

Report to	-	Council
Date	-	10 July 2017
Report of the	-	Cabinet
Subject	-	References from Cabinet Meetings

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The Council is asked to consider recommendations arising from the Cabinet meetings held on 8 May 2017 (item not determined at the last meeting) and 3 July 2017 (the meeting scheduled to be held on 5 June 2017 was cancelled), as set out below.

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## **CABINET – 8 MAY 2017**

### **CB16/98. REVIEW OF LOCAL PAY AWARD 2017**

Members received and considered Minute LG16/23 resulting from the Licensing and General Purposes Committee (L&GP) that had considered the review of local pay award 2017. The L&GP Committee had heard that pay award discussions had been on-going with Staff Side/UNISON and Members' views were sought on proposals for a pay settlement to enable negotiation with Staff Side/UNISON to be progressed.

Members of the L&GP Committee had carefully deliberated the pay award options and information submitted by Unison and had recommended to Cabinet that a one-year pay settlement of 1.5% increase should be offered. Cabinet were supportive of the proposal and agreed the recommendation be put to full Council. It was noted that the award would require an additional £45,000 which would be met from the existing Revenue Budget.

The L&GP Committee also agreed with the proposal for the Council to continue to support the Living Wage Foundation's Living Wage Level.

Members sought clarity on which measure of inflation the pay award was comparable to. The Service Manager – Finance and Welfare confirmed "consumer price inflation" and agreed to forward relevant data to Members after the meeting.

Cabinet were supportive of the recommendation and the Leader paid tribute and thanked staff for their patience, commitment and hard work during these austere financial times.

#### **RECOMMENDED: That:**

- 1) an additional award be given for the lower paid permanent staff, to continue to bring their point into line with the Living Wage Foundation's Living Wage level; and

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- 2) a one year pay settlement increase of 1.5% for 2017/18 be approved.

(Councillor G.P. Johnson declared a personal and prejudicial interest in this matter in so far as she is a landlord and in accordance with the Members' Code of Conduct left the room during consideration of recommendation No. 6 – Council Tax exemption for empty properties only).

(Councillor J.J. Johnson declared a personal and prejudicial interest in this matter in so far as he is a landlord and in accordance with the Members' Code of Conduct left the room during consideration of recommendation No. 6 – Council Tax exemption for empty properties only).

(Cabinet Agenda Item 7.1)

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### CABINET – 3 JULY 2017

#### CB17/02. COMMUNITY GOVERNANCE REVIEW FOR BEXHILL

Members received and considered Minute OSC17/06 arising from the Overview and Scrutiny Committee (OSC) meeting held on the 12 June 2017 on the Community Governance Review (CGR) for Bexhill.

Detailed within the report were the proposed consultation recommendations for Stage 2 of the CGR including four consultation options, details of a proposal to undertake a leaflet drop to Bexhill households and recommendations to provide an indication of potential functions and responsibilities that Cabinet may be prepared to devolve to an area committee structure for Bexhill and the rural areas.

Cabinet gave consideration to the four options: Option one – no change and retain current arrangements; Option two – the creation of one parish council for the whole of Bexhill (to be styled as a Town Council); Option three – the creation of an area committee for Bexhill; and Option four – the creation of three parish councils subdivided as Bexhill, Little Common and Sidley.

During discussion the following points were noted:

- It was disappointing that only 928 (less than 3% of Bexhill's population and around 25% of those signing the original petition) responses had been received during the Stage 1 consultation.
- Some of the consultation responses highlighted services that responders thought could be improved by a different governance model but were services mainly provided by East Sussex County Council (ESCC) or central government issues e.g. NHS, condition of the roads etc.
- The Leader of the Council was particularly concerned over the mis-information that had been promoted by some groups and organisations and urged there to be more honesty about what

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services and functions a town council for Bexhill would actually be capable of delivering.

- If an area committee system was adopted for Bexhill, with executive decision making powers, other area committees would have to be established across the district - potentially Battle, Northern Rother and Rye etc. to enable equity and fairness across the District. It would then be potentially necessary to hold a further consultation for the whole of Rother with additional costs.
- Some Rural Cabinet Members were not in favour of spending any amount of money on a household survey of Bexhill residents that would have no impact on rural Rother but would have to be paid for from Rother wide funds; a common perception in the rural communities was that Bexhill already received the majority of Rother funding and this would exacerbate this view.
- Members felt it was important that the Council was not seen to be wasting tax payers money which could be better spent on essential services.
- Concern was raised that considerable work would be required to investigate Option four; this option could compromise the Council's ability of meeting the prescribed 12 month timescale.
- Only minimum administrative costs could be provided as an indication of initial costings. There was potential for inflated costs as parish and town councils set their own precepts at no limits depending on what services they were providing.
- Members needed to be convinced whether a parish or town council for Bexhill could tangibly provide better services than the District Council? Would value for money be achieved?
- It was important that the residents were aware of the exact powers a parish and town council or area committee were likely to have and what services they would therefore provide.

The Executive Director of Resources reminded Members that the Council was legally obliged to complete the Community Governance Review process now that it had been triggered, as it was a due legal process, despite the disappointing level of engagement. With regard to the leaflet drop, an accurate quotation had been received after receiving the actual numbers of households which would receive the information and mock-ups of the documentation to be sent had been produced. It was confirmed that the cost had increased from £10,000 to just under £14,000. Concerns were raised regarding all of Rother's tax payers contributing towards a consultation for Bexhill residents only. Members agreed therefore that the consultation process used during Stage 1 should be repeated for Stage 2; community engagement events were considered to be an effective means of communicating with residents and Members were encouraged to support these again as they had during Stage 1.

Following debate, Cabinet recommended that Options one to three be included within the Stage 2 consultation process, as printed, with an amendment to Option four as follows: the creation of four Parish Councils subdivided as per ESCC's boundaries (North, South, East and West).

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Members were not supportive of the leaflet drop to every household in Bexhill on the grounds of cost and value for money. It was felt that given the limited response and interest shown at Stage 1 this would not be good use of Rother taxpayers' money. With regards to devolvment of functions and responsibilities for an area committee, Cabinet proposed that no executive functions/powers be devolved and that the following services be considered for devolvment e.g. public conveniences, grounds maintenance (at conclusion of current contract) etc. to Bexhill Town Council in the first instance.

The Chairman thanked Robin Patten, the CGR Steering Group Members and supporting officers for the excellent work they had undertaken thus far.

**RECOMMENDED:** That the:

- 1) following options be taken forward to form the basis of the Stage 2 consultation:
  - i. **Option one – no change** – This would see the continuation with the current governance arrangements for Bexhill-on-Sea and the decision making arrangements.
  - ii. **Option two – the creation of one parish council for the whole of Bexhill (to be styled as a Town Council)** – A parish council is created for the whole of Bexhill-on-Sea, to be styled as Bexhill Town Council based on the existing Bexhill Ward External Boundary. The town council to contain nine wards, based on the 2019 district wards and that two town councillors be elected to each ward, making a total of 18 Bexhill Town Councillors with the first elections to be in May 2019.
  - iii. **Option three – the creation of an Area Committee for Bexhill** – An area committee is created for Bexhill-on-Sea, comprising the 18 Bexhill district ward Members, acknowledging however that this would also require the establishment of additional area committee(s) covering the rural areas of the District.
  - iv. **Option four – the creation of four parish councils subdivided as per East Sussex County Councils boundaries (North, South, East and West).**
- 2) the proposal to undertake a leaflet drop to every Bexhill household, promoting the Stage 2 consultation at an estimated cost of £14,000 not be supported;
- 3) no executive powers be given to an area committee for Bexhill; and
- 4) the services of public conveniences and grounds maintenance (at the conclusion of the current contract) be considered for devolvment to Bexhill Town Council in the first instance.

(Cabinet Agenda Item 6.1)

CB17/03. **WASTE, RECYCLING AND STREET CLEANSING SERVICES CONTRACT**

Cabinet received and gave consideration to the report of the Executive Director of Business Operations on the Waste, Recycling and Street Cleansing Services Contract which provided details on the proposed Inter Authority Agreement (IAA), procurement process, timetable and costs, and further recommended that approval be given for a commitment to the joint waste partnership.

The exit from the waste services contract had been previously agreed and would take place on 28 June 2019. However, in the interim, officers from all partner authorities had been working with the Joint Waste Team to put in place successor proposals for delivering the service.

The IAA detailed a number of obligations for the partner authorities which included financial protection (should one or more partner pull out of the agreement). A commitment to equal allocation of the procurement costs was included in the Agreement for Members' consideration.

Cabinet noted that the procurement costs would be derived from the need to secure a range of technical support to the procurement process, including technical consultancy on waste management and street cleansing; ICT data and systems integration, legal advice and financial evaluation. The cost of this was anticipated to be in the region of £250,000 across the partnership but was dependent on the procurement route adopted; therefore a figure of £75,000 was recommended to be set aside from the Medium Term Financial Strategy Reserve to cover the cost. The three procurement processes were detailed in the report and a decision on which process would be undertaken once the authorities had signed up to the IAA.

The timetable for the procurement was appended to the report. Members considered the timescales involved and were mindful that it was tightly drawn with very little margin for departing from the schedule to achieve commencement of the new service on 29 June 2019. It was therefore agreed that the two nominated Members and their substitutes be authorised to carry forward the milestone decisions leading to the tender of the waste, recycling and street cleansing services on behalf of the Council.

After deliberation, Cabinet agreed to the recommendations as detailed in the report.

The Leader paid tribute to Alan Dodge, Neighbourhood Services Manager who was retiring next week from the Council after 46 years at Rother. Cabinet and the Leader on behalf of the whole authority, thanked Alan for his hard work, diligence, support and commitment and wished him well in his retirement.

**RECOMMENDED:** That:

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- 3) Rother District Council remains committed to a waste partnership and enters into the Inter Authority Agreement attached at Appendix 1 to the report for the joint procurement of waste, recycling and street cleansing services;
- 4) £75,000 be set aside for procurement costs, to be met from Medium Term Financial Strategy Reserve; and
- 5) the Members appointed to the Joint Waste Committee be authorised to procure the contract for waste recycling collection and street cleansing services, in accordance with the programme set out at Appendix 2 as submitted.

(Councillor A.E. Ganly declared a personal in this matter in so far as he is the Council's appointed Member on the Joint Waste Committee and in accordance with the Members' Code of Conduct remained in the room during consideration thereof).

(Councillor M.J. Kenward declared a personal in this matter in so far as he is the Council's appointed Member on the Joint Waste Committee and in accordance with the Members' Code of Conduct remained in the room during consideration thereof).

(Cabinet Agenda Item 8.1)

#### **CB17/04. COMMUNITY LED HOUSING PROJECT**

Consideration was given to the report of the Executive Director of Resources on Community Led Housing (CLH) projects across the district.

In April 2016, the Government allocated community housing funds to 150 councils to tackle the impact of second homes within their communities. Since March 2017, Rother had received a total of £748,899 from the Department for Communities and Local Government (DCLG). Future funding would be dependent on how the funding had been utilised to support projects. The aim of the funding was to grow the CLH sector, to support first time buyers, to reduce impact of second homes and to stabilise local communities. Flexibility on spending the grant was acceptable however the DCLG stipulated the following two key principles: that schemes were genuine CLH projects; and funds would only be used to deliver additional homes that would not otherwise be built, or that might be built slowly.

The report identified the different models of CLH which included: cohousing; community land trusts; co-operatives; self/custom build; and self-help. Appendix 1, appended to the report, provided an explanation of each model.

To deliver CLH projects and to meet the key principles set by the DCLG, it was proposed to develop a Sussex Community Housing Hub (SCHH) which would be delivered by Action in Rural Sussex (AiRS). To ensure value for money was received, it was proposed that the Council allocated funding via a four year Service Level Agreement (SLA) which would be subject to terms and conditions acceptable to

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the Portfolio Holder for Housing, Welfare and Equalities and the Executive Director of Business Operations. AiRS were the lead representative of the CLH for Sussex and Surrey and supported a number of projects in Sussex, as well as one currently in Rother.

Members noted that four local authorities had committed resources to the SCHH. AiRS total funding request was £466,225 over four years; Rother's contribution being £100,000 (£25,000 per annum). Rother's percentage of the total contribution was generally in-line with other local authorities across East Sussex. Funding would allow SCHH to expand services, increase recruitment, as well as improve administration and communication resources. A range of skills, technical knowledge, guidance and project management would be required to deliver services. Progress and performance would be monitored by a joint authority steering group.

The balance of Rother funding would be prioritised for the delivery of affording housing units across the district, which would include revenue and capital costs. Alternative access and funding sources would be sought by the SCHH to ensure that community groups had the financial means to progress projects. To allow for potential funding gaps, it was proposed that a further £50,000 be allocated and ring-fenced to support these projects; this funding would be managed by Rother. Funding requests would be assessed through an application process and allocated over the duration of the four year programme.

Subject to agreement, it was proposed that the remaining 2016/17 allocation of £598,899 and any further funding received be used to support the delivery of affordable housing across the district which would be subject to specific criteria. It was estimated that the remaining capital fund could potentially support the delivery of up to 25 affordable housing units. Amendments would need to be made to the Revenue and Capital Programmes to reflect spending and the associated grant funding.

During discussion, several questions were raised as follows: the amount of available land across the rural areas of the district; whether exception sites were included; the infrastructure to support new housing developments; whether SCHH would consult parish and town council Neighbourhood Plans; how units were counted; and whether all types of tenure would be considered. Land supply would be sought from exception sites and identified through the Council's Strategic Housing Land Availability Assessment (SHLAA). Community infrastructure would be supported where possible. It was acknowledged that all of these issues would be addressed in the housing report scheduled to be presented at the November meeting of the Overview and Scrutiny Committee.

Cabinet supported the delivery CLH schemes, increasing affordable housing projects and potentially attracting future funding opportunities to the district. The recommendations were agreed, as detailed within the report.

**RECOMMENDED:** That:

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- 1) subject to a service level agreement being signed on terms and conditions acceptable to the Portfolio Holder for Housing, Welfare and Equalities and the Executive Director of Business Operations, Action in Rural Sussex be agreed as the preferred partner to develop the Sussex Community Housing Hub;
- 2) subject to the service level agreement above, £100,000 (£25,000 per annum) of the Community Housing Fund grant be allocated towards the development and expansion of a Sussex Community Housing Hub over a four year period;
- 3) £50,000 be agreed to meet the set-up costs of Community Land Trusts or other community led models, and the delivery of Community Led Housing projects;
- 4) the balance of Community Housing Funds received to date and any further funds received in the future be used to secure the delivery of affordable housing through the Community Led Housing projects; and
- 5) the necessary adjustments be made to the Revenue Budget and Capital Programme as required.

(The Leader had accepted this item onto the Agenda as an Additional Agenda Item in order for the Council to receive the Community Led Housing Project at the meeting scheduled to be held on 10 July 2017).

(Cabinet Agenda Item 8.2)

Councillor C.R. Maynard  
Leader of the Council