when determining how to spend NCIL. Firstly, regulations require that NCIL:
...should be used to support the development of the relevant area by funding the provision, improvement, replacement, operation or maintenance of infrastructure; or anything else that is concerned with addressing the demands that development places on an area.
- 2.6.8 In locations where there are no town or parish councils, national guidance requires that the Council retain the NCIL portion, but in deciding how to spend it, the Council should:
- engage with the communities where development has taken place and agree with them how best to spend the neighbourhood funding.
 - clearly and transparently set out their approach to engaging with neighbourhoods.
 - ensure that the use of neighbourhood funds matches priorities expressed by local communities.
- 2.6.9 Therefore, based on the CIL Regulations guidance, the updated Governance Arrangements should ensure that:
- a portion of CIL is retained by the Council to be spent in authority areas where parish councils do not exist (non-parished areas)
 - NCIL is used to support the development of the 'relevant area', which is defined as the area of the charging authority with no parish council. This allows freedom to determine the area where NCIL is spent, as long as it is used to support the development of areas without parish councils (i.e. the whole of the Borough).
 - there is some form of engagement with communities where development takes place in order to identify how NCIL should be spent. The process for doing this should be clearly and transparently communicated.

3 Proposal

3.1 There are a number of elements to determining the process and arrangements for spending NCIL. The proposal for the new Governance Arrangements for NCIL are explained below, with each specific element considered individually. This is based on research undertaken by consultants DAC Planning into how local planning authorities similar to Eastbourne govern their CIL spending.

These decisions should be based on the advice and recommendations of a CIL Advisory Board. Following on from the recommendations of this report a CIL Advisory Board will need to be set up.

3.2 Neighbourhood Area Definition

3.2.1 The 'Neighbourhood Area' is defined as the area in which NCIL, wherever collected, can be spent. This could be an individual ward, a group of wards, or the whole Borough.

3.2.2 It is considered that ringfencing CIL to individual wards or groups of wards in the Borough may represent an unfair approach that benefits areas with housing development over areas where development is flatted CIL income by ward does not provide an accurate representation of where development is taking place or where infrastructure funding would be required.

3.2.3 **It is recommended that the Neighbourhood Area is defined as the whole CIL Charging area for Eastbourne**, meaning that NCIL can be spent on a broader basis rather than the ward(s) that it was collected in.

3.3 Bidding Timescale

3.3.1 The bidding timescale relates to how often spending decisions on NCIL are to be made. This could be an open approach that allows bids to be submitted and decided at any time, a more regulated process with bids invited and decisions made on an annual basis, or when the NCIL pot reaches a certain threshold.

3.3.2 An annual application stage for bids would be less resource intensive and would align with a governance approach requiring final approval from Cabinet. Furthermore, placing a threshold on opening the pot each year would ensure that there is sufficient money available in each bidding round. Requiring at least £50,000 in the NCIL pot will mean a sufficient amount of money to fund three or more projects each time the pot is opened will be available. On average, around £15,000 of NCIL is collected annually. Applications received would be screened and assessed against the NCIL spending criteria and then a shortlist taken forward in accordance with approved Governance Structures as discussed

below. Therefore, **it is recommended that NCIL bids to take place on an annual basis, provided that there is £50,000 in the NCIL pot**

3.4 Governance Structures

3.4.1 The Governance Structure relates to the process of who makes decisions on which projects to award NCIL money.

3.4.2 It is considered that Cabinet Members should have significant involvement in the bid determining process, including which infrastructure should receive NCIL funding. This would be a more appropriate approach than delegating decisions to individuals or other council bodies.

3.4.3 **Cabinet currently makes the final decision on which bids to award NCIL and it is recommended that Cabinet continues as the decision maker .** However, all NCIL bids should be assessed against the spending criteria and should be reviewed by a separate CIL Advisory Board / Spending Panel. This Panel would act in an important advisory role and make recommendations to Cabinet on NCIL spend.

3.4.4 The recommended Governance Structure would require the formation of a new and separate NCIL Spending Panel that would assess bids and make recommendations to Cabinet. Membership of the CIL Spending Panel cannot be the existing Local Plan Steering Group (as identified in the 2015 Governance Arrangements), as members of Local Plan Steering Group are also on Cabinet. Therefore, **it is recommended that a new CIL Spending Panel would need to be created through Full Council.**

3.5 Method of Community Engagement

3.5.1 Method of Community Engagement relates to how the community should be engaged in decisions on what NCIL is spent on, as required by the CIL regulations.

3.5.2 It is important to take into account the amount of CIL available for NCIL Bidding and ensure that the level of community engagement is proportionate. Ward Councillors are well placed to engage with their communities and have significant knowledge of community infrastructure needs within their wards, and this can be used to advise whether the CIL bid is supported and desired by the local community.

3.5.3 **It is recommended that community engagement is undertaken through inviting community groups to bidding rounds that are advertised and open**

to all, with a requirement that any CIL bid be supported by the three ward members where the project is located.

3.6 Capping NCIL Bids

3.6.1 This relates to whether the amount of NCIL awarded to individual projects should be capped, and what level it should be capped at.

3.6.2 The amount of NCIL collected in Eastbourne is relatively low, particularly compared to current build costs for the delivery of infrastructure projects. Capping NCIL bids would give greater opportunity for wider infrastructure spending and ensure fairer distribution of spending across the borough. It would also reduce the potential risk that the whole NCIL pot would be reduced to zero within one bidding round, bearing in mind that it has taken eight years to build up the current level of CIL monies. **It is recommended that NCIL bids are capped at £20,000 and that bids should contain matched funding from other sources.**

3.7 Criteria for Assessing NCIL Bids

3.7.1 This relates the criteria that should be used to assess applications for NCIL funding.

3.7.2 **It is recommended that criteria for NCIL bidding, including what NCIL cannot be used to fund, to be clearly and transparently set out before the start of any bidding rounds.**

3.7.3 However, in advance of this it is crucial that infrastructure shortfalls across the borough are identified by updating infrastructure evidence and engaging with all neighbourhoods to ensure that funding priorities identified by the evidence matches those expressed by local communities. Without undertaking this research, it will not be possible to develop an appropriate set of criteria against which to consider NCIL bids.

3.7.4 Therefore, **it is recommended that NCIL bids are not accepted until further research is completed and an NCIL assessment criteria is prepared and formally approved.** It is recommended that the NCIL Bid application form is developed following with Ward Councillor involvement and any planned updates to the infrastructure evidence base, to ensure that applications can be considered against Council and service area priorities.

3.8 **It is also recommended that infrastructure evidence, including the Infrastructure Delivery Plan, is fully updated** and completed to develop an up-to-date picture of infrastructure requirements across the borough, taking into

account growth from both housing and flatted developments. This would ensure that decisions on spending NCIL are informed by up-to-date evidence requirements.

4 Outcome expected and performance management

- 4.1 It is expected that the changes to the CIL Governance will enable a fair and transparent process to spend NCIL across the Borough.
- 4.2 It is proposed to review these changes to CIL Governance after 12 months of implementation to determine if the changes made are appropriate or if further review is required.

5 Consultation

- 5.1 There is no requirement for public consultation on the CIL Governance Arrangements. Although the CIL Regulations set out that the Levy must be spent on infrastructure needed to support development in the area, it falls to local authorities to decide how the funds are spent.
- 5.2 Local Plan Steering Group were consulted in the preparation of the proposed Governance Arrangements for NCIL as detailed in this report.

6 Corporate plan and council policies

- 6.1 The Corporate Plan 2020-2024 supports the improvement of infrastructure including infrastructure required to both mitigate against and adapt to climate change.

7 Business case and alternative option(s) considered.

- 7.1 Options for the Governance Arrangements, including neighbourhood area definition, bidding timescale, governance structures, method of community engagement, capping bids and assessment criteria, were considered as part of the process. An analysis of the options is provided as Appendix 1. This analysis helped inform the recommendations to the Governance Arrangements for NCIL.

8 Financial appraisal

- 8.1 The purpose of this report is to review and recommend an update to the governance arrangements relating to the approval of bids for Neighbourhood Community Infrastructure Levy (NCIL). As such there are no direct financial implications to this report other than clarifying the value of the opening threshold of the Levy pot each year (£50,000), the level at which bids are capped

(£20,000) and that bids should contain matched funding from other sources. The current balance of the NCIL is £153,000.

9 Legal implications

- 9.1 Section 216(2) of the Planning Act 2008 and regulation 59 of The Community Infrastructure Levy Regulations 2010 provide that a Council that charges CIL must apply it, or cause it to be applied, to supporting development by funding the provision, improvement, replacement, operation or maintenance of infrastructure. In this context, “infrastructure” is defined as:-
- (a) roads and other transport facilities,
 - (b) flood defences,
 - (c) schools and other educational facilities,
 - (d) medical facilities,
 - (e) sporting and recreational facilities, and
 - (f) open spaces
- 9.2 Planning Practice Guidance states that this definition allows the Levy to be used to fund a very broad range of facilities such as play areas, parks and green spaces, cultural and sports facilities, academies and free schools, district heating schemes and police stations and other community safety facilities. Charging authorities may not use the Levy to fund affordable housing.
- 9.3 Local authorities must spend the levy on infrastructure needed to support the development of their area, and they will decide what infrastructure is needed. The levy is intended to focus on the provision of new infrastructure and should not be used to remedy pre-existing deficiencies in infrastructure provision unless those deficiencies will be made more severe by new development.
- 9.4 The Levy can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure, if that is necessary to support new development.
- 9.5 There are no detailed legal requirements as to how the funding decisions are to be made, however a CIL Governance Framework for Eastbourne Borough Council was approved by Cabinet in July 2015. The proposed Governance Arrangements identified in this report are consistent with the CIL Regulations 2010 (as amended) and take account of best practice guidance and will replace those in the July 2015 report.

10 Risk management implications.

- 10.1 The risk of not proceeding with the proposed changes is that NCIL will not be spent in a timely manner which could result in certain types of infrastructure project not being successfully delivered.

11 Equality analysis

- 11.1 The Equalities screen has demonstrated that the recommended change to the Eastbourne CIL governance for Neighbourhood CIL spending will positively impact residents, who will be invited to submit bids for the NCIL, especially residents living in areas of socio-economic challenges. At the time of the Bidding Round, the process will be subject to its own Cabinet report and Equality and Fairness screening report.

12 Environmental sustainability implications

- 12.1 The proposed changes are not anticipated to directly have any negative environmental Impacts. Each bid submitted to any of the CIL Pots will be required to complete a CIL Bidding Form. The form requests details on Environmental Sustainability with regard to positive impacts and measures towards reducing the carbon footprint and providing a biodiversity net gain, if applicable. Each bid will be assessed on its own merit and projects which are deemed a major risk to the environment or cannot show adequate mitigation measures shall not proceed to the next stage of the bidding process.

13 Appendices

- Appendix 1 – Analysis of Options considered for NCIL Governance Arrangements

14 Background papers

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

- [Cabinet Report – July 2015 – Community Infrastructure Levy Governance Arrangements](#)
- [Community Infrastructure Levy Regulations 2010 \(as amended\)](#)
- NCIL Governance and Spending Options (DAC Planning, 2023)

Appendix 1 – Analysis of Options considered for NCIL Governance Arrangements

Issue	Options	Pros	Cons
Neighbourhood Area Definition	a. The ward is the neighbourhood area.	Representative of what CIL has been collected in each area.	NCIL income by ward isn't representative of where development is taking place, as there is zero CIL charge on flats. Ward pots are likely to be too small to be able to be used meaningfully.
	b. Ward groupings represent a neighbourhood area	Results in a slightly larger CIL pot to bid into	Difficulties in deciding how wards should be grouped CIL spending potentially less representative of where it was collected
	c. The entire authority area represents the neighbourhood area	Results in a much bigger pot to bid into Can assist with the spending of CIL in areas where development has occurred (flats zero rated so some areas with development has collected little CIL)	CIL spending potentially less representative of where it was collected
Bidding Timescale	a. Annual bidding round	Gives the community certainty and regulatory of when a bid can be made	There may be little funds available in the pot leading to disappointment. Or larger scaler projects never being able to make a bid.
	b. Applications can be submitted at any time and run on a timetable approach	Allows those who have a project to submit at any time without having to wait.	Applications may need to be updated if a Bidding round does not commence soon after an application is received.

Issue	Options	Pros	Cons
	c. Bidding rounds opened depending on level of NCIL available each year (recommended £50,000.00)	Allows for an amount to be collected which will allow for larger bids to be made or a selection of bids be approved.	Depending upon the level of NCIL this could be years between spending rounds. Bidding may not occur when a project requires the funding Situations may change by the time a bidding round is open.
Governance Structures	a. Decision made by Cabinet	An already formed decision making group. Democratically accountable	Not enough understanding or background knowledge of CIL or the process.
	b. Decision on spend is delegated to Cabinet Member, Assistant Director or Service Head level	A quicker process.	Lack of representation from a wider selection of people and not necessarily democratically decided.
	c. Alternative decision making authority e.g. Selection Panel, CIL Allocations Panel, Grants Determination Sub-Committee	Fair and just process which is representative and specialist in CIL. Allows for a larger geographical representation.	Will require more organising and will be a long process.
Method of Community Engagement	a. Crowdfunding platform and match-funding approach	Enables far reaching community involvement.	Could receive many bids which could become hard to manage. Reliant upon groups being able to use this method.

Issue	Options	Pros	Cons
	b. Resident survey in advance of bidding rounds to understand local priorities	Would enable a robust way of determining residents' priorities.	Time consuming and costly exercise to complete.
	c. Bidding rounds advertised and open to all community groups	Inclusive for all groups of the Community.	Difficulties in ensuring all groups are reached- some may not have access to see or know about CIL.
	d. Council review of corporate and regeneration strategies alongside the Local Plan	Allows CIL funding to be spent in areas that have been identified and matched with Council priorities. This will assist in the assessment of bids to ensure they align with the corporate plan.	Local Plan is unlikely to be completed for some time
	e. CIL Bids from Community Groups are signed off by the ward members to be able to proceed to assessment.	Allows Members who have expert knowledge on their ward to agree or disagree with whether the proposed project is in line with residents views. It is proportionate to the amount of CIL available to bid for.	Will require input from ward members.
Capping NCIL Bids	a. Only allow CIL Groups/wards to bid for NCIL once there is £50,000 or more in the NCIL pot	Would prevent opening the pot with very little in which could result in large workload for little reward.	May mean that the pot is not opened regularly

Issue	Options	Pros	Cons
	<p>b. Set a threshold for bids of over/under £10,000. The value of the bid will determine the governance route</p>	<p>Would allow a simpler approach for smaller, less involved bids. Quicker time frame for releasing funds.</p>	<p>Could be overly complex for processing. A threshold of bids may not be appropriate where on average £15,000.00 is collected each year. Multiple Governance routes could be complex and an unbalanced amount of work.</p>
	<p>c. Set a limit on NCIL bids of £20,000.00</p>	<p>Would enable the NCIL Funds to be further reaching and would allow more projects to receive funding.</p>	<p>Would restrict larger project from receiving funding and limit the scope on CIL funded projects.</p>
<p>Criteria for Assessing NCIL Bids</p>	<p>a. All authorities clearly set out the assessment criteria for NCIL bids. Therefore this is not an option, but must be clearly communicated and publicised so that expectations are set from the beginning.</p>	<p>Allows for a fair and transparent process to occur. A template bidding form which should be publicised will allow for a transparent process and this should include information on how bids are assessed. For example, priority, project readiness, community support.</p>	